

# Freedom of Information Request to Access Documents

## 1. MY DETAILS

Surname:

Given Name:

Postal Address:

Email Address:

Telephone (Preferred number):

(Alternative Number):

I wish to apply to access records held by Council under the Freedom of Information Act 1982 as detailed below:

## 2. I WOULD LIKE TO ACCESS THE FOLLOWING DOCUMENT(S):

(Please attach another page if insufficient space above)

For the period from

to

## 3. HOW I WOULD LIKE TO ACCESS THE DOCUMENTS (TICK ONE):

- I would like a copy of the documents.
- I would like to view the originals under supervision.

I understand that charges may be made in respect of this request. I enclose the application fee of \$30.60 and I understand that I will be supplied with a statement of further charges if required.

Signature \_\_\_\_\_

Date \_\_\_\_\_

**Please note:** Your request cannot be processed until the application fee has been received. You may pay your fee in person at Council's offices or send a cheque made out to Mount Alexander Shire Council or call 03 5471 1700 to pay by credit card..

### Privacy Statement:

Council respects all personal and confidential information you give and will do everything possible to protect the information from unauthorised access, loss or misuse. The personal information requested on this form is being collected by Council for the purpose of processing your Freedom of Information request and will not otherwise be disclosed without your consent or as required or permitted by law. Should you require access and/or amendment of your personal information, please contact Council on 03 5471 1700.

(Please read attached Guide to FOI)

• Civic Centre  
• Cnr Lyttleton and Lloyd Sts  
• P.O Box 185 Castlemaine VIC 3450  
• t (03) 5471 1700  
• e info@mountalexander.vic.gov.au  
• w www.mountalexander.vic.gov.au



# GUIDE TO FREEDOM OF INFORMATION

## **It is easy to apply to the Council for information. These are the steps you need to take:**

Before lodging your request, it is recommended you contact Council's Freedom of Information (FOI) Officer and discuss your request. Some information is available 'as of right' and can be supplied without the need for an FOI request.

FOI applications must be made in writing. Your application should state very clearly the specific information that you are requesting.

Please be aware that it may take some time to locate the documents requested, as what you are asking for may not be readily available. Council will contact you when the documents are available.

If you need any assistance please contact the FOI Officer who will be able to help you.

After completing the form or letter send it, together with the application fee to the Freedom of Information Officer, PO Box 185, Castlemaine, Victoria, 3450.

## **What documents should I ask for?**

When requesting documents, make your Freedom of Information (FOI) application as specific or detailed as possible. If you seek a particular document, state this in the form. This will help us search for the document and respond promptly to your request.

For example, if you seek a photocopy of a specific report, try to tell us the date of the report, the title or subject of the report, the specific address or street the report relates to, or the time period it relates to.

Some of the material you are asking for may require considerable research, or may be held at a location other than the Civic Centre. This is why it is necessary that you are very specific as staff need to know what you are asking for to ensure they assemble it all. For example, if you ask for A and B and this is found, then you realise you meant to ask for C and D, it will be necessary to start with a new application. Careful consideration needs to be given at the start to ensure that the application you are lodging covers everything that you require.

## **What documents are available?**

- The FOI Act gives you:
- The right to access documents about your personal affairs and the activities of government agencies; and
- The right to request that incorrect or misleading information held by an agency about you be amended or removed.
- It is not only documents in paper form that are accessible. The word 'documents' covers a broad range of media including maps, films, microfiche, photographs, computer printouts, emails, computer discs, tape recordings and videotapes.
- Not all information is automatically available.
- There are several important restrictions on the types of documents available under FOI. For example, documents which may not be available include:
- Exempt documents' such as internal working documents, law enforcement documents, documents relating to legal proceedings, or documents affecting the personal privacy of other people;
- Documents which are already publicly available or available by paying a fee under another Act; and

- Documents which were created before 1 January 1989.
- This should not deter you from asking for access as each document is assessed on its merits before a decision is made.

Unless required by law, letters of complaint are not released. For example, a letter from a resident complaining about a neighbour's dog would not be released.

In some cases you may be refused access to an entire document. Alternatively, you may be given access to a document with exempt information deleted.

### **How long does it take?**

The FOI Act gives Council up to 30 days to provide access to the documents you request, or tell you why we will not provide access.

### **How much does it cost?**

The application fee must be enclosed with your request form. The fee is reviewed annually by the State Government. If the fee is not received with the application, the FOI officer will contact you for payment and the 45 day period will not commence until both the money and application are received.

There is a provision in the Act for waiver of the fee on the grounds of financial hardship. Should this apply, sighting of a Commonwealth Pension or Commonwealth Health card would be necessary.

The Act also provides that Council may charge an hourly rate for 'search time' taken to locate the documents, as some requests involve a considerable amount of material, particularly where some of the documents go back to 1989 as these are not held within the office and must be retrieved from off-site storage. If it is estimated that the search time will exceed \$50, you will be contacted and a deposit may be required.

Photocopying of documents costs 20c per black and white A4 page, \$1.00 per black and white A3 page. Other documents (such as large maps, photographs etc.) will be charged at cost. Copies of plans may not be able to be provided due to copyright restrictions.

Inspection time is charged at \$5 per quarter hour or part thereof. Applicants may inspect original documents under supervision of Council staff. These charges are another reason why applicants should think clearly before filling out the form to specify just what they are asking for, particularly with regard to timeframe. This prevents charges being incurred for search time and photocopying of documents, particularly old documents, which may not be of interest, but because of the wording of the request have been located, copied and charged for.

**For further information, please contact Augustine Sheppard, Council's Freedom of Information Officer on 03 5471 1706.**