



Bayside City Council
Freedom of Information
Part II Statement
1 January 2019

Pursuant to the Freedom of Information Act 1982

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Contents

Introduction	4
Statement 1 - Organisation and Functions of Council	5
Establishment	5
Purpose of Council	5
Objectives of Council	6
What is the Role of a Council?	6
What are the Functions of a Council?.....	7
What are the Powers of Councils.....	7
Our Location	8
Contacting Council	8
Community Demographics – Census Data	9
Overview.....	9
Bayside City Council Wards	10
Decision Making Powers.....	11
Key laws Impacting Council.....	14
Organisational Structure.....	16
Customer Service.....	17
Council Complaint Resolution Policy	17
Consulting the Community	18
Council Governance.....	18
Victorian Charter of Human Rights.....	18
Corrupt or Improper Conduct Procedures	18
Best Value Program	19
Mayor and Councillors	21
Current Councillors.....	23
Council Meetings.....	24
Public Submissions.....	31
How to Make Your Views Known.....	31
Agendas & Minutes.....	31
Library Services	32
Library Branches	33
Statement 2 – Categories of Documents Maintained by Council	34

Statement 3 – Freedom of Information Arrangements.....	35
FOI Principles.....	35
What information is made available under FOI?	35
Exempt documents	35
Do I Need to Use Freedom of Information to Access Documents?	36
How Do I Make a Request Under FOI?	36
Costs Associated with Making a Request under the Freedom of Information Act 1982	36
Freedom of Information – Responsible Officers.....	37
Right of Appeal	37
Documents Available for Public Inspection.....	38
Statement 4 – Publicity Material	40
Freedom of Information Act 1982 – section 7(1)(a)(iv)	40
Publications	40
Corporate Documents.....	40
Media, Latest News, Let’s Talk Bayside.....	41
Online Communication.....	41
Statement 5 – Procedures and Guidelines Freedom of Information Act 1982 – section 8.....	42
Policies, Strategies & Plans	42
Arts & Culture	42
Building and Planning.....	42
Business, Commerce and Customers	43
Facilities and Venues	43
Library	44
Municipal Emergency Management Plan	44
Parks, Reserves and Beaches	44
Pets and Animals.....	45
Roads, Parking and Transport	45
Sport and Recreation.....	45
Sustainability and Environment	46
Trees and Vegetation	46
Wellbeing for All Ages and Abilities Strategies	47
Residents' Survey.....	47

Introduction

The *Freedom of Information Act 1982* (Act) provides the community with a right to access information, unless categorised as exempt, in the possession of the Government of Victoria and other bodies constituted under the law of Victoria. Part II of the Act requires agencies to annually publish a statement setting out the particulars of the agency and listing all documents that are either produced by or in possession of the agency.

The purpose of this Part II Statement is to:

- Make the community aware of the existence of documents held by Bayside City Council;
- Provide the community with the information needed to identify specific documents of interest; and
- Provide details on how to apply for access to said documents.

Documents listed in this Part II Statement are available for inspection and/or purchase either on Bayside City Council's website or by contacting the relevant department in Council.

Bayside City Council
76 Royal Avenue
SANDRINGHAM VIC 3191

Phone: 9599 4444

Website: <http://www.bayside.vic.gov.au>

Requests to access documents not available through the relevant department can be made under the *Freedom of Information Act 1982* (Act). Charges will apply for a copy requested and supplied. Where the estimated charge is thought to exceed \$50.00 a deposit will be sought.

It should be noted that the charge of 1.5 fee units per hour will apply to recover the cost of the time taken to find and identify the documents and a cost of 20 cents per b/w A4 page will be charged for printed copies.

The Victorian Government has a policy of automatically indexing fee units each year for inflation. For the current value of a fee unit please refer to the Department of Treasury and Finance website.

Statement 1 - Organisation and Functions of Council

Freedom of Information Act 1982 – section 7(1)(a)(i), (vii) and (viii)

Establishment

On 15 December 1994, by Order of the Victorian State Government, Bayside City Council was formed from the amalgamation of the former City of Brighton, the former City of Sandringham and part of the former cities of Moorabbin and Mordialloc. The municipality was divided into nine wards and was represented by nine Councillors. In 2008 the City was re-subdivided into three multi member wards, known as Northern, Central and Southern Wards, represented by a total of seven Councillors.

Purpose of Council

The purpose of local government is to provide a system under which Councils perform the functions and exercise the powers conferred by or under the Local Government Act 1989 and any other Act for the peace, order and good government of their municipal districts.

Bayside City Council consists of seven (7) Councillors who are democratically elected in accordance with the Act.

The Council has responsibility for managing a broad range of functions, activities and services. These include:

- Accounting
- Aged and Disability Services
- Appeals
- Arts and Cultural Services
- Asset Management
- Building Infrastructure Maintenance
- Building Surveying and Asset Protection
- Economic Development
- Capital Projects Management
- Communications
- Community Development
- Community Engagement and Research
- Corporate Information
- Customer Experience
- Environmental Sustainability
- Families and Children
- Fleet Management
- Governance
- Human Resources
- Strategy Planning
- Libraries
- Local Laws
- Occupational Health and Safety
- Open Space Management
- Payroll
- People and Capability
- Performance Reporting
- Planning Investigations
- Procurement and Purchasing
- Property Management
- Environmental Health
- Rates and Revenue
- Recreation, Sports and Events
- Recycling and Waste Management
- Risk and Claims Management
- Technology Support Services

- Traffic Management and Transport Planning
- School Crossings
- Statutory Planning
- Strategy and Improvement
- Urban Planning.

Objectives of Council

The primary objective of a Council is to endeavour to achieve the best outcomes for the local community having regard to the long term and cumulative effects of decisions.

In seeking to achieve its primary objective, a Council must have regard to the following facilitating objectives:

- a) to promote the social, economic and environmental viability and sustainability of the municipal district;
- b) to ensure that resources are used efficiently and effectively and services are provided in accordance with the Best Value Principles to best meet the needs of the local community;
- c) to improve the overall quality of life of people in the local community;
- d) to promote appropriate business and employment opportunities;
- e) to ensure that services and facilities provided by the Council are accessible and equitable;
- f) to ensure the equitable imposition of rates and charges;
- g) to ensure transparency and accountability in Council decision making.

What is the Role of a Council?

The primary role of the Council is to provide leadership for the good governance of the city of Bayside. This includes:

- a) acting as a representative government by taking into account the diverse needs of the local community in decision making;
- b) providing leadership by establishing strategic objectives and monitoring their achievement;
- c) maintaining the viability of the Council by ensuring that resources are managed in a responsible and accountable manner;
- d) advocating the interests of the local community to other communities and governments;
- e) advocating the interests of the local community to other communities and governments;

- f) fostering community cohesion and encouraging active participation in civic life; and
- g) making all decisions impartially and in the best interests of the whole community.

Council has a statutory responsibility to represent all people that live, participate in and invest within the municipality.

The elected Council appoint and review the performance of the Chief Executive Officer of the organisation, determine Council policies and set the strategic direction of the organisation.

What are the Functions of a Council?

Section 3E of the *Local Government Act 1989* prescribes the functions of a Council include:

- a) advocating and promoting proposals which are in the best interests of the local community;
- b) planning for and providing services and facilities for the local community;
- c) providing and maintaining community infrastructure in the municipal district;
- d) undertaking strategic and land use planning for the municipal district;
- e) raising revenue to enable the Council to perform its functions;
- f) making and enforcing local laws;
- g) exercising, performing and discharging the duties, functions and powers of Councils under this Act and other Acts;
- h) any other function relating to the peace, order and good government of the municipal district.

For the purpose of achieving its objectives, a Council may perform its functions inside and outside its municipal district.

What are the Powers of Councils

Subject to any limitations or restrictions imposed by or under the Local Government Act or any other Act, a Council has the power to do all things necessary or convenient to be done in connection with the achievement of its objectives and the performance of its functions.

Our Location

Bayside City Council is located between eight and 20 kilometres south of the Melbourne CBD and covers an area of 37 square kilometres. The municipality is bounded by the City of Port Phillip to the north, Glen Eira City Council to the east and the City of Kingston to the south. Bayside's suburbs include Brighton, Brighton East, Hampton, Hampton East, Sandringham, Beaumaris, Black Rock and parts of Highett, and Cheltenham.

Contacting Council

Postal Address:
Bayside City Council,
P.O. Box 27
SANDRINGHAM VIC 3191



Telephone: (03) 9599 4444
Fax: (03) 9599 4474
Website: www.bayside.vic.gov.au
Email: enquiries@bayside.vic.gov.au

To communicate with Council in a language other than English, call our Telephone Interpreter Service (TIS) on 131 450. Ask to be connected to Bayside City Council.

If you are deaf or have a hearing or speech impairment, you can call Council through the National Relay Service.

Select an option below and quote 03 9599 4444 for Bayside City Council.

TTY/voice calls: 133 677

Speak and listen: 1300 555 727

SMS relay: 0423 677 767

Internet relay: www.relayservice.com.au

Community Demographics – Census Data

For the latest information regarding the population structure, ages, occupations, family structure, education and disability go to: <http://profile.id.com.au/bayside/home>.

For mapped information, go to: <http://atlas.id.com.au/bayside>.

Overview

Bayside City Council's estimated population for 2018 is 104,030 residents – an increase of 1,293 people (1.3 per cent) from 2017. Over the previous 12-month period, the council's population growth occurred predominately in Highett and Hampton.

The 2016 Census found that the median age of Bayside residents increased from 42 years in 2011 to 44 years in 2016 due to the large increase in the number of residents aged 45 to 54 years and 65 to 74 years since the 2011 Census.

In 2016, 80 per cent of Bayside residents spoke only English at home. The most common non-English languages spoken were Greek, Mandarin, Russian, Italian and German. The biggest change since 2011 has been the increase in the number of residents who speak Mandarin, which has more than doubled in five years to 1,993 residents.

Within Bayside, there are 41,091 dwellings – an increase of 3,127 dwellings since the 2011 Census. Housing density has increased over the past five years, resulting in 38 per cent of dwellings categorised as apartments or townhouses (from one to four storeys), while 62 per cent are separate houses – a drop from 68 per cent separate dwellings in 2011.

Nearly half of all apartments were occupied by lone residents, with approximately one in five occupied by couples. Multi-storey townhouses were mostly occupied by families with children, while semi-detached single storey houses were predominantly occupied by sole residents.

Consistent with the ageing of the population, the percentage of residents who needed help or assistance because of a disability, long-term health condition or old age increased in 2016. On average, 3.6 per cent of men and 5.1 percent of women needed help or assistance. About half of the residents aged 85 years and over needed help or assistance with self-care, mobility or communication (39 per cent of males, 50 per cent of females).

Bayside City Council Wards

Bayside City Council governs three wards: Northern, Central and Southern. Two Councillors are elected to represent Northern and Southern Wards, and three Councillors are elected to represent Central Ward every four years. A Mayor is elected by the Councillors to serve as the principal ambassador for the City for a twelve month term.

Elected by residents the team of seven Councillors work together to set Council's strategic direction and to make important decisions regarding the whole municipality. Bayside City Council is divided into three wards.

Whilst Councillors have been elected to represent each ward, all Councillors are responsible for making decisions regarding the whole municipality.

In making these decisions, Councillors consider the views of, and consult with, the community. They also work closely with the Chief Executive Officer and Council Administration and more than 600 staff.



Northern Ward

Northern Ward is generally bounded by Head Street, St Kilda Street, Glen Huntly Road, Nepean Highway, North Road, Thomas Street, Marriage Road, Hampton Street, Dendy Street, and the beach between Dendy and Head Streets

Central Ward

Central Ward is generally bounded by Dendy Street, Hampton Street, Marriage Road, Nepean Highway, Park Road, Reserve Road, Tulip Street, George Street, Bay Road, Bluff Road, Abbott Street, the Frankston Railway Line between Moorabbin and Cheltenham Train Stations, and the beach between Dendy and Abbott Streets.

Southern Ward

Southern Ward is generally bounded by Park Road, Reserve Road, Tulip Street, George Street, Bay Road, Bluff Road, Abbott Street, Charman Road and the beach between Abbott Street and Charman Road.

Decision Making Powers

One of the most important functions undertaken by the Mayor and Councillors is to attend and participate in the decision making process at Council meetings. Councils are empowered by law to make decisions on many matters of importance to their local communities.

Decisions may be made in formally constituted Council meeting, or under delegations approved by the Council.

Individually neither the Mayor nor Councillors have the legal authority to act or make decisions on behalf of the Council.

Decisions made at a formal Council meeting provide the direction and authority for the ongoing operation of the Council. The decisions give directions to the CEO and are implemented by staff.

It is also at Council meetings that the Mayor and Councillors decide the policy direction of the Council and make decisions on other statutory matters. Council is a corporate body and as such it can only make decisions by resolution, ie: a motion has to be put to a properly convened meetings and passed by the required majority of members. A Council can only make decisions and pass resolutions about matters falling within its jurisdiction, otherwise it will be deemed to be acting “ultra vires” – acting beyond its powers.

Formal meeting procedures are followed. The Mayor chairs the meetings and has a casting vote if there is an equality of votes.

An agenda, listing the issues and relevant reports for discussions at the meeting is made available to the public in advance so that everyone has the opportunity to be aware of matters before Council. Copies are available through Council’s website, and by visiting the Corporate Centre.

Members of the public are encouraged to attend meetings. Meetings are only closed to the public when topics of a confidential nature are discussed, such as an individual’s financial circumstances, a particular staff member, proposed developments or legal matters.

- Ordinary Meetings of Council are held monthly at 7:00pm in the Council Chamber, Boxshall Street, Brighton (or as resolved by Council). The exception to this is the December meeting where the day is varied due to the Council Christmas Carols being held on the Tuesday.
- Planning and Amenity Meetings are generally held monthly, and on occasion bi-monthly, in the Council Chamber, Boxshall Street, Brighton. Meetings commence at 7:00pm.
- Additional Special Committee meetings may be called as required and will be advertised in local newspapers and on the Council's internet Public Notice webpage.
- All meetings are open to the public, unless Council resolves to close the meeting to the public to consider an item 'in camera'.
- All Ordinary Council and Planning and Amenity Committee meetings are streamed and close captioned.
- All these meetings are subject to change as necessary. Changes to the meeting cycle will be advised by public notice as appropriate.

Bayside City Council's functions are prescribed by the Local Government Act 1989:

- Advocate and promote proposals which are in the best interest of local community;
- Plan and provide services, facilities and infrastructure for the local community;
- Strategically plan and regulate land use in the municipality;
- Raise revenue so that we can perform our functions;
- Make and enforce local laws; and
- Exercise performing and discharge the duties, functions and powers of Councils under this Act and other Acts.

The agenda's and minutes of meetings are available on Council's website www.bayside.vic.gov.au, at the Corporate Centre or municipal libraries. Archived agenda's and minutes are available at the Corporate Centre or the Public Records Office.

Further details of specific decision-making powers held by Council and Council officers in relation to the above legislation can be found in Council's Instruments of Delegation.

Copies of Victorian legislation are available on the Victorian Legislation and Parliamentary Documents website at <http://www.legislation.vic.gov.au/>. Alternatively, current legislation may be purchased in hard copy form by contacting Anstat on 131 242.

Council's Local Laws are available on Council's website - <https://www.bayside.vic.gov.au/local-laws>

Whilst decisions are made at Council meetings, decision making power is allocated by formal delegation.

There are two main forms of delegation – delegation to Special Committee of Council Meeting and Delegation to members of Council staff (including the Chief Executive Officer).

Council maintains registers of the following Instruments of Delegation/Sub Delegation:

- Instrument of Delegation - Council to Special Committee of Council
- Instrument of Delegation - Council to Chief Executive Officer (S5)
- Instrument of Delegation - Council to various Council staff (S6)
- Instrument of Sub-Delegation – Chief Executive Officer to Council staff (S7).

Key laws Impacting Council

The Council derives its powers and operates pursuant to many Acts, Regulations and Council Local Laws.

Council performs its functions through the enforcement and administration of a large number of Victorian Acts and Regulations and Council Local Laws. The following list indicates as far as practicable the Acts, Regulations and Local Laws that apply to Council.

- *Aboriginal Heritage Act 2006*
- *Amenity Local Law*
- *Australian Consumer Law*
- *Building Act 1993*
- *Building Regulations 2006*
- *Children Youth and Families Act 2005*
- *Children's Services Act 1996*
- *Children's Services Regulations 2009*
- *Climate Change Act 2010*
- *Commonwealth of Australia Constitution Act*
- *Conservation, Forests and Land Act 1987*
- *Cultural and Recreational Lands Act 1963*
- *Dangerous Goods Act 1985*
- *Domestic Animals Act 1994*
- *Drugs, Poisons and Controlled Substances Regulations 2006*
- *Education and Care Services National Law Act 2010*
- *Education and Care Services National Regulations 2011*
- *Education and Training Reform Act 2006*
- *Electricity Safety Act 1998*
- *Emergency Management Act 1986*
- *Environment Protection Act 1970*
- *Equal Opportunity Act 2010*
- *Estate Agents Act 1980*
- *Fences Act 1968*
- *Financial Institutions Duty Act 1982*
- *Flora and Fauna Guarantee Act 1988*
- *Food Act 1984*
- *Freedom of Information Act 1982*
- *Gambling Regulation Act 2003*
- *Geothermal Energy Resources Regulations 2006*
- *Graffiti Prevention Act 2007*
- *Health Records Act 2001*
- *Heritage Act 1995*
- *Housing Act 1983*
- *Impounding of Livestock Act 1994*
- *Infringements (General) Regulations 2006*
- *Infringements Act 2006*
- *Land Acquisition and Compensation Act 1986*
- *Land Acquisition and Compensation Regulations 2010*
- *Land Act 1958*
- *Landlord and Tenant Act 1958*
- *Liquor Control Reform Act 1998*
- *Local Government (Finance and Reporting) Regulations 2004*
- *Local Government (General) Regulations 2015*
- *Local Government (Long Service Leave) Regulations 2012*
- *Local Government Act 1989*
- *Magistrates' Court Act 1989*
- *Major Transport Projects Facilitation Act 2009*
- *Meeting Procedure Local Law*
- *Metropolitan Fire Brigades Act 1958*
- *Mineral Resources (Sustainable Development) Act 1990*
- *National Parks Act 1975*
- *Occupational Health and Safety Act 2004*
- *Occupational Health and Safety Regulations 2007*
- *Pipelines Act 2005*

- Planning and Environment (Fees) Further Interim Regulations 2014
- *Planning and Environment Act 1987*
- Planning and Environment Regulations 2015
- *Prevention of Cruelty to Animals Act 1986*
- *Privacy and Data Protection Act 2014*
- *Protected Disclosure Act 2012*
- Protection of Council Assets and Control of Building Sites Local Law
- *Public Health and Wellbeing Act 2008*
- *Public Records Act 1973*
- *Rail Safety Act 2006*
- *Residential Tenancies Act 1997*
- Road Management (General) Regulations 2005
- Road Management (Works and Infrastructure) Regulations 2005
- *Road Management Act 2004*
- Road Safety (General) Regulations 2009
- Road Safety (Traffic Management) Regulations 2009
- Road Safety (Vehicles) Regulations 2009
- *Road Safety Act 1986*
- Road Safety Road Rules Regulations 2009
- *Second Hand Dealers and Pawnbrokers Act 1989*
- *Sex Work Act 1994*
- *Sheriff Act 2009*
- *Shop Trading Reform Act 1996*
- Smoke-Free Areas Local Law
- *Sport and Recreation Act 1972*
- Street Numbering Local Law
- Subdivision (Fees) Further Interim Regulations 2014
- Subdivision (Procedures) Regulations 2011
- *Subdivision Act 1988*
- *Summary Offences Act 1966*
- *Tobacco Act 1987*
- *Transfer of Land Act 1958*
- *Transport Integration Act 2010*
- Tree Protection Local Law
- *Valuation of Land Act 1960*
- *Victoria Grants Commissions Act 1976*
- *Victoria State Emergency Service Act 2005*
- *Victorian Civil and Administrative Tribunal Act 1998*
- *Victorian Urban Development Authority Act 2003*
- *Water Act 1989*
- *Working with Children Act 2005*

Local Laws

- Governance Local Law No. 1 - 2013
- Consolidated Local Law No. 2 “Neighbourhood Amenity” - 2012

Further details of specific decision-making powers held by Council and Council officers in relation to the above legislation can be found in Council’s Instruments of Delegation which are available for public inspection.

Copies of Victorian legislation are available on the Victorian Legislation and Parliamentary Documents Website at www.legislation.vic.gov.au or the AustLii website at http://www8.austlii.edu.au/cgi-bin/viewdb/au/legis/vic/consol_act/.

Organisational Structure

To exercise these powers and functions Bayside City Council consists of the following divisions and departments:

Environment, Recreation and Infrastructure

- City Assets and Projects
- Open Space, Recreation and Wellbeing
- Sustainability and Transport.

City Planning and Amenity

- Amenity Protection
- Urban Strategy
- Development Services.

Community and Customer Experience

- Community Services
- Customer and Cultural Services
- Communication and Engagement.

Corporate Services

- Information Services
- Finance
- Commercial Services
- Governance and Corporate Reporting
- Program Facilitation and Major Projects.

People and Strategy

- Payroll
- Learning and Capability
- Strategy and Improvement
- People and Capability.

Whilst Bayside City Council offers multiple services with some shared business processes, in most cases Council's divisions work independently to deliver services.

Customer Service

Bayside City Council is committed to being a leading customer focused organisation that delivers excellent customer service at all levels. By engaging with the community, delivering simplified processes and exceeding expectations, we are committing to easy to deal with, effective and trusted customer service.

Bayside City Council has implemented the following mechanisms for advice, when consulting with the public. The information assists Council with understanding the community's views on a wide range of subjects and provides opportunities for feedback on specific local issues through planning for the future needs of the municipality.

Customer Service Commitment

This outlines Bayside City Council's response commitment to the municipality. It highlights the way in which customers can contact and communicate with council. How we monitor the quality of our service & performance, while ensuring communication formats are accessible and comply with Disability Discrimination Act, Equal Opportunity Legislation, Privacy and Data Protection Act 2014 and Freedom of Information Act 1982, relating to the collection, use, storage, management and provision of access and disposal of information.

The Customer Service commitment can be found online at the following link: <https://www.bayside.vic.gov.au/our-customer-service-commitment>.

Council Complaint Resolution Policy

Bayside City Council is committed to having a [Complaint Handling Procedure](#) that reflects the needs, expectations and right of customers. The Customer Complaint Handling Procedure aims to outline how Council will effectively manage complaints and feedback from our customers. The procedure guides staff in handling complaints effectively and appropriately.

Council recognises that at times it is not possible to meet customer expectations due to policy position or legislative requirements. However, Council is committed to ensuring that customers are able to effortlessly communicate feedback on their experience through the provision of a Customer Complaint Handling Procedure which ensures complaints are managed in an efficient and timely manner.

For some issues, complaints and appeals are governed by other processes outside the jurisdiction of Council. Where this is the case, complainants will be referred to the appropriate process or authority. This includes decisions and processes relating to:

- Privacy and health records
- Freedom of Information
- Protected Disclosures
- Decisions made under legislation which provides for separate avenues of appeal (eg: infringements issued by Local Laws and decisions under the Building Act).
- Decisions made at Council and Special Committee meetings
- Complaints against Councillors.

Consulting the Community

Consultation is an important means of gathering community feedback. The information assists Council to understand the community's view on a whole range of subjects. These may include opportunities for feedback on specific local issues through to planning for the future needs of the municipality.

Council consults with the community through planning consultation forums, interviews, resident surveys, invitations for submissions, committees, public meetings, information nights, direct mail to residents, the provision of drafts and exhibits for public comment, onsite meetings, online surveys and at Planning and Amenity Committee Meetings where residents are given the opportunity to comment on concerns they may have.

Additionally Council enables residents to contribute their ideas and opinions on some projects and issues being considered by Council via the online community engagement [Have Your Say](#) page on Council's website.

Council Governance

Governance relates to transparency, accountability and equality of decision making processes within the municipality. It ensures that the community can access, understand and participate in council activities and processes and that the organisation is well-managed. The following links provide information relating to how Council measures its performance against the Victorian Charter of Human Rights, and corrupt or improper conduct procedures.

Victorian Charter of Human Rights

The Victorian Charter of Human Rights and Responsibilities Act 2006 sets out the freedoms, rights and responsibilities of all Victorians. It recognises that "all people are born free and equal in dignity and rights".

Bayside City Council must observe human rights in relation to freedom, respect, equality and dignity as set out in the Victorian Charter of Human Rights. This encompasses all aspects of Council's day-to-day operations including creating laws, developing policies and providing services.

Council is committed to the Charter being 'front of mind' at all levels of Council when delivering services or making decisions that impact the human rights of the community. As such, Council reviews its policies in the context of the Human Rights Charter.

Further information regarding human rights and a copy of the Victorian Human Rights Charter is available from the Victorian Equal Opportunity and Human Rights Commission: www.humanrightscommission.vic.gov.au

Corrupt or Improper Conduct Procedures

In accordance with the *Protected Disclosure Act 2012*, Council is committed to integrity and commitment in all its operations. One of Council's key result areas for management of the municipality reads: *'It is essential that Council be accountable to its constituents, meeting its legislative obligations, conducting its affairs openly and with integrity while reflecting the highest level of good management and governance practices.'*

Allegations regarding corrupt or improper conduct of a Councillor of Bayside City Council are to be made to the Victorian Ombudsman on 9613 6222, toll free 1800 806 314 or by mail to:

Victorian Ombudsman
Level 9, 459 Collins Street (north tower)
Melbourne 3000

Allegations regarding corrupt or improper conduct of any Council employee may be referred to the Chief Executive Officer on 9589 4444 or by mail to:

Please mark envelope 'Strictly Confidential'

Mr Mick Cummins
Chief Executive Officer
Bayside City Council
PO Box 27
SANDRINGHAM Vic 3191

You may make an allegation anonymously, either in writing or by telephone. All allegations will be regarded as extremely serious and will be thoroughly investigated. If it is established that any improper conduct may have occurred, the allegation will be referred to the Victorian Ombudsman. The legislation provides protection for any person coming forward with an allegation and for feedback to the Whistleblower (where such is not anonymous).

Best Value Program

In 1999 the Victorian Government amended the Local Government Act to add a new section on Best Value. This replaced the previous requirements for Compulsory Competitive Tendering.

Under Best Value, councils are obliged to review all their services and adopt service delivery models that are the best on offer to meet the needs of their community.

The Local Government Act requires Council to take these six principles into account when reviewing its services under best value:

- The need for services to deliver against agreed quality and cost standards;
- Accessibility of services to those who need them;
- Services being responsive to changing community needs;
- Continuous improvement in the delivery of services;
- Community consultation on services and activities,
- Regular annual reporting to the community on Council's performance.

Furthermore, the Act requires Council to take seven factors into account when developing its quality and cost standards:

- The best on offer in the public and private sectors;
- Value for money;
- Community expectations and values;
- Balance of affordability and accessibility;
- Opportunities for local employment growth;
- Partnership building with other levels of government;
- Environmental sustainability;
- Council's approach to Best Value.

The implementation of the Best Value principles in the Bayside City Council will be guided by three principles:

- The Best Value process at Council will be used to ensure that all of the City's services and activities provide high quality and good value for money to the community.
- Council is committed to ensuring that where appropriate the services currently being provided by Council staff, continue to be delivered internally unless it can be demonstrated that it would be better value to the community for these services to be provided by others.
- The Best Value process will be implemented in accordance with the Victorian Government's Competitive Neutrality Policy Victoria 2000.

The first step in implementing Best Value involves Council identifying and defining the scope of its services and developing a program of service reviews for implementation.

Council has found the service review process beneficial in enabling Council to ensure that its services meet the changing needs of the community and in providing an opportunity to compare its performance with like services in the public and private sectors.

Council will continue to apply the Best Value principles when conducting service reviews and continue to report to the community on the outcomes of its reviews through reports to Council and annual reports on the implementation of Best Value placed on Council's website.

In terms of the development of a program of reviews, Council will take a strategic approach to the conduct of reviews, identifying services for review on the basis of:

- Significance in achieving Council's strategic goals;
- Capacity to lead to significant improvement in service delivery;
- Changes in community satisfaction with the service;

- Changes in community expectations or demands for the service;
- Alterations in government policy that have major ramifications for service delivery;
- The length of time that has lapsed since the previous review.

Further information can be found in the MAV Procurement document, [Doing Business with Local Government](#).

Mayor and Councillors

Local government is the level of government closest to the community; it creates the foundations for democracy and accountability. Local councils govern, provide services and advocate but, most importantly, create opportunities for citizens to influence and participate in the democratic process and the decisions that shape our society and local communities.

A Councillor's role is to act in the best interest of the municipality, faithfully and impartially carrying out the functions, powers, authorities and discretions provided to them under the Local Government Act 1989 to the best of their ability.

Councillors play a key role in facilitating communication with the community and encouraging engagement with the activities of Council. This includes:

- Achieving a balance in diversity of community views to develop an overall strategy for the future of the municipal district;
- Setting the objectives and determining strategies to achieve the council's corporate objective identified in the Council Plan;
- Determining policy direction;
- Achieving sound financial management and accountability in relation to the council's finances;
- Ensuring that appropriate mechanisms are in place to deal with the prompt handling of residents' concerns;
- Promoting economic and social development in the best interests of the municipal district;
- Working with other governments and organisations to achieve benefits for the community at both a local and regional level;
- Monitoring the performance of the Council Plan and that of the Council's Chief Executive Officer;
- Having awareness of the statutory obligations imposed on Councillors and on the Council.

Councillors are also involved in:

- Civic leadership;
- Supporting the community including advocate on behalf of community programs, needs and wellbeing;
- External relations – other governments, peak local government organisations, peak organisations from other interests, community groups and businesses;
- Policy and planning;
- Accountability and performance measurement.

As Councillors of Bayside City Council they commit to providing the municipality with good governance by:

- Engaging with the community;
- Reflecting community values and aspirations;
- Making decisions in a transparent manner;
- Making decisions in an efficient and timely manner;
- Advocating and representing with dignity the interests of the community to other levels of government and to public and private agencies;
- Reporting regularly to the community on its plans, actions and performance;
- Encouraging sustainability;
- Conforming to the [Councillor Code of Conduct](#).

Current Councillors

Bayside City Council has seven Councillors who will hold office until October 2020.

Northern Ward



Cr Michael Heffernan

Ward - Northern
M: 0400 965 233
E: mheffernan@bayside.vic.gov.au



Cr Alex del Porto

Ward - Northern
M: 0417 390 641
E: adelporto@bayside.vic.gov.au

Central Ward



Cr Rob Grinter

Ward - Central
M: 0466 356 789
E: rgrinter@bayside.vic.gov.au



Cr James Long BM JP

Ward - Central
M: 0400 828 688
E: jlong@bayside.vic.gov.au



Cr Sonia Castelli

Ward - Central
M: 0466 356 794
E: scastelli@bayside.vic.gov.au

Southern Ward



Cr Laurence Evans

Ward - Southern
M: 0407 735 993
E: levans@bayside.vic.gov.au



Cr Clarke Martin

Ward - Southern
M: 0466 356 805
E: cmartin@bayside.vic.gov.au

Council Meetings

Council conducts its formal decision making process through Ordinary Meetings of Council, the Planning and Amenity Committee and Special Meetings of Council. Where possible the Ordinary Meetings of Council are generally held on the third Tuesday of a monthly meeting cycle. Meetings commence at 7.00pm at the Council Chambers, Boxshall Street Brighton.

The Planning and Amenity Committee meetings are held on the second (and alternate fourth Tuesdays) of a monthly meeting cycle (the week immediately preceding the Ordinary Meeting of Council). Meetings commence at 7.00pm at the Council Chambers, Boxshall Street Brighton.

From time to time the Mayor and Councillors may call a Special Meeting of Council to deal with urgent items. These meetings are generally held at the Council Chambers at the specified time and date advertised in the public notices in the Age Newspaper, Bayside Leader (where time permits) and Council's website.

Council may also conduct its formal meetings at another location outside the Civic Centre Precinct by resolution of the Council.

General Information about Ordinary Meetings of Council

One of the most important functions undertaken by the Mayor and Councillors is to attend and participate in the decision making process at Council Meetings.

Decisions made at a formal Council Meeting provide the direction and authority for the ongoing operation of the Council. The decisions give direction to the Chief Executive Officer and are implemented by staff employed by Bayside City Council.

It is also at Council meetings that the Mayor and Councillors decide the policy direction of the Council and make decisions on other statutory matters.

Council is a corporate body and as such it can only make decisions by resolution, ie: a motion has to be put to a properly convened meeting and passed by the required majority of members of Council. A Council can only make decisions and pass resolutions about matters falling within its jurisdiction, otherwise it will be deemed to be acting "ultra vires" – acting beyond its powers.

The meeting procedures are governed by the Governance Local Law No: 1. The Local Law was developed to provide procedures for the conduct of Council meetings and Committee meetings and also sets out the rules of behaviour for those participating in or present at Council and Committee meetings.

The Mayor of the Day chairs the meeting and has a casting vote if there is an equality of votes. The method of voting is carried out by a show of hands. The Chairperson will then ask the meeting all those in favour of the motion and against the motion.

An Agenda, listing the issues and relevant reports for discussion at the meeting, is made available to the public in advance so that everyone has the opportunity to be aware of matters before the Council. Copies of [Agenda's](#) are available through Council's website, or by visiting the Corporate Centre or one of the five branch libraries.

Meetings are closed to the public when topics of a confidential nature are discussed, such as an individual's financial circumstances, a personnel matter, proposed development, contractual arrangements or legal matters. These are defined in more detail within Section 89 of the Local Government Act 1989.

Behaviour expected from the public

As indicated earlier, Council meetings are a formal meeting. This means that visitors are bound by the Governance Local Law and are not permitted to interrupt the meeting procedures.

The Governance Local Law gives the power to order a person to leave the Council Chamber if the person interjects or attempts to disrupt the meeting. A person asked to leave the Meeting by the Chairperson, and not doing so, is guilty of an offence.

The Business of the Council Meeting

All business to be dealt with at a Council Meeting is listed in the Agenda papers. A brief description of each section of the agenda is outlined below:

- **Welcome and Opening of the meeting**

The Mayor is Chairperson of the Council Meeting and will open the meeting. The Chairperson will invite a Councillor to read the Council prayer. All persons present in the Chambers must stand unless incapable of rising to their feet.

The Chairperson will invite a Councillor to read the acknowledgement of original inhabitants.

The Chairperson may also acknowledge former Mayors or any dignitaries present in the Chamber.

- **Apologies**

If any Councillor had advised that they are unable to be in attendance at the meeting, then their absence will be dealt with at this stage of the meeting.

- **Disclosure of any Conflicts of Interest of any Councillors**

Councillors are required to declare any Conflicts of Interest, including direct and indirect conflicts of interest and personal interests in any items on the agenda. This is a requirement of the Local Government Act 1989.

The Chairperson will ask Councillors to declare any conflicts of interest in any item listed on the agenda at this stage of the meeting.

Councillors must clearly articulate to the meeting the item in which they have a conflict of interest, the type of interest and the nature of interest in the item. The appropriate form must be completed and signed by the Councillors and handed to the Governance Officer at the time the conflict of interest is declared.

Where a Councillor has declared an interest in a matter the Councillor will again declare the interest prior to the consideration of the item on the agenda and vacate the Chamber whilst discussion and voting takes place on the item and then must return to the Chamber for the continuation of the next item on the agenda.

For a personal interest a Councillor must seek leave of Council to abstain (be absent) from consideration of the item. In the vote on this request the Councillor with the personal interest must leave the Chamber. If the request is grant then the Councillor will remain outside until after the item is concluded.

- **Adoption and Confirmation of the minutes of previous meeting**

The Minutes of the previous Council meeting have been previously circulated to Councillors and are confirmed with or without corrections as a true record of the previous meeting.

- **Public Question Time**

At every Ordinary Council meeting 15 minutes in duration is set aside for Public Question Time which provides the opportunity for members of the public to lodge a question with Council.

Questions submitted to Council for consideration at the Ordinary Meeting must be in writing stating name and address. [Questions can be lodged electronically](#), by mail or in person, and all questions must be lodged by 11.00am on the day immediately preceding the day of the Ordinary meeting.

Questions are limited to two (2) questions per person, however each question may be split into two parts only. If more than two parts to a question is received only the first two parts will be responded to.

The Chairperson will read out the question in the meeting if the questioner is present in the gallery. Either the Chairperson or the Chief Executive Officer will respond to the question. If the questioner is not present the question and response will not be read out in the meeting.

A question will be disallowed by the Chairperson if the matter relates to:

- a function outside the duties, functions and powers of Council;
- is defamatory, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
- deals with a subject matter already answered;
- is aimed at embarrassing a Councillor or a member of Council staff; or
- relates to any matter considered confidential in accordance with Section 89(2) of the Local Government Act 1989.

Where a questioner is present at the meeting the question and response will be included in the minutes of the meeting.

Where a questioner is not present at the meeting the question will not be read out at the meeting, will not be included in the minutes, however a written response will be provided to the questioner.

- **Petitions to Council**

At this point of the meeting Councillors are able to present any petitions on behalf of residents.

Generally a motion to receive the petition or take some action will usually be moved by the Councillor presenting the petition. Council will communicate to the head signatory or organiser of the petition. It is then the responsibility of the head signatory to advise other signatories.

A petition is deemed a petition for the purpose of Council, if the request of the petitioners or signatories is signed by at least five (5) people and the petition must include a prayer on every page of the petition consisting of the following words:

We the undersigned hereby petition Bayside City Council to.....

The petition must be signed by the persons whose names are appended to it including their address.

The [Petition Guidelines](#) can be found on the Council website.

- **Minutes of Advisory Committees**

Council receives minutes of Advisory Committee, such as the Audit Committee, Given these Committees are of an advisory nature, Council is required to receive and adopt the recommendations with or without amendments in order that actions recommended by the Advisory Committee can be acted upon.

- **Reports by Special Committees**

The Council receives reports or Minutes from various Special Committees established. If the Special Committee has no delegated powers the Council will receive and note the minutes of the Special Committee meeting.

The Planning and Amenity Committee is a Special Committee however under an instrument of delegation the Committee has the full delegated powers of Council, therefore it is not necessary to submit the minutes of the Planning and Amenity Committee to a Council meeting for consideration and adoption.

- **Reports by the Organisation**

This Section of the Agenda contains all the reports prepared by the organisation for consideration by Council. The reports are structured to provide an officer's recommendation at the conclusion of the report. Each item is considered separately unless Council by resolution agrees to group items together.

A member of the public may upon written application apply to speak to any item under this section of the agenda only. The written request to be heard must be delivered or sent electronically to the Chief Executive Officer or his delegated officer before 11.00am on the day of the meeting.

This [Request to be Heard](#) can be lodged electronically on Council's website.

A list of speakers will be prepared in the order in which the requests to be heard have been received. The list will be available at the entrance to the Chamber. Each listed speaker is able to speak for a period of three (3) minutes.

In the event a listed speaker is not present in the Chamber at the time his or her name is called to the lectern and debate on the item has commenced the speaker previously called will not be afforded the opportunity to speak to the item.

- **Reports by delegates**

In this section of the agenda Councillors who have been appointed by Council to represent the Council on various organisations or at specific functions are able to report back to Council on matters of interest.

- **Urgent Business**

At this stage of the meeting, if a Councillor wishes to raise an item of business which cannot wait until the next Council meeting, then such business is proposed. The Council must first vote to consider that the item is accepted to be dealt with as Urgent Business. If the Council agrees to admit the matter as Urgent Business then a motion relating to the urgent business will be put forward and debate on the item will commence.

- **Notice of Motions**

Councillors may by lodging a Notice of Motion to the Chief Executive Officer ensure an issue requiring action is listed on an agenda for consideration at a Council meeting.

A Councillor must lodge the written Notice of Motion on the prescribed form with the Chief Executive Officer by 12 noon at least 4 business days before the meeting.

Once the Notice of Motion has been received by the Chief Executive Officer within the specified timeframe, the Chief Executive Officer will ensure the Notice of Motion is listed on the Council Agenda for consideration.

Once the Notice of Motion is moved and seconded by a Councillor at the meeting the motion may be debated.

The purpose of a Notice of Motion is to provide advance notice to Councillors of an individual Councillors intention to move a particular motion on a specific matter that is not the subject of a matter coming before Council on the agenda.

The Business of the Planning and Amenity Committee

- **Purpose of the Planning and Amenity Committee**

The Planning and Amenity Committee considers all matters relating to statutory planning, tree removal applications and traffic and parking matters. This Committee does not determine upon any policy or strategy matters.

The Committee is made up of all seven (7) Councillors, and the quorum of this Committee is a majority of the Council members.

The Planning and Amenity Committee has been delegated the following powers by Council and are only to be exercised in accordance with an Instrument of Delegation pursuant to Section 86(3) of the Local Government Act 1989:

- All of the powers, discretions and functions conferred by or under the *Planning and Environment Act 1987*;
- The power to determine upon any Tree Removal applications; and
- The power to determine upon any specific local traffic and parking matters.

The Chairperson of this Committee is elected by the Council at the Annual Meeting of Council.

- **Welcome and Opening of the meeting**

The Chairperson of the Committee will open the meeting.

- **Apologies**

If any Councillor had advised that they are unable to be in attendance at the meeting, then their absence will be dealt with at this stage of the meeting.

- **Disclosure of any conflicts of Interest of any Councillors**

Councillors are required to declare any Conflicts of Interest, including direct and indirect conflicts of interest and personal interests in any items on the agenda. This is a requirement of the Local Government Act 1989.

The Chairperson will ask Councillors to declare any conflicts of interest in any item listed on the agenda at this stage of the meeting.

Councillors must clearly articulate to the meeting the item in which they have a conflict of interest, the type of interest and the nature of interest in the item. The appropriate form must be completed and signed by the Councillors and handed to the Governance Officer at the time the conflict of interest is declared.

Where a Councillor has declared an interest in a matter the Councillor will again declare the interest prior to the consideration of the item on the agenda and vacate the Chamber whilst discussion and voting takes place on the item and then must return to the Chamber for the continuation of the next item on the agenda.

For a personal interest a Councillor must seek leave of Council to abstain (be absent) from consideration of the item. In the vote on this request the Councillor with the personal interest must leave the Chamber. If the request is grant then the Councillor will remain outside until after the item is concluded.

- **Reports by the Organisation**

In this Section of the Agenda are all the reports prepared by the organisation for consideration by the Committee. The reports are structured to provide an officer's recommendation at the conclusion of the report.

A member of the public may upon written application apply to speak to any item under this section of the agenda only. The written request to be heard must be delivered or sent electronically to the Chief Executive Officer or his delegated officer before 11.00am on the day of the meeting. This [Request to be Heard](#) can be lodged electronically through Council's website.

A list of speakers will be prepared in the order in which the requests to be heard have been received, however in relation to Planning Applications objectors will be listed first followed by supporters of the application and then the applicant/owner. The list will be available at the entrance to the Chamber.

Each listed speaker is able to speak for a period of three (3) minutes.

In the event a listed speaker is not present in the Chamber at the time his or her name is called to the lectern and debate on the item has commenced the speaker previously called will not be afforded the opportunity to speak to the item.

Use of Titles at Council / Committee Meetings

Both Council and Committee meetings are formal meetings therefore Councillors and Officers must refer to each other by their formal titles.

Councillors are required to stand at Council meetings when moving, seconding and speaking to a motion before the Chair.

Councillors may remain in their seats at the Planning and Amenity Committee meetings whilst moving, seconding and speaking to a motion before the Chair.

Time Limits

Councillors must not speak longer than the allocated time set out below, unless an extension is granted by a Council resolution:

- | | | |
|---|--|-----------|
| ✓ | Mover of a motion or an Amendment: | 4 minutes |
| ✓ | Secunder of a motion or an Amendment: | 4 minutes |
| ✓ | Any other Councillors speaking on the motion or Amendment: | 4 minutes |
| ✓ | The mover of a motion exercising a Right of Reply: | 2 minutes |

Only one extension of time is permitted for each speaker.

Decisions in Camera

The Council and its committee meetings are open to the public but the Local Government Act states that certain types of business may be discussed and decisions made in camera (a closed meeting). These are matters relating to contractual matters, property sales or purchases, legal issues, staff matters, the personal affairs of individual ratepayers, or any other matter that may prejudice the Council or another person. These are usually conducted at the end of the agenda when Council resolves to close the meeting and go into camera. The public will be asked to leave at that time and the doors closed.

Public Submissions

Any person wishing to make a submission at a Special Committee Meeting must lodge their submission before 5:00pm on the advertised date.

Submissions should be addressed to:

Mr Mick Cummins
Chief Executive Officer
Bayside City Council
PO Box 27
SANDRINGHAM VIC 3191

Submissions may also be delivered to the Corporate Centre, 76 Royal Avenue Sandringham.

If a person wishes to be heard in support of his or her submission, they must include the request to be heard in the written submission and this will entitle them to appear in person, or by a person acting on their behalf at the Special Committee Meeting. Individuals wishing to speak will have 15 minutes to deliver their submission.

Special Committee Meeting's will proceed if one or more persons request to be heard in support of their submission.

All submissions are considered in accordance with section 223 of the Act.

Submissions made in accordance with section 223 of the Act are not confidential and will be incorporated in full (including any personal information) into the agenda and minutes of any Council or Committee meeting at which the matter is considered. The submissions will be available on Council's website as part of any relevant Council or Committee agenda and minutes.

How to Make Your Views Known

Any resident has the right to approach a Councillor to raise matters on their behalf.

Requests for action or statements of opinion about community matters concerning the Council should be directed to the Council in writing (addressed to the Chief Executive Officer). Residents may also make their views known by speaking to the Chief Executive Officer or other senior officer.

Residents may formally petition the Council for certain action to be taken. There is a set format that a petition must follow, as distinct from a joint letter from two or more people. For more information, visit the [Guidelines for Petitions](#) page on the website.

Agendas & Minutes

To download agendas and minutes of Council meetings, visit the following links on the council webpage:

- Agenda: <https://www.bayside.vic.gov.au/council-agendas>
- Minutes: <https://www.bayside.vic.gov.au/council-minutes>

Library Services

Bayside City Council has four libraries located in Beaumaris, Brighton, Hampton and Sandringham.

The Bayside City Council libraries hold more than 160,000 items including books, magazines, DVDs, CDs, audio cassettes, language kits, videos, electronic games, sheet music, large print books and current Council agendas and minutes. Joining the library and borrowing items is free.

Information Technology

There are many computers available for public use at bayside City Council's four branch libraries. They provide access to the internet, email facilities and access to a range of online resources and databases. You can access the library catalogue, renew your loans and reserve books through the library website.

Special Collections

These include items in other languages (Chinese, French, German, Modern Greek, Italian, Japanese, Russian, Spanish and Swedish), sound recordings, journals and magazines, maps and atlases, and visual materials.

Programs and Events

A range of activities are presented at our libraries throughout the year including school holiday programs and story time for children; speakers, technology classes and presentations, and Book Chats and Book Clubs.

Library Branches

Beaumaris

Address: 96 Reserve Road, Beaumaris VIC 3193
Phone: (03) 9261 7820

Regular opening hours:

Monday to Thursday:	10:00am – 8:00pm
Friday:	10:00am – 6:00pm
Saturday:	10:00am – 4:00pm
Sunday:	1:00pm – 5:00pm

Brighton

Address: 14 Wilson Street, Brighton VIC 3186
Phone: (03) 9261 7840

Regular opening hours:

Monday to Thursday:	10:00am – 8:00pm
Friday:	10:00am – 6:00pm
Saturday:	10:00am – 4:00pm
Sunday:	1:00pm – 5:00pm

Hampton

Address: 1D Service Street, Hampton VIC 3188
Phone: (03) 9261 7870

Regular opening hours:

Monday, Tuesday, Thursday and Friday:	10:00am – 6:00pm
Wednesday:	Closed
Saturday:	10:00am – 1:00pm
Sunday:	Closed

Sandringham

Address: 2–8 Waltham Street, Sandringham VIC 3191
Phone: (03) 9261 7810

Monday to Thursday:	10:00am – 8:00pm
Friday:	10:00am – 6:00pm
Saturday:	10:00am – 4:00pm
Sunday:	1:00pm – 5:00pm

Statement 2 – Categories of Documents Maintained by Council

Freedom of Information Act 1982 – section 7(1)(a)(ii)

Council maintains a variety of documents, ranging from general correspondence with members of the public and external bodies to Council adopted policies and resolutions.

Council maintains an electronic document management system which stores information relating to Council business. The types of documents in Councils possession are:

- Agendas and Minutes;
- Annual and Financial reports;
- Building and planning permits and associated documents, including plans;
- Community Grants;
- Council resolutions;
- Councillor correspondence;
- Departmental publications, including newsletters;
- Disclosures of conflicts of interest;
- Documents submitted by third parties;
- Internal administration documents relating to staff management and the operation of Council, including personnel records, audit records and internal operating procedures;
- Legal documents, including Local Laws, contracts, leases, agreements, licences, instruments of delegation, instruments of appointment and authorisation, legal advices and court documents;
- Mailing lists;
- Maternal and Child Health Records, including immunisation records;
- Media releases and general advertising;
- Notes of Meetings;
- Officer Recommendations;
- Permit applications and permits issued under Council's Local Laws;
- Policies, guidelines, strategies and plans, including their development and implementation;
- Public and stakeholder consultation processes and outcomes;
- Records of the administration and enforcement of legislation and Local Laws;
- Reports prepared by external consultants;
- Requests for information under the Freedom of Information Act 1982 and files and papers relevant to the consideration of those requests;
- Risk Management assessments;
- Standard Operating Procedures;
- Surveys, statistics and data;
- Tenders and evaluations;
- Training material; and
- Written and verbal complaints received, and records of any subsequent investigations.

Statement 3 – Freedom of Information Arrangements

Freedom of Information Act 1982 – section 7(1)(a)(iii),(v),(vi)

What Is Freedom of Information?

The *Freedom of Information Act* 1982 has applied to local government since 1 January 1994. Freedom of Information (FOI) gives members of the public:

- A right to information held by Ministers, state government departments, agencies, statutory authorities and local government authorities;
- A legal right to apply for incorrect, out of date or misleading information about them to be amended or removed from their personal files.

FOI Principles

Freedom of information embraces the principles that:

- Members of the public have a legally enforceable right of access to government information;
- Government departments and agencies are required to publish information concerning the documents they hold;
- People may ask for inaccurate, incomplete, out of date or misleading information to their personal records to be amended;
- People may appeal against a decision by a government body not to give access to the information, or not to amend a personal record.

What information is made available under FOI?

The FOI Act only applies to information held in the form of a document. The definition of a 'document' in the FOI Act includes:

- Any paper or other material on which there is writing or a mark, figure or symbol;
- Electronically-stored information;
- Maps, plans, drawings and photographs;
- Any article from which sounds, images or writing are capable of being produced.

Council is not required to create a new document containing the information that is sought.

Exempt documents

In some instances, the right of access to some documents may be refused or limited by specific exemptions of the *Freedom of Information Act*. These exemptions are applied where it is deemed necessary for the protection of the public's interest, privacy or commercial reasons. Exempt documents fall into the following categories:

- Internal working documents;
- Law enforcement documents;
- Documents containing material obtained in confidence;
- Documents relating to trade secrets;
- Documents relating to legal professional privilege;
- Documents affecting personal privacy;
- Council documents subject to section 89(3) of the Local Government Act 1989;
- Disclosure is contrary to public interest.

Your application may also be refused if it is considered 'voluminous in nature', in that "it would interfere unreasonably with the operations or performance of the Council."

Do I Need to Use Freedom of Information to Access Documents?

Many documents are available outside the requirements of the Freedom of Information Act. In these instances the request will not be processed under FOI.

Information which you may obtain without an FOI application include information which is available publicly, such as on a public register, and information which is available for purchase.

Please note that if you require documents for a court hearing or litigation, speak to your legal adviser about other methods available to gain access in those circumstances.

How Do I Make a Request Under FOI?

You can make a request, or you can authorise another person to make a request on your behalf. If you want someone to make a request on your behalf for your personal information, you must give that person your written authorisation.

Applications under FOI must be in writing, state very clearly the specific information that you are requesting and include the application fee, or evidence that you qualify to have the application fee waived or reduced.

The online form for FOI can be found at: <https://www.bayside.vic.gov.au/freedom-information>.

Costs Associated with Making a Request under the Freedom of Information Act 1982

The FOI application fee of \$28.90* is a fixed cost which is non-refundable. The only exception is for people suffering hardship, who can provide evidence they qualify to have the application fee waived or reduced.

The following access charges relate to the costs incurred in granting access to request documents:

- Search charges are \$21.70* per hour, or part thereof
- Supervision charges are \$5.40* per ¼ hour, or part thereof
- Photocopying charges 20c* per black and white A4 page, other charges will apply for documents larger than A4 or which are reproduced in colour
- Providing access in a form other than photocopying – reasonable costs incurred by Council in providing the copy
- Charge for listening to or viewing a tape - reasonable costs incurred by Council in providing or making arrangements to listen to or view (supervision charges will also apply)
- Charge for making a written transcript out of a recording - reasonable costs incurred by Council in providing the written transcript

* Note: Fees as at 1 July 2018, the State Government reviews all fee units annually and the FOI application fee usually increases slightly on 1 July each year.

Please note, all fees and charges are exempt from GST.

Freedom of Information – Responsible Officers

- **Principal Officer**

Mr Mick Cummins
Chief Executive Officer
Telephone: 9599 4444
Email: enquiries@bayside.vic.gov.au

- **Freedom of Information Officers**

Mrs Karen Brown
Governance Coordinator
Telephone: 9599 4636
Email: kbrown@bayside.vic.gov.au

Right of Appeal

If an applicant is dissatisfied with the Freedom of Information Officer's decision to refuse access to a document; defer access to a document; not waive or reduce an application fee (whether or not the fee has already been paid by the applicant) or not amend a document (in accordance with section 39), the applicant may appeal the decision to the Office of the Victorian Information Commissioner for review:

Office of the Victorian Information Commissioner
PO Box 24274
MELBOURNE VIC 3001

Telephone: 1300 00 6842
Email: enquiries@foicommissioner.vic.gov.au
Web: www.foicommissioner.vic.gov.au

Documents Available for Public Inspection

The Local Government (General) Regulations 2015 (Regulation 12 a-g) requires that certain documents be made available for public inspection upon request.

The following information is available for public inspection at the Corporate Centre, or is available on Council's website. For further information on any of these documents, please contact the relevant officers. A number of other documents which are available for inspection or download are also listed below:

Documents available for public inspection	Officer	Position	Contact Number
12(a) Details of overseas or interstate travel	Terry Callant	Manager Governance	9599 4444
12(b) Agendas of Ordinary Council Meetings and Planning and Amenity Committee Meetings	Terry Callant	Manager Governance	9599 4444
12(c) Minutes of Ordinary Council Meetings and Planning and Amenity Committee Meetings	Terry Callant	Manager Governance	9599 4444
12(d) Delegations made to Special Committees and members of Council staff	Terry Callant	Manager Governance	9599 4444
12(e) Details of all leases involving land which are entered into by Council as lessor, including the lessee and the terms and value of the lease	Jason Stubbs	Manager Commercial Services	9599 4444
12(f) Register of Authorised Officers appointed (Section 224 LGA 1989)	Terry Callant	Manager Governance	9599 4444
12(g) A list of donations and grants made by the Council in the previous 12 months, including the names of persons who, or bodies which, have received a donation or grant and the amount of each donation or grant.	Damien van Trier	Manager Open Space, Recreation and Wellbeing	9599 4444
Election campaign donation returns lodged by candidates	Terry Callant	Manager Governance	9599 4444
Councillor Code of Conduct	Terry Callant	Manager Governance	9599 4444
Councillor Support, Resources, Reimbursement and Accountability policy	Terry Callant	Manager Governance	9599 4444
Register of Interests – returns lodged by Councillors and Council Officers	Terry Callant	Manager Governance	9599 4444

Documents available for public inspection	Officer	Position	Contact Number
Governance Local Law No.1 - 2013	Terry Callant	Manager Governance	9599 4444
Consolidated Local Law No. 2 'Neighbourhood Amenity' – 2012	Con Tsekouras	Acting Manager Amenity Protection	9599 4444
Council Plan 2017-2021	Terry Callant	Manager Governance	9599 4444
Strategic Resource Plan 2018-2022	Terry Callant	Manager Governance	9599 4444
Council Budget 2018 - 2019	Bill Shanahan	Finance Manager	9599 4444
Annual Report (including Auditor's report)	Terry Callant	Manager Governance	9599 4444
Procurement Policy	Jason Stubbs	Manager Commercial Services	9599 4444
Best Value Program – service quality and cost standards	Rebecca Aldridge	Executive Manager People & Strategy	9599 4444

Statement 4 – Publicity Material

Freedom of Information Act 1982 – section 7(1)(a)(iv)

Publications

Council produces a range of publications and policies to ensure residents, ratepayers, community groups and businesses have easy access to information about Council and the municipality.

Corporate Documents

Council produces a range of publications to ensure residents, businesses and visitors to Whitehorse have easy access to information about Council and the municipality.

- **Budget 2018/2019**
The Council adopted Budget can be found on Council's [website](#).
- **Annual Report**
The Annual Report details Council's performance during the previous financial year, and presents a snapshot of the services and programs that Council provides for its residents.
- **Council Plan 2017/2021**
The Council plan sets out the strategic objectives that Council will pursue over a four year period.
- **Council Strategic Resource Plan 2018/2022**
The Strategic Resource Plan describes both financial and non-financial resources (including human resources) for at least the next 4 financial years required to achieve the strategic objectives outlined in the Council Plan.
- **Wellbeing for All Ages and Abilities Strategy**
The Wellbeing for All Ages and Abilities Strategy 2017-2021 meets the requirements of the Public Health and Wellbeing Act 2008 and streamlines community services planning for health and wellbeing from early childhood, through to youth, adult lives and older years. The strategy has 3 goals, an engaged and supportive community, a healthy and active community and safe sustainable environments.

Visit Council's [website](#) to access all of the corporate strategies and plans. If you require one of these documents in an alternative format, please contact Council by calling 9599 4444 or emailing enquiries@bayside.vic.gov.au.

Media, Latest News, Let's Talk Bayside

Council publishes the *Let's Talk Bayside* magazine every two months to ensure residents, ratepayers, community groups and businesses have easy access to information about Council and the municipality.

Council also works with local and metropolitan media to communicate issues, initiatives and projects. Council generates a number of media releases each week that sometimes lead to news items in the local weekly publications: the News Corp Australia-owned *Bayside Leader* and the Nine entertainment Co.-owned *The Age*. Council also places an advertisement highlighting issues, initiatives and projects on a regular basis in the *Bayside Leader*.

Let's Talk Bayside is distributed at the end of each two month cycle, providing information on a wide range of topics and issues affecting the municipality including:

- Council services and activities;
- Special events;
- Community consultations;
- Environmental information;
- Councillor information and ward news;
- Community news and events;
- News from Council Meetings and committees.

Visit the [news](#) and [events](#) pages on the website to view current and previous articles online.

Extra copies of *Let's Talk Bayside* are available at Council's Corporate Centre, Council's four libraries, community centres and some local cafés.

Online Communication

The purpose of Council's corporate website is to:

- Provide accurate, clearly expressed, up-to-date and easy to find information about Council's activities, services, facilities and resources;
- Present a strong corporate image of Council;
- Market Council and the municipality to existing and potential employees, residents, businesses, students and visitors;
- Increase online transactions and services (paying fines/fees, answering customer queries), freeing up frontline staff by reducing the number of customer service calls and across-the-counter interactions (and reducing the need for paper-based information);
- Adhere to best practice accessibility guidelines to ensure that users with a disability or who speak a language other than English are able to access the information they require; and
- Publish information about Council to support strategic goals and meet legislative requirements.

The Internal Communications Officer maintains the corporate website.

Statement 5 – Procedures and Guidelines Freedom of Information Act 1982 – section 8

Policies, Strategies & Plans

Council produces policies, strategies and plans to help guide decisions and to achieve outcomes and goals.

Many Council documents are available on Council's [website](#) in pdf format. If you require one of these documents in an alternative format, please contact Council by calling 9599 4444 or emailing enquiries@bayside.vic.gov.au.

This list is not exhaustive; it is an example of the types of documents which are frequently referred to by staff to assist to make decisions.

Please note: Council has reviewed its policies in the context of the Victorian Charter of Human Rights and Responsibilities Act 2006.

Arts & Culture

- [Arts and Heritage Collection Policy 2018](#) ( PDF, 473.76KB)

To guide the acquisition and de-accessioning of the Bayside City Council Art and Heritage Collection to ensure that works are acquired with a view to the collection being of cultural value and benefit to the Bayside Community and is installed in accessible locations in Council buildings or on public land. The Policy recognises the Collection as a valuable community asset and source of Bayside's cultural identity and pride.

- [Bayside Arts Strategic Plan 2018-2022](#) ( PDF, 1.35MB)

The Arts Strategic Plan 2018-2022 has been developed to guide the future arts programming in Bayside and aims to connect people to each other and their community through the celebration of art and the sharing of ideas.

Building and Planning

- [Bayside Housing Strategy](#) ( PDF, 1.81MB)

The Bayside Housing Strategy 2012 guides how residential development in Bayside will be planned and managed over the next 20 years.

- [Buildings Service-Driven Asset Management Plan 2016](#) ( PDF, 2.33MB)

The purpose of the Buildings Service-Driven Asset Management Plan 2016 is to document a robust business case for the continued investment into buildings owned and operated by Council, and the services those buildings provide to the community.

- [Drainage Service-Driven Asset Management Plan 2015](#) ( PDF, 755.05KB)

The Drainage Service-Driven Asset Management Plan 2015 is used to inform decision making about our existing long-life drainage infrastructure through a focus on improved asset data, the testing and validation of asset management assumptions, and the prediction of long-term financial renewal requirements.

- [Drainage Upgrade Strategy](#) ( PDF, 68.33KB)

The objective of the Drainage Upgrade Strategy is 10 year program of priority drainage upgrade projects that aim to improve the performance of under-performing underground pipe networks at locations known to be susceptible to damage from flooding.

Business, Commerce and Customers

- [Bayside Tourism Strategy 2013](#) ( PDF, 4.85MB)

The purpose of the Bayside Tourism Strategy 2013 is to consolidate Bayside's existing tourism strengths and successes, find new opportunities for leadership in the sector, and to identify suitable partnerships with industry and the community.

- [Digital Transformation Strategy 2018-2021](#) ( PDF, 1.64MB)

Council's plan to ensure that customers are central to how we design and provide services, including transforming our digital channels. Our aim is to make all services accessible to everyone through their preferred method, whether that be online, print, telephone or face to face.

- [Economic Development Strategy](#) ( PDF, 3.73MB)

The Economic Development Strategy is a framework that supports the sustainable development of the local economy. It references the needs and trends within the existing community and opportunities to promote investment and employment growth within the changing local, domestic and international economic and environmental landscapes.

- [Retail, Commercial and Employment Strategy 2016-2031](#) ( PDF, 1.84MB)

This strategy explores and provides policy directions on the future evolution of Activity Centre's and employment lands within the City of Bayside.

Facilities and Venues

- [Early Years Infrastructure Plan 2018-2028](#) ( PDF, 845.64KB)

The Plan provides Council with a strategic framework to guide the provision of Council owned early years' facilities.

- [Graffiti Management Plan 2018](#) ( PDF, 447.17KB)

- [Property Strategy 2018-2021](#) ( PDF, 1.35MB)

The Property Strategy 2018-2021 provides a set of principles and improvements to the overall management and performance of our property portfolio.

- [Public Toilet Strategy 2019-2023](#) ( PDF, 1.01MB)

The Public Toilet Strategy outlines how to meet community and visitor needs in relation to location, safety and quality of public toilets.

Library

- [Library Services Strategic Plan 2018-2022](#) ( PDF, 1.43MB)

The Library Services Strategic Plan brings together the recommendations from parts one and two of the strategic review of Bayside's Library Services, and aligns to the Wellbeing for All Ages and Abilities and Digital Transformation Strategies.

Municipal Emergency Management Plan

- [Municipal Emergency Management Plan](#)

The broad objectives of the Municipal Emergency Management Plan are to implement measures to prevent or reduce the causes or effects of emergencies, manage resource allocation in response to emergencies, manage the support offered from adjoining municipalities and assist the community in recovery efforts.

Parks, Reserves and Beaches

- [Bayside Open Space Strategy](#) ( PDF, 5.73MB)

The Bayside Open Space Strategy is a 20 year planning document to provide policy and strategy to enable us to make decisions about how open space is used, developed, managed and maintained across the municipality.

- [Bayside Open Space Strategy: Suburb Analysis and Action Plan](#) ( PDF, 6.56MB)

The Bayside Open Space Strategy: Suburb Analysis and Action plan provides details as to how the principles, policies and actions developed in the Bayside Open Space Strategy will be applied at a local level.

- [Black Rock Foreshore Master plan](#) ( PDF, 3.22MB)

The Black Rock Foreshore Master plan guides design, priorities and staging of on-ground works on the foreshore between Arkaringa Crescent and Fourth Street; including public open space associated with Black Rock House.

- [Brighton Beach to Ferdinando Gardens Masterplan](#) ( PDF, 5.97MB)

The Brighton Beach to Ferdinando Gardens Masterplan directly guides priorities, design and staging of works on Council managed land within this foreshore precinct (from south of Green Point, Brighton to Linacre Road, Hampton, including Ferdinando Gardens). The plan also implements the recommendations of current strategic plans including the Bayside Open Space Strategy (2012) and the Bayside Coastal Management Plan (2014).

- [Cheltenham Park Final Master plan](#) ( PDF, 2.69MB)

The Cheltenham Park Masterplan is a 10 year planning document that sets out a timeline for improvements to path networks, car parking, and drainage while balancing the parks unique conservation and active recreation values.

- [Dendy Park Master Plan](#) ( PDF, 7.23MB)

The Dendy Park Master Plan will provide the long-term strategic vision and direction for the future use, management and development of Dendy Park for the next 10 years.

- [Sandringham Beach and Gardens Masterplan](#) ( PDF, 6.42MB)

The Sandringham Beach and Gardens Masterplan directly guides priorities, design and staging of works on Council managed land with this foreshore precinct (from Abbott Street to Eliza Street, Sandringham, including Sandringham Gardens). The plan also implements the recommendations of current strategic plans including the Bayside Open Space Strategy (2012) and the Bayside Coastal Management Plan (2014).

- [Sandringham Foreshore Master Plan](#) ( PDF, 7.62MB)

The Sandringham Foreshore Master Plan directly guides design, priorities and staging of on-ground works on Council managed land within the precinct, implementing the recommendations of current strategic plans.

Pets and Animals

- [Domestic Animal Management Plan 2017-2021](#) ( PDF, 1.31MB)

The Domestic Animal Management Plan 2017-2021 guides decision-making in relation to pets in the community.

Roads, Parking and Transport

- [Bayside Integrated Transport Strategy](#) ( PDF, 3.27MB)

The Integrated Transport Strategy is a framework and specific actions designed to achieve a well-connected, safe, accessible and convenient transport system that positively contributes to a strong economy, the health and wellbeing of the community and a low carbon future.

- [Bayside Register of Public Roads](#) ( PDF, 411.11KB)

The Bayside Register of Public Roads contains a list of the roads and lanes that we consider are reasonably required for general public use and for which Council is the responsible coordinating road authority.

- [Bayside Road Safety Strategy 2014-2019](#) ( PDF, 1.48MB)

The Strategy is about people, traffic and reducing road trauma. However, it is also about encouraging people to be out and about, walking or cycling, moving freely around the municipality and participating actively in our community.

- [Bayside Road Management Plan](#) ( PDF, 786.16KB)

The purpose of the Road Management Plan is to document the standards and priorities for inspection, maintenance and repairs of the road network. The plan outlines our responsibilities to ensure that roads and footpath are safe.

Sport and Recreation

- [Bayside Sportsground Pavilion Improvement Plan](#) ( PDF, 680.21KB)

The Bayside Sportsground Pavilion Improvement Plan was developed to provide a logical and informed guide to the ongoing renewal and, where appropriate, upgrade of pavilions in the City of Bayside.

- [Recreation and Open Space Asset Management Plan](#) (PDF, 2.49MB)

The Recreation and Open Space Asset Management Plan is a means of outlining the key elements involved in managing the recreation, open space and facility assets.

Sustainability and Environment

- [Biodiversity Action Plan 2018-2027](#) (PDF, 1.70MB)

Bayside City Council is committed to maintaining natural biodiversity assets and increasing conservation effort within its unique natural areas. The Plan provides specific actions to implement the strategic objectives of the ESF (*Environmental Sustainability Framework*) and other issues raised through consultation with the Bayside community along with the recommendations provided by ecological experts.

- [Carbon Neutrality Action Plan 2018-20](#) (PDF, 1.21MB)

Our Carbon Neutrality Action Plan sets out the direction and specific actions we will take to achieve our commitment to be carbon neutral by 2020.

- [Bayside Coastal Management Plan 2014](#) (PDF, 13.38MB)

The Bayside Coastal Management Plan provides strategic direction and policy on coastal use, management and development for the whole of the City of Bayside foreshore.

- [Bayside Climate Change Strategy](#) (PDF, 2.18MB)

The Climate Change Strategy provides an overview of our approach to addressing the challenges of climate change and key measures it will implement.

- [Environmental Sustainability Framework 2016-2025](#) (PDF, 4.71MB)

The Environmental Sustainability Framework 2016-2025 sets direction and guidance for our environmental planning and decision-making.

- [Open Space Sustainable Water Management Strategy](#) (PDF, 11.30MB)

The Open Space Sustainable Water Management Strategy provides direction and targets for alternative water supply within the municipality.

- [Recycling and Waste Management Strategy 2018-2027](#) (PDF, 2.52MB)

The Recycling and Waste Management Strategy is a ten year plan to reduce the impact of waste that goes to landfill.

Trees and Vegetation

- [Bayside Tree Strategy](#) (PDF, 2.63MB)

The Bayside Tree Strategy has been developed to provide a framework of actions to ensure that the future public and private spaces within Bayside are well treed.

- [Electric Line Clearance Management Plan](#) ( PDF, 1.56MB)

The Electric Line Clearance Management Plan outlines how we ensure continuity of electricity supply along with the management and protection of vegetated areas.

Wellbeing for All Ages and Abilities Strategies

- [Early Years Action Plan 2017-2021](#) ( PDF, 405.09KB)
- [Healthy Ageing Action Plan 2017-2021](#) ( PDF, 406.46KB)
- [Healthy Community Action Plan 2017-2021](#) ( PDF, 437.80KB)
- [Youth Action Plan 2017-2021](#) ( PDF, 401.19KB)

The Wellbeing for All Ages and Abilities Strategy 2017-2021 meets the requirements of the Public Health and Wellbeing Act 2008 and streamlines community services planning for health and wellbeing from early childhood, through to youth, adult lives and older years. The strategy has 3 goals, an engaged and supportive community, a healthy and active community and safe sustainable environment.

Residents' Survey

The Annual Residents Survey is an important tool for Council to consult the Bayside community. Over 700 hundred Bayside residents and ratepayers over the age of 18 were selected at random for a telephone interview. The survey sought residents' views on Council performance across a range of measures to get an insight into ways to provide more effective service delivery if needed. Council views the survey as a useful resource in gauging community needs and wants.