



## Freedom of Information application form

This form is used to request access to documents held by Alpine Shire Council (Council) under the *Freedom of Information Act 1982 [Vic]* (FOI Act).

### Applicant details

**Name** *(First name & surname):*

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**Company / business name:**

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**Mailing address:**

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**Phone number** *(Business hours):*

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**Email address:**

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**Date:**

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**Signature:**

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Please note: If your legal representative is lodging an FOI application on your behalf, please ensure that an authorisation signed by you accompanies this application to show you have authorised your legal representative to:

- Make an FOI request on your behalf;
- Communicate with Council in relation to the FOI request; and
- Receive copies of any documents released by Council.

Authorisations may be in the form of a letter signed by you, confirming the above.

## Documents requested by applicant

Outline the documents you wish to gain access to, being as clear and specific as possible. Your request must include as much information concerning the documents as is reasonably necessary for Council to identify the document(s) that you seek. Please attach any additional information that would assist Council in processing your request. Council may need to consult with you to clarify your request if you do not include sufficient information.

**Date from:** \_\_\_\_\_ **Date to:** \_\_\_\_\_

### I request access to the following documents:

### Form of access

Please select one only.

- I request copies of the document(s) to be forwarded in hard copy by mail
- I request copies of the document(s) to be forwarded electronically by email
- I request an inspection of the document(s) at the Council offices

### Consultation with third parties

If the documents identified above relate to the personal or business affairs of another person or organisation (a third party), Council is required to consult with that third party to obtain their views about the potential release of documents. Consultation also extends the time in which Council must make a decision from 30 days out to 45 days.

Please advise whether you give Council permission to reveal your name as the FOI applicant. While not a requirement of the FOI Act, this can often expedite the consultation process if the third parties are aware to whom their personal or business information is being released.

- Yes                       No

## Application fee and access charges

The fees and charges applicable for processing an FOI request are fixed in accordance with the *Freedom of Information Act 1982 [Vic]* and the *Freedom of Information (Access Charges) Regulations 2014 [Vic]*.

### Application fee

The application fee for the 2018/19 financial year is **\$29.60**.

- I have enclosed cheque (payable to Alpine Shire Council) for \$29.60
- I wish to pay over the phone or in person by credit card (contact Governance Officer first)
- I am suffering financial hardship and request a fee waiver. I have included a copy of my concession card\*

\* Under s17(2B) of the *Freedom of Information Act 1982 [Vic]*, if payment of the application fee would cause financial hardship, you may apply for the fee to be waived. To be eligible for consideration of a fee waiver, you must supply evidence that supports your application. Suitable evidence can include a copy of a concession card issued by Centrelink. *Please note that the fee waiver request applies only to the application fee.*

### Access charges

In addition to the application fee, once a formal decision regarding access to the documents has been made, access charges will also be payable prior to Council releasing documents to you. It may be necessary to pay a deposit in relation to access charges.

- I understand that documents will not be released to me until necessary access charges have been received by Council in full.

If Council believes that the access charges are likely to exceed \$50, Council will provide you with details of those charges, and you will be required to pay a deposit.

## Deletion of exempt matter or irrelevant material

Sections 28-38A of the FOI Act detail exemptions that apply to documents sought under the Act (a list is included at the end of this form). This means that where a document contains the specific type of exempt information, that the exemption applies to the entire document. Section 25 of the FOI Act provides for granting access to a copy of documents where exempt or irrelevant is deleted (redacted), so that the remainder of the document can be released to the applicant without disclosing that exempt or irrelevant information.

If you do not agree to have personal and other exempt or irrelevant material removed from a document, the entire document may be exempt from release.

- I consent to personal details and other exempt or irrelevant material to be removed if applicable.

## How to submit

Send completed application forms to: [foi@alpineshire.vic.gov.au](mailto:foi@alpineshire.vic.gov.au), or post to PO Box 139, Bright Vic 3741, or present over the counter to one of Council's Customer Service Centre in Bright, Mount Beauty or Myrtleford. Payment of the application fee is required prior to the request becoming valid.

For further information visit: <https://ovic.vic.gov.au/freedom-of-information/for-the-public/frequently-asked-questions/>

# Additional information

## Privacy Statement

*The personal information requested on this form is being collected by Alpine Shire Council for the purposes of administering the Freedom of Information Act 1982 [Vic] (FOI Act). The personal information will be used solely by Council for the purposes of processing your request for documents under the FOI Act, and will not otherwise be disclosed without your consent (see page 2) or as required or permitted by law. You may apply to the Governance Officer for access and / or amendment of this information.*

## General

- Subject to the *Freedom of Information Act 1982 [Vic]* every person has a legally enforceable right to obtain access, in accordance with the FOI Act, to a document of Council, other than an exempt document.
- To be a valid application, you must provide sufficient information to enable the correct document(s) to be identified. Details can be provided on a separate sheet if necessary.
- If a request does not comply with the requirements of the Act, Council can provide advice and assistance to formulate a complying request.
- If possible, access will be given in the form requested by the applicant. Exceptions exist where the requested form of access may result in infringement of copyright or unreasonably interfere with the operations of Council.
- Your application will be dealt with as soon as practicable, and a response provided in any case, within 30 days after it is received, or 45 days where consultation with third parties is required, as provided for under the FOI Act.
- Further information can be obtained from Council's Governance Officer on 03 5755 0555 or from the Office of the Victorian Information Commissioner at: [www.ovic.vic.gov.au](http://www.ovic.vic.gov.au).

## Fees and Charges 2018/19

- Prescribed fees include: Application fee - \$29.60, Search fee - \$22.20 per hour or part thereof, Copying fees (black & white) - \$0.20 per A4 page. Access other than photocopying will be charged at the reasonable costs incurred by Council in providing that access. Applications may also attract charges for supervising inspection of documents.
- An application fee may be waived or reduced if payment of the fee would cause hardship to the applicant (s17).
- Charges may be waived if the applicant is impecunious and the request is for access to document(s) containing information relating to the applicant's personal affairs (s22).

## **In accordance with the *Freedom of Information Act 1982 [Vic]*, please be aware that exemptions may apply to the following types of documents:**

- s28 - Cabinet documents
- s29 - Documents containing matter communicated by any other State
- s29A - Documents affecting national security, defence or international relations
- s29B - Documents of Court Services Victoria
- s30 - Internal working documents
- s31 - Law enforcement documents
- s31A - Documents relating to IBAC (Independent Broad-based Anti-corruption Commission)
- s32 - Documents affecting legal proceedings
- s33 - Document affecting personal privacy\*  
*Where information relating to the personal affairs of any person includes information—*  
*(a) that identifies any person or discloses their address or location; or*  
*(b) from which any person's identity, address or location can reasonably be determined.*
- s34 - Documents relating to trade secrets\*
- s35 - Documents containing material obtained in confidence\*
- s36 - Disclosure contrary to public interest
- s37 - Certain documents arising out of companies and securities legislation
- s38 - Documents to which secrecy provisions of enactments apply
- s38A - Council documents

\* Council is required to consult with third parties where documents contain these types of exemption categories