



# Freedom of Information

The Freedom of Information Act gives individuals the right to request documents held by Council, this includes documents about you as an individual.

## Making an Application

An application must be made in writing and include the application fee \$29.60. Please note this fee is non-refundable.

It is important to ensure that you include enough information in your request to allow your application to be processed as quickly as possible. Where possible include the following information:

- The nature of the request, and that the request is being made under Freedom of Information;
- The information or document requested—the more precise the information provided the quicker your request can be processed. This will also avoid any possible misunderstanding.

## Assessing your Application

An authorised Council Officer will assess your initial request. A written response will be sent to you as soon as possible, but no later than 30 days from the date Council received the request.

## Costs

Where an application for access is granted, costs may be incurred (in addition to the application fee). These costs may include things such as search fees or photocopying charges.

These charges are governed by the *Freedom of Information (Access Charges) Regulations 2014*.

Where it is expected that these costs will exceed \$50 you will be notified and asked if you wish to continue with the request.

Not all information will be made available under Freedom of Information. The Act sets out a number of reasons for refusing access to a document, these include:

- Where the information affects the personal affairs of another person;
- Commercially confidential documents;
- Undermine law enforcement activities
- Information was obtained in confidence
- Disclosure would be contrary to the public interest.

## Freedom of Information Commissioner

Where an application is refused, you have 28 days in which to apply to the Office of the Victorian Information Commissioner for a review of Council's decision.

The Office of the Victorian Information Commissioner can also investigate complaints about an agency. This type of application must be made within 60 days after the date of the action or conduct complained of.

For further information refer to [www.ovic.vic.gov.au](http://www.ovic.vic.gov.au).

## Victorian Civil & Administrative Tribunal (VCAT)

If you are still unhappy with a decision made you will then have 60 days from the date you were notified of the result to lodge an appeal with the VCAT.

For further information refer to [www.vcat.vic.gov.au](http://www.vcat.vic.gov.au).

## Further Information

If you require further information or assistance please contact Charmaine Calis, Council's Governance & Risk Coordinator on 5018 8103 or [charmaine.calis@mildura.vic.gov.au](mailto:charmaine.calis@mildura.vic.gov.au).