

SOUTH GIPPSLAND SHIRE COUNCIL

Freedom of Information Part II Statement



*Pursuant to the Freedom of
Information Act 1982*



South Gippsland
Shire Council

Freedom of Information Part II Statement

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1.1 Introduction

This information has been produced by South Gippsland Shire Council (SGSC) in accordance with Part II of the *Freedom of Information Act 1982*.

Part II of the *Freedom of Information Act 1982* requires government agencies to publish statements to assist the public to access information it holds.

South Gippsland Shire Council is committed to public transparency, to ensure members of the public have access to the information Council holds, and that Council's decision-making and operational processes are transparent. We aim to make our documents and information easily accessible to the public by making them available on our website, at our offices and/or our facilities.

This Part II Statement provides an overview of the various types of information available from South Gippsland Shire Council and explains the Freedom of Information process. We encourage you to review these statements and search our website, then contact us if you cannot locate the information you seek before making a formal Freedom of Information request. In some instances, we will be able to provide you with the information you are seeking without going through a formal process.

The Part II Statement supports:

- The Public Transparency Principles (Section 58 of the *Local Government Act 2020*);
- The South Gippsland Shire Council Public Transparency Policy (C75); and
- Section 12 of the *Freedom of Information Act 1982*.

If you cannot locate the information you are seeking after reviewing these statements and conducting a search on our website, we encourage you to contact us on 5662 9200 or email council@southgippsland.vic.gov.au.

1.1.1 The role of South Gippsland Shire Council is set out in Section 8 of the *Local Government Act 2020* as follows:

- 1) *The role of a Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community;*
- 2) *A Council provides good governance if –*
 - a) *It performs its role in accordance with Section 9;*
 - b) *The Councillors of the Council perform their roles in accordance with Section 28.*
- 3) *In performing its role, a Council may –*
 - a) *Perform any duties or functions or exercise any powers conferred on a Council by or under this Act or any other Act; and*
 - b) *Perform any other function that the Council determines are necessary to enable the Council to perform its role.*
- 4) *If it is necessary to do so for the purpose of performing its role, a Council may perform a function outside its municipal district.*

1.1.2 Under Section 4 of the *Local Government Act 2020*, local government is constituted as a democratically-elected tier of government in Victoria. Councils are constituted as representative bodies that are accountable, transparent, collaborative, efficient and engaged with communities. Councils have the functions and powers necessary to enable councils to perform their role.

1.2 Freedom of Information Act 1982

1.2.1 The Freedom of Information Act applies to local governments (Council). Freedom of Information gives members of the public:

- a) A right to information held by Ministers, state government departments, agencies, statutory authorities and local government authorities to documents. This excludes documents created prior to 1 January 1989.
- b) A legal right to apply for incorrect, out of date or misleading information about them to be amended or removed from their personal files.

1.3 Freedom of Information Principles

1.3.1 Freedom of Information embraces the principles that:

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

1.4 What Information is Made Available Under Freedom of Information?

1.4.1 People have a right to seek access to documents that were created or received by South Gippsland Shire Council after 1 January 1989.

1.4.2 Documents may take the form of:

- a) Written documentation whether registered on file or not.
- b) Maps.
- c) Microfiche.
- d) Computer print outs.
- e) Tape recordings.
- f) Video tapes.
- g) Books.
- h) Films.
- i) Photographs.
- j) Electronic map.
- k) Computer disk.
- l) Soundtracks.

1.5 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.

1.5.1 Exempt documents fall into the following categories:

- a) Internal working documents.
- b) Law enforcement documents.
- c) Documents containing material obtained in confidence.
- d) Documents relating to trade secrets.
- e) Documents relating to legal professional privilege.
- f) Documents affecting personal privacy.
- g) Documents relating to IBAC.
- h) Documents affecting national security, defence or international relations.
- i) Disclosure is contrary to public interest.
- j) Council documents declared confidential under the *Local Government Act 2020*.

1.6 Freedom of Information Act Publication Requirements

1.6.1 The Freedom of Information Act (Part II) requires Council to make available the following seven statements to provide more detail about South Gippsland Shire Council and the types of information available to members of the public.

1.6.2 The seven statements consist of:

- 1) Organisation and Functions of Council.
- 2) Categories of Documents Maintained by Council.
- 3) Documents Prepared by Council for Publication or Public Inspection.
- 4) Subscriptions and Mailing Lists.
- 5) Freedom of Information Arrangements and Responsible Officers.
- 6) List of Committees Whose Meetings are Open to the Public or Minutes Publicly Available.
- 7) Locations and Hours of Operation of Libraries or Reading Rooms Available for Public Use.

Statement One: Organisation and Functions of Council

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South Gippsland Shire is located in south-east Victoria. It is divided into three wards consisting of Strzelecki, Tarwin Valley and Coastal-Promontory. For South Gippsland Shire and Community Statistics, please visit: www.southgippsland.vic.gov.au/shirestatistics

The Organisational Structure consists of the Councillors, Chief Executive Officer and Directors responsible for departments providing a wide range of services. To view the Organisation Structure, please visit: www.southgippsland.vic.gov.au/organisationalstructure

Freedom of Information Act 1982, Section 7 (1)(A)(I)

2.1 Functions of Council

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

- Arts, Culture and Visitor Economy.
- Assets Management.
- Biodiversity.
- Building Services.
- Children and Family Services.
- Community Strengthening.
- Economic Development.
- Environmental Health.
- Footpath, Kerb and Channel.
- Recreation.
- Routine Maintenance.
- Immunisation.
- Parks and Gardens.
- Public Amenities.
- Local Laws.
- Roads and Drains.
- Strategic and Statutory Planning.
- Waste Management.

2.2 Legislation

2.2.1 South Gippsland Shire Council derives its powers and operates pursuant to many Acts, Regulations and Council's Local Laws. The following indicates, as far as practicable, the Acts, Regulations and Local Laws that apply to Council:

- *Audit Act 1994.*
- *Aboriginal Heritage Act 2006.*
- *Building Act 1993.*
- *Catchment and Land Protection Act 1994.*
- *Charter of Human Rights and Responsibilities Act 2006.*
- *Child Wellbeing and Safety Act 2005.*
- *Children Youth and Families Act 2005.*
- *Climate Change Act 2017.*
- *Conservation, Forests and Land Act 1987.*
- *Country Fire Authority Act 1958.*
- *Crown Land (Reserves) Act 1978.*
- *Cultural and Recreational Lands Act 1963.*
- *Dangerous Goods Act 1985.*
- *Disability Act 2006.*
- *Domestic Animals Act 1994.*
- *Domestic Building Contracts Act 1995.*
- *Education and Care Services National Law 2010.*
- *Education and Training Reform Act 2006.*
- *Electricity Safety Act 1998.*
- *Emergency Management Act 1986 and 2013.*
- *Environment Protection Act 2017.*
- *Estate Agents Act 1980.*
- *Equal Opportunity Act 2010.*
- *Fences Act 1968.*
- *Filming Approval Act 2014.*
- *Fire Rescue Victoria Act 1958.*
- *Fire Services Property Levy Act 2012.*
- *Flora, Fauna Guarantee Act 1988.*

- *Food Act 1984.*
- *Freedom of Information Act 1982.*
- *Gambling Regulation Act 2003.*
- *Gender Equality Act 2020.*
- *Graffiti Prevention Act 2007.*
- *Health Records Act 2001.*
- *Heavy Vehicle National Law Application Act 2013.*
- *Heritage Act 2017.*
- *Housing Act 1983.*
- *Impounding of Livestock Act 1994.*
- *Independent Broad-Based Anti-Corruption Commission Act 2011.*
- *Infringements Act 2006.*
- *Land Act 1958.*
- *Land Acquisition and Compensation Act 1986.*
- *Libraries Act 1988.*
- *Liquor Control Reform Act 1998.*
- *Livestock Disease Control Act 1994.*
- *Local Government Act 1989 and 2020.*
- *Magistrates Court Act 1989.*
- *Major Transport Projects Facilitation Act 2009.*
- *Mineral Resources (Sustainable Development) Act 1990.*
- *National Parks Act 1975.*
- *Planning and Environment Act 1987.*
- *Pipelines Act 2005.*
- *Prevention of Cruelty to Animals Act 1986.*
- *Public Interest Disclosures Act 2012.*
- *Public Health and Wellbeing Act 2008.*
- *Public Records Act 1973.*
- *Rail Safety National Law Application Act 2013.*
- *Residential Tenancies Act 1997.*
- *Retail Leases Act 2003.*
- *Road Management Act 2004.*
- *Road Safety Act 1986.*
- *Rooming House Operators Act 2016.*
- *Second-Hand Dealers and Pawnbrokers Act 1989.*
- *Service Victoria Act 2018.*
- *Sex Work Act 1994.*
- *Sheriff Act 2009.*
- *Shop Trading Reform Act 1996.*
- *Sport and Recreation Act 1972.*
- *Subdivision Act 1988.*
- *Summary Offences Act 1966.*
- *Taxation Administration Act 1997.*
- *Tobacco Act 1987.*
- *Transfer of Land Act 1958.*
- *Transport Integration Act 2010.*
- *Transport (Safety Schemes Compliance and Enforcement) Act 2014.*
- *Valuation of Land Act 1960.*
- *Victorian Environmental Assessment Council Act 2001.*
- *Victorian Local Government Grants Commission Act 1976.*
- *Victoria State Emergency Service Act 2005.*
- *Victorian Civil and Administrative Tribunal Act 1998.*
- *Victorian Data Sharing Act 2017.*
- *Victorian Inspectorate Act 2011.*
- *Victorian Planning Authority Act 2017.*
- *Development Victoria Act 2003.*
- *Water Act 1989.*

2.3 Local Laws

2.3.1 South Gippsland Shire Council Local Laws:

a) General Local Law 2024 which can be accessed on Council's website:

www.southgippsland.vic.gov.au/GeneralLocalLaw

2.4 Decision-Making Power

South Gippsland Shire Council derives its decision-making powers primarily from the *Local Government Act 2020*. Decisions of Council are made at Council Meetings and delegated committees of Council. Some decisions are made by Community Asset Committees appointed by the Chief Executive Officer (formerly Section 86 Committees) for community facilities.

Council Meetings are usually held on the third Wednesday of every month in the Council Chamber, 2 Michael Place, Leongatha. Agenda and Minutes of meetings are available on South Gippsland Shire Council's website (www.southgippsland.vic.gov.au), or at municipal local libraries. Archived Agendas and Minutes are available at the Council Offices or the Public Records Office.

In addition to powers provided to the Chief Executive Officer in the *Local Government Act 2020*, further decision-making, dealing with the day-to-day running of South Gippsland Shire Council and its services, are delegated by Council to the Chief Executive Officer through an Instrument of Delegation. There are further delegations relating to specific duties, functions or powers under various pieces of legislation that are delegated by Council to nominated positions/Officers. The delegation from Council to the Chief Executive Officer are available on the website: www.southgippsland.vic.gov.au/instruments-of-delegation

The Chief Executive Officer has the ability to sub-delegate duties, functions and powers to nominated positions. These registers of delegation are available for inspection upon request.

Council and the Chief Executive Officer can also issue instruments of appointment and authorisation to individual Officers. The register of Authorised Officers Appointed is available for inspection upon request.

2.5 Community Consultation

2.5.1 South Gippsland Shire Council regularly invites the community to participate in policy making through a variety of consultation mediums. Policies, strategies and information guides that support community engagement and consultation are highlighted in the below paragraphs. These can be accessed on Council's website at:

- **Policies:** www.southgippsland.vic.gov.au/policies
- **Strategies:** www.southgippsland.vic.gov.au/strategies
 - a) [Community Engagement Policy and Community Engagement Strategy](#).
 - b) *'Community Day'* – application process to make a presentation to Council.
 - c) *'Questions for Council Meetings'* – application process to submit questions to a scheduled Council Meeting.
 - d) [Lodging a Valid Petition to Council](#).
 - e) [Governance Rules 2022 \(C82\)](#).
 - f) Council has also established a number of Advisory Committees (as provided under Chapter 8 – Statement 7) and participates in a variety of other community groups.

Freedom of Information Act 1982 Section 7 (1)(A)(II)

3.1 Information Management Systems

South Gippsland Shire Council operates a centralised records management system. This is integrated with the (Pathway) Property-based database, which manages Building Applications/Permits, Planning Applications/Permits, Health Registered Premises, Rate Assessments, Waste Water and Local Laws files.

Five types of files are maintained by the Corporate Information Management team.

3.1.1 Subject Files

Subject files contain information of a subjective nature, which can also be related to a range of policies and strategies setting strategic directions to administrative issues, property or street files. The list of file titles is wide and varied.

3.1.2 Property Files

Property files contain information on the technical aspects of the property, including:

- a) Rates.
- b) Health.
- c) Local Laws.
- d) Valuations.
- e) Building and Planning information, which does not form part of an application / permit process.
- f) Any decision made by South Gippsland Shire Council / Committees and Officers relating to an individual property.

3.1.3 Contract Management Files

Contract Management files contain information in relation to the work leading up to the calling of tenders or request for quotations for the construction and/or maintenance of South Gippsland Shire Council assets.

3.1.4 Vital Records Holdings

A vital records repository is also maintained, which contains documents that contain vital information to South Gippsland Shire Council. These include:

- Council titles.
- Leases.
- Agreements.
- Contracts.

3.1.5 Department Specific File Series

In addition to the five file types maintained by the Corporate Information Management team, there are also many other file series throughout South Gippsland Shire Council, which are created and maintained by the relevant departments. Examples of these file types include:

- Building Applications and Permits.
- Planning Application.
- Health Registered Premises.
- Recruitment Files.
- Personnel Files.
- Immunisation Records.

3.1.6 Secondary Storage and Archived Files

Secondary and archival records are stored at South Gippsland Shire Council's secondary storage device provider, and the Public Records Office of Victoria.

Records transferred to the Public Records Office are grouped by series class and date range, and recorded manually in a register. Records transferred to the Public Records Office may be viewed directly by contacting the Victorian Archive Centre. Details are on their website: <https://prov.vic.gov.au>

3.1.7 Electronic Media File Type Records

Large quantities of information are stored and accessed using electronic media.

Freedom of Information Act 1982, Section 7 (1)(A)(III)

4.1 Information Available for Inspection

4.1.1 The following information is required to be made available for public inspection pursuant to Regulation 6, 7, 8 and 12 of the *Local Government (General) Regulations 2015*, or updated in accordance with the *Local Government Act 2020*. There may be changes to this information once the *Local Government Act 2020* regulations are gazetted.

- a) Details of overseas and interstate travel (other than interstate travel by land for less than three days) undertaken in an official capacity by Councillors and members of South Gippsland Shire Council staff in the previous 12 months;
- b) Agendas and minutes for ordinary and special meetings kept under Section 93 of the *Local Government Act 2020*, except where such agendas and minutes relate to parts of meetings which have been closed to members of the public under Section 89 of the *Local Government Act*, available at: www.southgippsland.vic.gov.au;
- c) Minutes of Special Committees established under Section 65 of the *Local Government Act 2020* held over the past 12 months;
- d) Register of Delegations by Council made under Section 11 of the *Local Government Act 2020*;
- e) Register of Delegations by the Chief Executive Officer made under Section 47 of the *Local Government Act 2020*, including Community Asset Committees;
- f) A document containing details of all leases involving land which were entered into by the Council as lessor, including the lessee;
- g) A register of authorised officers appointed under Section 224 of the *Local Government Act 1989*;
- h) A list of donations and grants made by Council in the previous 12 months;
- i) Summary of Personal Interests in accordance with Section 135 and 136 of the *Local Government Act 2020*; and
- j) Submissions received under Section 223 of the *Local Government Act 1989* until its repeal or received through an equivalent significant formal community engagement process undertaken by Council.

To arrange an inspection of these documents, please contact the Freedom of Information Officer on (03) 5662 9200.

4.1.2 In accordance with the *Local Government Act 1989*, or *Local Government Act 2020* where required, the following information is required to be made available for public inspection:

- a) Councillor Support and Expenditure Policy (C51), available on Council's website at www.southgippsland.vic.gov.au/policies;
- b) Model Code of Conduct, available on Council's website at www.southgippsland.vic.gov.au/policies;
- c) Local Laws and proposed Local Laws, available on Council's website at www.southgippsland.vic.gov.au/GeneralLocalLaw;
- d) The current Council Plan, available on Council's website at www.southgippsland.vic.gov.au/strategies;
- e) The current Council Budget, available on Council's website at www.southgippsland.vic.gov.au/budget;
- f) The current Annual Report and the associated Auditors Report, available on Council's website at www.southgippsland.vic.gov.au/annualreport;
- g) Details of differential rates declared by Council (see Council's Budget), available on Council's website at www.southgippsland.vic.gov.au/budget;
- h) The current Procurement Policy, available on Council's website at www.southgippsland.vic.gov.au/policies;
- i) Copies of election campaign donation return summaries are also available on the website;
- j) Conflicts of Interest disclosed by Councillors or Council staff; and
- k) Terms of Reference or Charters for Council-established Delegated or Joint-Delegated Committees and Community Asset Committee appointed by the Chief Executive Officer.

4.2 Other Registers

4.2.1 In accordance with the *Building Act 1993*, *Building Regulations 2018* and the *Planning and Environment Act 1987*, certain documents are available for inspection. Please contact South Gippsland Shire Council's Building or Planning team for further information by:

- **Contact Details:** (03) 5662 9200.
- **Email:** council@southgippsland.vic.gov.au
- **Main Office location:** 9 Smith Street, Leongatha.

4.3 Other Adopted Documents Maintained by Council

4.3.1 South Gippsland Shire Council has a suite of adopted Strategies, Plans and Policies that provide direction in relation to a wide range of Council services and good governance responsibilities. These may include overarching strategic directions or subject-specific detailed Plans. These adopted Strategies, Plans and Policies are available on Council's website at www.southgippsland.vic.gov.au

4.3.2 South Gippsland Shire Council has a suite of internal operational Policies, Guidelines and Procedures that enable the effective working of the organisation. These may be broad directions for all departments to operate in a consistent manner, or may be relevant to assist particular departments to deliver their services.

Some internal Policies, Guidelines or Procedures may be published on the website where they may be relevant to assist the community to interact with Council.

4.4 Council Register

4.4.1 In accordance with the *Local Government Act 2020*, the following documents are currently available for inspection:

- a) The certified voters' roll for a Council election, for the period beginning on the certification date and ending one month after the election (Section 251);
- b) Copies of election campaign donation returns, summaries also available on Council's website (Section 307);
- c) A copy of Council's policy in relation to the reimbursement of expenses for Councillors and members of Council committees (Section 41) – Councillor Support and Expenditure Policy – available on Council's website;
- d) A copy of the current Councillor Code of Conduct available on Council's website (Section 139);
- e) A copy of the current Chief Executive Officer Employment and Remuneration Policy, available on Council's website (Section 45);
- f) A copy of any Council proposed Local Laws and objectives, and intended effect of the proposed Local Law (Section 73);
- g) Copies of Local Laws operative within the Shire of South Gippsland, available on Council's website (Section 75);
- h) A copy of the current Council Plan (Section 90), available on Council's website;
- i) A copy of the current Financial Plan (Section 91), available on Council's website;

- j) A copy of the current Asset Plan (Section 92), available on Council's website;
- k) A copy of the Revenue and Rating Plan (Section 93);
- l) A copy of the Budget or Revised Budget (Sections 94 and 95), available on Council's website;
- m) A copy of the Annual Report and associated Auditors Report on the Financial Statements (Sections 98, 99 and 100), available on Council's website;
- n) Details regarding differential rates declared by Council (Section 161 of *Local Government Act 1989*);
- o) Where Council has given public notice of an intention to declare a special rate, a special charge, or a combination of both copies of the proposed declaration will be available for at least 28 days after the publication of the notice (Section 163 of *Local Government Act 1989*); and
- p) A copy of the current Procurement Policy (Section 109), available on Council's website.

4.4.2 In accordance with the *Building Act 1993*, the following documents are available for inspection:

- a) A register of building permits (Section 31);
- b) A register of occupancy permits, temporary approvals and amendments (Section 74); and
- c) A register of emergency orders, building notices and building notices (Section 126).

4.4.3 In accordance with *Building Regulations 2018*, the following is available upon request:

- a) Building and occupancy permits, certificates of final inspection, any current statements under Building Regulations 502 or 503, building notices and building orders (r326[1]);
- b) Information on the likelihood that a given property is susceptible to flood, termites and/or snowfalls, and that a given property is within an area of designated land or works prescribed by Regulation 806 (r326[2]); and
- c) Approval dates of the mandatory notification stages for building works (r326[2]).

4.4.4 In accordance with the *Domestic Animals Act 1994*, a register of all registered dogs and cats (Section 18) is available for inspection.

4.4.5 In accordance with the *Food Act 1984*, the following documents are available for inspection:

- a) Records of registrations, renewals and transfers in relation to particular food premises, including details of orders to suspend or revoke registration of food premises under Part 111 of the Act (Section 43).

4.4.6 In accordance with Section 49 of the *Planning and Environment Act 1987*, the following documents are available for inspection:

- a) A copy of Victorian Planning Provisions and any amendments to the Victorian Planning Provisions (Section 4H / I);
- b) A copy of amendments and submissions to Minister for Planning requesting amendments and exemptions to a Planning Scheme (Section 28 / 21);
- c) A copy of panel hearing reports on submissions to amend a Planning Scheme (Section 26);
- d) A copy of an amended Planning Scheme (Section 42);
- e) A register containing applications for permits and application for amendment of permits and all decisions and determinations relating to permits and amendments of permits (Section 49);
- f) A copy of objections to permit applications and application for amendment of a permit during the period, which an application may be made for review of a decision on the application (Section 57);
- g) Copies of Council-issued permits (Section 70); and
- h) A copy of agreements Council has entered into with an owner of land in the area covered by a Planning Scheme for which it is a responsible authority (Section 179[2]).

4.4.7 In accordance with the *Public Health and Wellbeing Act 2008*, South Gippsland Shire Council's Municipal Public Health and Wellbeing Plan is available for inspection on Council's website www.southgippsland.vic.gov.au

4.4.8 In accordance with the *Road Management Act 2004*, South Gippsland Shire Council's Public Road Register is available for inspection at Council offices (Section 19).

4.5 Right of Inspection

4.5.1 Section 58(b) of the *Local Government Act 2020* requires that Council information be publicly available unless certain circumstances apply. A person is entitled upon payment of the relevant fee, where applicable, to inspect a prescribed document.

4.6 Internet

4.6.1 In addition to publishing a great deal of important and useful information on its website, South Gippsland Shire Council also produces hard copy brochures, reports and pamphlets etc. www.southgippsland.vic.gov.au

Freedom of Information Act 1982, Section 7 (1)(A)(IV)

5.1 Council Noticeboard

5.1.1 South Gippsland Shire Council's Noticeboard advertisements appear in local papers each week and contain details of upcoming Council Meetings and various statutory notices. The Noticeboard advertisements are also available online at www.southgippsland.vic.gov.au/noticeboard

5.2 In The Know

5.2.1 South Gippsland Shire Council maintains a fortnightly email-based community engagement newsletter that community members can subscribe to receive. The newsletter provides subscribers with updates on what is happening at Council and gives opportunities for feedback to be given to Council. Copies of the newsletter are also available online at www.southgippsland.vic.gov.au/intheknow

5.3 Other Newsletters

5.3.1 South Gippsland Shire Council has a number of other newsletters which community members can subscribe to, including:

- a) Arts Newsletter: www.southgippsland.vic.gov.au/art
- b) Business Newsletter: www.southgippsland.vic.gov.au/business-newsletters

Freedom of Information Act 1982, Section 7 (1)(A)(V)

6.1 How to Make a Freedom of Information (FOI) Request

People who wish to make a Freedom of Information request must:

- a) Make a request in writing. A form is provided on South Gippsland Shire Council's website. Please view the form here: www.southgippsland.vic.gov.au/foi-application-form
- b) Your application must include:
 - Your contact details.
 - Written authorisation if another person or business e.g. a legal firm submits the request on your behalf.
 - Evidence of your identity if the documents you seek are about your personal affairs, such as a drivers licence.
 - Payment of an application fee or evidence that you qualify for a waiver of the application fee, such as a Pensioner Card or Health Care Card.
 - A date range for the documents you seek access to.
 - A clear description of the documents you would like. This includes:
 - » The type of documents you are looking for (such as emails).
 - » The topic of your request.
 - » Any specific words that relate to the topic.

Describe the documents you want to access (provide sufficient detail allow South Gippsland Shire Council to identify and locate relevant documents). It is important you think about the wording of your request carefully. Please try to avoid phrases like 'all documents'. If the request is broad, it may mean the search finds many documents that you will be charged for (search time and for the documents). You may pay for documents you do not want.

- c) Specify whether you want to inspect an original document or receive a copy of the original document;
- d) Specify whether you want electronic or hard copy access to the document;
- e) Pay the prescribed current Freedom of Information application fee (changes annually, please see the application form on Council's website); and

f) Send your request and application fee made payable to South Gippsland Shire Council to:

Freedom of Information Officer
South Gippsland Shire Council
Private Bag 4, Leongatha VIC 3953

Or by email to: foi@southgippsland.vic.gov.au

Fees may be paid by cheque, credit card or cash.

Where applicable, these may be mailed, paid by phone or at South Gippsland Shire Council's Customer Service Centre. The Freedom of Information Officer will respond to your request as quickly as possible.

Where the Freedom of Information Officer decides to refuse, partially grant or defer access, the applicant will be notified in writing of the reason for refusal, partial access or deferral.

6.2 Right of Appeal

6.2.1 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 of the Freedom of Information Act) the applicant may appeal the decision to the Freedom of Information Commissioner for review.

6.2.2 For your review application to be valid, it must:

- a) Be made within 28 days of you receiving the decision;
- b) Be in writing;
- c) Identify the relevant agency or Minister; and
- d) Identify the decision you would like reviewed.

6.2.3 The Freedom of Information Act requires the Information Commissioner or Public Access Deputy Commissioner to complete their review of a decision within 30 days or receiving your application.

Victorian Information Commissioner
PO Box 24274, Melbourne VIC 3001

Contact Details: 1300 006 842

Email: enquiries@ovic.vic.gov.au

Website: www.ovic.vic.gov.au

6.3 Additional Charges

6.3.1 In certain cases, additional charges may apply beyond the application fee. If these charges exceed \$50, the applicant will be notified of the estimated costs before the Freedom of Information application is processed. If the estimated charges are over \$50, processing of the Freedom of Information request will be paused until a deposit is received. The final documents will be released only after all outstanding charges have been paid.

6.4 Waiver of Fee and Charges

6.4.1 The application fee and charges may be waived in some circumstances, generally in relation to instances of demonstrated personal hardship or matters in the public interest. To qualify for a fee waiver, you must supply South Gippsland Shire Council with evidence that you qualify for a waiver of the application fee, such as a Pensioner Card, Health Care Card or statutory declaration.

6.5 Like to Know More About Fees and Charges?

6.5.1 For more information about fees, charges and waiving costs, please visit the link below:

www.southgippsland.vic.gov.au/foi

Or contact the Freedom of Information Officer:

Main Office location: 9 Smith Street, Leongatha.

Contact Details: (03) 5662 9200.

Email: foi@southgippsland.vic.gov.au

Website: www.southgippsland.vic.gov.au

Statement Six: Officers Responsible for Requests to Access Documents

7

Freedom of Information Act 1982, Section 7 (1)(A)(VI)

7.1 South Gippsland Shire Council Freedom of Information Officers

Principal Officer

Chief Executive Officer

Contact Details: (03) 5662 9200.

Email: council@southgippsland.vic.gov.au

Freedom of Information Officer – Jade Harry

South Gippsland Shire Council

Private Bag 4, Leongatha VIC 3953

Contact Details: (03) 5662 9200.

Facsimile: (03) 5662 3754.

Email: foi@southgippsland.vic.gov.au

Statement Seven: List of Committees Whose Meetings are Open to the Public or Minutes Publicly Available

8

Freedom of Information Act 1982, Section 7 (1)(A)(VII)

8.1 Council's Representation

8.1.1 South Gippsland Shire Council is represented on a broad range of internal, state and regional organisations and committees. The Council Committees, Boards and other bodies that are part of Council or established by Council for the purposes of advising Council and whose meetings are open to the public, or the minutes of these meetings are available for public inspection include the following:

8.2 Boards

Myli – My Community Library Ltd Board.

8.3 Council Delegated Committees

South Gippsland Shire Council, from time-to-time, appoints Delegated Committees to undertake specific functions with powers to enact those functions. At the time of writing, no Delegated Committees have been appointed.

8.4 Community Asset Committees

South Gippsland Shire Council is establishing Community Asset Committees under Section 65 of the *Local Government Act 2020*, formed originally under Section 86 of the *Local Government Act 1989*. These Committees have delegations for the management of facilities.

To view the Community Asset Committees, please visit:

www.southgippsland.vic.gov.au/community-asset-committees

8.5 Other Advisory Committees of Council Not Open to the Public

- Australia Day Awards.
- Audit and Risk Committee.
- Active Retirees Advisory Committee.
- South Gippsland Arts Advisory Committee.
- Access and Inclusion Advisory Committee.
- Municipal Emergency Management and Planning Committee.
- Chief Executive Officer Employment and Remuneration Committee.
- South Gippsland Youth Council.

Statement Eight: Locations and Hours of Operation of Libraries or Reading Rooms Available for Public Use

9

Freedom of Information Act 1982, Section 7 (1)(A)(VIII)

The locations and hours of operations of libraries can be found at the below link:

www.southgippsland.vic.gov.au/libraries

SOUTH GIPPSLAND SHIRE COUNCIL

9 Smith Street (Private Bag 4) Leongatha VIC 3953

Phone: 5662 9200

Email: council@southgippsland.vic.gov.au

Website: www.southgippsland.vic.gov.au

Facebook: www.facebook.com/southgippslandshirecouncil



South Gippsland
Shire Council