

Freedom of Information

Part II Statements

Purpose

The purpose of Part II of the *Freedom of Information Act 1982* (the Act) (section 7 – section 12) is to ensure that individuals and organisations can effectively exercise their right to obtain access to government information which may affect them. To this end, they must be aware of what government does, how it acts and what information it holds.

Council releases a large amount of information through online and print publishing as well as person-to-person service provision. These Freedom of Information Part II Information Statements show how Council is making information readily available to the public.

Making information easily accessible reduces the need for members of the public to submit requests under the Act.

Responsibility

Agencies (including councils) must prepare six major statements under Part II of the Act and ensure that these statements are published and made available to the public.

Statement 1 – Organisation and Functions of Council

Freedom of Information Act 1982, Section 7(1)(a)(i)

Gannawarra Shire Council was created in 1995 following a restructure of Victorian local government boundaries. It comprises parts of the former shires of Kerang and Cohuna and the former Borough of Kerang.

The Gannawarra Shire is divided into four wards represented by seven councillors:

- Avoca (Mystic Park, Lake Charm, Quambatook, Lalbert) – 1 Councillor
- Murray (Murrabit, Koondrook) – 1 Councillor
- Patchell (Kerang, Murrabit) – 3 Councillors
- Yarran (Cohuna, Leitchville) – 2 Councillors

The principal officer of the Gannawarra Shire Council is Mr Geoff Rollinson, Chief Executive Officer.

Contact may be made with Council staff via:

Customer Service Centre 03 5450 9333

Cohuna Office 23-25 King-Edward Street

Cohuna Vic 3568

Phone: 03 5456 5222

Fax: 03 5456 2173

Monday to Friday 10.00am to 4.00pm

Note: Closed from 12:30pm - 1:10pm every Tuesday

Kerang Office Patchell Plaza, 47 Victoria Street

Kerang Vic 3579

Phone: 03 5450 9333

Fax: 03 5450 3023

Monday to Friday 8.30am to 5.00pm

Gateway to Gannawarra 90 King George Street

Cohuna Vic 3568

Phone: 03 5456 2047

Fax: 03 5456 2859

Daily 9.00am to 5.00pm

Note: Closed on special public holidays

Email council@gsc.vic.gov.au

Postal Address Gannawarra Shire Council

PO Box 287

Kerang Vic 3579

Location

Bordered by the Murray River to the north, Gannawarra Shire is approximately three hours from Melbourne and around one hour from the neighbouring centres of Swan Hill, Echuca and Bendigo. Gannawarra is a diverse landscape of lakes and rivers, red gum forests, irrigated agriculture and dryland farming. Gannawarra's primary centres are Kerang, Cohuna and Koondrook. Smaller outlying communities include Leitchville, Quambatook, Murrabit, Lake Charm, Lalbert and Mystic Park.

Fast Facts

Area: approximately 3,736 square kilometres

Population: approximately 10,528

Road length: 2,281 km of local roads

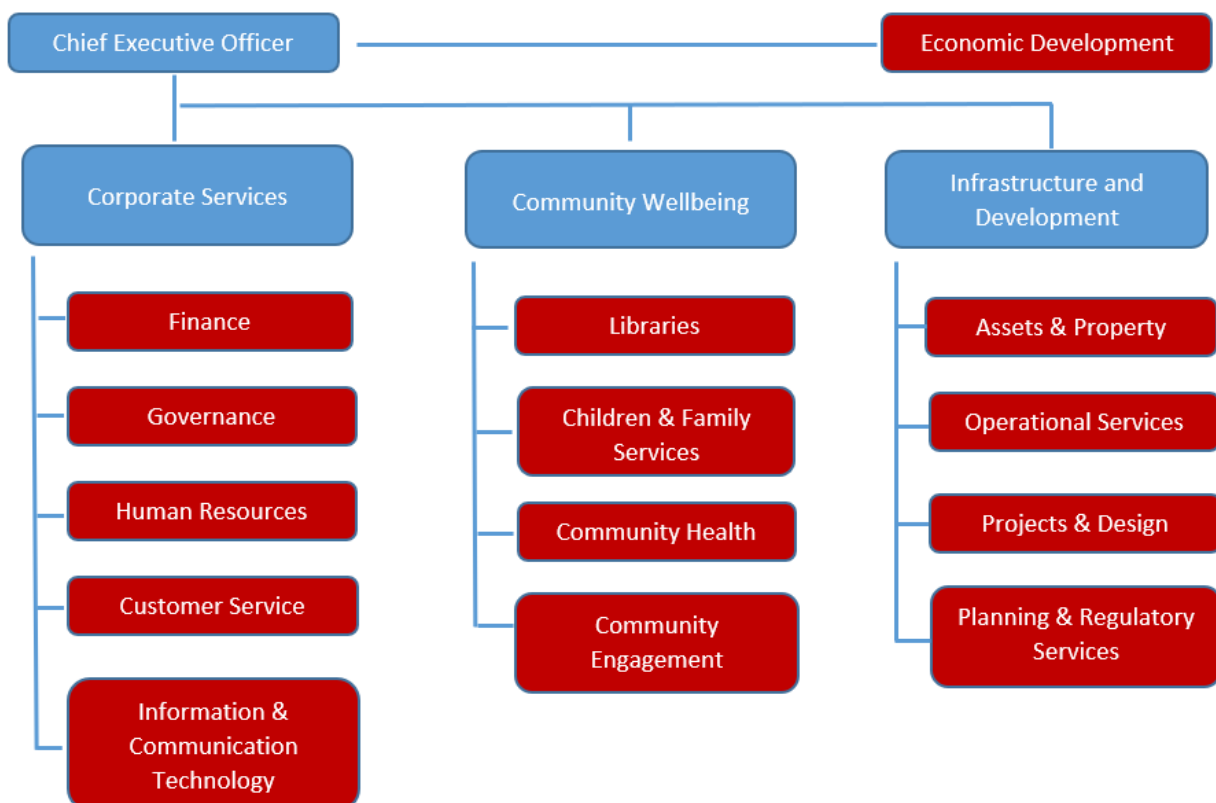
Rateable properties: 7,008

Rates and Charges Revenue: \$15,647

Total Revenue (including grants): \$65,606m

Organisation

The Chief Executive Officer is supported by three Directors (Executive Leadership Team) and 14 Managers in the Corporate Services, Infrastructure and Development and Community Wellbeing Directorates. To provide a broad range of services and to exercise the duties and functions of the Council, the organisation has been structured as detailed in the below Organisation Chart:



Function of Council

Section 8 of the *Local Government Act 2020* prescribes the role of a council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community.

A Council provides good governance if:

- a) It performs its role in accordance with the overarching governance principles and support principles listed in section 9 of the LGA;
- b) The Councillors of the Council perform their roles in accordance with section 28 of the LGA.

In accordance with section 9 of the LGA, the following are the overarching governance principles:

- a) Council decisions are to be made and actions taken in accordance with the relevant law;
- b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- d) the municipal community is to be engaged in strategic planning and strategic decision making;
- e) innovation and continuous improvement is to be pursued;
- f) collaboration with other Councils and Governments and statutory bodies is to be sought;
- g) the ongoing financial viability of the Council is to be ensured;
- h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
- i) the transparency of Council decisions, actions and information is to be ensured.

In giving effect to the overarching governance principles, a Council must take into account the following supporting principles:

- a) the community engagement principles;
- b) the public transparency principles;
- c) the strategic planning principles;
- d) the financial management principles;
- e) the service performance principles.

In accordance with section 8 of the LGA, in performing its role, a Council may:

- a) perform any duties or functions or exercise any powers conferred on a Council by the LGA or any other Act; and
- b) perform any other functions that the Council determines are necessary to enable the Council to perform its role; and
- c) If it is necessary to do so for the purpose of performing its role, a Council may perform a function outside its municipal district.

Local Government Functions and Activities

1. Animal Management

- 1.1 Domestic Animal Registration
- 1.2 Domestic Animal Business Registration
- 1.3 Responsible Pet Ownership Promotion
- 1.4 Enforcement

Local Government Functions and Activities (continued)

2. Building

- 2.1 Building Permit Management
- 2.2 Municipal Building Surveyor Services

3. Community and Economic Development

- 3.1 Community and Economic Development Support
- 3.2 Competitions and Awards
- 3.3 Tourism

4. Community Services

- 4.1 Accreditation and Registration
- 4.2 Individual Support Services Management
- 4.3 Program Management
- 4.4 Immunisation Management
- 4.5 Maternal and Child Health Service Provision
- 4.6 Childcare and Early Education Provision
- 4.7 Staff Reporting

5. Emergency Management

- 5.1 Community Preparedness
- 5.2 Emergency Response
- 5.3 Community Recovery

6. Environmental Health

- 6.1 Premises or Business Registration
- 6.2 Compliance Management
- 6.3 Infectious Diseases Management
- 6.4 Consumer Safety Management

7. Environmental Management

- 7.1 Waste Management
- 7.2 Illegal Dumping and Litter Management
- 7.3 Effluent and Wastewater Management
- 7.4 Ecosystem Management
- 7.5 Sustainability Initiatives

8. Governance

- 8.1 Electoral Boundaries and Electoral Structures – Review
- 8.2 Planning, Preparation and Conduct of Local Government Elections and Polls of Voters
- 8.3 Challenges to Electoral Conduct or Results
- 8.4 Council and Committee Meetings
- 8.5 Law Making
- 8.6 Compliance Administration and Enforcement

Local Government Functions and Activities (continued)

9. Land Use Planning

- 9.1 Planning Scheme Management
- 9.2 Planning Scheme Amendments
- 9.3 Permits
- 9.4 Subdivision
- 9.5 Enforcement
- 9.6 Rates and Valuations
- 9.7 Property Valuation
- 9.8 Rates Management

10. Recreational and Cultural Services

- 10.1 Community Events
- 10.2 Facilities and Programs
- 10.3 Cultural and Community Heritage
- 10.4 Artistic and Cultural Heritage Collection Management
- 10.5 Library Services Collection Management
- 10.6 Library User Management
- 10.7 Service Infrastructure Management
- 10.8 Service Infrastructure Development and Redevelopment
- 10.9 Service Infrastructure Maintenance
- 10.10 Service Infrastructure Enforcement.

Common Administrative Functions

- | | |
|---------------------------|---------------------------------------|
| 1. Committees | 11. Occupational Health and Safety |
| 2. Community Relations | 12. Personnel Management |
| 3. Contracting-Out | 13. Policy |
| 4. Equipment and Stores | 14. Property Management |
| 5. Financial Management | 15. Publication |
| 6. Fleet Management | 16. Reporting |
| 7. Government Relations | 17. Staff Development |
| 8. Industrial Relations | 18. Strategic Management |
| 9. Information Management | 19. Technology and Telecommunications |
| 10. Legal Services | |

Decision Making Powers

Council is a statutory entity and is able to do only those things which it is authorised by statute to do. It can act in only one of two ways, by resolution or through others acting on its behalf.

By resolution:

Council exercises its decision-making powers at scheduled Council meetings and unscheduled meetings of Council which are called from time to time to deal with any specific and/or urgent matters that may arise. These meetings are generally held in Kerang on the third Wednesday of each month between February and December, commencing at 6.30 pm. A small number of meetings may be held at other venues through the year. All meetings are open to the public however meetings, or parts of meetings may be closed to the public when confidential items are being considered. Meetings are livestreamed online via Council's website.

The dates, times and locations of all meetings are published in local newspapers and on Council's website. Agendas for all meetings are made available on the Gannawarra Shire Council website, generally on the Monday prior to the meeting. Minutes, in the same format are available to the public within nine business days after the meeting.

Council's Governance Rules document the manner of voting and making of resolutions of Council.

Through others acting on its behalf:

The following Community Asset Committees have been established under section 65 of the LGA to manage and maintain community assets:

- Quambatook Caravan Park Community Asset Committee
- Leitchville War Memorial Swimming Pool Community Asset Committee
- Community Halls Community Asset Committee.

A range of powers and functions are delegated to each Committee by the Chief Executive Officer, documented in formal Instruments of Sub-delegation. Minutes of meetings are available from each Committee and Council.

The LGA makes express provision for the appointment of delegates to act on behalf of councils. Most Council decision-making power is allocated by formal delegation to members of Council staff. The decision of a delegate of Council is 'deemed' to be a decision by Council.

The Instrument of Delegation to the Chief Executive Officer empowers the CEO to exercise various powers of the Council, including the power to sub-delegate powers to Council Officers.

Consultative Arrangements

Council commits to sharing information about its projects and services with the community, giving them a reasonable opportunity to express their views, and taking those views into account in decision making. Consultation methods include listening posts, surveys (physical and online) and ideas boards.

Opportunities for the community to express their views will be communicated via media releases, social media posts and newsletters.

Council meetings include Public Question Time providing an opportunity for members of the public to ask up to 2 questions each, in accordance with Council's Governance Rules.

Gannawarra Shire Council participates in an annual Local Government Community Satisfaction Survey and actively promotes the survey and its benefits to the community in the lead up to the conduct of the survey.

In accordance with section 53 of the LGA, Council has established an Audit and Risk Committee that includes two Councillors representatives and three members who are not Councillors of the Council.

Each year Council formally appoints representatives to the following committees:

- Loddon Mallee Waste and Resource Recovery Group
- Central Victorian Greenhouse Alliance
- Gannawarra Shire Municipal Fire Management Planning Committee
- Gannawarra Municipal Emergency Management Planning Committee
- Municipal Association of Victoria (MAV)
- Murray River Group of Councils
- Loddon Campaspe Group of Councils
- Rail Freight Alliance
- Rural Councils Victoria
- Community Halls Community Asset Committee
- Victorian Local Governance Association
- Timber Towns Victoria

The Mystic Park Cemetery Trust comprises solely of all current Gannawarra Shire Councillors.

Councillors and Council officers provide various levels of support to other committees, organisations and groups from time to time including:

- Asset Naming Committee
- Campaspe Cohuna Local Learning and Employment Network (CCLLEN)
- North Central Catchment Management Authority (NCCMA) Community Reference Group
- Murray Mallee Local Learning and Employment Network (MMLLEN)
- MAV Arts and Culture
- MAV Emergency Management
- MAV Transport and Infrastructure Committee
- MAV Environment Committee
- Road Focus Group
- Early Years Think Tank
- Seniors Focus Groups
- Cohuna ECA Centre
- Mallee Regional Partnership
- Railing Ahead
- Murray Regional Tourism
- Central Victorian Agribusiness Forum (CVAF)
- Central Murray Regional Transport Group
- Kow Swamp Project Reference Committee
- Environmental Water Advisory Group
- Lower Murray Region Strategic Fire Management Planning Committee
- Lalbert Recreation Reserve Committee
- Quambatook Development Committee
- Leitchville Progress Association
- Cohuna & District Progress Association
- Kerang Progress Association
- Lakes Development Committee
- Koondrook Development Committee
- Murrabit Advancement Association
- Macorna Tragowel Progress Association

To enquire about any of these committees, memberships and supported groups, please contact Council's Governance department on 03 5450 9333 or by email council@gsc.vic.gov.au.

Library and Reading Rooms

Public libraries are located in Kerang, Cohuna and Leitchville. The Quambatook Community Resource Centre serves as an Agency for the Gannawarra Library Service, where members of the public can register, borrow and return library resources.

Sir John Gorton Library Kerang

Cnr Shadforth Street and Murray Valley Highway Kerang
Telephone: 03 5452 1546 Email: library@gls.vic.gov.au

Opening hours

Monday – Friday – 10.00 am – 5.00 pm

Saturday – 10.00 am – 12.00 pm

Cohuna Library

25 King Edward Street Cohuna
Telephone: 03 5456 2124 Email: library@gls.vic.gov.au

Opening hours

Monday – 10.00am – 5.00 pm

Wednesday – 10.00am – 5.00 pm

Thursday – 10.00am – 5.00 pm

Friday – 10.00 am – 5.00 pm

Saturday – 10.00 am – 12.00 pm

Leitchville Library

2 King Albert Avenue Leitchville
Telephone: 03 5456 7031 Email: library@gls.vic.gov.au

Opening hours

Tuesday – 1.30 pm – 5.30 pm

Quambatook Community Resource Centre

8 Guthrie Street Quambatook
Telephone: 03 5457 1220

Opening hours

Monday – 9.30 am – 4.00 pm

Wednesday – 10.00 am – 4.00 pm

Friday – 9.30 am – 12.00 pm.

Council makes available non-public areas at its offices as reading rooms e.g. places to inspect public registers and digital material via the Gannawarra Shire Council website.

Acts Administered

Council performs its functions through the enforcement and administration of a large number of principal Acts and corresponding Regulations and Council Local Laws.

- *Aboriginal Heritage Act 2006*
- *Acts Interpretation Act 1901*
- *Australia Consumer Law and Fair Trading Act 2012*
- *Catchment and Land Protection Act 1994*
- *Children Youth and Families Act 2005*
- *Children's Services Act 1996*
- *Child Wellbeing and Safety Act 2005*
- *Child Wellbeing and Safety Act 2005 Child Safe Standards*
- *Conservation, Forests and Land Act 1987*
- *Cultural and Recreational Lands Act 1963*
- *Competition and Consumer Act & Regulations (Part 1 & 2) 2010*
- *Disability Act 2006*
- *Development Victoria Act 2003*
- *Domestic Animals Act 1994*
- *Education and Training Reform Act 2006*
- *Emergency Management Act 2013*
- *Fair Work Act 2009*
- *Estate Agents Act 1980*
- *Electoral Act 2002*
- *Fines Reform Act 2014*
- *Food Act 1984*
- *Freedom of Information Act 1982*
- *Gambling Regulation Act 2003*
- *Geographic Place Names Act 1998*
- *Graffiti Prevention Act 2007*
- *Health Records Act 2001*
- *Housing Act 1983*
- *Impounding of Livestock Act 1994*
- *Infringements Act 2006*
- *Livestock Disease Control Act 1994*
- *Liquor Control Reform Act 1998*
- *Magistrates' Court Act 1989*
- *Marine Safety Act 2010*
- *Mineral Resources (Sustainable Development) Act 1990*
- *Pipelines Act 2005*
- *Professional Engineers Registration Act 2019*
- *Protected Disclosure Act 2012*
- *Associations Incorporation Reform Act 2012*
- *Audit Act 1994*
- *Building Act 1993*
- *Cemeteries and Crematoria Act 2003*
- *Child Wellbeing and Safety Act 2005*
- *Climate Change Act 2017*
- *Commonwealth of Australia Constitution Act*
- *Country Fire Authority Act 1958*
- *Crown Land (Reserves) Act 1978*
- *Charter of Human Rights and responsibilities Act 2006*
- *Dangerous Goods Act 1985*
- *Disability Service Safeguards Act 2018*
- *Domestic Building Contracts Act 1995*
- *Education and Care Services National Law Act 2010*
- *Electricity Safety Act 1998*
- *Environment Protection Act 1970*
- *Equal Opportunity Act 2010*
- *Fences Act 1968*
- *Family Violence Protection Act 2008*
- *Filming Approval Act 2014*
- *Fire Services Property Levy Act 2012*
- *Flora and Fauna Guarantee Act 1988*
- *Fire Services Property Levy Act 2012*
- *Gender Equality Act 2020*
- *Gender Equality Regulations 2020*
- *Heritage Act 2017*
- *Heavy Vehicle National Law Application Act 2013*
- *Heavy Vehicle National Law 2012*
- *Independent Broad-Based Anti-Corruption Commission Act 2011*
- *Land Act 1958*
- *Land Acquisition and Compensation Act 1986*
- *Local Government Act 1989*
- *Local Government Act 2020*
- *Major Transport Projects Facilitation Act 2009*
- *National Parks Act 1975*
- *Occupational Health & Safety Act 2004*
- *Public Interest Disclosure Act 2012*
- *Planning and Environment Act 1987*

- *Prevention of Cruelty to Animals Act 1986*
- *Public Health and Wellbeing Act 2008*
- *Racial and Religious Tolerance Act 2001*
- *Rail Safety Act 2006*
- *Rail Safety National Law Application Act 2013*
- *Road Management Act 2004*
- *Rooming House Operators Act 2016*
- *Second Hand Dealers and Pawnbrokers Act 1989*
- *Sex Work Act 1994*
- *Subdivision Act 1988*
- *Tobacco Act 1987*
- *Taxation Administration Act 1997*
- *Trade Practices Act 1974*
- *Transfer of Land Act 1958*
- *Transport (Safety Schemes Compliance & Enforcement) Act 2014*
- *Victorian Planning Authority Act 2017*
- *Victoria Local Government Grants Commission Act 1976*
- *Victorian Civil Administrative Tribunal Act 1998*
- *Victorian Inspectorate Act 2011*
- *Worker Screening Act 2020*
- *Cemeteries and Crematoria Regulations 2015*
- *Disability Regulations 2018*
- *Competition and Consumer Regulations 2010*
- *Electricity Safety (Electric Line Clearance) Regulations 2020*
- *Dangerous Goods (Explosives) Regulations 2011*
- *Food (Forms and Registration) Regulations 2015*
- *Electricity Safety (Equipment Safety Scheme) Regulations 2019*
- *Impounding of Livestock Regulations 2018*
- *Freedom of Information Regulations 2019*
- *Land Acquisition and Compensation Regulations 2010*
- *Liquor Control Reform Interim Regulations 2022*
- *Local Government (Governance and Integrity) Regulations 2020*
- *Infringements Regulations 2016*
- *Occupational Health and Safety Regulations 2017*
- *Occupational Health and Safety (COVID-19 Incident Notification) Regulations 2020*
- *Privacy and Data Protection Act 2014*
- *Public Records Act 1973*
- *Rail Safety (Local Operations) Act 2006*
- *Rail Safety National Law*
- *Road Safety Act 1986*
- *Residential Tenancies Act 1997*
- *Service Victoria Act 2018*
- *Sheriff Act 2009*
- *Sport and Recreation Act 1972*
- *Summary Offences Act 1966*
- *Victorian Planning Authority Act 2017*
- *Shop Trading Reform Act 1996*
- *Transport Integration Act 2010*
- *Victorian Environmental Assessment Council Act 2001*
- *Victorian Data Sharing Act 2017*
- *Valuation of Land Act 1960*
- *Victoria State Emergency Service Act 2005*
- *Water Act 1989*
- *Building Regulations 2018*
- *Country Fire Authority Regulations 2014*
- *Children’s Services Regulations 2009*
- *Domestic Animals Regulations 2015*
- *Drugs, Poisons and Controlled Substances Regulations 2017*
- *Education & Care Services National Regulations*
- *Electricity Safety (General) Regulations 2019*
- *Fair Work Regulations 2009*
- *Freedom of Information (Access Charges) Regulations 2014*
- *Health Records Regulations 2012*
- *Local Government (Planning and Reporting) Regulations 2020*
- *Local Government (Electoral) Regulations 2020*
- *Local Government (Land Information) Regulations 2021*
- *Local Government (General) Regulations 2015*
- *Local Government (Long Service Leave) Regulations 2012*
- *Planning and Environment Regulations 2015*

- Public Health and Wellbeing (Prescribed Accommodation) Regulations 2020
- Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020
- Road Management (General) Regulations 2016
- Road Safety Road Rules 2017
- Road Safety (Traffic Management) Regulations 2019
- Subdivision (Fees) Regulations 2016
- Subdivision (Registrar's Requirements) Regulations 2011
- Working with Children Regulations 2016
- Subdivision (Permit and Certification Fees) Regulations 2000
- Retail Leases Act 2003
- Public Health and Wellbeing Regulations 2019
- Planning and Environment (Fees) Regulations 2016
- Road Management (Works and Infrastructure) Regulations 2015
- Road Safety (General) Regulations 2019
- Road Safety (Vehicles) Interim Regulations 2020
- Subdivision (Procedures) Regulations 2021
- Victorian Energy Efficiency Target (Project-Based Activities) Regulations 2017
- Tobacco Regulations 2017
- Valuation of Land Regulations 2014
- Victorian CCYP Child Safe Standards 2022

Local Laws:

Gannawarra Shire Council Community Amenity Local Law 2023

https://www.gannawarra.vic.gov.au/files/assets/public/v/1/document-resources/strategic-documents/community_amenity_local_law_2023.pdf

Governance Rules:

Gannawarra Shire Council Governance Rules – including Election Period Policy

https://www.gannawarra.vic.gov.au/files/assets/public/v/1/document-resources/strategic-documents/2023_finalgannawarra-governance-rules-20september2023.pdf

Statement 2 – Categories of Documents

Freedom of Information Act 1982, Section 7(1)(a)(ii)

Description of Record Keeping System

Gannawarra Shire Council uses AltusECM which is a centralised Electronic Content Management System (ECMS) for storing records that relate to Council business. The Records Management Business Classification Scheme (BCS) is a four tiered structure. Tier one folders in the BCS are:

- Aged Care Client Services
- Aged Care Incidents and Case Management
- Aged Care Programs Research and Grant Allocation
- Aged Care Service Provider Regulation
- Aged Care Training
- Animal Management
- Building
- Cemetery and Crematoria Disposal of Remains
- Committees
- Community and Economic Development
- Community Relations
- Community Services
- Contracting Out
- Emergency Management
- Environmental Health
- Environmental Management
- Equipment & Stores
- Financial Management
- Fleet Management
- Governance
- Government Relations
- Industrial Relations
- Information Management
- Land Use and Planning
- Legal Services
- Occupational Health and Safety
- Personnel Management
- Policy
- Property Management
- Publications
- Rates and Valuations
- Recreational and Cultural Services
- Reporting
- Service Infrastructure Management
- Staff Development
- Strategic Management
- Technology and Telecommunications

Former records systems were used to manage both paper and electronic general records including financial accounts and personnel records. Electronic records are stored in the RecFind database, hard copy records are stored at Council's Kerang Office. All records are stored and disposed of in accordance with Public Records Office Victoria (PROV) Standards and Specifications. Some records, no longer in current use, have been transferred to the PROV.

Information and documents on the Gannawarra Shire Council website are categorised by a range of menu tabs. In addition, the search feature can be used to locate a wide range of Council information.

Principal Record Series

There are four types of files maintained by the Records department:

General correspondence folders and files contain information of a subjective nature which is not related to a property, contract or personnel file. These records relate to all aspects of Council's activities and operational activities of departments and include information from third parties, street files and vital records, for example Council and Committee meeting Minutes, Leases, Licences and other agreements, customer requests and complaints.

Property files contain information on ownership, contracts of sale, land transfer, technical aspects of the property rating, health, local laws, property valuations, building and planning, waste and recycling collections and decisions relating to individual properties. These files include property owned/managed by Council, copies of Titles and relevant property/risk assessments.

Contract files contain information in relation to the processing of tenders or quotations for the provision of assets and/or services including confidential information on evaluation and decision making.

Personnel files (including recruitment and WorkCover files) are managed by the Human Resources Manager.

Broadly, Council maintains personal, procedural, policy, operational, administrative and correspondence documents.

Records can be located by searching the RecFind database (pre October 2017), AltusECM and/or the relevant physical file.

Principal Records

The departments that provide services and perform functions keep documents associated with their work. The documents fall into these broad categories:

- Statutory and financial reports
- Agendas and minutes
- Council resolutions
- General correspondence and documents submitted by third parties
- Policies, procedures and guidelines
- Records associated with capital works, engineering and the road network
- Building and planning applications and associated documents
- Grant applications, tenders and tender evaluation material
- Service agreements, contracts, leases and licences
- Records of work associated with public events and cultural programs
- Records of maintenance of parks and gardens, public facilities, street features and amenities
- Records of the administration and enforcement of local laws and acts
- Leases, permits and notices of building and occupancy
- Records of land transfers, subdivisions and the history of use of land and roads
- Animal registration applications and associated documents

- Contract management records and documentation
- Disclosures of conflicts of interest
- Legal documents: local laws, contracts, leases, agreements, licences, instruments of appointment and authorisation, instruments of delegation, legal advice, court documents
- Surveys and statistical data
- Media releases, general advertising, newsletters
- Risk management and OHS assessments and associated documentation
- Internal working documents: staff personnel files, administration and organisational documentation, financial documentation (including debtors and creditors documents), audit records, asset and resource management records and documents, road and property files, plans, maps, drawings
- Databases: rates, customer service requests, mailing lists; contracts; Carelink; Maternal & Child Health.

Central Registry

AltusECM (ECMS) contains electronic records, including digitised hard copy records, received and/or prepared by Council staff since its inception in October 2017.

The Recfind system contains subject, personnel and property files and general correspondence registered in the system up until 2 October 2017 – any related hard copies are stored in the Kerang Office Basement and at the Kerang Transfer Station.

Hard copy files from the systems for each of the former councils (pre 1995), and prior to documents being scanned into RecFind are located in the Kerang Office Basement and Public Records Office.

Other Records

In addition to the centralised records system, several departments maintain their own hard copy and/or electronic records including:

- Children’s Services – client files
- Maternal & Child Health – client files and immunisation records
- Finance Unit – accounts/receipts
- Infrastructure – parks and gardens and other infrastructure maintenance, plans and drawings and maps
- Geographic Information – Spectrum Spatial Analyst
- Governance Department – Registers containing original signed Council Minutes
- Planning & Building – planning and building application files

Not all records are retained as some are destroyed in accordance with the *Public Records Act 1973*.

Statement 3 – Freedom of Information Arrangements

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

Information available for inspection

In accordance with Section(s) 57 & 58 of the *Local Government Act 2020*, Council adopted a Public Transparency Policy on 19 August 2020. Council's Public Transparency policy describes Council's transparency, integrity, and accountability as being central to the principles and requirements that underpin local government democracy, accountability, conduct and enable the community to hold Council to account. The policy discusses how Council will make information readily available to the public.

In line with Council's Public Transparency Policy, the following Council information required under the *Local Government Act 2020* (and the *Local Government Act 1989*) will be made available either on Council's website or upon request:

Documents such as:

- Plans and reports adopted by Council;
- Council Policies;
- Local Laws;
- Councillor Code of Conduct;
- Project and service plans;
- Grant applications, tenders and tender evaluation material;
- Service agreements, contracts, leases and licences;
- Council leases, permits and notices of building and occupancy; and
- Relevant technical reports and/or research that informs decision making.

Process information such as:

- Practice notes and operating procedures developed by Council
- Application processes for approvals, permits, grants, access to Council services;
- Decision making processes;
- Guidelines and manuals;
- Community engagement processes;
- Complaints handling processes.

Council records such as:

- Council and Delegated Committee meeting agendas and minutes
- Reporting from Community Asset Committees to Council;
- Audit and Risk Committee Performance Reporting;
- Details of Delegated and Community Asset Committees;
- Registers of gifts, benefits and hospitality offered to Councillors and Council staff;
- Registers of overseas and interstate travel undertaken by Councillors or Council staff;
- Registers of Conflicts of Interest disclosed by Councillors and Council staff;
- Submissions made by Council to State or Federal processes;
- Registers of donations and grants made by Council;
- Registers of leases entered into by Council, as lessor and lessee;
- Register of Delegations;
- Register of Authorised Officers;

- Summary of Election Campaign Donation Returns;
- Summary of Personal Interest Returns;
- Any other Registers or Records required by legislation or determined to be in the public interest.

In accordance with the ***Building Act 1993***, the following information is available for public inspection:

- A register of building permits s31.
- A register of occupancy permits, temporary approvals, and amendments s74.
- A register of emergency orders, building notices, and building orders s126.

In accordance with the ***Domestic Animals Act 1994*** the following information is available for public inspection:

- A register of all registered dogs and cats s18.

In accordance with the ***Food Act 1984*** the following information is available for public inspection:

- Records of registrations, renewals, and transfers in relation to a particular food premises, including details of orders to suspend or revoke registration of food premises under Part III of the Act s43.

In accordance with Section 49 of the ***Planning and Environment Act 1987*** the following information is available for public inspection:

- A copy of Victorian Planning Provisions and any amendments to Victorian Planning Provisions s4H; I;
- A copy of amendments and submissions to Minister for Planning requesting amendments and exemptions to a planning scheme s18; 21;
- A copy of panel hearing reports on submissions to amend a planning scheme s26;
- A copy of an amended planning scheme s42;
- A register containing applications for permits and application for amendment of permits and all decisions and determinations relating to permits and amendment of permits s49;
- A copy of objections to permit applications and application for amendment of permit during the period which an application may be made for review of a decision on the application s57;
- Copies of Council issued permits s70;
- 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 s179(2).

In accordance with the ***Public Health and Wellbeing Act 2008*** the following information is available for public inspection:

- Health and Wellbeing Plan 2017 – 2021.

In accordance with the ***Public Interest Disclosures Act 2012*** the following information is available for public inspection:

- Gannawarra Shire Council's Public Interest Disclosures Procedures (s58).

In accordance with the **Road Management Act 2004** the following information is available for public inspection:

- Council's Public Road Register and Road Management Plan (s19).

To arrange an inspection of any of the above documents, please contact Council's Governance team on (03) 5450 9333.

What is Freedom of Information?

Under the Victorian *Freedom of Information Act 1982* (FOI Act), you have the right to request access to documents held by Victorian public sector agencies. This right of access is subject to limited exceptions and exemptions.

The FOI Act not only gives you the right to request documents relating to your personal affairs, you can also request information about any of the activities of a government agency.

The FOI Act also gives individuals the right to request that incorrect or misleading information held by an agency about them be amended or removed.

What information is available?

You have a right to apply for access to documents, held by the Gannawarra Shire Council, which are covered by the FOI Act.

This includes documents created by the Gannawarra Shire Council, and documents supplied to the Gannawarra Shire Council by an external organisation or individual.

You can apply for access to documents about your personal affairs, regardless of the age of the documents, and other documents held by the Gannawarra Shire Council, not older than 1 January 1989.

What information is not available?

Not all information is automatically available in response to a request for it. The FOI Act sets out a number of situations in which a person may be refused access to the documents he or she has requested. This may apply to requests for documents which affect the personal affairs of another person, which are commercially confidential, which would undermine law enforcement, or which contain information supplied in confidence.

'Personal Affairs' also includes the name and/or address of somebody who is not the applicant. For example, where an applicant may wish to know the name and address of a complainant, this would be considered to be exempt material under Section 33 of the Act.

These documents or information are referred to as 'exempt' documents. In some cases, you may be refused access to an entire document. Alternatively, you may be given access to a document with exempt information deleted.

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.

Before making a request

Before you make a formal request for access to documents, consider:

- **Is the information you seek in a document?** – The FOI Act gives you the right to request access to documents. Generally, you cannot request information that does not exist in an existing document or answers to questions under the FOI Act. Remember, a request must be for information contained in documents.
- **Does Council have the document you seek?** – Contact us to confirm if we have the document before making your request. We may be able to tell you how to obtain the document without a formal request, or if another agency has the document.

- **Is the document you seek publicly available?** – It may be published on our website or available for purchase.
- **Why do you want access to the document or information?** – Consider telling us your reason for seeking access to the document or information, or if you plan to use it for a specific purpose. We may decide to release it to you without a formal request.

How do I make a request under FOI?

FOI requests must be in writing. Council accepts requests by post, email or over the counter at either the Kerang or Cohuna office:

Freedom of Information Officer

Email: council@gsc.vic.gov.au

Deliver: 47 Victoria Street Kerang or 23-25 King Edward Street Cohuna

Post: PO Box 287 Kerang Vic 3579

[Click here](#) to submit your request online.

If you are requesting your personal information or personal records, you should provide proof of your identity, such as a driver's licence or other identification. If you do not do this, we may not be able to release the documents you have requested.

Make sure your request is clear

When making your request you should be clear and specific about the documents you are requesting access to. Your request needs to provide sufficient information for Council officers to identify and locate all relevant documents. Think about:

- what the documents relate to (for example, a complaint you made, or a particular project);
- the date range in which the documents may have been created;
- where the documents might be located (for example, in John Smith's email account, or a specific business or work unit); and
- the type of document you seek (for example, an email, report, CCTV footage).

It can also be helpful to exclude certain documents or information from your request if it isn't particularly necessary or relevant. For example, you could specify that you don't want:

- draft documents;
- commercial or personal information relating to other people.

Excluding documents or information may allow us to process your request more quickly. If your request is not clear enough, we will contact you and take reasonable steps to help you clarify which documents you want to access.

Paying the application fee

Before submitting your request, check our website or contact us to find out how you can pay the application fee, particularly if you are submitting your request by email.

We may be able to waive or reduce the application fee if it would cause you financial hardship. If you request the application fee to be waived or reduced, you should provide evidence of hardship – for example, a concession or health care card, a bank statement, or statutory declaration outlining why payment would cause you hardship.

The application fee increases each year on 1 July. Before submitting your request, confirm how much the application fee is, either by contacting us or going to the website of the Office of the Victorian Information Commissioner.

What happens next?

If your request is not valid

If your request is not valid, we will contact you within 21 days and let you know why it is not valid and give you at least 21 days to make a valid request. We will try to provide assistance or advice on how you can make a valid request.

If you do not begin consulting with us about how to make your request valid, or you have not made a valid request after 21 days, we are not required to begin processing your request and may decide to finalise it.

If your request is valid

Once you make a valid request, we will send you a letter acknowledging receipt of your request, and begin processing it.

We have between 30 to 45 days from the date you make a valid request to provide you with a decision. The timeframe will depend on whether or not we need additional time to consult with third parties whose information may be contained in the requested documents. The timeframe can be extended beyond 30 to 45 days if you provide your consent.

If you do not receive a decision after 30 to 45 days, or a further period as consented to by you, contact us for an update. There can be a number of reasons why the request has been delayed and we can discuss these with you.

Additional charges

In some instances, further charges may apply in addition to the application fee. Where this is the case, you will be advised of the estimated additional cost if it's substantial, prior to us processing the FOI application. All fees associated with a FOI application are publicised on Council's website under Freedom of Information.

Right of appeal

If you are 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) you may appeal the decision to the Victorian Information Commissioner for review:

Victorian Information Commissioner
PO Box 24274
MELBOURNE VIC 3001
Telephone: 1300 006 842
Email: enquiries@ovic.vic.gov.au
Website: www.ovic.vic.gov.au

Authorised FOI Officers

Council's Chief Executive Officer has appointed the following officers to be Freedom of Information Officers for the purposes of the FOI Act, and authorised the officers to make decisions in respect of requests made to the Gannawarra Shire Council under the FOI Act:

Alissa Harrower
Manager Governance
Email: council@gsc.vic.gov.au
47 Victoria Street, Kerang 3579

Amanda Wilson
Director Corporate Services
Email: council@gsc.vic.gov.au
47 Victoria Street, Kerang 3579

Statement 4 – Publicity Services

Freedom of Information Act 1982, Section 7(1)(a)(iv)

Council has several Mailchimp mailing lists which provide information to the community on a range of topics. Members of the community can sign up to these mailing lists via Council's website or by calling Council on 03 5450 9333.

Council produces and distributes a variety of literature which is also available to the public free of charge including:

- Annual Report
- Council Plan
- Council Policies, Plans and Strategies
- Annual Budget and Strategic Resource Plan
- Local Laws.

A wide range of publications can be downloaded from the Gannawarra Shire Council website or by contacting Council on 03 5450 9333 or council@gsc.vic.gov.au for copies. Search engines can be used to locate them.

Statement 5 – Procedures and Guidelines

Freedom of Information Act 1982, Section 8(1)(a)(b)

This Statement applies to documents that are provided by Council for the use or guidance of Council or its officers.

Council must, as far as possible, make its ‘hidden law’ explicit to the public with procedure manuals, interpretations of the law, policy statements and enforcement methods.

Copies of all documents are made available for inspection by members of the public. A large number of the documents are available from the Gannawarra Shire Council website and inspection and copies can be arranged by contacting the Governance department at Council’s Kerang office on 03 5450 9333.

Below is a list of the types of documents which are frequently referred to when Council makes decisions:

Strategy Documents

- Advocacy Strategy
- Annual Report
- Asset Management Strategy
- Audit and Risk Committee Charter
- Bridge Asset Management Plan
- Buildings Asset Management Plan
- Cohuna Future Vision Plan
- Community Engagement Strategy 2020 - 2025
- Corporate Performance Reporting Framework
- Council Plan
- Creative Arts and Activation Strategy
- Customer Charter
- Domestic Animal Management Plan 2021-2025
- Domestic Wastewater Management Plan 2020 - 2024
- Drainage Asset Management Plan
- Early Years Plan 2015 – 2018
- Economic Development Strategy 2019 – 2024
- Electric Line Clearance Plan 2017
- Environmental Sustainability Strategy
- Footpath Asset Management Plan
- Gannawarra 2025
- Gannawarra Aerodromes Development Plan
- Gannawarra Arbovirus Plan 2017
- Gannawarra Children & Youth Strategy 2016-2020
- Gannawarra Community Safety Plan 2012 - 2025
- Gannawarra Flood Emergency Plan
- Gannawarra Future Scan
- Gannawarra Heat Health Management Plan
- Gannawarra Heritage Study
- Gannawarra Influenza Pandemic Plan
- Gannawarra Shire Advocacy Plan 2019
- Gannawarra Shire Council Budget
- Gannawarra Waterfront Masterplans
- Gannawarra Shire Governance Rules
- Lake Charm, Kangaroo Lake and Gunbower Creek Environs Strategy
- Levee Bank Asset Management Plan
- Local Law No 1 Community Amenity 2012
- Loddon Mallee 2016 Investment Prospectus
- Loddon Mallee North Regional Growth Plan
- Loddon Mallee Regional Strategic Plan 2015-2018
- Municipal Emergency Management Plan
- Municipal Fire Management Plan
- Positive Ageing Strategy
- Rating Strategy
- Revenue and Rating Plan
- Recreation Asset Management Plan
- Recreation Reserve Master Plan Report
- Road Management Plan
- Roadside Weeds and Pest Animal Control Plan
- Road Asset Management Plan
- Road Register
- School Transition in Gannawarra
- Sir John Gorton Precinct Master Plan
- Social Inclusion Strategy 2019 – 2029
- Sport and Recreation Strategy 2019 - 2029
- Tourism Strategy
- Urban and Rural Strategy Plan

Council Policies

- 003 Risk Management
- 033 Occupational Health and Safety
- 035 Community Activities on Footpath
- 058 Bus Routes – Certificates
- 063 Caravan Park Annexes
- 065 Trees (Policy and Guidelines)
- 071 Building Regulations 2018 – Regulation
- 074 Information Privacy and Health Records
- 083 Email Internet and Intranet
- 090 Special Rates and Charges Scheme
- 097 Hiring Council Facilities
- 100 Fraud and Corruption Prevention
- 102 Community Grants
- 105 Memorials on Roadsides and Public Open Spaces (Policy and Procedure)
- 109 Procurement
- 115 Lanes
- 117 Complaint Handling
- 122 Non Refund Statutory and Regulatory Service Fees
- 124 Asset Protection
- 127 Compliance
- 129 Diversity
- 133 Appointment of Acting CEO
- 135 Private Works
- 137 Abuse and Neglect (Policy and Procedure)
- 139 Healthy Food and Drink
- 142 Public Art
- 144 Councillor Gifts
- 146 Climate Change
- 025 Outstanding Debt
- 034 Rate Relief
- 045 Mystic Park Cemetery Trust
- 060 Waste Management Services – Provision and Replacement of Bins
- 064 Caravan Park ‘Fly Over’ Specifications
- 068 Dogs and Cats Designated Areas
- 073 Dust Control
- 078 Code of Conduct and Values for Elected Members
- 085 Asset Management
- 092 Councillor Allowances and Support
- 098 Asset Naming (Policy and Procedure)
- 101 Media
- 104 Rates Subsidy
- 107 Protected Disclosure (Formally Whistleblower Protection)(Policy and Procedure)
- 110 Investments
- 116 Private Assets in Road Reserves
- 121 Smoke Free Zones
- 123 Roadside, Parks and Reserves Trading
- 126 Council Future Use Investments
- 128 Asset Disposal and Rationalisation
- 132 Child Safe
- 134 Fixed Assets
- 136 CCTV Camera Network
- 138 Asbestos Management
- 141 Public Transparency
- 143 Community Engagement
- 145 Employment and Remuneration

Statements and protocols

- Acknowledgement of Country Statement
- Preventing Family Violence Statement
- Welcome to Country Video Clip Protocol.

Local Laws

Gannawarra Shire Council’s Community Amenity Local Law 2023 is designed to secure community safety, protect public assets and enhance community amenity, whether in townships or rural areas and is what governs the direct actions of the Shire’s Local Laws officers.

Governance Rules

The purpose of Council's Governance Rules is to provide for:

- a) the conduct of Council meetings;
- b) the conduct of meetings of delegated committees;
- c) the form and availability of meeting records;
- d) the election of the Mayor and Deputy Mayor;
- e) the appointment of an Acting Mayor;
- f) an election period policy;
- g) the procedures for the disclosure of a conflict of interest by a Councillor or a member of a delegated committee at a meeting of the Council or a delegated committee;
- h) the procedure for the disclosure of a conflict of interest by a Councillor at a meeting under the auspices of Council that is not a meeting of the Council or a delegated committee;
- i) the disclosure of a conflict of interest by a member of Council staff when providing information in respect of a matter;
- j) the consideration and making of decisions on any matter being considered by Council fairly and on the merits;
- k) the institution of decision-making processes to ensure that any person whose rights will be directly affected by a decision of Council is entitled to communicate their views and have their interests considered; and
- l) any other matters prescribed by regulations made under the Act

These documents are available from the Gannawarra Shire Council website and inspection and copies can be arranged by contacting the Governance department at Council's Kerang office on 03 5450 9333.

Statement 6 – Report Literature

Freedom of Information Act 1982, Section 11(1)

Under section 11 of the *Freedom of Information Act 1982*, Council must make a wide range of final reports and records of decisions relating to policy and the administration of policy of interest to the public available for inspection or purchase.

Council publishes its progress reports, final reports and records of decisions relating to policy within Council meeting Minutes which are available for download from the Gannawarra Shire Council website.

Reports and policies are available from the Gannawarra Shire Council website and copies can be arranged by contacting the Governance department at Council's Kerang office on 03 5450 9333.

Reports, Statements and Submissions

Council makes the following two classes of documents available to the public:

1. A document prepared outside the Council for consideration by Council
2. A document prepared within the Council for consideration by Council.