



Freedom of Information - Part II Statement

Pursuant to the Freedom of Information Act 1982

1 July 2017

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Purpose

The purpose of Part II of the *Freedom of Information Act 1982* (FOI 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.

Bass Coast Shire Council (Council) releases a large amount of information through online and print publishing as well as person to person service provision.

This 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 FOI Act.

Responsibility

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

Statement I: Organisation and Functions

The name Bass Coast Shire Council was adopted as the official name when the Shire of Phillip Island, Shire of Bass and Borough of Wonthaggi were amalgamated in 1994. This also included the amalgamation of sections of the Shire of Woorayl, Shire of Cranbourne and Shire of Korumburra.

Council consists of three Wards and nine Councillors.

Organisation Structure

Council is the governing body that appoints a Chief Executive Officer (CEO). The CEO has responsibility for the day to day management of operations in accordance with the strategic directions of the Council Plan. Four General Managers and the CEO form the Executive Team and lead the organisation.

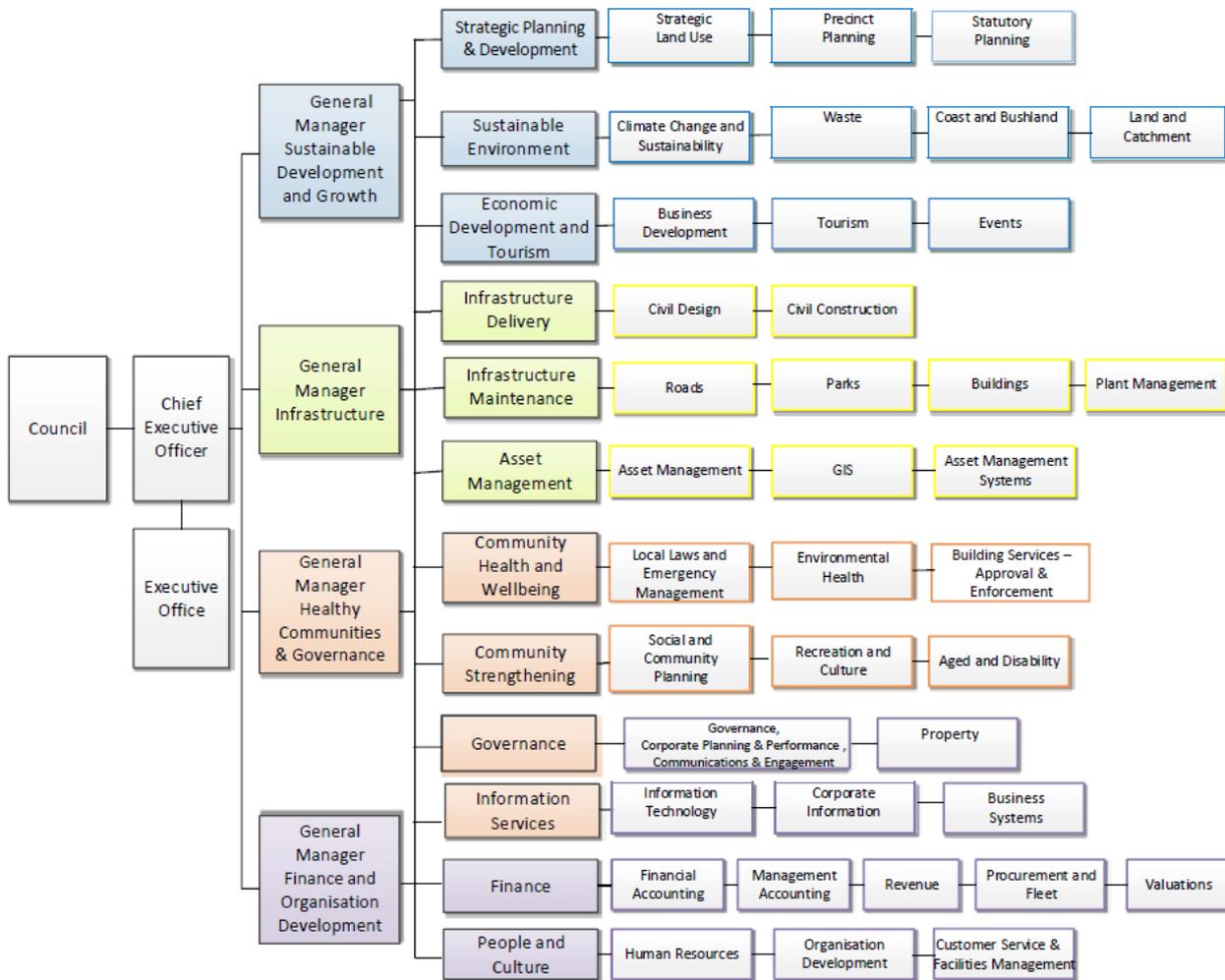
Chief Executive Officer

Paul Buckley PSM

Senior Officers Reporting Directly to the Chief Executive Officer

Mark Brady	Felicity Sist	Allison Jones	David Elder
<i>General Manager Finance and Organisation Development</i>	<i>General Manager Infrastructure</i>	<i>General Manager Sustainable Development and Growth</i>	<i>General Manager Healthy Communities and Governance</i>

Organisation Chart



Customer Service Centre's

Wonthaggi 76 McBride Avenue, Wonthaggi 3995

Cowes 91-97 Thompson Avenue, Cowes 3922

Inverloch 16 A'Beckett Street, Inverloch 3994

Grantville 1509 Bass Highway, Grantville 3984

Contact Us

Email basscoast@basscoast.vic.gov.au

Website www.basscoast.vic.gov.au

Post PO Box 118, Wonthaggi VIC 3995

Functions

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

- a) Advocating and promoting proposals which are in the best interests of the local community
- b) Planning for and providing services and facilities for local community
- c) Providing and maintaining community infrastructure in the municipal district
- d) Undertaking strategic and land use planning for the municipal district
- e) Raising revenue to enable council to perform its functions
- f) Making and enforcing local laws
- g) Exercising, performing and discharging the duties, functions and powers of councils under the *local government act 1989* and other acts
- h) Any other function relating to the peace, order and good government of the municipal district

Decision Making Powers

Council exercises its decision-making powers in a number of forums. Decisions are made at Ordinary Meetings of Council with Special Meetings of Council called to deal with any urgent matters that may arise. Council meetings are held on the third Wednesday of each month and alternate between Wonthaggi Civic Centre and Cowes Cultural Centre. The agendas, minutes and dates for these meetings are available on our website www.basscoast.vic.gov.au.

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

The purpose of policy documents is to enable the effective and efficient management of council resources and to assist staff and Council achieve an equitable decision making process.

Written policies also enable the community to be aware of the reasoning behind administrative and council decisions and to be familiar with the philosophy behind individual decisions.

Policy statements enable much of the day to day business of Council to be handled by the administration, freeing up the time of the elected members in determining major policy and resource allocation issues.

Community Engagement and Consultation

The Communication and Engagement Strategy was adopted by Council on 16 September 2015. The three main objectives are:

- to support good decision-making by council
- to communicate and engage with respect, trust, openness and accountability
- to build a strong partnership with our community

It aims to increase community ownership and understanding of project, policy and strategy decisions; which can support the long-term sustainability of those initiatives and generate a sense of belonging and pride in our achievements.

Council decision-making must take into consideration the diverse views of the community, laws and regulations, finances, human resources and social impacts.

Council will also consider community engagement when a proposed change or decision is likely to:

- have significant impact on quality of life in the region
- impact on services or facilities for residents and ratepayers
- have a significant budgetary impact
- involve a level of conflict, controversy or sensitivity

Different levels of community engagement are appropriate for different types of issues. The cost of engagement (including the demand it makes on community and staff time) should represent good value for ratepayers, given the scope and scale of the decision.

Community Engagement Sessions are held in the Bass Coast Civic Centre Council Chamber on the Wednesday prior to each Ordinary Council Meeting, between 3pm and 5pm. This is an opportunity for you to present and/or provide comments to Council on business currently before Council (i.e., a matter that has or is likely to come before Council for consideration/decision), including the current Council meeting agenda.

Community Engagement Sessions are open to the public.

We encourage you to register by providing details of the business you would like to discuss at least 24 hours prior. This allows Council to prepare for the session and have responses to specific questions if required. Topics must relate to current Council business or issues and discussion must not be defamatory or objectionable in language, nature or intent.

Acts Administered

Council performs its functions through the enforcement and administration of a large number of principal Acts, Regulations and Council Local Laws. Some of the pieces of legislation are as follows:

- *Aboriginal Heritage Act 2006*
- *Associations Incorporation Reform Act 2012*
- *Building Act 1993*
- *Catchment & Land Protection Act 1994*
- *Cemeteries & Crematoria Act 2003*
- *Children Youth & Families Act 2005*
- *Climate Change Act 2010*
- *Conservation Forests & Lands Act 1987*
- *Country Fire Authority Act 1958*
- *Cultural & Recreational Lands Act 1987*
- *Cultural & Recreational Lands Act 1987*
- *Dangerous Goods Act 1985*
- *Disability Act 2006*
- *Domestic Animals Act 1994*
- *Drainage of Land Local Law 2006*
- *Education & Care Services National Law Act 2010*
- *Education & Training Reform Act 2006*
- *Electricity Safety Act 1998*
- *Emergency Management Act 1986*
- *Environment Protection Act 1970*
- *Equal Opportunity Act 2010*
- *Evidence Act 2008*
- *Fences Act 1968*
- *Fences Act 1968*
- *Filming Approval Act 2014*

- *Fire Services Property Levy Act 2012*
- *Flora and Fauna Guarantee Act 1988*
- *Food Act 1964*
- *Freedom of Information Act 1982*
- *Gambling Regulation Act 2003*
- *General Local Law 2009*
- *Graffiti Prevention Act 2007*
- *Health Records Act 2001*
- *Heavy Vehicle National Law 2012*
- *Heavy Vehicle National Law Application Act 2013*
- *Heritage Act 1995*
- *Housing Act 1963*
- *Impounding of Livestock Act 1994*
- *Independent Broad Based Anti-Corruption Commission Act 2011*
- *Infringements Act 2006*
- *Land Acquisition & Compensation Act 1986*
- *Land Act 1958*
- *Liquor Control Reform Act 1998*
- *Local Government Act 1989*
- *Magistrates' Court Act 1989*
- *Major Transport Projects Facilitation Act 2009*
- *Meeting Procedure Local Law 2009*
- *Mineral Resources (Sustainable Development) Act 1990*
- *National Parks Act 1975*
- *Pipelines Act 2005*
- *Planning & Environment Act 1987*
- *Privacy & Data Protection Act 2014*
- *Protected Disclosure Act 2012*
- *Public Health & Wellbeing Act 2008*
- *Public Records Act 1973*
- *Rail Safety Act 2006*
- *Residential Tenancies Act 1997*
- *Road Management Act 2004*
- *Road Safety Act 1986*
- *Second Hand Dealers & Pawnbrokers Act 1989*
- *Sheriff Act 2009*
- *Sport & Recreation Act 1972*
- *Subdivision Act 1988*
- *Summary Offences Act 1966*
- *Transfer of Land Act 1958*
- *Transport (Safety Schemes Compliance & Enforcement) Act 2014*
- *Transport Integration Act 2010*
- *Urban Renewal Authority Victoria Act 2003*
- *Valuation of Land Act 1960*
- *Victoria Grants Commission Act 1976*
- *Victorian Inspectorate Act 2011*
- *Water Act 1989*

Statement 2: Categories of Documents

Records Manager 8 (RM8) is a centralised Electronic Document Records Management System (EDRMS) for managing records relating to Council business. There are a number of information systems used to capture and manage documents and information.

Former records systems were used to manage paper records; this includes contract files, subject files, financial accounts and personnel records etc. Some records inherited from previous Councils were transferred to the Public Record Office Victoria to ensure their preservation.

The majority of physical records are stored with an offsite storage provider. These records are stored and disposed of in accordance with Public Record Office Victoria Standards and Specifications.

Principal Records

Documents maintained in Councils possession include:

- administration and enforcement of legislation and local law's
- agendas and minutes
- annual and financial reports
- audit documents
- building and planning permits and associated documents
- cemetery trust documents
- consultation processes and outcomes
- correspondence and complaints
- enforcement documents
- legal documents (i.e. contracts, leases, agreements, legal advice)
- local laws permit applications and animal registrations
- maternal child health and immunisation documents
- memorandum of understanding and service agreements
- policies, guidelines, procedures, strategies and plans
- publications
- requests for documents / information
- risk management assessments
- section 86 committee documents
- staff management and OHS documents

Statement 3: FOI Arrangements

The FOI Act enables any member of the community to request information held by Government and their Agencies.

This service cannot be used to access documents that are already available publicly or those that require a statutory fee.

Lodging an Application

Any person wanting to make a request for access to documents under the FOI Act must:

- make a request in writing
- describe the document(s) you want to access (sufficient detail must be provided)
- specify whether you want to view an original document or receive a copy of the original document
- pay the prescribed FOI application fee
- submit the completed application form and fee payment to:

Freedom of Information Officer
Bass Coast Shire Council
P.O. Box 118
WONTHAGGI VIC 3995
basscoast@basscoast.vic.gov.au

General enquiries can be made by contacting Council's Freedom of Information Officer on 1300 BCOAST (226 278) or (03) 5671 2211.

Requests will be acknowledged within 1 week and responded to as quickly as possible. (The FOI Act requires that a decision be made within 45 days of Council receiving a request.)

Access Charges

Access Charges are in addition to the application fee and are based on the documents to be released. You will be notified of the additional amount to be paid. Refer to FOI Schedule of Fees.

Right of Appeal

If an applicant is not satisfied with Council's decision, the applicant may appeal the decision to the Victorian Information Commissioner by writing to them at PO Box 24274, Melbourne, 3001.

Telephone: 1300 842 364.

Email: enquiries@foicommissioner.vic.gov.au

Web: www.foicommissioner.vic.gov.au

Statement 4: Publications

Documents Available for Public Inspection

In accordance with Part 5 of the *Local Government (General) Regulations 2015*, the following is a list of the prescribed documents that are available.

Inspection or copies of documents can be obtained for the purposes of section 222 of the *Local Government Act 1989* at 76 McBride Ave, Wonthaggi:

- details of current allowances fixed for the Mayor and Councillors
- details of overseas or interstate travel (with the exception of interstate travel by land for less than three days) undertaken in an official capacity by Councillors or any member of Council staff in the previous 12 months
- names of Council officers who were required to submit a return of interest during the financial year and the dates the returns were submitted
- names of Councillors who submitted returns of interest during the financial year and the dates the returns were submitted
- agendas for, and minutes of, Ordinary and Special meetings held in the previous 12 months except if the minutes relate to parts of meetings which have been closed to members of the public
- a list of all special committees established by Council and the purpose for which each committee was established
- a list of all special committees established by Council which were abolished or ceased to function during the financial year
- minutes of meetings of special committees held in the previous 12 months except if the minutes relate to parts of meetings which have been closed to members of the public
- a register of delegations
- submissions received in accordance with Section 223 of the *Local Government Act 1989* during the previous 12 months
- agreements to establish regional libraries
- details of all property, finance and operating leases involving land, buildings, plant, computer equipment or vehicles entered into by Council as lessor or lessee, including the name of the other party to the lease and the terms and the value of the lease
- a register of authorised officers
- a list of donations and grants made by Council during the financial year
- a list of contracts which Council entered into during the financial year

To inspect the Register of Interests, you must complete a request to inspect register form and an appointment time will be arranged.

Statement 5: Rules, Policies and Procedures

Council's decision making process is governed by a number of policies, strategies and plans. The major ones are listed below:

Council Reports and Plans

Annual Budget
Annual Report
Aspirational Network Pathways Plan
Asset Management Plans
Council Plan
Disability Action Plan
Education Plan
Municipal Early Years Plan
Municipal Emergency Management Plan
Municipal Health and Wellbeing Plan
Traffic Management Plans
Waste Management Plan
Youth Action Plan

Laws and Regulations

Bass Coast Meeting Procedure Local Law 2009
Bass Coast Local Law No. 1, Neighbourhood Amenity 2012
Bass Coast Planning Scheme

Policies, Strategies and Specifications

Adopted Council Policies
Councillor Code of Conduct
Asset Management Policy
Code of Conduct
Community Engagement Policy
Community Grants Program Policy
Complaint Handling Policy
Compliance and Enforcement Policy
Customer Service Charter
Electronic Gaming Machine Policy
Events Policy
Fraud Policy
Funds Investment Policy
Privacy and Data Protection Policy
Procurement Policy & Principles
Protected Disclosures
Risk Management Policy
Sponsorship Policy
Urban Roads and Drainage Improvement Policy
Working Together Policy

Statement 6: Report Literature

Council publishes its progress reports, final reports and records of decisions relating to policy within Council meeting minutes and they are available for download from its website.

Please note the content presented within the overall Part II Statement provides only a snapshot of the information that is available and is by no means an exhaustive representation. If searching for a specific topic, more thorough results may be obtained by conducting a full search of Council's website or by contacting the Freedom of Information Officer directly.