

Part II Statement

Documents & other information available to the Public

In accordance with the Freedom of Information Act 1982



Document Control

Responsible GM	General Manager Regional City Strategy & Transition			
Division	Regional City Strategy & Transition			
Last Updated (who and when)	Manager Governance		12 July 2024	
Document History				
Authority	Date	Description of Change		
References	Freedom of Information Act 1982			
Next Review Date	1 July 2026			
Published on Website	Yes			

Purpose

Part II of the Freedom of Information Act 1982 (FOI Act) requires government agencies, including Latrobe City Council (Council), to publish several statements designed to assist members of the public in accessing the information it holds.

The Part II Statement supports:

- The Public Transparency Principles at section 58 of the *Local Government Act 2020* (the 2020 Act)
- Council's Public Transparency Policy
- Section 12 of the FOI Act

Council is committed to public transparency, to ensure members of the public have access to the information Council holds, and that the 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.

Council's Part II Statement provides a non-exhaustive list of the types of documents held by Council, the functions it performs and how members of the public may access the information it holds.

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 Council on 1300 367 700 or email <u>latrobe@latrobe.vic.gov.au</u>. Council may be able to provide you with the information you are seeking without going through a formal Freedom of Information process.

Statement 1 – Organisation and Functions

Latrobe City History

The first Gippslanders, the ancestors of the Gunnai/Kurnai, inhabited the region at least 22,000 years ago. European settlement grew following the discovery of gold in the mid 1800s.

The municipality encompasses an area of 1,422 square kilometres and takes its name from the Administrator and later Lieutenant Governor of the Colony of Victoria, Charles Joseph La Trobe.

The La Trobe Shire was created on 2 December 1994 with the amalgamation of the former Cities of Moe, Morwell, and Traralgon, the Shire of Traralgon, and parts of the Shires of Rosedale and Narracan.

On 31 March 2000, The Hon Keith Hamilton, Minister for Agriculture and Minister for Aboriginal Affairs, publicly announced the change of status to Latrobe City. At the same time the City status came into being, the 'La Trobe' became 'Latrobe' to reflect the already established Latrobe Valley.

Latrobe City Council is Home to 78,154 people with a median age of 42 years.

Current Structure

Latrobe City Council is divided into 4 wards with a total of 9 councillors, elected for a four year term:

- 2 wards with 2 councillors each
- one ward with 4 councillors
- one single-councillor ward.

See our current Councillors here: <u>https://www.latrobe.vic.gov.au/Council/Our_Council/Councillors</u>. The Councillors work together to set Council's strategic direction and make important decisions regarding the whole municipality. In making these decisions, Councillors consider the views of, and consult with, the community. They also work closely with the Chief Executive Officer (CEO). The organisation is accountable to Council through the CEO.

The CEO is appointed by the Council and is responsible for establishing and maintaining an appropriate organisational structure, the day to day management of the Council's operations in accordance with the Local Government Act 2020 (The LGA) and the Council Plan, providing timely advice to Council and appointing, directing and managing staff.

The Organisational Structure is available on our website here: <u>https://www.latrobe.vic.gov.au/Council/Our Organisation/Organisation Structure</u>

Contact Us

Council has four Customer Services Centres which accept payments and general enquiries.

Council Headquarters – Morwell

141 Commercial Road, Morwell

Monday to Friday 9.00am to 5.00pm Closed weekends and public holidays

Moe Service Centre/Library

1-29 George Street, Moe

Monday to Friday	8.30am to 5.15pm
Saturday	9am to 12noon

Traralgon Service Centre/Library

34-38 Kay Street, TraralgonMonday to Friday8.30am to 5.15pmSaturday9am to 12noon

Churchill Service Centre/Library

9-11 Philip Parade, Churchill

Monday to Friday 8.30am to 5.15pm Closed at lunchtimes 12noon to 1pm.

Telephone

The Latrobe City Council Contact Centre will continue to operate during business hours from 8:30am until 5:15pm Monday to Friday and can be contacted on 1300 367 700.

Our after-hours phone service will operate outside of these hours for urgent issues.

Snap Send Solve remains available for the lodgment of non-urgent issues and is available 24/7. Please note during this time non-urgent requests via the app may take longer than normal to action.

Snap Send Solve https://www.snapsendsolve.com/

Website www.latrobe.vic.gov.au

By mail Postal Address: PO Box 264, Morwell VIC 3840

or

AUSDOC DX 217733 Morwell

By Email

latrobe@latrobe.vic.gov.au

NRS users

If you are deaf, or have a hearing impairment or speech impairment:

Contact us through the National Relay Service; TTY users phone 133 677 then ask for 1300 367 700; Speak and Listen users phone 1300 555 727 then ask for 1300 367 700; Internet relay users connect to the NRS then ask for 1300 367 700

Translating and Interpreting Service (TIS)

To contact us in your own language through the Translating and Interpreting Service (TIS) phone 13 14 50 and ask them to contact the Latrobe City Council on 1300 367 700

The Translating and Interpreting Service (TIS) National is an interpreting service, provided by the Department of Immigration and Citizenship, for people who do not speak English and for the English speakers who need to communicate with them.

TIS National has more than 30 years of experience in the interpreting industry, and has access to over 2400 contracted interpreters across Australia, speaking more than 160 languages and dialects.

TIS National is available 24 hours a day, seven days a week for any person or organisation in Australia requiring interpreting services. It provides immediate telephone interpreting services, as well as pre-booked telephone and on-site interpreting.

For more information about TIS, visit the Translating and Interpreting Service (TIS) website.

Council Functions

Council's activities are diverse and extensive. Significant infrastructure is maintained, a range of services are provided and various laws are enforced to protect the amenity of the community.

As prescribed under section 8 and 9 of the LGA, the role of Council, and the principles to perform its role, include:

- Council decisions are to be made and actions taken in accordance with the relevant law;
- Priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- The municipal community is to be engaged in strategic planning and strategic decision making;
- Innovation and continuous improvement are to be pursued;
- Collaboration with other Councils and Governments and statutory bodies is to be sought;
- The ongoing financial viability of the Council to be ensured;
- Regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
- The transparency of Council decisions, actions and information is to be ensured.

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

 The community engagement principles are outlined in sections 55 and 56 of the Local Government Act 2020 and our policy can be found via this link: Community Engagement Policy -

https://www.latrobe.vic.gov.au/Council/Our Organisation/Corporate Documents/Council Pol icies/Community Engagement Policy

 The public transparency principles are outlined in sections 57 and 58 of the *Local Government Act 2020* and our policy can be found via this link: Public Transparency Policy -

https://www.latrobe.vic.gov.au/Council/Our_Organisation/Corporate_Documents/Council_Pol icies/public_transparency_policy

- The strategic planning principles are outlined in section 89 of the Local Government Act 2020 and our strategic plans can be found via this link: Plans and Strategies -<u>https://www.latrobe.vic.gov.au/Property/Development/Projects/Recreation_and_Open_Spac</u> <u>e/Plans_and_Strategies</u>
- The financial management principles are outlined in sections 101 and 102 of the Local Government Act 2020 and our Asset Management Policy can be found via this link: Asset Management Policy https://www.latrobe.vic.gov.au/Council/Our Organisation/Corporate Documents/Council Pol icies/Asset Management Policy
- The service performance principles are outlined in section 106 of the *Local Government Act* 2020 and our Complaint Handling Policy can be found via this link: **Complaint Handling**

Policy -

https://www.latrobe.vic.gov.au/Council/Our Organisation/Corporate Documents/Council Policies/Complaints_Handling_Policy

Council performs its functions through the enforcement and administration of a large number of Victorian Acts and Regulations and Council Local Laws. The following list indicates as far as practicable the Acts, Regulations and Local Laws that apply to Council.

ACTS

- Aboriginal Heritage Act 2006
- Accident Compensation Act 1985
- Audit Act 1994
- Australian Consumer Law and Fair Trading Act 2012
- Back to Work Act 2015
- Building Act 1993
- Building and Construction Industry Security of Payment Act 2002
- Carers Recognition Act 2012
- Casino Control Act 1991
- Catchment and Land Protection Act 1994
- Cemeteries and Crematoria Act 2003
- Charter of Human Rights and Responsibilities Act 2006
- Child Wellbeing and Safety Act 2005
- Children Youth and Families Act 2005
- Children Services Act 1996
- City of Melbourne Act 2001
- Civil Procedure Act 2010
- Cladding Safety Victoria Act 2020
- Climate Change Act 2017
- Conservation, Forests and Lands Act 1987
- Constitution Act 1975
- Conveyancers Act 2006
- COVID-19 Omnibus (Emergency Measures) Act 2020
- Crimes Act 1958
- Criminal Procedure Act 2009
- Crown Land (Reserves) Act 1978
- Dangerous Goods Act 1985
- Defamation Act 2005
- Development Victoria Act 2003
- Disability Act 2006
- Disability Service Safeguards Act 2018
- Domestic Animals Act 1994
- Drugs, Poison and Controlled Substances Act 1981
- Duties Act 2000
- Education and Care Services National Law 2010

- Education and Training Reform Act 2006
- Electoral Act 2002
- Electricity Industry Act 2000
- Electricity Industry (Residual Provisions) Act 1993
- Electricity Safety Act 1998
- Electronic Transactions (Victoria) Act 2000
- Emergency Management Act 1986
- Emergency Management Act 2013
- Environment Protection Act 2017
- Equal Opportunity Act 2010
- Essential Services Commission Act 2001
- Family Violence Protection Act 2008
- Fences Act 1968
- Filming Approval Act 2014
- Fines Reform Act 2014
- Fire Services Property Levy Act 2012
- Firearms Act 1996
- Fire Rescue Victoria Act 1958
- Flora and Fauna Guarantee Act 1988
- Food Act 1984
- Freedom of Information Act 1982
- Gambling Regulation Act 2003
- Gas Industry Act 2001
- Gender Equality Act 2020
- Geographic Place Names Act 1998
- Graffiti Prevention Act 2007
- Health Complaints Act 2016
- Health Records Act 2001
- Heavy Vehicle National Law Application Act 2013
- Heritage Act 2017
- Housing Act 1993
- Impounding of Livestock Act 1994
- Independent Broad Based Anticorruption Commission Act 2011
- Infringements Act 2006
- Interpretation of Legislation Act 1984
- Labour Hire Licensing Act 2018
- Land Acquisition and Compensation

Act 1986

- Land Act 1958
- Land Tax Act 2005
- Libraries Act 1988
- Limitation of Actions Act 1958
- Liquor Control Reform Act 1998
- Livestock Disease Control Act 1994
- Local Government Act 1989
- Local Government Act 2020
- Local Jobs First Act 2003
- Major Events Act 2009
- Major Transport Projects Facilitation Act 2009
- Marine and Coastal Act 2018
- Marine Safety Act 2010
- Meat Industry Act 1993
- Monetary Units Act 2004
- Motor Car Trader Act 1986
- Multicultural Victoria Act 2011
- Municipal Association Act 1907
- Museums Act 1983
- National Taxation Reform
 (Consequential Provisions) Act 2000
- Oaths and Affirmations Act 2018
- Occupational Health And Safety Act 2004
- Ombudsman Act 1973
- Parliamentary Committees Act 2003
- Parliamentary Precincts Act 2001
- Payroll Tax Act 2007
- Pipelines Act 2005
- Planning and Environment Act 1987
- Planning and Environment (Planning Schemes) Act 1996
- Plant Biosecurity Act 2010
- Prevention of Cruelty to Animals Act 1986
- Privacy and Data Protection Act 2014
- Project Development and Construction Management Act 1994
- Property Law Act 1958
- Public Administration Act 2004
- Public Health and Wellbeing Act 2008

- Public Interest Disclosure Act 2012
- Public Records Act 1973
- Racial and Religious Tolerance Act 2001
- Rail Safety (Local Operations) Act 2006
- Residential Tenancies Act 1997
- Retail Leases Act 2003
- Road Management Act 2004
- Road Safety Act 1986
- Rooming House Operators Act 2016
- Sentencing Act 1991
- Sex Work Act 1994
- Sheriff Act 2009
- Small Business Commission Act 2017
- State Electricity Commission Act 1958
- Subdivision Act 1988
- Subordinate Legislation Act 1994
- Summary Offences Act 1966
- Surveillance Devices Act 1999
- Surveying Act 2004
- Sustainability Victoria Act 2005
- Tobacco Act 1987
- Transfer of Land Act 1958
- Transport Integration Act 2010
- Valuation of Land Act 1960
- Veterans Act 2005
- Victorian Civil and Administrative Tribunal Act 1998
- Victoria State Emergency Service Act 2005
- Victorian Energy Efficiency Target Act 2007
- Victorian Environmental Assessment Council Act 2001
- Victorian Planning Authority Act 2017
- Water Act 1989
- Water Industry Act 1994
- Wildlife Act 1975
- Worker Screening Act 2020
- Workplace Injury Rehabilitation and Compensation Act 2013
- Wrongs Act 1958

Copies of Victorian legislation are available on the Victorian Legislation and Parliamentary Documents website at <u>www.legislation.vic.gov.au</u>.

Local Laws:

- Local Law 1 Meeting Conduct Local Law
- Local Law 2 Community Amenity Local Law
- Local Law 3 Asset and Environment Protection during Building Works

Council's Local Laws are available on the Council website here: https://www.latrobe.vic.gov.au/City/Permits_Fines_and_Local_Laws

Council's decision making process is governed by a number of policies, strategies and plans. The major ones are listed on our website https://www.latrobe.vic.gov.au/Council/Our Organisation/Corporate Documents/Council Policies

Decision making powers

Council exercises powers that affect members of the public both at Council Meetings and by Council employees with delegated authority.

Decisions of Council are made at Council Meetings or by delegation. Examples of decisions that must be made at Council includes the adoption of the:

- Budget
- Council Plan
- Policies and strategies
- Decisions exceeding the financial delegations of the CEO

Council's Governance Rules (made under s.60 of the Act) is the structure which guides:

- the roles and powers of Council
- Governance
- Council Meeting roles and procedures
- Delegated Committee meeting conduct
- Asset Committee meeting conduct
- Joint Committee meeting conduct
- Disclosure of conflicts of interest procedure
- Election period policy
- Other matters

Council Meetings are held at Council facilities, are open to the public to attend and are live streamed on Council's social media channels. Council meetings may be held entirely online where deemed necessary due to, but remain open to the public via live stream.

A schedule of Council meetings and location can be located on Council's website <u>https://www.latrobe.vic.gov.au/Council/Our_Council/Council_Meetings</u>

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 Delegation, which are available for public inspection.

Consultation

Community consultation is any process that the Council undertakes to involve the public in decisionmaking by communicating with them by email, post, phone, in person or online to find out their views about a particular issue, service or other Council matter prior to making decisions.

Council's Community Engagement Policy outlines Council's commitment to engaging with the Latrobe City's diverse communities. We want to encourage participation in engagement opportunities and help support meaningful conversations with our diverse communities and stakeholders. This will help us to better reflect our community members' priorities and expectations in Council activities and decision making. Examples of deliberative engagement and community consultation include asking the community for feedback on Council policies, strategies, performance on service delivery or involving the community in the development or review of specific projects or developments. The Community Engagement Policy is available on Council's website – https://www.latrobe.vic.gov.au/Council/Our Organisation/Corporate Documents/Council Policies/Council Poli

Council has a dedicated website called *Have your say*, *Latrobe City* <u>https://yoursay.latrobe.vic.gov.au/</u> which is where the public can provide feedback on various projects and initiatives.

Council committees, reference, working and consultation groups

Council has several committees and groups that have membership representation of a delegated Councillor, Council officer, community member and/or external stakeholder, for advisory, consulting and in some groups, decision making purposes. You can find a list of committees on Council's website <u>https://www.latrobe.vic.gov.au/Council/Our_Council/Committees</u>

Statement 2 – Categories of Documents

Council maintains a broad range of electronic and hard copy documents from general correspondence to Council adopted policies and procedures. Access to this information is either through Council's website, inspection at Council offices or the Freedom of Information process. The categories of documents in Council's possession are:

- Animal management and pet registration records
- Policies, guidelines, manuals and research
- Project and service plans
- Annual and financial reports
- Council and committee agendas and minutes
- Corporate planning documents
- Documents submitted by third parties
- Emergency management records
- Employee files
- External correspondence
- Media releases and general advertising
- Maternal and personal health care records
- Records associated with capital works, engineering and the road network
- Grant application, 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
- Records of complaints, investigations, fines and prosecutions
- Various registers
- Risk management assessments and client files
- Leases, permits and notices of building and occupancy
- Records of land transfers, subdivisions and the history of use of land, roads and lanes.

For more information, please see Council's Public Transparency Policy: https://www.latrobe.vic.gov.au/Council/Our Organisation/Corporate Documents/Council Policies/public_transparency_policy

Statement 3 - Documents available for publication or inspection

Council maintains a range of documents and registers for public inspection that is required by various Acts that Council must adhere to. Inspection of the documents can be done during business hours appointment. Please note that the Council cannot guarantee inspection without an appointment.

Council maintains a range of documents and registers to be made publicly available and/or for public inspection that is determined by various legislations Council must adhere to. You can find a list of documents available for inspection on Council's Website https://www.latrobe.vic.gov.au/Council/Our Organisation/Corporate Documents/Documents Available for Inspection

For more information about the documents Council holds and how to access them please see the Public Transparency Policy on Council's website

https://www.latrobe.vic.gov.au/Council/Our_Organisation/Corporate_Documents/Council_Policies/public_transparency_policy

Statement 4 - Newsletters, websites and social media

Council also produces a number of regular publications to provide information to the community.

Current and past Annual Reports are available from Council's website here: <u>https://www.latrobe.vic.gov.au/Council/Media_and_Publications/Major_Council_Publications</u>

Information about the range of services Council provides can be found on Council's website at <u>https://www.latrobe.vic.gov.au/Community</u>

Council also provides information via online tools including:

- Facebook <u>https://www.facebook.com/LatrobeCity/</u>
- Instagram @latrobecitycouncil <u>https://www.instagram.com/latrobecitycouncil/</u>
- Twitter @latrobecity <u>https://twitter.com/latrobecity</u>
- YouTube <u>https://www.youtube.com/channel/UCgTIf2BWt9aM5Ae6chA2kKA</u>
- Have your Say Latrobe <u>https://www.yoursay.latrobe.vic.gov.au</u>
- Latrobe City Place website <u>www.latrobecity.com.au</u>



- Latrobe Leisure <u>https://www.facebook.com/LatrobeLeisure/</u>
- Facebook Visit Latrobe City <u>https://www.facebook.com/VisitLatrobeCity/</u>
- Instagram Visit Latrobe City <u>https://www.instagram.com/VisitLatrobeCity/</u>

Gippsland Performing Arts Centre and Gallery Sites:-

- Gippsland Performing Arts Centre (GPAC) <u>https://www.latrobe.vic.gov.au/gpac/home</u>
- Latrobe Regional Gallery (LRG) <u>https://latroberegionalgallery.com/</u>
- Visit Latrobe (standalone website) <u>https://visitlatrobecity.com/</u>
- Facebook GPAC <u>https://www.facebook.com/GippslandPAC</u>
- Facebook LRG <u>https://www.facebook.com/LatrobeRegionalGallery</u>
- Instagram GPAC <u>https://www.instagram.com/gippslandpac/</u>
- Instagram LRG https://www.instagram.com/latroberegionalgallery/

Newsletters

- GPAC e-newsletter
- LRG e-newsletter
- Economic Development Monthly update e-newsletter
- Economic Development Quarterly snapshot
- Community Groups Newsletter
- Latrobe Youth Network Newsletter

Statement 5 - Procedure for accessing documents

Access to documents in the possession of Council can be obtained by:

- direct access to published documents on the Council's website
- inspection either in accordance with voluntary disclosure policies or in legislation
- request to the relevant Council Division/Department
- Freedom of Information (FOI) in accordance with the *Freedom of Information Act* 1982.

Many documents are publicly available on Council's website <u>www.latrobe.vic.gov.au</u> and can be found through the search function.

Documents not available on Council's website are available for inspection at Council's Headquarters 141 Commercial Road, Morwell, 3840. Inspection of the documents are by appointment between the hours of 9am-5pm. Council cannot guarantee inspection without an appointment. Inspections can be arranged by contacting:-

- Council's Customer Service Team, who will forward the request to the relevant department. Phone
- 1300 367 700 or email latrobe@latrobe.vic.gov.au
- the relevant Council department responsible for maintaining the information.

In some circumstances the documents may be able to be provided electronically (email) and the relevant Council department will assist you if this is the case.

Freedom of Information

Where documents are not available on the Council website, for inspection or through the relevant department, the FOI Act may give you the right to access the documents you seek.

The term 'document' is broad and includes paper documents, photos, maps or plans, books, graphs, drawings, labelling index systems, any words, figures, letters or symbols which contain meaning, audio/video recordings and computer documents, files or spreadsheets.

Your application must be in writing and payment of the application fee is required prior to your request being processed. If you are suffering financial hardship, you may be eligible to have your application fee waived and will be required to provide evidence to support your claim.

Council is also entitled to charge prescribed fees associated with searching for and providing access to the documents. If the estimated charges exceed \$50.00, we will ask you if you want to continue with the request and ask you to pay a deposit. A summary of fees and charges is available on our website at

https://www.latrobe.vic.gov.au/Council/Our_Organisation/Corporate_Documents/Freedom_of_Infor mation

How to make an FOI application

We encourage you to contact the FOI Officer on 1300 367 700 before making a formal FOI request as there may be another way to receive the documents you are seeking.

To make a FOI request for documents held by Council, the request must be in writing, clearly state the documents you are seeking and include the application fee or evidence of financial hardship. The FOI application fee can be paid in person at a Customer Service Centre, by cheque or money order, or by invoice on request (payment of which can be made in person or online).

In your application, you are required to be as specific as possible to enable a search to be conducted. Please ensure you have stated the type of documents you are seeking (such as 'planning permit', 'report' or 'letters') and avoid vague phrases like 'all documents', 'any information' and 'any records'.

You may submit your application the following ways:

Online

Complete and submit our online form via our website here

In person at

Please complete the FOI Application Form available on our website and deliver in person to any of our Council Service Centres or Libraries. Hard copies are available at Service Centres and Libraries if required.

LATROBE CITY Council

By post

Please complete the FOI Application Form available on our website (or put your request in writing) and post to:

Freedom of Information Officer Latrobe City Council PO Box 264 MORWELL VIC 3840

By email

Please complete the FOI Application Form available on our website or put your request in writing and email to: <u>latrobe@latrobe.vic.gov.au</u>.

Reviews and complaints

If you disagree with our decision, you may apply for review by the Information Commissioner.

You must apply in writing within 28 days after you receive your decision letter, identifying the agency concerned and the decision to be reviewed. You should also provide an explanation of why you disagree with the decision. You may lodge your application for review by:

Email: <u>enquiries@ovic.vic.gov.au</u> Post: Information Commissioner PO Box 24274 Melbourne VIC 3001

More information about review by the Information Commissioner, including a review application form to assist you in making your application, is available at englished <a href="mailto:englished" englished <a href="mail

FOI enquiries

If you have any questions about the FOI process, please contact our Freedom of Information Officer on 1300 367 700 or email foi@latrobe.vic.gov.au. Alternatively, please refer to our FOI Fact Sheet available on our website at the following link:

https://www.latrobe.vic.gov.au/Council/Our Organisation/Corporate Documents/Freedom of Infor mation

Statement 6: Public Libraries

There are four public libraries in the Latrobe City area located in Moe, Morwell, Churchill and Traralgon.

The libraries offer a wide range of services and resources including, public internet computers, free WI-FI access, free computer access, books, e-books, magazines, audio books, newspapers, CD's, and DVDs.

Library membership is free and available to everyone. For more information about what our libraries offer visit our website https://www.latrobe.vic.gov.au/library

Library locations and hours

To see all current Library locations and ours, please visit out website: <u>https://www.latrobe.vic.gov.au/library/Location_and_Hours</u>