



20 June 2025

Henry Luiz
39 Pepperbush Circuit
Cranbourne VIC 3977

Via email only: henry@luiz.com.au

Dear Mr Luiz,

Notice of decision – request for documents under the *Freedom of Information Act 1982 (Vic)*

This letter contains my decision on behalf of Wellington Shire Council regarding your request for documents under the *Freedom of Information Act 1982 (Vic)* (**FOI Act**).

After conducting a thorough and diligent search, no documents relevant to the terms of your request could be located.

This letter explains why the documents could not be located and outlines your right to make a complaint to the Information Commissioner.

Background

On 26 February 2025 you requested:

Please provide the Council approval, planning approvals and engineering documentation for the causeway on Track 10 that leads to the Loch Sport Look out. Track 10 leads off the Longford/Loch Sport Road.

On 26 March 2025 we advised your request was not valid under section 17(2) of the FOI Act because the terms of your request were not clear enough to enable us to reasonably identify documents relevant to your request and you did not pay the application fee. We requested you to pay the application fee of \$32.70 or provide evidence that paying the application fee would cause you hardship.

After you clarified your request and paid the application fee, we considered it to be valid under section 17 of the FOI Act. Your request sought access to:

Please provide the Council planning approvals and engineering documentation, specifically project mandate, scope of works, drawings/construction design, approvals, contractors who undertook works, hydraulic assessments, and tender documents for the construction of the causeway on Track 10 between Longford/Loch Sport Road and the Loch Sport Look out.

We did not locate any documents relevant to your request

We undertook the following searches with the assistance of the following business units to locate documents relevant to your request.

We engaged the assistance of the following business units to search records and archives for the documents you requested:

- Information Management
- Planning
- Built Environment
- Infrastructure Development; and
- Assets and Projects.

We conducted the following searches to locate the documents you requested:

- Offsite records storage
 - Electronic searches of Council's archived records database returned two files where manual searches returned two file sets
 - Rosedale Shire file R4/170
 - Comment: The earliest document was located in Rosedale Shire file R4/170, dated 9 March 1988, mentions the Track Ten Causeway as existing infrastructure. No earlier records were found.
 - File 60/160/3962
 - Comment: In file 60/160/3962 (page 31 of a PDF), the Department of Natural Resources and Environment advises that Track 10 Loch Sport has been officially proclaimed as a Government Road as Gazetted on 13 August 1998. No earlier records were found.
- Council's Electronic Document Records Management System (EDRMS)
 - Keyword searches of the EDRMS returned no information, plans or documents relating to the construction of Track 10 Loch Sport
- Civica Altitude (Council's Enterprise Management Software)
 - Parcel number and Planning Permit reference number search
 - No Planning Permits were located for the construction of the causeway on Track 10 between Longford/Loch Sport Road and the Loch Sport Look out.
- S:Drive (Council network drive)
 - Electronic searches of Council's network drive containing project related documentation back to amalgamation (1994)
 - Keyword searches of Council's network drive returned no documents relating to the construction of Track 10 Loch Sport

- Kovich (historical plans)
 - Electronic searches of historical plans stored within Council's EDRMS
 - Keyword searches of Kovich returned no information, plans or documents relating to the construction of Track 10 Loch Sport

Despite conducting the searches outlined above, we could not locate any documents that fall within the terms of your request.

Due to the age of construction, it is possible that the records you are seeking were not retained at the time of construction, not provided from the previous Shire of Rosedale at the time of amalgamation (1994) or may have been misfiled among other records of the same period or area.

Your complaint rights

Under section 61A of the FOI Act, you have the right to make a complaint to the Information Commissioner if a document you requested under the FOI Act does not exist or could not be located.

A complaint must be in writing, set out the nature of the complaint, and identify the agency, principal officer or Minister concerned.

A complaint must be made to the Information Commissioner within 60 days of receiving this letter.

The Office of the Victorian Information Commissioner's (**OVIC**) website has a complaint form you may download, which contains more information about the complaint process and what you can expect from it. OVIC's contact details are:

Office of the Victorian Information Commissioner
PO Box 24274
Melbourne VIC 3001
Email: enquiries@ovic.vic.gov.au
Phone: 1300 00 6842 (1300 00 OVIC)
www.ovic.vic.gov.au

If you have any questions about this decision, please contact us on 5142 3057 or by email at foi@wellington.vic.gov.au and quote FOI No 15.

Yours sincerely



DENISE LOVETT
Coordinator Information Management Service

Your ref: FOI No 15 2024-2025
Our ref: 17536/2025