



Government Information (Public Access) Act 2009

Publication Guide

Date of Adoption: 1 August, 2011

Contents

Definitions:	3
Part 1 - About Government Information (Public Access) Act 2009	5
1.1 Introduction	5
1.2 Object of Act (extract from GIPA Act 2009).....	5
Part 2 – Understanding Your Council and Its Functions	6
2.1 Structure and Functions of Camden Council.....	6
2.2 Functions Relating to Each Branch.....	8
2.3 How Council Functions Affect Members of the Public.....	11
Part 3 - Public Participation	13
3.1 How the Public can Participate in Council's Policy Development and the Exercising of Functions	13
3.2 Representation.....	13
3.3 Personal Participation	13
Part 4 - Open Access Information	15
4.1 Documents Held by Council	15
4.2 Electronic and "Physical" Files.....	15
4.3 General Documents	16
4.4 Policy Documents	18
4.5 Register of Government Contracts.....	20
4.6 Disclosure Log	20
4.7 Accessing Information in the Disclosure Log	21
Part 5 - How Members Of The Public May Access Information	22
5.1 Accessing Information.....	22
5.2 Accessing Information identified in the Publication Guide.....	22
5.3 Types of Applications	23
5.4 Making a Formal Application.....	23
5.5 Submitting your Application.....	24
5.6 Fees & Charges	24
Part 6 - Review of Decisions	26
6.1 Internal Review	26
6.2 External Review	26
6.3 Internal Hierarchy Chart Relating to Access to Information.....	27
Part 7 – Feedback and Enquiries	28
7.1 Contact Arrangements	28
7.2 Office of the Information Commissioner - NSW	28

Definitions:

Access application means an application for access to government information under Part 4 of the Government Information (Public Access) Act 2009 that is a valid access application under that Part.

Disclosure Log means a disclosure log kept by an agency under Part 3 (Open access information).

external review means a review by another agency excluding Council eg. Office of the Information Commissioner NSW.

Government Information (Public Access) Act means the legislation that now governs access to government information in NSW.

Information Commissioner means the Information Commissioner under the *Government Information (Information Commissioner) Act 2009*.

internal review means a review by the head or chief executive officer (however designated) of Council.

PIPA Act means the Privacy and Personal Information Protection Act 1998 to provide for the protection of personal information and for the protection of the privacy of individuals generally.

Principal Officer of Council means the head or chief executive officer (however designated) of Council or the person of greatest seniority.

Publication Guide means a guide that:

- (a) describes the structure and functions of Council, and
- (b) describes the ways in which the functions (including, in particular, the decision-making functions) of Council affect members of the public, and
- (c) specifies any arrangements that exist to enable members of the public to participate in the formulation of Council's policy and the exercise of Council's functions, and
- (d) identifies the various kinds of government information held by Council, and
- (e) identifies the kinds of government information held by Council that Council makes (or will make) publicly available, and
- (f) specifies the manner in which Council makes (or will make) government information publicly available, and
- (g) identifies the kinds of information that are (or will be) made publicly available free of charge and those kinds for which a charge is (or will be) imposed.

Public Officer means an officer employed by Council delegated authority to deal with:

- requests from the public concerning Council's policies and procedures
- assisting the public to gain access to publicly available documents of the Council
- accepting service of documents on behalf of Council
- representing the Council in any legal or any other proceedings.

Register of Government Contracts means a register of the following contracts between Council and a private sector entity:

- (a) a contract under which a party agrees to undertake a specific project (such as construction, infrastructure or property development project)
- (b) a contract under which a party agrees to provide specific goods or services (such as information technology services), other than a contract of employment
- (c) a contract under which a party agrees to transfer real property to another party to the contract,
- (d) a lease of real property.

Right to Information Officer means an officer employed by Council capable of providing information from a particular area for an *informal* application.

Senior Right to Information Officer means an officer employed by Council to determine and process a *formal* application made under the GIPA Act 2009 and is senior to a Right to Information Officer.

Part 1 - About Government Information (Public Access) Act 2009

1.1 Introduction

Government Information (Public Access) Act, (GIPA Act) is the New South Wales Government's approach to giving the community greater access to government information.

The New South Wales' Government has made a commitment to provide access to information held by the Government, unless on balance there is an overriding public interest against disclosure.

New legislation replacing the *Freedom of Information Act 1989 and Section 12, 12A, 12B and 13 of the Local Government Act 1993* came into effect on 1 July 2010:

- GIPA Act 2009 ( 1.1 MB)
- NSW Privacy and Personal Information Protection Act 2001 ( 1.1 MB).

There are four main ways information is made available under the GIPA Act, namely;

- Mandatory proactive release;
- Authorized proactive release;
- Informal release; and
- Access applications.

The Right to Information reform aims to:

- make more information available;
- provide equal access to information across all sectors of the community; and
- provide appropriate protection for individuals' privacy.

1.2 Object of Act (extract from GIPA Act 2009)

(1) *In order to maintain and advance a system of responsible and representative democratic Government that is open, accountable, fair and effective, the object of this Act is to open government information to the public by:*

- (a) *authorising and encouraging the proactive public release of government information by agencies, and*
- (b) *giving members of the public an enforceable right to access government information, and*
- (c) *providing that access to government information is restricted only when there is an overriding public interest against disclosure.*

(2) *It is the intention of Parliament:*

- (a) *that this Act be interpreted and applied so as to further the object of this Act, and*
- (b) *that the discretions conferred by this Act be exercised, as far as possible, so as to facilitate and encourage, promptly and at the lowest reasonable cost, access to government information.*

Part 2 – Understanding Your Council and Its Functions

2.1 Structure and Functions of Camden Council

Camden Council is incorporated as a Council under the Local Government Act, 1993 and has adopted a structure to reflect the requirements of the Act. This structure also enables clear responsibility and accountability for outcomes set out in Council's Strategic Plan.

Camden Council is governed by the body of Councillors who are elected by the residents and ratepayers of the local government area. The roles of the Councillors as members of the body corporate are:

- to direct and control the affairs of the Council in accordance with the Local Government Act and other applicable legislation;
- to participate in the optimum allocation of the Council's resources for the benefit of the area;
- to play a key role in the creation and review of the Council's policies, objectives and criteria relating to the exercise of the Council's regulatory functions;
- to review the performance of the Council and its delivery of services, management plans and revenue policies of the Council.

The role of a Councillor as an elected person is:

- to represent the interests of the residents and ratepayers;
- to provide leadership and guidance to the community;
- to facilitate communication between the community and the Council.

The Mayor presides at meetings of the Council, carries out the civic and ceremonial functions of the office, exercises, in cases of necessity, the decision making functions of the body politic, between its meetings and performs any other functions that the Council determines.

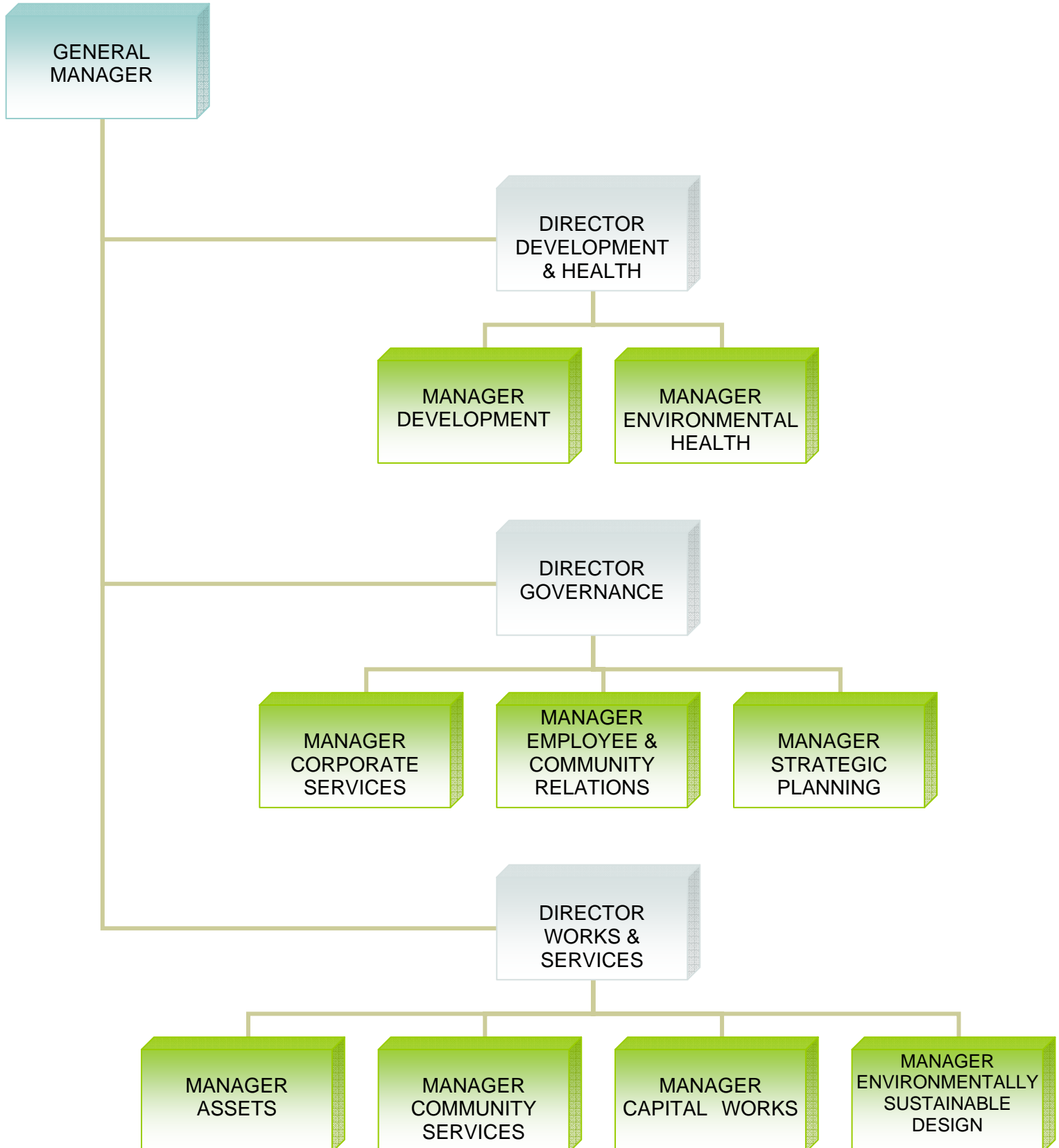
The Principal Officer of the Council is the General Manager. The General Manager is responsible for the efficient operation of the Council's organisation and for ensuring the implementation of Council decisions. The General Manager is also responsible for the day to day management of the Council, the exercise of any functions delegated by the Council, the appointment, direction and where necessary, the dismissal of staff.

To assist the General Manager in the exercise of these functions, there are three (3) Divisions of Council. These Divisions are Development & Health, Governance and Works and Services. Each of these Divisions is headed by a Director.

The following is a depiction of Council's organisational structure.

ORGANISATIONAL STRUCTURE FLOWCHART

The management functions of Council are separated into three divisions under the leadership of the General Manager. Each division is headed by a director with branch managers given the responsibility for the day to day operations. The branches and areas of responsibility are shown below:



2.2 Functions Relating to Each Branch

Under the Local Government Act, 1993, Council's functions are grouped into the following categories:

Manager Development

- Development Applications
- Site Inspections
- Building Complaints
- Development Certificates
- Development Control
- Fire Safety
- Minor Strategic Planning
- Serve Orders
- Public Entertainment
- Assess NatHERS
- Approve Advertising Signs
- Court Appeals
- Geographic & Land information
- Naming of Roads and Reserves
- Driveway Crossings
- Tree Removal
- Landscape Design
- Dam Construction
- Sand Extraction
- Final Plans of Subdivisions
- Bonds
- Pre DA Advisory Service
- Plan Printing

Manager Health & Environment

- Pollution – Air, Noise, Water
- Overgrown Land
- Environmental Assessment of DA's
- Environmental Advice
- Industrial & Commercial Audits
- Water Quality
- SOE Report
- Food Shops
- Legionnaires Inspections
- Hairdressing & Skin Penetration Salons
- Animal Complaints
- Noxious Weeds
- Parking Regulations
- Roadside Trading
- Unauthorised Signs
- Waste Management
- Earthworks Group
- Waste Education
- AWT Service
- Abandoned Vehicles

Manager Corporate Services

- Administration
- Property & Legal
- Local Democracy
- Communications
- Information Services
- Records Management
- Annual Reports
- Freedom of Information & Privacy Matters
- Management Plan
- Petty Cash
- Council Business Papers & Minutes
- Computer Services
- Rating
- Accounts Payable
- Debtors
- Revenue
- Purchasing & Expenditure
- Financial Management
- Management Accounting
- Community Grants
- Budget

Manager Strategic Planning

- Delivery Major Strategic Plan
 - Actively Managing Camden's Growth
 - Healthy Urban & Natural Environments
 - A Prosperous Economy
 - Effective and Sustainable Transport
 - Enriched and Connected Community
 - Strong Local Leadership
- Tourism Development
- Heritage Issues
- Cross organisational projects
- Major Rezonings
- State and Regional Planning Issues Strategic Landuse Planning
- Place Management
- Systems Management
- Community Consultation

Manager Employee & Community

Relations

- Payroll
- Community/ Public Relations
- Customer Service
- Workers Compensation
- Risk Management
- Recruitment
- Employee Welfare
- Industrial and Arbitration matters
- Staff Training and Development
- Tourist Information Centre

Manager Capital Works

- Capital Works
- Section 94 Works
- Design (Roads and Drains)
- Engineering Administration
- Emergency Services (SES and Rural Fire Service)

Manager Community Services

- Youth Services
- Children's Services
- Aged Services
- Family Day Care
- Libraries
- Section 355 Committees
- Civic Centre
- Sport & Recreation Facilities
- Community Information
- Community Liaison
- Volunteers Management
- Information Provision
- Events Management
- Community Facilities Management
- Community Development

Manager Assets

- Roads & Footpaths/ Cycleways Construction & Maintenance
- Stormwater Drainage
- Bus Shelters
- Public Toilets
- Building Maintenance
- Street and Traffic Signs
- Parks & gardens
- Parks Volunteers
- Road Linemarking
- Street Sweeping
- Stores and Supply
- Depot and Workshop
- Construction Plant
- Vehicle Fleet

- Community Bus

Manager Environmentally

Sustainable Design

- Water Sensitive Urban Design
- Vegetation Management
- Design
- Sustainability
- Accessibility
- Community Road Safety
- Traffic
- Natural Areas Management
- Survey Design
- Cemetery Management
- Flooding
- Public Tree Management
- Tidy Towns Committee
- Local Traffic Committee
- Environmental Education

As well as the Local Government Act, Council has powers under a number of other Acts including:

Community Land Development Act 1989
Companion Animals Act 1998
Contaminated Land Management Act 1997
Conveyancing Act 1919
Environmental Planning and Assessment Act 1979
Food Act 1989
Government Information (Public Access) Act 2010
Heritage Act 1977
Impounding Act 1993
Library Act 1939
Noxious Weeds Act 1993
Privacy & Personal Information Protection Act 1998
Protection of the Environment Operations Act 1997
Public Health Act 1991
Recreation Vehicles Act 1983
Roads Act 1993
State Emergency & Rescue Management Act 1989
State Emergency Service Act 1989
Strata Schemes (Freehold Development) Act 1973
Strata Schemes (Leasehold Development) Act 1986
Strata Schemes Management Act 1996
Swimming Pools Act 1992
Unclaimed Money Act 1995

2.3 How Council Functions Affect Members of the Public

As a service organisation, the majority of the activities of Camden Council have an impact on the public. The following is an outline of how the broad functions of Council affect the public.

Service functions affect the public as Council provides services and facilities to the public. These include provision of human services such as child care services and libraries, halls and community centres, recreation facilities, infrastructure and the removal of garbage.

Regulatory functions place restrictions on developments and buildings to ensure that they meet certain requirements affecting the amenity of the community and

not endanger the lives and safety of any person. Members of the public must be aware of, and comply with, such regulations.

Ancillary functions affect only some members of the public. These functions include, for example, the resumption of land or the power for Council to enter onto a person's land. In these circumstances, only the owner of the property would be affected.

Revenue functions affect the public directly in that revenue from rates and other charges paid by the public is used to fund services and facilities provided to the community.

Administrative functions do not necessarily affect the public directly but have an indirect impact on the community through the efficiency and effectiveness of the service provided.

Enforcement functions only affect those members of the public who are in breach of certain legislation. This includes matters such as the non payment of rates and charges, unregistered dogs and parking offences.

Community planning and development functions affect areas such as cultural development, social planning and community profile and involves:

- Advocating and planning for the needs of our community. This includes initiating partnerships; participating on regional, State or Commonwealth working parties; and preparation and implementation of the Community Plan.
- Providing support to community and sporting organisations through provision of grants, training and information.
- Facilitating opportunities for people to participate in the life of the community through the conduct of a range of community events such as NAIDOC Week, Youth Week, Children's Week, as well as promoting events of others.

Part 3 - Public Participation

3.1 How the Public can Participate in Council's Policy Development and the Exercising of Functions

There are two broad ways in which the public may participate in the policy development and, indeed, the general activities of the Council. These are through representation and personal participation.

3.2 Representation

Local Government in Australia is based on the principle of representative democracy. This means that the people elect representatives to their local Council to make decisions on their behalf. In New South Wales, local government elections are held every four years. The next elections are to be held in September, 2012.

At each election, voters elect nine Councillors for a four year term. All residents of the area who are on the electoral roll are eligible to vote. Property owners who live outside of the area and rate paying lessees can also vote, but must register their intention to vote on the non residential roll. Voting is compulsory.

Residents are able to raise issues with, and make representations to, the elected Councillors. The Councillors, if they agree with the issue or representation, may pursue the matter on the resident's behalf thus allowing members of the public to influence the development of policy.

3.3 Personal Participation

There are also avenues for members of the public to personally participate in the policy development and the functions of the Council. Several Council Committees comprise, or include members of the public. Some of these special committees or bodies are:

- Access Committee
- Traffic Committee
- Seniors Group 355 Committee
- Bicentennial Equestrian Park 355 Committee
- Town Farm 355 Committee

Members of the public are also able to attend Council meetings (second & fourth Tuesday of the month) held in the Art Gallery, Civic Centre, Oxley Street,

Camden. The Public Address segment (incorporating Public Question Time) in the Council Meeting provides an opportunity for people to speak publicly on any item on Council's Business Paper agenda or on any matter within the Local Government area which falls within Council jurisdiction. Speakers must book in with the Council office by 4.00pm on the day of the meeting and must advise the topic being raised. Members of the public who wish to address Council can contact Council's Administration section on 0246 45 5126.

Part 4 - Open Access Information

4.1 Documents Held by Council

Council holds documents (hard copy and/or electronic form) that relate to a number of different issues concerning the Camden area. These documents are grouped into four categories:

1. Electronic Documents
2. "Physical Files"
3. Policy Documents
4. General Documents

Documents included in Clause 4.4 of this Publication Guide may be made available to the public on request unless there is an overriding public interest not to do so.

Some documents may require a formal access application in accordance with the Government Information (Public Access) Act.

4.2 Electronic and "Physical" Files

Council implemented an Electronic Document Management System (EDMS) and post May 2006, hard copy, physical files were dispensed with, except for development/ building/construction applications and septic tank files.

Accordingly, the EDMS captures information against the following indices:

1. Customer
2. Property
3. Application
4. Street/Road
5. Request Type
6. Subject
7. Meetings

Prior to May 2006, the main types of "physical" files held by Council include general subject files, development and building files, property files as well as street, park files and septic tank files.

The foregoing are not available on Council's website however this information may be made available by informal application in accordance with Sections 7-9 of the GIPA Act, unless there is an overriding public interest against disclosure of

the information as outlined in Section 14 of the GIPA Act. Members of the public who require an informal application can do so by contacting Council.

4.3 General Documents

The following list of general documents held by Council has been divided into four sections as outlined by Schedule 5 of the Government Information (Public Access) Act:

1. Information about Council;
2. Plans and Policies;
3. Information about Development Applications;
4. Approvals, Orders and other Documents.

Schedule 5 of the Government Information (Public Access) Act requires that these documents held by Council, are to be made publicly available for inspection, free of charge. The public is entitled to inspect these documents either on Council's website (unless there is an unreasonable additional cost to Council to publish these documents on the website) or at the offices of the Council during ordinary office hours or at any other place as determined by the Council. Any current and previous documents of this type may be inspected by the public free of charge. Copies can be supplied for reasonable copying charges.

These documents are:

1. Information about Council

- The model code prescribed under section 440 (1) of the LGA
- Councils adopted Code of Conduct
- Code of Meeting Practice
- Annual Report
- Annual Financial Reports
- Auditor's Report
- Management Plan
- EEO Management Plan
- Policy concerning the Payment of Expenses Incurred by, and the Provision of Facilities to, Councillors
- Annual Reports of Bodies Exercising Functions Delegated by Council
- Any Codes referred to in the LGA
- Returns of the Interests of Councillors, Designated Persons and Delegates
- Agendas and Business Papers for any meeting of Council or any Committee of Council
- Minutes of any meeting of Council or any Committee of Council

- Land Register
- Register of Investments
- Register of Delegations
- Register of Graffiti removal works
- Register of current Declarations of Disclosures of Political donations
- Register of Voting on Planning Matters

2. Plans and Policies

- Local Policies adopted by Council concerning approvals and orders
- Plans of Management for Community Land
- Environmental Planning Instruments, Development Control Plans and Contribution Plans

3. Information about Development Applications

Development Applications and any associated documents received in relations to a proposed development:

- Home Warranty Insurance documents
- Construction Certificates
- Occupation Certificates
- Structural Certification Documents
- Town Planner Reports
- Submissions received on Development Applications
- Heritage Consultant Reports
- Tree Inspections Consultant Reports
- Acoustic Consultant Reports
- Land Contamination Consultant Reports
- Records of decisions on Development Applications including decisions on appeals
- Records describing general nature of documents that Council decides to exclude from public view including internal specifications and configurations, and commercially sensitive information

4. Approvals, Orders and Other Documents

- Applications for approvals under part 7 of the LGA
- Applications for approvals under any other Act and any associated documents received
- Records of approvals granted or refused, any variation from Council Policies with reasons for the variation, and decisions made on appeals concerning approvals
- Orders given under Part 2 of Chapter 7 of the LGA, and any reasons given under section 136 of the LGA
- Orders given under the Authority of any other Act

- Records of Building Certificates under the Environmental Planning and Assessment Act 1979
- Plans of land proposed to be compulsorily acquired by Council
- Compulsory Acquisition Notices
- Leases and Licenses for use of Public Land classified as Community Land

4.4 Policy Documents

Council has a register of policy documents which is maintained by Council's Right to Information Officer's and is available on Council's website. These policies are listed below:

Managing Urban Growth

- 1.1 Buildings Construction, of - Stables & Keeping of Horses
- 1.3 Erection of Fences - In 2,000sq metres Rural/Village Area
- 1.4 Erection of Fences in 4,000sq metres - Rural/Residential Area
- 1.5 Outbuildings in 2,000sq metres - Rural/Village Areas
- 1.6 Erection of Large Outbuildings - Rural Areas 4,000sq metres
- 1.7 Resiting of Dwellings
- 1.8 Hailnet Protective Structures in Rural Areas
- 1.10 Spot Rezoning Requirements
- 1.11 Lapsing of Development Consents
- 1.12 Development of Flood Affected Land Within the Camden Town Centre
- 1.13 'Safer By Design' Guidelines
- 1.15 Building in Salinity Prone Environments
- 1.16 Construction of Facilities on Council Land
- 1.17 SEPP 33 Developments
- 1.18 Dedication of Riparian Corridors
- 1.19 Dedication of Land Burdened by Transmission Easements
- 1.20 Requesting Additional Information for Development Applications
- 1.21 Liquor Act Applications, Development Applications for Liquor Premises and all Development with Social Impacts

Accessibility

- 2.1 Customer Service Policy
- 2.2 Community Well Being Policy
- 2.3 Clothing Collection Bins
- 2.4 Council Owned Passenger Shelters
- 2.5 Street Name, Community and Tourist Facility Name Signage
- 2.7 Road Infrastructure Asset Management Policy
- 2.8 Banners & Signs on Road Reserves

Environmental Systems

- 3.2 Noxious Plants
- 3.3 South Creek Flood Levels
- 3.4 Landing of Balloons
- 3.7 Roadside Trading
- 3.9 Food Premises Code
- 3.12 Management of Contaminated Lands
- 3.15 Cut & Fill on Residential Land - Local Policy No 7
- 3.16 Environmental Policy
- 3.17 Natural Assets Policy
- 3.18 Mobile Food Vending Vehicles and Temporary Food Stalls in a Public Place
- 3.19 Flood Risk Management Policy
- 3.20 Environmental Noise Policy

Economic & Community Development

- 4.30 Community Consultation Policy & Resource Kit
- 4.70 Damage to Council Facilities to be Reported to Council
- 4.71 Outdoor Smoke-Free
- 4.72 Community Financial Assistance

Governance

- 5.3 Code of Conduct
- 5.4 Advice to Persons with Matters before Council
- 5.8 Code of Meeting Practice
- 5.12 Legal Action - Cost Inclusion in Report
- 5.13 Internet & E-Mail Access
- 5.14 Flexible Work Hours
- 5.16 Recognition of Service
- 5.18 Emergency Services Leave
- 5.19 Vehicles
- 5.20 Staff Development Assistance Policy
- 5.21 Sun Protection Policy
- 5.22 Dealing with Media
- 5.23 Grievance Procedure
- 5.24 Disciplinary Procedure
- 5.25 Protected Disclosures Act Internal Procedures Policy
- 5.26 Disciplinary Procedure - Enterprise Agreement For Not Wearing Safety Gear
- 5.27 Equal Employment Opportunity Policy
- 5.29 Drug & Alcohol
- 5.30 Performance Appraisal and Salary System
- 5.31 Protecting Children in the Workplace Policy
- 5.32 Purchasing & Procurement Policy
- 5.33 Investment of Surplus Liquid Funds
- 5.34 Rebate of Pensioner's Rates
- 5.35 Recovery of Outstanding Rates
- 5.36 Rate Collections

- 5.37 General Accounting Policies
- 5.38 Consolidation of Section 355 Community Committees & other Appropriate Instrumentalities
- 5.39 Loan Funding & Debt Servicing
- 5.40 Capital Improvement & Funding Thereof
- 5.41 Asset Threshold Values
- 5.42 Depreciation
- 5.43 Leasing Options for Acquisition of Assets
- 5.44 Budget Review Process
- 5.45 Recovery of Bank Charges
- 5.46 Adjustment to Interest Charged on Rates of Pensioners
- 5.49 Measurement of Assets – Revaluations
- 5.50 Expenditure Revotes Policy
- 5.51 Guidelines for Street Stalls
- 5.53 Plant Management Procedures
- 5.54 Traffic Control at Work Sites
- 5.55 Dignity & Respect in the Workplace Policy
- 5.57 Payment of Expenses and Facilities Policy (for Mayor and Councillors)
- 5.60 Sponsorship Policy
- 5.61 Working from Home Policy
- 5.62 Complaint Management
- 5.63 Use of E-Way Tags
- 5.64 Use of Purchase Card
- 5.65 Use of Petty Cash
- 5.66 Retention of Benefits

4.5 Register of Government Contracts

Council must keep an updated register of all contracts valued at \$150,000 (incl GST) or more, which are entered into with a private sector entity for a project, goods and services, or the sale, purchase or lease of real property. This Register can be accessed on Council's website.

This register is updated upon signing new contracts. Council will keep contracts on the register only for the 'public access period'. The 'public access period' is the period until the project to which the contract relates is complete, the goods and services concerned have been provided under that contract, the term of the lease has expired or the real property has been transferred.

4.6 Disclosure Log

Council's disclosure log will show information released under a formal access application under the GIPA Act since 1 July, 2010 that is considered to be of interest to the wider public. Under the GIPA Act, information that is:

- of a sensitive nature for example personal information
- considered commercial-in-confidence

has been removed from the documents prior to their release. It should be noted applicant's can object to inclusion in Council's disclosure log.

4.7 Accessing Information in the Disclosure Log

To obtain copies of any of the released documents shown in Council's disclosure log, you can either:

1. Email a request to mail@camden.nsw.gov.au
2. Send a written request to:

The General Manager
PO Box 183
CAMDEN NSW 2570

Part 5 - How Members Of The Public May Access Information

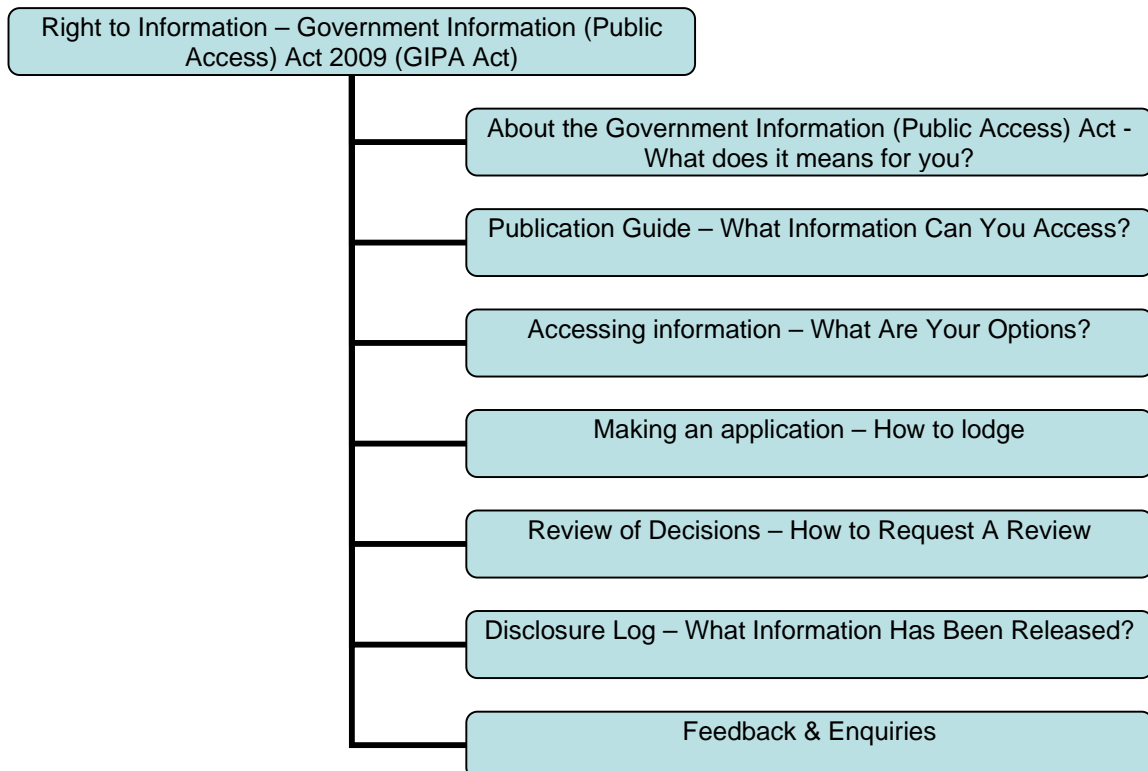
5.1 Accessing Information

Camden Council is committed to providing the community with open and transparent access to information about our services, activities and business operations. Much of this information is routinely provided in our corporate documents, which are identified in our Publication Guide (available on Council's website). Council may release information in response to an informal request, unless there is an overriding public interest against disclosure. Reasonable copy charges may apply under Council's fees and charges.

5.2 Accessing Information identified in the Publication Guide

Where information identified in the publication guide is available online, you can access it by:

- Browsing the various information on the drop down tabs on Council's home page below; or



- Searching for the information using this site's search facility, located in the right corner of all web pages.

Where the information is not available online, you can request the information by contacting us at our Council offices located in Camden and Narellan.

5.3 Types of Applications

The public can access information in two ways. No. 1 is an INFORMAL request and No. 2 is a FORMAL application.

1. **INFORMAL** requests for example:

- The informal release where Council is encouraged to release information in response to a request either via our website, customer service centres, libraries, public noticeboards etc.

There is no timeframe imposed on Council by the Act to provide this information.

NB: Schedule 5 of the Government Information (Public Access) Act 2009 requires that the documents held by Council, are to be made publicly available for inspection, free of charge. The public is entitled to inspect these documents either on Council's website (unless there is an unreasonable additional cost to Council to publish these documents on the website) or at the office of the Council during ordinary office hours. ***It should be noted that copies can be supplied for reasonable copying charges as set by Council's fees and charges.***

2. **FORMAL** Application for example:

- In limited circumstances, access to information will require a formal access application.

Under the Act, Council has twenty (20) working days to determine how to deal with a formal application. This process is explained in more detail below (5.4). ***Please see 5.6 Fees & Charges for fees payable.***

5.4 Making a Formal Application

While we proactively release information to the community about our activities, the Government Information (Public Access) Act 2009 provides a formal means of requesting access to information held by Council that is not normally publicly available.

Requests for access to information (formal requests) must be made via the approved form and be accompanied by an application fee. You must provide sufficient detail to enable Council to identify the information requested.

Please note, an application will be invalid if it seeks access to excluded information of Council or does not meet the formal requirements for an access application. An application must

- be in writing;
- specify it is made under the GIPA Act;
- state an Australian Postal address;
- be accompanied by the \$30 fee; and
- provide sufficient detail to enable Council to identify the information requested.

The relevant application forms are available from Council's website under "Council Forms" or can be obtained from Council's Customer Service Centre located at 37 John Street, Camden or 19 Queen Street, Narellan.

It should be noted Council may undertake third party consultation on public interest considerations where necessary.

5.5 Submitting your Application

Completed applications should be sent to:

The General Manager
PO Box 183
CAMDEN NSW 2570

or email: mail@camden.nsw.gov.au

or fax to: (02) 4654 7829

5.6 Fees & Charges

The formal application processing fee is \$30.00 (GST free). Cheque or money-order must be made payable to Camden Council.

In addition to the application fee, you may be charged for the following:

Processing charge is \$30/hour (GST free). The Processing charge is for the time necessarily spent dealing efficiently with the application.

Advance Deposit of up to 50% of total processing time. Council may request an advance deposit, advising of the estimated processing charge and giving at least 4 weeks for payment to be made.

Alternatively, you may also be eligible for a discount of up to 50% of processing charges subject to certain criteria. Applicants are entitled to a 50% reduction of processing charges on financial hardship grounds – *“in Council’s opinion the reasons that the person was unable to pay the fees and charges were beyond the person’s control, or, that the payment of the fees and charges would cause the person hardship”* or if the information requested is of special benefit to the public generally.

Part 6 - Review of Decisions

What to do for a review if you are not satisfied with any decision about your right to information application.

6.1 Internal Review

Step 1 – Request an internal review (optional)

You may wish to apply to Council for an internal review of the original decision. If you have any difficulty in obtaining access to Council documents, you may wish to refer your enquiry to the Public Officer. Also, if you would like to amend a document of Council which you feel is incorrect it is necessary for you to make written application to the Public Officer in the first instance.

Your application for internal review must be made within 20 working days after the date of the written notice of the decision.

A person authorised by the General Manager and senior to the original decision-maker will review your application and inform you of the review decision as soon as practicable but no later than 20 business days after the internal review application is made to Council. Reasons will be given if access or amendment is still refused.

To apply for an internal review, submit application form to:

The General Manager
Camden Council
P.O Box 183
Camden NSW 2570

or email: mail@camden.nsw.gov.au

or fax to: (02) 4654 7829

or telephone (02) 4654 7777 during office hours 8.30am - 5pm Monday to Friday.

6.2 External Review

Step 2 – Request an external review

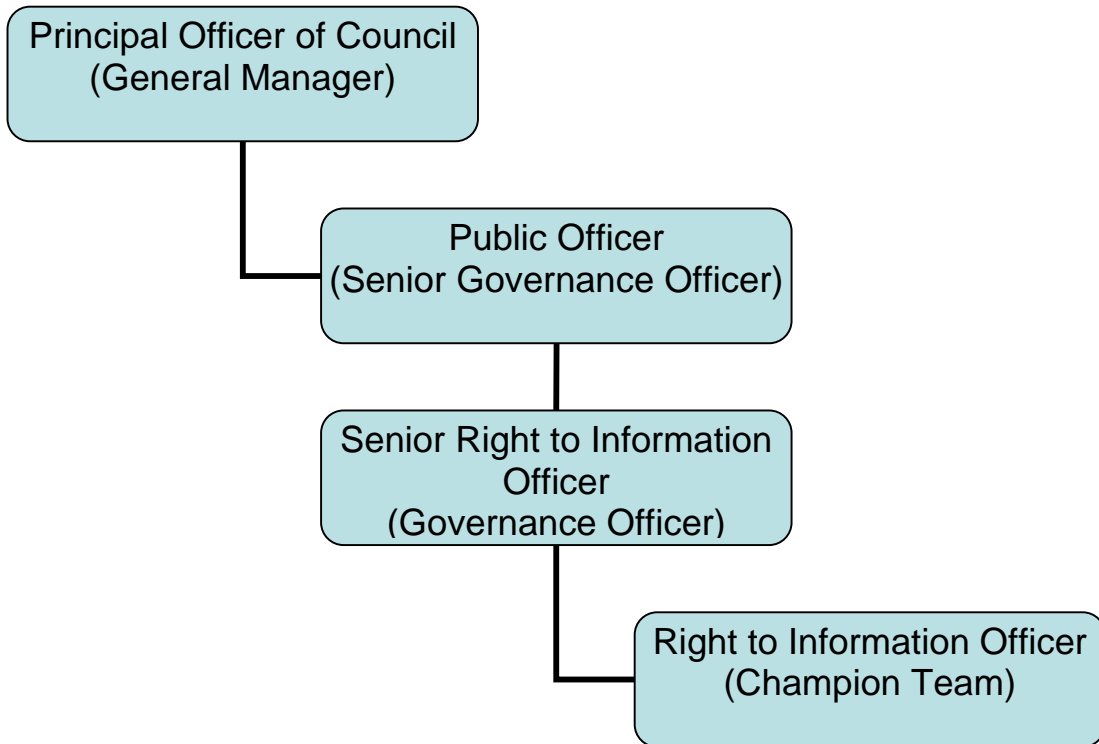
If you are not satisfied with the Council's internal review decision, you may wish to apply to the Office of the Information Commissioner for an external review.

Alternatively, you can apply directly to the Office of the Information Commissioner for an external review of Council's original decision.

The Information Commissioner may change or confirm the decision made on your application or try to mediate a settlement between parties.

For more information about requesting an external review, visit the Office of the Information Commissioner New South Wales.

6.3 Internal Hierarchy Chart Relating to Access to Information



Part 7 – Feedback and Enquiries

As mentioned previously, Council has a vast range of documents that can be accessed in varying ways. Most documents can be inspected at and obtained from Council's Administration offices between the hours of 8.30 am and 5.00 pm, Monday to Friday (except public holidays).

For further enquiries about any document, a Right to Information Officer should be contacted.

If you experience any difficulty in obtaining documents or information, you should contact the Senior Right to Information Officer.

7.1 Contact Arrangements

Applications and enquiries regarding Government Information (Public Access) Act should be addressed to:

The General Manager
Camden Council
P.O Box 183
Camden NSW 2570

or email: mail@camden.nsw.gov.au

or fax to: (02) 4654 7829

or telephone (02) 4654 7777 during office hours 8.30am - 5pm Monday to Friday.

7.2 Office of the Information Commissioner - NSW

Please note for further information the Office of the Information Commissioner should be contacted at oinfo@oic.nsw.gov.au or telephone 1800 INFOCOM (1800 463 626) or visit the New South Wales Office of the Information Commission website at www.oic.nsw.gov.au.

For further details about the NSW Privacy and Personal Information Protection Act, will be on the Privacy NSW website at www.privacy.nsw.gov.au