

## Access to Information Policy

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<b>MINUTE NUMBER</b>	175/2017
<b>DATE APPROVED</b>	15 June 2017
<b>EFFECTIVE</b>	15 June 2017
<b>AUTHORITY</b>	General Manager
<b>CONTACT OFFICER</b>	Senior Administration Officer

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## 1 PURPOSE

- 1.1 The purpose of this policy is to reflect Council's commitment to open and transparent government by setting out how it intends to meet the requirements of the *Government Information (Public Access) Act 2009*. This policy describes Council's principles regarding public access to information and to facilitate the processing of requests for such access.

## 2 SCOPE

- 2.1 This policy applies to all members of the public seeking to access Council information, Councillors and Council employees, as well as Council officers who are responsible for managing requests for access to information.

## 3 DEFINITIONS

- 3.1 For the purposes of this policy, the following definitions apply:

Term	Definition
Act	<i>Local Government Act 1993 (NSW)</i>

## 4 POLICY STATEMENT

- 4.1 This policy is to be read in conjunction with Council's 'Agency Information Guide' which identifies the documents and types of information that are available for public access and any restrictions that may apply.
- 4.2 Council publishes specific open access information on its website, free of charge unless to do so would impose unreasonable additional costs to Council. Council will facilitate public access through this and other appropriate mediums.
- 4.3 Council publishes for inspection documents listed under Schedule 1 of the *Government Information (Public Access) Regulation 2009*, unless there is an overriding public interest not to do so. Council will keep a record of all open access information that is not published because of an overriding public interest against disclosure.
- 4.4 Council will make as much other information as possible publicly available in an appropriate manner, including on its website. Such information will be available free of charge or at the lowest reasonable cost.
- 4.5 Council's *Agency Information Guide* identifies the documents and types of information that are available for public access and any restrictions that may apply.
- 4.6 Council's *Agency Information Guide* sets out the processes for accessing information. Depending upon the nature of the request, and the form of access requested, charges may be applied in accordance with Council's *Schedule of Fees and Charges* and relevant legislation.
- 4.7 Some documents may require a formal access application in accordance with the *Government Information (Public Access) Act 2009*. Council will assess all requests for access to documents and information in a timely manner and in accordance with relevant legislation.

- 4.8 Council will assess requests for access to information with reference to:
- i. Government Information (Public Access) Act 2009
  - ii. Privacy and Personal Information Protection Act 1998
  - iii. Health Records and Information Privacy Act 2002
  - iv. State Records Act 1998
  - v. Local Government Act 1993
  - vi. Environmental Planning and Assessment (EPA) Act 1979
  - vii. Companion Animals Act 1998
- 4.9 Broad requests for access to a large number of unspecified documents which, if processed, would divert substantial Council resources from dealing with other requests, or from performing other Council functions, may be refused on the grounds that such a diversion of resources is contrary to the public interest. Council will endeavour to assist in defining the request to a more manageable one.
- 4.10 Council will endeavour to release other information in response to an informal request, subject to any reasonable conditions Council may impose having regard to the circumstances of the case. Where information is released to an applicant under a formal access application and Council considers that it will be of interest to other members of the public, Council will provide details of the information in a disclosure log for inspection by the public.
- 4.11 The General Manager, or their delegate, has authority to approve release of information under a formal access application.
- 5 VARIATION**
- 5.1 Council reserves the right to vary the terms and conditions of this policy, subject to a report Council.

## Revision History

Version	Adoption Date	Authorised by	Approved by	Revision Date
V1	17/02/2011	Director Corporate Services	Council	17/02/2013
V2	15/06/2017	Senior Administration Officer	Council	15/06/2020

## Change History

Version	Change Details
V1	Initial Policy
V2	Minor update of Ombudsman, checked section on contractors.
V3	Amendment of Format to rebranding style.

## Related Documents

### Title

*Local Government Act 1993*

*Local Government Amendment (Governance and Planning) Act 2016*

*Local Government (General) Regulation 2005*

*Personal Property Securities Act 2009 (Cth)*

*Council's Operational Plan (Schedule of Fees and Charges)*

*Records Management Policy*

*Councillors Access to Information and Interaction with Staff Policy*

*Access to Public CCTV Policy*

*Agency Information Guide*

*Government Information (Public Access) Act 2009 (NSW)*

*Privacy and Personal Information Protection Act 1998 (NSW)*

*Health Records and Information Privacy Act 2002*

*State Records Act 1998*

*Environmental Planning and Assessment (EPA) Act 1979*

*Companions Animal Act 1998*