

Bland Shire Council Information Guide



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REVIEW OF THIS POLICY

This Policy will be reviewed within 12 months from the date of adoption or as required in the event of legislative changes. The Policy may also be changed as a result of other amendment that are to the advantage that Council and in the spirit of this Policy. Any amendment to the Policy must be by way of a Council Resolution or the approval of the General Manager.

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PREFACE

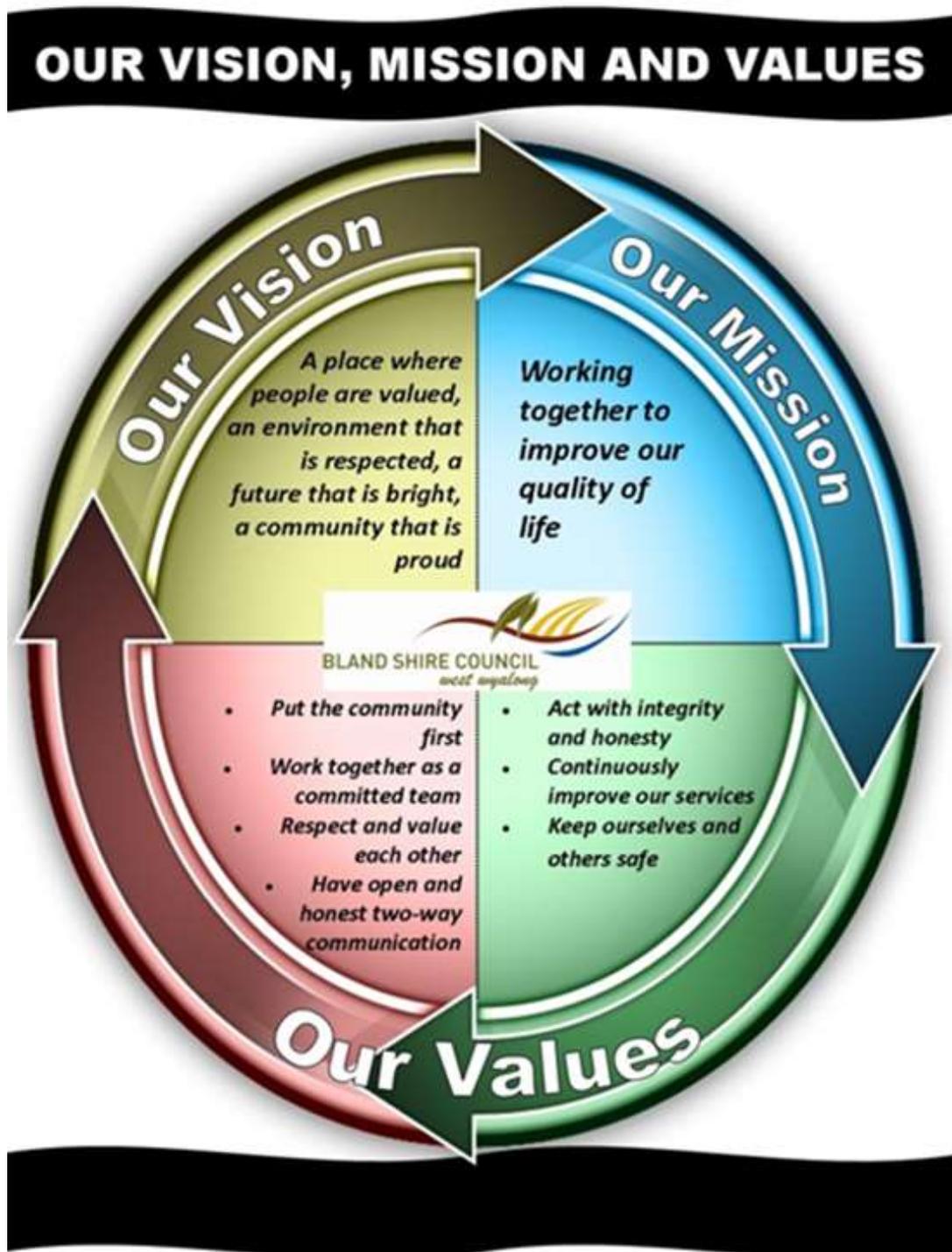
This Information Guide has been produced by Bland Shire Council in accordance with Section 20 of the Government Information (Public Access) Act and is reviewed on an annual basis.

The purpose of the Information Guide is to provide members of the community, Council staff and the public with information concerning:

- The structure and functions of Bland Shire Council;
- The way in which the functions of Bland Shire Council affect members of the public;
- The avenues available to the public to participate in policy development and the exercise of Bland Shire Council's functions; and
- The type of information available for Bland Shire Council and how this information is made available.

The Information Guide is available on Council's website: www.blandshire.nsw.gov.au

COUNCIL'S VISION, MISSION AND VALUES



STRUCTURE AND FUNCTIONS OF COUNCIL

Bland History

The Shire of Bland was first declared in 1906. A “temporary” council was incorporated on 16 June 1906 and operated for a period of six months. The first election of the Council took place in December 1906 when Councillors G. Punton, D. Byrne, P. Kearins, J.N. Crowley, L.J. McNamara and James Howard were elected. Council remained in this state until September 1935 when a Provisional council was formed beginning the process of the amalgamation with the Municipality of Wyalong.

The Shire of Bland and Wyalong Municipality were formally amalgamated on 7 December 1937 and the present day Bland Shire Council was created.

Bland Today

The Local Government Area of Bland is located on the northern fringes of the Riverina in New South Wales. Bland Shire Council was constituted as a shire in 1906 with the region having first been established as a gold mining settlement in 1895.

The Shire’s major centre of West Wyalong is located on the junction of the Newell and Mid-Western Highways and within a 160 kilometre radius of Wagga Wagga, Griffith, Forbes, Parkes and Cowra and within 300 kilometres of Canberra – providing an authentic rural lifestyle with the conveniences of the city well within reach.

Communities located within the Shire of Bland include Barmedman, Kikoira, Mirrool, Naradhan, Tallimba, Ungarie, Weethalle, Wyalong and Yalgogrin.

The Shire of Bland offers outstanding Council owned parks and gardens, sporting and community facilities, terrific schools, key medical and business facilities and boasts a fierce and unique community spirit.

The community is proud of its facilities and services with both Council and the community believing the Shire’s greatest asset is its people.

The Bland region has a rich history and a vibrant future. Today the Shire is a blossoming rural economy built around sheep, cattle, wheat and other crop varieties while in more recent times the Shire has also experienced significant developments away from agriculture. Evolution Mining operates a gold mine at Lake Cowal while Pace Farms has the biggest egg producing facility in the southern hemisphere.

Basis of Constitution

Bland Shire Council is constituted under the Local Government Act 1993.

Organisational Structure and Resources

Bland Shire Council is composed of nine councillors elected proportionally to represent the whole Local Government Area.

The role of the Councillors, as members of the body corporate, is:

- To direct and control the affairs of the council in accordance with the Local Government Act 1993 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 is, as an elected person, is:

- To be an active and contributing member of the governing body of Council;
- To make considered and well informed decisions as a member of the governing body;
- To participate in the development of the Integrated Planning and Reporting (IP&R) Framework;
- To represent the collective interest of residents, ratepayers and the local community;
- To facilitate communication between the local community and the governing body;
- To uphold and represent accurately the policies and decisions of the governing body;
- To make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor.

The Mayor is elected from within the group of elected Councillors and serves for a period of two years.

The Mayor presides at meetings of 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, as well as the implementation of Council's Equal Employment Opportunity Management Plan.

To assist the General Manager in the exercise of these functions, there are two (2) directors overseeing the following functional areas – Corporate and Community Services and Technical Services.

OUR ORGANISATIONAL STRUCTURE

Bland Shire Council consists of two (2) Directorates and the Office of the General Manger.



FUNCTIONS OF BLAND SHIRE COUNCIL

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

Service Functions	<ul style="list-style-type: none"> • Provisions of community health, recreation, education and information services • Environmental protection • Waste removal and disposal • Land and property, industry and tourism development and assistance • Civil infrastructure planning • Civil infrastructure maintenance and construction
Regulatory Functions	<ul style="list-style-type: none"> • Building and development approval and control • Building Certificates • Development of Codes and Policies • Leases and licences of public reserves • Land Management
Ancillary Functions	<ul style="list-style-type: none"> • Resumption of land • Powers of entry and inspection • Power to sell and for overdue rates • Power to order the demolition of unsafe or unapproved structures
Revenue Functions	<ul style="list-style-type: none"> • Levying of rates • Levying of fees and charges • Authority to borrow funds • Authority to make investments • Authority to grant subsidies
Administrative Functions	<ul style="list-style-type: none"> • Employment of staff • Management Plans • Financial Reporting • Annual Reports • Codes of Conduct and Practice • Policy preparation
Enforcement Functions	<ul style="list-style-type: none"> • Proceedings for breaches of the Act • Prosecution of offences • Recovery of rates and Charges

As well as the Local Government Act, Council has powers under a number of other Acts in accordance with appropriate delegated authority, for example:

- Environmental Planning and Assessment Act 1979
- Protection of the Environment Operation Act 1997
- Roads Act 1993
- Companion Animals Act 1993
- Swimming Pools Act 1993

IMPACT OF COUNCIL FUNCTIONS ON THE PUBLIC

As a service organisation, the majority of the activities of the Bland Shire 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 library services, 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 Action 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 Local Government Week, Education Week, Youth Week, Children's Week, etc, as well as promoting events of others.

Purpose

This Information Guide has been developed to provide information to all involved with Bland Shire Council as to what information is held by the organisation and the way in which this information can be accessed, where appropriate.

Scope

This Information Guide applies to all Bland Shire Council staff, organisations and community members who wish to access information held by Bland Shire Council.

Outcomes

The objectives of Council's Information Guide are:

- To show what Council does
- How Council does it
- They type of information it holds and generates through the exercise of its function, with a particular focus on how those functions affect members of the public.

The Guide aims to make it easier for people to identify and locate information held by Council and know whether the information can be obtained on the website, upon request or under a formal access application.

Roles and Responsibilities

Principle Officer – General Manager

The General Manager has been appointed the Principal Officer. Amongst other duties the Principal Officer may deal with requests from the public concerning the Council's affairs and has the responsibility of assisting people to gain access to public documents and information of the Council.

Right to Information Officer – Director Corporate and Community Services

The Director Corporate and Community Services has been appointed as the Right to Information Officer. The Right to Information Officer is responsible for determining applications for access to information or for the amendment of records. If you have any difficulty in obtaining access to Council information, you may wish to refer your enquiry to the Principal Officer. If you would like to amend a document of Council which you feel is incorrect it is necessary for you to make a written application to the Principal Officer in the first instance.

Definitions

Representation/Representative – More commonly known as Councillors. These are the people who are elected by the community to act and make decisions on its behalf.

Information – Information relates to data, specifics, details, images, film, correspondence and files held by Bland Shire Council which can be obtained through the making of Access Applications.

Mandatory Disclosure – The provision of information by Council to the Community which is included in the GIPA Act and Regulations.

Proactive Release – Information which Council makes publicly available.

Public Interest Considerations – An assessment process which measures the right of the community to have information against the requirements to maintain confidentiality.

Access Application – This is the process of applying for the release of information to an individual or organisation.

PUBLIC PARTICIPATION IN LOCAL GOVERNMENT

Bland Shire Council supports the principles of open government and encourages community involvement in policy development and general activities of Council.

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.

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 2021.

At each election, voters elect nine councillors for the following term. Due to postponement of the scheduled 2020 Local Government elections, that term will be for three years until September 2024. All residents of the area who are on the electoral roll are eligible to vote. Property owners who live outside the area and rate paying lessees can also vote, but must register their intention to vote on the non-residential roll. Voting is compulsory.

Making representation to Councillors

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.

The contact details of the current elected members can be found at www.blandshire.nsw.gov.au

Personal Participation

Ratepayers, residents and business are encouraged to have a say in what Council does. Community participation in Council is a major focus of the Local Government Act 1993. The Act encourages councils to be open and accountable to the community. This is achieved by people having appropriate access to information, voting in polls and referendums, making submissions to Council and by Council meetings being open to the public.

Council's website, www.blandshire.nsw.gov.au is regularly updated with notifications and information on Council's activities, meeting agendas and business papers. The website also publishes notices and exhibitions, tenders, news items, events and many Council documents and reports. The website is reviewed and updated on a regular basis to ensure information is accurate and timely.

Council also provides information on Council activities, decisions and programs in the local newspaper.

Council Meetings

Members of the public are able to attend Council meetings (usually the third Tuesday of each month from 6.30 pm) held in the Council Chambers, 6 Shire Street, West Wyalong NSW 2671.

The Council meeting provides an opportunity for people to speak publicly on any item on Council's Business Paper agenda. Anyone wishing to address Council is requested to register by contacting Council on 02 6972 2266.

Audio recordings of Council meetings are accessible on Council's website.

Council Committees

There are also avenues for members of the public to personally participate in the policy development and the functions of the Council. Council has several committees which include members of the public.

Section 355 Committees

Under the Local Government Act 1993 (the Act) Council is able to delegate some of its functions to a committee of Council. Council uses this delegation and appoints community people to manage its facilities or functions through a committee of management.

The appointment of Section 355 Committees is entirely at the discretion of the Council. The Committees are appointed and reappointed in accordance with the provisions of Section 355 and Section 377 of the Act.

The Section 355 committee will be responsible for activities as determined when the committee is established. This responsibility will be conveyed to the committee within its Terms of Reference.

Bland Shire Council Section 355 Committees:

- Barmedman Community Centre
- Barmedman Tidy Towns
- Mirrool Silo Kick Challenge Committee
- Ungarie advancement Group
- Ungarie Retirement Village Association
- Ungarie Showground, Racecourse and Recreation Reserve Committee
- Weethalle Recreation Ground Committee
- Wyalong School of Arts and Hall Committee.

Community Reference Group

The Community Reference Group was established in 2017 to seek direct input from the community into the decision making process.

The reference group replaces the former Advisory Committees and covers a wide range of topics across all areas of Council from heritage to culture and tourism.

The reference group meets bi-monthly in an informal forum type format, which is open to all interested members of the Community. Meetings are held on the second Tuesday of every second month at the Bland Shire Council Chambers commencing at 6.30 pm.

The forums are chaired by Bland Shire Mayor and agenda items generated from members of the public, Councillors and Council staff.

Any recommendations arising from the forums will be submitted to Council for formal consideration. Members of the community are invited to submit agenda items to Council via email to council@blandshire.nsw.gov.au or in writing to The General Manager, PO Box 21, West Wyalong NSW 2671.

The agenda will be published in the West Wyalong Advocate on the Friday before each meeting and on Council's website at www.blandshire.nsw.gov.au

Public Submissions

All significant plans, strategies and policies of Bland Shire Council are placed on exhibition in draft form so that interested members of the public may view them and make comments should they wish to do so. Exhibition documents are available at Council's customer service counter and Council's website. Submissions should be addressed to:

The General Manager
Bland Shire Council
PO Box 21
WEST WYALONG NSW 2671
Email: council@blandshire.nsw.gov.au

ACCESS TO GOVERNMENT INFORMATION

Bland Shire Council is committed to the principle of open and transparent government. To facilitate public access to Council information, Council has adopted an Access to Information Policy. The objective of this policy is to describe Council's principles regarding public access to information and to facilitate the processing of requests for such access under the *Government Information (Public Access) Act 2009* (GIPA).

Under the provisions of the GIPA Act there is a right of access to certain information held by Council, unless there is an overriding public interest against its disclosure.

Bland Shire Council holds information in respect of a wide range of functions undertaken by it and information which is pertinent to different issues in relation to the Bland Shire Council Local Government Area.

Some of the information is available for inspection as a requirement of the GIPA Act, some information is available for purchase as outlined in Council's adopted Revenue Policy.

There are four main ways in which Council will provide access to information:

- Mandatory Proactive Release
- Authorised Proactive Release
- Informal Release
- Formal Access Application.

Any formal applications under the GIPA Act will be processed in accordance with the Act's requirements and a determination made to release the information or refuse access on the basis of the relevant considerations under that Act.

Council will assess requests for access to information having regard to:

- Government Information (Public Access) Act 2009
- Privacy and Personal Information Protection Act 1998
- Health Records and Information Privacy Act 2002
- State Records Act 1998
- Local Government Act 1993
- Environmental Planning and Assessment (EPA) Act 1979
- Companion Animals Act 1998
- Any other relevant legislation and guidelines as applicable.

Mandatory Proactive Release – Open Access Information

Under Section 6 of the GIPA Act, Council must make its 'open access information' publicly available unless there is an overriding public interest against disclosure of the information or should it require a substantial diversion of agency resources. Open access information is required to be published on Council's website unless to do so would impose an unreasonable additional cost on Council (in these instance, Council's website explains where that information can be obtained – generally by contacting Council or by contacting Council's Public Officer as stated).

The following documents are defined as "Open Access Information" under Section 18 of the GIPA Act and will be released without the need for a Formal Access Application under this Act:

- Council's Information Guide which contains information about Council's structure and functions, and lists the type of information that is publicly available;

- Council's policy documents;
- A disclosure log of formal access applications which includes release of information that Council believes may be of interest to other members of the public;
- A register of contracts worth more than \$150,000.00 which Council has with private sector bodies;
- A record of open access information that Council has not made publicly available on the basis that there is an overriding public interest against disclosure;
- Other such information that may be prescribed by the GIPA Regulation as open access information.

Schedule 1 of the GIPA Act also stipulates that the following additional documents are to be provided as open access information by Council:

Information about Council

- Council's adopted Code of Conduct
- Code of Meeting Practice
- Annual Report
- Annual Financial Report
- Auditor's Report
- Management Plan
- EEO Management Plan
- Community Strategic Plan
- Delivery Program and Operational Plan
- Payment of Expenses and the Provision of Facilities to Councillors' Policy
- Annual reports of bodies exercising functions delegated by Council
- Any codes referred to in the Local Government Act 1993
- Returns of the interests of Councillors, Designated Persons and Delegates
- Agendas and Business Papers for Council and Committee Meetings
- Minutes of Council and Committee Meetings
- Departmental Representative Reports presented at a meeting of Council
- Council's 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.

Plans and Policies

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

Information about Development Applications

Development applications and any associated documents received in relation 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
- Land Contamination Consultation reports
- Tree Inspections Consultant reports
- Acoustic 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 specification and configurations, and commercially sensitive information.

Approvals, Orders and Other Documents

- Applications for approvals under Part 1 Chapter 7 of the Local Government Act 1993
- 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 decision made on appeals concerning approvals.
- Orders given under Part 2 Chapter 7 of the Local Government Act 1993 and any reasons given under section 136 of the Local Government Act 1993
- Records of Building Certificates under the Environmental Planning and Assessment Act 1979
- Compulsory Acquisition Notices
- Leases and Licenses for use of Public Land classified as Community Land.
- Performance and improvement orders issued to Council under Part 6 Chapter 13 of the Local Government Act 1993.

Authorised Proactive Release

In addition to open access information, Council will make as much other information as possible publicly available, unless there is an overriding public interest against disclosure.

Such information may include information frequently requested or information of public interest that has been released as a result of other requests.

Informal Release

Access to information which is not available as Mandatory Release or Authorised Proactive Release information may be provided through Informal Release. Council will endeavour to release information in response to such a request, subject to any reasonable conditions as Council deems fit to impose. Such requests for information will be met within Council's resourcing timeframes.

As per proactive release methods, Council is authorised to release information unless there is a public interest against disclosure. To enable the release of as much information as possible, Council is also authorised to redact content from a copy of information to be released, if the inclusion of the redacted information would otherwise result in an overriding public interest against disclosure.

Formal Access Application

Prior to lodging a formal access application, a person seeking information from Council should check if the information being sought is already available on Council's website or could easily be made available through an informal request application.

If Information:

- Is not available via Proactive or Informal Release; or

- Involves a large volume of information, requires extensive research and accordingly will involve an unreasonable amount of time and resources to produce; or
- Contains personal or confidential information about a third party which may require consultation; or
- Is of a sensitive nature that requires careful weighing of the consideration in favour of and against disclosure; then

Council will require a formal access application to be submitted. To make a formal request for access to information an “Access Application” form should be completed (available on Council’s website or by request at Council’s Administration Building). An application fee is payable in accordance with Council’s adopted Revenue Policy.

Interaction with Copyright Legislation

Copyright issues may arise when requests are made for copies of documents held by Council.

The Commonwealth Copyright Act 1968 takes precedence over State legislation. Therefore the right to copy documents under the GIPA Act does not override the Copyright Act. Nothing in the GIPA Act or Regulations permits Council to make government information available in any way that would constitute an infringement of copyright.

Access to copyrighted documents will be granted by way of inspection only, unless the copyright owner’s written consent is provided. Where authority is unable to be obtained or the copyright owner is not able to be contacted, copies of copyright material will not be provided.

Copyright material includes, but not limited to, plans/drawings, consultant reports and survey reports.

Interaction with Privacy Legislation

Access to certain information may be limited in accordance with the Privacy and Personal Information Protection Act 1998 (PPIP Act) and the Health Records and Information Privacy Act 2002 (HRIP Act). The PPIP act and the HRIP Act provide for protection of personal and health information and for the protection of the privacy of individuals generally.

In accordance with the PPIP Act and the HRIP Act, Council has adopted a Privacy Management Plan (available on Council’s website) which outlines Council’s practice for dealing with privacy and personal information in accordance with Information Protection Principles contained within the HRIP Act.

Public Interest Test

Under the GIPA Act, when deciding whether or not to release information, government agencies must consider whether there is an overriding public interest against releasing the information.

Referred to as the “public interest test”, this requires government agencies to consider balancing factors for and against disclosure of each piece of government information. The balancing must be undertaken within the context of the GIPA Act.

In deciding what information to release, Council will apply the public interest test, which will involve:

- Identification of the relevant public interest considerations for disclosure;
- Identification of any relevant public interests against disclosure.

The GIPA Act (section 14) provides an exhaustive list of public interest considerations against disclosure. These are the only considerations against disclosure that decision makers can consider in applying the public interest test:

- Responsible and effective government
- Law enforcement and security
- Individual rights, judicial processes and natural justice
- Business interests of agencies and other persons
- Environment, culture, economy and general matters
- Secrecy provisions specifically provided in legislation
- Exempt documents under interstate Freedom of Information legislation.

Fees and Charges

Access to Information Request

There is no application fee for a request for access to information however Council can charge a fee for copying as per Council's adopted Revenue Policy.

Formal Access Application

A \$30.00 application fee is payable in accordance with Council's adopted Revenue Policy, which includes the first hour of processing time. The application is invalid until the fee is paid.

Processing Charges

Council can impose a charge for processing an application.

The processing charge is \$30.00 calculated at an hourly rate in accordance with Council's adopted Revenue Policy. However, the application fee paid with formal applications counts towards these charges.

Under certain circumstances an applicant may be entitled to a 50% reduction in the processing charge (not the application fee).

A 50% reduction in the processing charge imposed will apply if Council is satisfied that the applicant is suffering financial hardship or is satisfied that the information applied for is of special benefit to the public generally.

If an Access Application is made for personal information about the applicant (the applicant being an individual), the fee for the first 20 hours of processing time will be waived.

Information made available on Council's website is available for viewing free of charge at Council's administration office. If hard copies are required, a copying charge will be levied in accordance with Council's adopted Revenue Policy.

ACCESS AND AMENDMENT TO COUNCIL DOCUMENTS

Council has a vast range of documents that can be accessed in varying ways. Most documents, as far as practicable, will be accessible by members of the public during office hours 8.30 am to 5.00 pm, Monday to Friday.

Council information can be accessed by:

- Searching Council's website, www.blandshire.nsw.gov.au to see if the information is already available (in accordance with the GIPA Act certain information must be published on Council's website, free of charge, this is referred to as 'mandatory disclosure').
- Contact Council either in person or by telephoning 02 6972 2266 and ask for the information. Council will decide whether the information requested:
 - Is open access information that is readily available. If it is, you will be told where and how to get the information.
 - Should be made available as part of a 'proactive release' of information.
 - Can be disclosed to you through 'information release' for example, where no third party personal information is involved, or
 - Requires a 'formal access application'.

The right to information reforms means that formal applications for access to information should be a last resort.

Persons who wish to seek an amendment to the Council's records concerning their personal affairs, should contact Council on 02 6972 2266.

If you experience difficulty in obtaining documents or information you should contact Council's Right to Information Officer or the Public Officer.

Enquiries should be addressed as follows:

General Manager
Bland Shire Council
6 Shire Street
PO Box 21
WEST WYALONG NSW 2671
Phone: 02 6972 2266
Email: council@blandshire.nsw.gov.au

Rights of Review

There are rights to review a decision made by the Public Officer. A full list of reviewable decisions is set out in Section 80 of the GIPA Act.

Internal Review

If an access application has been refused, there is a general right to seek an internal review of the decision. An internal review must be applied for within 20 working days of the original decision and is subject to a fee. Internal review involves a senior person in the agency reviewing the decision to reject the access to information application.

Role of the Information Commissioner

The Information Commissioner can review a decision to refuse access to information if requested by the applicant, notwithstanding any internal review being undertaken. However,

for other persons seeking review, an internal review must first be undertaken. The Information Commissioner also deals with complaints under the GIPA Act.

Office of the Information Commissioner

The Office of the Information Commissioner has been established to oversee the GIPA Act and sits within the Information and Privacy Commission for New South Wales.

If you require any other advice or assistance about access to information you may contact the Information Commissioner by:

Telephone: 1800 472 679 (free call) Monday to Friday, 9.00 am to 5.00 pm (excluding public holidays)

Fax: 02 6446 9518

Email: ipcinfo@ipc.nsw.gov.au

Mail: GPO Box 7011, Sydney NSW 2001

or visit in person at Level 15, McKell Building, 2-24 Rawson Place, Haymarket NSW 2000.

External Review (Administrative Decisions Tribunal)

Applicants also have formal avenues via the New South Wales Civil and Administrative Tribunal (NCAT) to review the decision of refuse access. This application must be made within eight weeks of the original decision or four weeks after a review undertaken by the Information Commissioner.

Should you wish to pursue this avenue of review, please contact NCAT on 1300 006 228 Monday to Friday, 9.00 am to 4.30 pm (excluding public holidays).

LEGISLATION

The Information Guide is a mandatory document prescribed in the Government Information (Public Access) Act 2009 (GIPA).