

Informal Request to Release Information

Government Information (Public Access) Act 2009



Glen Innes Severn Council ABN 81 365 002 718

Administration Office, Town Hall, 265 Grey Street, Glen Innes NSW 2370

PO Box 61, Glen Innes NSW 2370

☎ (02) 6730 2300

✉ council@gisc.nsw.gov.au www.gisc.nsw.gov.au

Please complete this form to make an informal request to government information under section 8(1) of the of the *Government Information (Public Access) Act 2009* (GIPA Act). The GIPA Act provides that Council cannot be compelled to release information in response to an informal request; therefore, Council may request that a formal application be lodged instead.

Office Use Only

Date Received:

Receiving Officer:

If you require any assistance in completing this form, please contact Council's Public Officer using the contact details provided above.

Information already available

A search of Council's website or Agency Information Guide (AIG) may provide the information you seek. If the information has already been proactively released via our website or AIG, there is no need to lodge an application.

How to lodge this request:

In person: Glen Innes Severn Council Administration Office, Town Hall, 265 Grey Street, Glen Innes NSW 2370

Post to: PO Box 61, Glen Innes NSW 2370

Email to: council@gisc.nsw.gov.au

Fields marked with an asterisk (*) are mandatory.

1. Applicant Details

*Full Name:

Title:

Business Name:

ABN:

*Postal Address:

Postcode:

*Email:

*Telephone: (M)

(W)

(H)

Preferred contact method for Council to send notices as required by the GIPA Act: Email (preferred) Post

2. Property and/or Application Details

Complete this section if you are applying for access to information concerning a particular property or application.

Street Number:

Street Name:

Locality:

Lot Number(s):

DP or SP Number(s):

Application Number(s):

*Date range you would like us to search within (e.g. Sept 2018 – June 2019):

3. Type of Information

*Please specify the document(s) you wish to access or provide as much detail as possible about the information you wish to access. Please attach additional pages if required:

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Form No:

Version No: 1.0
Date: May 2023

Review Date:
May 2026

Related Documents:

Resp Officer:
GAO

I am the owner of the property and request access to information. Yes No

I act on behalf of the property and request access to information. Yes No

Does the information relate to your personal information? Yes No
NOTE: When seeking access to their personal information, or when an applicant is acting with the authority of another person and seeks to access that person's personal information, an applicant must provide proof of identity which includes a full name, address and a signature. This can be either an original or a certified copy or can be provided using more than one document.

4. Preferred Form of Access

Inspect the records at Council offices *NOTE: An appointment must be made with Customer Service staff.*

Receive a paper copy of the records

Receive an electronic copy of the records

5. Owner's (or Architect's) Consent (if not the applicant)

NOTE: Due to the Copyright Act 1968 (Cth), the consent of the copyright owner is required for Council to be legally able to provide copies of certain documents. Without consent, information subject to copyright (including, but not limited to, **plans, drawings, and some reports**) will be available on inspection only.
The consent of the property owner is required for the provision of copies of **building information certificates** (see section 6.26(10) of the Environmental Planning and Assessment Act 1979).

Owner's (or Architect's) Name:

Contact Telephone Number:

I/we consent to the logement of the application for the abovementioned property:

Owner's (or Architect's) Signature

Date

6. Privacy Notification

In making this application, you are providing personal information such as your name and contact details. This information will be used for the purpose of assessing your application and ensuring Council can contact you regarding the status of your application. Your personal information will be handled in accordance with the *Privacy and Personal Information Protection Act 1998* (PPIPA) and Council's Privacy Management Plan.

Purpose of collection: Access to government information held by Council.
Intended Recipients: Council staff and persons granted lawful access under the *Government Information (Public Access) Act 2009*.
Supply: Voluntary; however, Council may not be able to process your application if insufficient information is provided.
Access/Correction: You may make application for access or amendment to your personal information held by Council. Council will consider any such application in accordance with the PPIPA.
Storage: This form will be placed on a relevant file and/or recorded in Council's electronic document management system.

7. Declaration

I DECLARE THAT:

- The information provided in this form is complete and correct.
- I have read the above Privacy Notification.
- I understand that the copyright owner's consent must be provided in order to use any part of a copyright document for any other purpose (including making further copies in any format).
- Where applicable, I have attached documents required for the purpose of this application (e.g. authorisation to act on another person's behalf, evidence of copyright owner's consent).
- I will not remove, alter, deface or destroy items contained within files to which I have been granted access via inspection.
- I understand that it is an offence to give misleading information about my identity and that doing so may result in a decision to refuse the application.

Applicant's signature

Date

INFORMAL ACCESS TO INFORMATION – GUIDELINES
In accordance with the Government Information Public Access (GIPA) Act 2009

Completion of this form will only be required if the information is not available on Council's website.

Informal Release

- i. If information is not available from Council's website, you may request access to information from a Council file or documents as 'informal release' under section 8 of the Government Information (Public Access) Act 2009. Informal release does not involve payment of a lodgement fee or processing charges, however copying charges are payable where applicable.

Acceptable Requests

- ii. Informal release is suitable for requests for information which are considered "open access" under the GIPA Act, such as requests for information relating to development applications. This form can also be used to request other information held by Council, including your personal information. Where your personal information is involved, Council may request that you provide proof of identity e.g. driver's licence, passport, utility bill, etc.

By providing specific and detailed requests, you can assist us in quickly determining what information is available to assist you.

Informal release information is not suitable for requests which:

- involve extensive researching, large volumes of information or would require a substantial amount of staff resources to process your request; or
- involve access to another person's personal information requiring third party consultations; or
- require access to sensitive information requiring careful balancing of public interest in determining disclosure.

If your request involves any of the above, you should consider lodging a formal access application. Formal access applications involve a lodgement fee of \$30 and possible processing charges, but also have a right of review. Formal access application forms are available on Council's website at www.gisc@nsw.gov.au

Plans/Drawings

- The viewing of internal plans other than those showing the height and external configurations of a residential property will be provided only to the property owner, except during the neighbour notification period.
- The viewing of plans of a commercial property do not require consent except where residential components form part of that property.
- Where copies of plans are requested, these may be subject to copyright. Council does not release copies of plans without the written consent of the property owner or architect. It is the responsibility of the applicant to obtain the written consent from the property owner or architect.
- Under Copyright legislation, the applicant is obliged to take due care in using this information for commercial or other purposes.

Timeframe

Council aims to provide a response to you within 30 working days. Additional processing time would apply for matters that require research, clarification, and interpretation.

Fees and Charges

Standard photocopy charges may apply if a large number of copies of documents are required. Refer to Council's Fees and Charges.

Privacy

Personal information you provide on this form is required to process your request and will only be used for that purpose. The information is held by council and access is restricted to council officers and may be viewed by others as required by law. This information is collected under the *Privacy and Personal Information Protection Act 1998* (the Act) and if you require further information, please see our Privacy Management Plan at www.gisc.nsw.gov.au or contact Council on (02) 6730 2300.

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| Form No: | Version No: 1.0 Date: May 2023 | Review Date: May 2026 | Related Documents: | Resp Officer: GAO |
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RIGHT TO INFORMATION

The following documents are available under Schedule 1 of the Government Information (Public Access) Regulation 2018 unless there is an overriding public interest against disclosure of the information:

1 Information about local authority

(1) Information contained in the current version and the most recent previous version of the following records is prescribed as open access information:

- (a) the model code prescribed under section 440 (1) of the LGA and the code of conduct adopted under section 440 (3) of the LGA,
- (b) code of meeting practice,
- (c) annual report,
- (d) annual financial reports,
- (e) auditor's report,
- (f) management plan,
- (g) EEO management plan,
- (h) policy concerning the payment of expenses incurred by, and the provision of facilities to, councillors,
- (i) annual reports of bodies exercising functions delegated by the local authority,
- (j) any codes referred to in the LGA.

(2) Information contained in the following records (whenever created) is prescribed as open access information:

- (a) returns of the interests of councillors, designated persons and delegates,
- (b) agendas and business papers for any meeting of the local authority or any committee of the local authority (but not including business papers for matters considered when part of a meeting is closed to the public),
- (c) minutes of any meeting of the local authority or any committee of the local authority, but restricted (in the case of any part of a meeting that is closed to the public) to the resolutions and recommendations of the meeting,
- (d) reports by the Chief Executive of the Office of Local Government presented at a meeting of the local authority in accordance with section 433 of the LGA.

(3) Information contained in the current version of the following records is prescribed as open access information:

- (a) land register,
- (b) register of investments,
- (c) register of delegations,
- (d) register of graffiti removal work kept in accordance with section 13 of the Graffiti Control Act 2008,
- (e) register of current declarations of disclosures of political donations kept in accordance with section 328A of the LGA,
- (f) the register of voting on planning matters kept in accordance with section 375A of the LGA.

2 Plans and policies

Information contained in the current version and the most recent previous version of the following records is prescribed as open access information:

- (a) local policies adopted by the local authority concerning approvals and orders,
- (b) plans of management for community land,
- (c) environmental planning instruments, development control plans and contributions plans made under the Environmental Planning and Assessment Act 1979 applying to land within the local authority's area.

3 Information about development applications

(1) Information contained in the following records (whenever created) is prescribed as open access information:

- (a) development applications (within the meaning of the Environmental Planning and Assessment Act 1979) and any associated documents received in relation to a proposed development including the following:

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|----------|-----------------------------------|--------------------------|--------------------|----------------------|
| Form No: | Version No: 1.0 Date: May 2023 | Review Date: May 2026 | Related Documents: | Resp Officer: GAO |
|----------|-----------------------------------|--------------------------|--------------------|----------------------|

- (i) home warranty insurance documents,
 - (ii) construction certificates,
 - (iii) occupation certificates,
 - (iv) structural certification documents,
 - (v) town planner reports,
 - (vi) submissions received on development applications,
 - (vii) heritage consultant reports,
 - (viii) tree inspection consultant reports,
 - (ix) acoustics consultant reports,
 - (x) land contamination consultant reports,
- (b) records of decisions made on or after 1 July 2010 on development applications (including decisions made on appeal),
- (c) a record that describes the general nature of the documents that the local authority decides are excluded from the operation of this clause by subclause (2).

(2) However, this clause does not apply to so much of the information referred to in subclause (1) (a) as consists of:

- (a) the plans and specifications for any residential parts of a proposed building, other than plans that merely show its height and its external configuration in relation to the site on which it is proposed to be erected, or
- (b) commercial information, if the information would be likely to prejudice the commercial position of the person who supplied it or to reveal a trade secret, or
- (c) development applications made before 1 July 2010 and any associated documents received (whether before, on or after that date) in relation to the application.

(3) A local authority must keep the record referred to in subclause (1) (c).

4 Approvals, orders and other documents

Information contained in the following records (whenever created) is prescribed as open access information:

- (a) applications for approvals under Part 1 of Chapter 7 of the LGA and any associated documents received in relation to such an application,
- (b) applications for approvals under any other Act and any associated documents received in relation to such an application, Page 5 of 5
- (c) records of approvals granted or refused, any variation from local policies with reasons for the variation, and decisions made on appeals concerning approvals,
- (d) orders given under Part 2 of Chapter 7 of the LGA, and any reasons given under section 136 of the LGA,
- (e) orders given under the authority of any other Act,
- (f) records of building certificates under the Environmental Planning and Assessment Act 1979,
- (g) plans of land proposed to be compulsorily acquired by the local authority,
- (h) compulsory acquisition notices,
- (i) leases and licences for use of public land classified as community land,
- (j) performance improvement orders issued to a council under Part 6 of Chapter 13 of the LGA

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