



Agency Information Guide

Government Information (Public Access) Act 2009

Document Authorisation

RESPONSIBLE OFFICER:		MANAGER OF GOVERNANCE RISK AND CORPORATE PLANNING (MGRCP)			
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Note: Document Control continued at Appendix A.


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General Manager

12.8.22
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Date

Preface

This Information Guide has been produced by Glen Innes Severn Council in accordance with Section 20 of the Government Information (Public Access) Act 2009 (GIPA) and is reviewed annually.

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

- The structure and functions of Glen Innes Severn Council;
- The way in which the functions of Glen Innes Severn Council affect members of the public;
- The avenues available to the public to participate in policy development and the exercise of Glen Innes Severn Council functions; and
- The type of information available from Glen Innes Severn Council and how this information is made available.

The Information Guide is available on Glen Innes Severn Council's website (www.gisc.nsw.gov.au).

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1 Structure and Functions Council

1.1 Basis of Constitution

Glen Innes Severn Council was formed in September 2004 through the amalgamation of the Glen Innes Municipal and Severn Shire Councils and is constituted under the *Local Government Act 1993*.

1.2 Organisational Structure and Resources

Glen Innes Severn Council is not divided into wards and is governed by the body of seven councillors (one of whom is the Mayor). The councillors are elected by the residents and ratepayers of the Glen Innes Severn **Local Government Area (LGA)** and the current Council were declared elected on 21 December 2022 for a period of two (2) years and nine (9) months (normally four (4) years but reduced due to the election postponement from 4 September 2020 until 4 December 2021).

The Mayor is elected by the Councillors.

The role 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 1993 (the Act)*** and other applicable legislation;
- To participate in the optimum allocation of the Council's resources for the benefit of the LGA;
- 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; and
- To review the performance of the Council including its delivery of services, management plans and revenue policies.

The role of a Councillor is, as an elected person:

- 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 framework;
 - to represent the collective interests 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; and
 - to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor.
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The role of the Mayor is as follows:

- to be the leader of Council and a leader in the local community;
- to advance community cohesion and promote civic awareness;
- to be the principal member and spokesperson of the governing body, including representing the views of Council as to its local priorities;
- to exercise, in cases of necessity, the policy-making functions of the governing body of Council between meetings of Council;
- to preside at meetings of Council;
- to ensure that meetings of Council are conducted efficiently, effectively and in accordance with this Act;
- to ensure the timely development and adoption of the strategic plans, programs and policies of Council;
- to promote the effective and consistent implementation of the strategic plans, programs and policies of Council;
- to promote partnerships between Council and key stakeholders;
- to advise, consult with and provide strategic direction to the General Manager in relation to the implementation of the strategic plans and policies of Council;
- in conjunction with the General Manager, to ensure adequate opportunities and mechanisms for engagement between Council and the local community, to carry out the civic and ceremonial functions of the mayoral office;
- to represent Council on regional organisations and at inter-governmental forums at Regional, State and Commonwealth level;
- in consultation with the councillors, to lead performance appraisals of the General Manager; and
- to exercise any other functions of Council that Council determines.

The Principal Officer of the Council is the General Manager. The General Manager has the following functions:

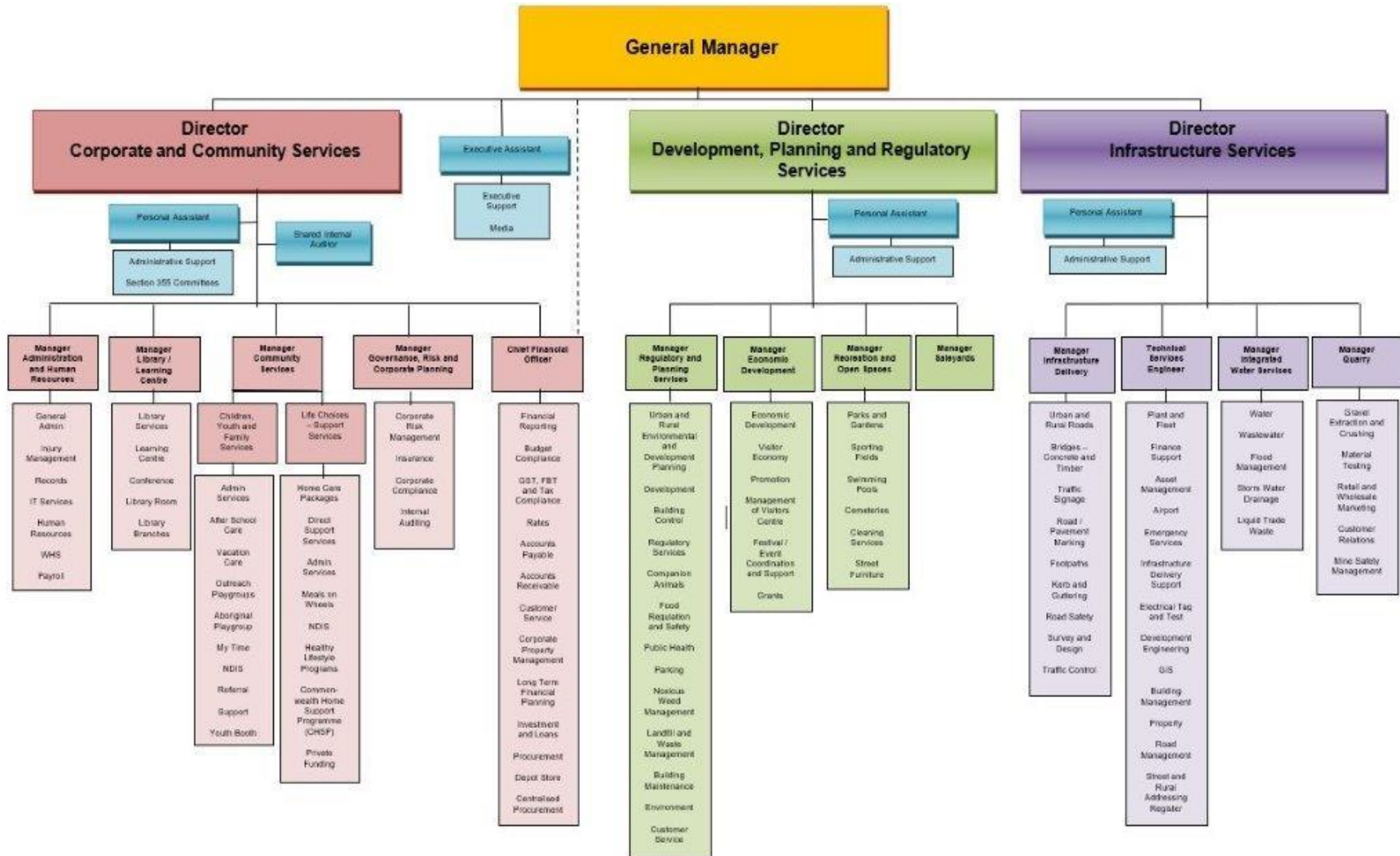
- to conduct the day-to-day management of Council in accordance with the strategic plans, programs, strategies and policies of Council;
 - to implement, without undue delay, lawful decisions of Council;
 - to advise the Mayor and the governing body on the development and implementation of the strategic plans, programs, strategies and policies of Council;
 - to advise the Mayor and the governing body on the appropriate form of community consultation on the strategic plans, programs, strategies and policies of Council and other matters related to Council;
 - to prepare, in consultation with the Mayor and the governing body, Council's community strategic plan, community engagement strategy, resourcing strategy, delivery program, operational plan and annual report;
 - to ensure that the Mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their functions;
 - to exercise any of the functions of Council that are delegated by Council to the General Manager;
 - to appoint staff in accordance with the organisational structure the resources approved by Council;
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- to direct and dismiss staff;
- to implement Council's workforce management strategy; and
- any other functions that are conferred or imposed on the General Manager by or under the Act or any other Act.

The General Manager is assisted in the exercise of these functions through the three (3) directorates of Council. These are: Corporate and Community Services, Development, Planning and Regulatory Services and Infrastructure Services. Each of the directorates is headed by a Director. Directorates are further structured into several sections which are headed by either a Manager or Coordinator.

Council's Organisational Structure is set out on the following page.

1.3 Organisational Structure



1.4 Functions of Council

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

1.4.1 Service Functions

Including:

- Provision 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 and planning; and
- Civil infrastructure, maintenance and construction.

1.4.2 Regulatory Functions

Including:

- Approvals;
- Orders; and
- Building Certificates.

1.4.3 Ancillary Functions

Including:

- Resumption of land; and
- Powers of entry and inspection.

1.4.4 Revenue Functions

Including:

- Rates;
- Charges;
- Fees;
- Borrowings; and
- Investments.

1.4.5 Administrative and Corporate Functions

Including:

- Employment of staff;
- Management plans;
- Governance;
- Risk Management;
- Financial reports; and
- Annual reports.

1.4.6 Enforcement Functions

Including:

- Proceedings for breaches of the Act and other legislation;
- Prosecution of offences; and
- Recovery of rates and charges.

As well as the Act, Council has powers under several other Acts.

Section 21 of the Act confers or imposes the following functions on Council:

- Non-regulatory or service functions (Chapter 6);
- Regulatory functions (Chapter 7);
- Ancillary functions (Chapter 8);
- Revenue functions (Chapter 15);
- Administrative functions (Chapters 11, 12 and 13); and
- Enforcement functions (Chapters 16 and 17).

In addition, Council has functions conferred or imposed on it by or under other Acts, which include:

- Biodiversity Conservation Act 2016;
 - Biosecurity Act 2015;
 - Building Professionals Act 2005;
 - Civil Liability Act 2002;
 - Community Land Development Act 1989 – planning functions as consent authority;
 - Companion Animals Act 1998 – companion animal registration and control;
 - Contaminated Land Management Act 1997 – managing contaminated lands;
 - Conveyancing Act 1919 – placing covenants on Council land;
 - Crown Land Management Act 2016;
 - Crown Lands Act 1989;
 - Dividing Fences Act 1991;
 - Environmental Planning and Assessment Act 1979;
 - Firearms Act 1996;
 - Fire Brigades Act 1989 – payment of contributions to fire brigade costs and furnishing of returns;
 - Fluoridation of Public Water Supplies Act 1957 – fluoridation of public water by Council;
 - Food Act 2003 – inspection of food and food premises;
 - Government Information (Public Access) Act 2009 – publication of certain information and granting of access to other information by Council;
 - Heritage Act 1977 – rating based on heritage valuation;
 - Impounding Act 1993 – impounding of animals and articles;
 - Library Act 1939 – library services;
 - Local Land Services Amendment Act 2016;
 - National Parks and Wildlife Act 1974 – protection of native wildlife;
 - Pesticides Act 1999 – use of pesticides;
 - Plumbing and Drainage Act 2011;
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- Privacy and Personal Information Protection Act 1998 – standards and requirements regarding the collection and processing of personal information;
 - Protection of the Environment Operations Act 1997 – pollution control;
 - Public Health Act 2010 – inspection of systems for purposes of microbial control;
 - Public Interest Disclosures Act 1994 – protected complaints or disclosures about maladministration, corruption, substantial waste or failure to fulfil functions under Government Information (Public Access) Act 2009;
 - Recreation Vehicles Act 1983 – restricting use of recreation vehicles;
 - Road Transport Act 2013;
 - Roads Act 1993 – Roads;
 - Smoke Free Environment Act 2000;
 - State Emergency Rescue Management Act 1989 – Council is required to prepare for emergencies;
 - State Emergency Service Act 1989 – recommending appointment of local controller;
 - State Records Act 1998 – imposes requirements for record keeping and access to Council records;
 - Strata Schemes Development) Act 2015 approval of strata schemes ♣ Strata Schemes Management Act 1996;
 - Swimming Pools Act 1992 – ensuring restriction of access to swimming pools;
 - Transport Administration Act 1988;
 - Unclaimed Money Act 1995 - unclaimed money to be paid to the Chief Commissioner of Unclaimed Money;
 - Waste Avoidance and Resource Recovery Act 2001;
 - Water Management Act 2000;
 - Work Health and Safety Act 2011 – requirements for healthy and safe practices in the workplace; and
 - Workplace Injury Management and Workers Compensation Act 1998 – requirements for managing injury and return to work.
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2 Impact of Council Functions on the Community

As a service organisation, most of the activities of Glen Innes Severn Council have an impact on the public. The following is an outline of how the broad functions of Council affect the public.

2.1 Service Functions

Service functions include provision of human services such as Meals on Wheels, childcare, aged and disability services, libraries, halls and community centres, recreation facilities, infrastructure and removal of garbage.

2.2 Regulatory Functions

Regulatory functions place restrictions on developments and buildings that are erected to ensure that they meet certain requirements affecting the amenity of the community and that will not endanger the lives and safety of any person. Members of the public must be aware of and comply with such regulations.

2.3 Ancillary Functions

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.

2.4 Revenue Functions

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

2.5 Administrative Functions

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

2.6 Enforcement Functions

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

2.7 Community Planning and Development Functions

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; and
 - Facilitating opportunities for people to participate in the life of the community through the conduct of a range of community events such as Seniors Week, NAIDOC Week, Youth Week, Children's Week, as well as promoting events of others.
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3 Public Participation in Local Government

Glen Innes Severn 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.

3.1 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 within a legislative framework. In New South Wales, local government elections are held every four years. The next election for Glen Innes Severn Council will be held in September 2024.

At each election, voters elect seven Councillors for a four-year term (with exception to the term which will only be two (2) years and nine (9) months due to the postponement caused by NSW Public Health Orders). The Mayor is not popularly elected by the residents in general but is elected by the councillors. 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 for registered voters.

3.1.1 Making Representations to Councillors

Councillors are the elected representatives of the community and make decisions having regard to the views of their constituents. Members of the public can discuss issues affecting the Glen Innes Severn Local Government Area with any of the elected councillors.

The contact details of the current elected members of council are:

<p>Cr Rob Banham (Mayor)</p> <p>Mobile: 0419 643 449 Mayor Email: mayor@gisc.nsw.gov.au Email: rbanham@gisc.nsw.gov.au</p>	<p>Cr Troy Arandale (Deputy Mayor)</p> <p>Mobile: 0429 162 791 Email: tanrandale@gisc.nsw.gov.au</p>
<p>Cr Tim Alt</p> <p>Mobile: 0428 669 179 Email: talt@gisc.nsw.gov.au</p>	<p>Cr Andrew Parsons PO Box 143 GLEN INNES NSW 2370</p> <p>Telephone: (02) 6732 5504 Mobile: 0427 325 504 Email: aparsons@gisc.nsw.gov.au</p>
<p>Cr Lara Gresham</p> <p>Mobile: 0407 311 257 Email: lgresham@gisc.nsw.gov.au</p>	<p>Cr Jack Parry</p> <p>Mobile: 0414 534 153 Email: jparry@gisc.nsw.gov.au</p>
<p>Cr Carol Sparks</p> <p>Mobile: 0427 709 686 Email: cspark@gisc.nsw.gov.au</p>	

3.1.2 Mayoral Meetings

Members of the public may make an appointment with the Mayor to discuss issues.

3.2 Personal Participation

Ratepayers, residents and businesses are encouraged to have a say in what Council does. Community participation in Council is a major focus of the Act. 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, community consultation, making submissions to Council and by Council meetings being open to the public.

Council's website, at www.gisc.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, a resident newsletter and on social media.

3.2.1 Council and Committee Meetings

Council is required, and actively encourages, under the provisions of Section 10(1) of the *Local Government Act 1993*, to open its full Council (Ordinary and Extraordinary) meetings and meetings of its Committees and Advisory Groups to the press and public in general.

Similarly, Council is required to give notice to the public of the times and places of its meetings and those of its Committees. Copies of the business papers for all meetings are available for the public at Council offices and at each meeting venue. Business Papers are also published on Council's website, www.gisc.nsw.gov.au.

Whilst Glen Innes Severn Council is committed to, and has fostered, the practice of open local government, some matters are of a sensitive nature and for that reason are dealt with in closed committee. Under these circumstances the minutes arising from such meetings are restricted to the resolutions and recommendations of the meeting.

The nature of such matters is contained within Section 10(A-D) of the *Local Government Act 1993*.

Council commenced live streaming and audio of Council meetings in October 2019 which provides further opportunity for members of the community to participate and view Council meetings, either on the night or later, through the Council website and webcast.gisc.nsw.gov.au link.

3.2.2 Open Community Consultation

The Code of Meeting Practice, Part 4 – Public Forums, located on Council's website, makes provisions for a Public Forum to be held prior to Council meetings.

The purpose of Part Four of the Code of Meeting Practice is to provide Council and members of the public with clear direction in relation to the requirements and expectations pertaining to the public forum held prior to Ordinary Council Meetings.

Council usually holds its Ordinary Meetings on the fourth Thursday of each month (Exceptions: no meeting in January; third Thursday in December). These meetings are held in the William Gardner Conference Room at the Glen Innes Severn Learning Centre and are scheduled to commence at 9.00am. The duration of public forums will be 15 minutes, and they will commence at 8.45am on the day of a set Council meeting.

3.2.3 Council Committees

There are several internal and external committees that deal with a range of matters associated with Council's functions and community issues. Committee membership includes Councillors, community groups, residents and stakeholders.

Glen Innes Severn Councillors are associated with the following Committees:

Councillor / Staff Committees of Council:

- Annual Donations Review Committee;
- Business Incentives Fund Committee;
- Code of Conduct Review Committee;
- General Manager Recruitment Committee;
- General Manager's Appraisal Committee;
- Integrated Planning and Reporting Framework Committee;
- Significant Development Proposals Committee.

Independent Committees (Councillors can only be non-voting members)

- Audit, Risk and Improvement Committee.

Community Committees of Council:

- Aboriginal Consultative Committee;
 - Australia Day Committee;
 - Australian Standing Stones Management Board;
 - Community Access Committee;
 - Emmaville Mining Museum Committee;
 - Emmaville War Memorial Hall Committee;
 - Glencoe Hall Committee;
 - Glen Elgin Federation Sports Committee;
 - Glen Innes and District Sports Council;
 - Glen Innes Saleyards Advisory Committee;
 - Glen Innes Severn Cemetery Committee;
 - Glen Innes Severn Learning Centre Management Committee;
 - Library Committee;
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- Minerama Committee;
- Open Spaces Committee;
- Pinkett Recreation Reserve Management Committee;
- Public Art Reference Group;
- Roads Consultative Committee; and
- Stonehenge Recreation Reserve Trust Committee.

Groups of Councils:

- Fossickers Way Committee;
- LG NSW;
- New England Joint Organisation (NEJO) – This is a group of seven member councils including Glen Innes Severn Council, Armidale regional Council, Inverell Shire Council, Moree Plains Shire Council, Narrabri Shire Council, Tenterfield Shire Council and Uralla Shire Council; and collectively with the NSW Government they form NEJO. Details may be located on their website: [NEJO | New England Joint Organisation of Councils \(nsw.gov.au\)](http://www.nsw.gov.au/NEJO)
- Northern Inland Regional Waste Group; and
- Northern Inland Risk Management Group.

Delegate of the Council:

- Joint Regional Planning Panel;
- North West Weight of Loads Committee.

Community Committees NOT Committees of Council:

- Arts North-West;
 - Business in Glen (BIG);
 - Community Safety Precinct Committee;
 - Community Services Interagency Committee;
 - Deepwater Progress Association;
 - Glen Innes and District Community Centre Inc;
 - Glen Innes and District Historical Society;
 - Glen Innes Correctional Centre Community Committee;
 - Glen Innes Highlands Rail Trail Working Group;
 - Glen Innes Highlands Visitor Association Inc;
 - Glen Innes Local Health Committee;
 - Glen Innes Showground Trust Inc;
 - Glen Innes Wind Farm;
 - GLENRAC;
 - Local Emergency Management Committee;
 - Local Traffic Committee;
 - New England High Country;
 - Northern Tablelands Bush Fire Management Committee;
 - Sapphire Wind Farm;
 - Vegetable Creek (Emmaville) Local Health Advisory Committee;
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- White Rock Wind Farm Community Consultative Committee;
- White Rock Wind Farm Community Fund Committee.

3.2.4 Community Workshops/Working Parties

Community Workshops and Working Parties are held to gain public input and understanding in respect of major studies, key issues, projects and initiatives that may affect the area and be of public interest or concern. A special committee or working party may be formed to guide Council in its deliberation of a matter. Opportunities for members of the public to participate in these Community Workshops and/or Working Parties are generally advertised in the local newspaper and on Council's website.

3.2.5 Public Exhibition and Submissions

Major policies, planning matters and development applications are advertised, and submissions are invited during the exhibition periods. Submissions received in response to the public exhibition processes are considered prior to the adoption of recommendations. (Note: Refer to Privacy notification on submissions to Council below for details on how Council will manage the submissions, comments and objections).

3.2.6 Privacy Notification on Submissions to Council

Submissions, summaries of submissions and/or names and addresses of people making submissions may be included in publicly available reports to Council and/or Committee Meetings. All submissions will be placed on the appropriate Council file and may be accessed by Councillors, Council Officers, consultants to Council, or members of the public.

3.2.7 Submissions to Council on General Matters

The public can either personally, or in writing address matters within the jurisdiction of the Council. Every attempt is made by Council to satisfy the concerns of the enquirer or explain the reasons why Council is undertaking certain actions.

4 Access to Government Information

Glen Innes Severn 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 object of this policy, along with the associated guidelines is to describe public and Councillor access to information and to facilitate the processing of requests for such access under the GIPA Act.

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.

Glen Innes Severn Council holds information in various formats in respect of a wide range of functions undertaken by it and information which is pertinent to different issues relating to the Glen Innes Severn Council area.

Council has an electronic file system which has been in place since 2005.

The main types of "physical" files held by Council includes general subject files, development and building files, property files as well as street and park files.

The foregoing is not currently available on Council's website, however, Council is working at making more "Open Access Information" (as defined below) available in this way, unless there is an overriding public interest against disclosure of the information as outlined in Section 14 of the GIPA Act. This information may be made available either by informal release or via an Access application in accordance with Section 7-9 of the GIPA Act. Members of the public who require an information release can do so by contacting Council or visiting Council's website and locating the appropriate forms.

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

4.1 Open Access Information (Mandatory Release)

Council must publish open access information on its website, free of charge. Where it is not practical for Council to provide open access information on the website, the information will be made available free of charge in at least one other format.

Council regularly updates its website and conducts a review annually of its Open Access data. Open access information is added to the website as it becomes practicable to do so. Please contact Council on 02 6730 2300 to access information that is not currently available on Council's website.

Other information and data relevant to Glen Innes Severn Council that is open access and not on Council's website may be located on the data.nsw.gov.au website.

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 Agency Information Guide (available on Council's website);
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- Information about Council contained in any document tabled in Parliament by or on behalf of Council, other than any document tabled by order of either House of Parliament;
- Council's policy documents (available on Council's website);
- Council's Disclosure Log of Formal Access Applications (available on Council's website);
- Council's Register of Government Contracts (available on Council's website);
- Council's record of the open access information (if any) that it does not make publicly available based on an overriding public interest against disclosure;
- Councillors' and Designated Persons' Disclosure of Interests Returns; and
- Such other government information as may be prescribed by the GIPA regulations as open access information.

4.2 Proactive Release of Information

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.

Council is encouraged to take the initiative to release as much government information as possible, in an appropriate manner and free of charge (or at lowest reasonable cost). Such information may include information frequently requested or information of public interest that has been released because of other requests.

The Public Officer, in consultation with other Council Officers, reviews Open Access information and Council's current approach to proactive release annually.

4.3 Informal Release of Information

Access to information which is not available as Mandatory Public Release (open access) or Proactive Release may be provided through Informal Release. Council generally releases other information in response to an informal request subject to any reasonable conditions as Council thinks fit to impose.

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.

Council is encouraged to release information without the need for a formal application, unless there are good reasons to require one. Requests for personal information would usually fall into this category. Depending on the amount of work involved a fee may be charged as per Council's fees and charges within the Operational Plan. Under informal release, Council has the right to decide by what means information is to be released.

4.4 Formal Release of Information

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 requires a Formal Access to Information Application to be submitted. An application fee of \$30 will apply and processing charges may apply as per the GIPA Act. Concessions may apply under certain circumstances.

Processing Charges

A processing charge of \$30 per hour. The \$30 application fee counts towards the first hour of processing.

The processing time for an application, as set out in section 64(2) of the GIPA Act, is the total amount of time that is necessary to be spent by any officer of the agency in:

1. dealing efficiently with the application (including consideration of the application, searching for records, consultation, decision-making and any other function exercised in connection with deciding the application), **or**
2. providing access in response to the application (based on the lowest reasonable estimate of the time that will need to be spent in providing that access).

When Council notifies an applicant of a decision to provide access to information, the applicant will also be notified of any processing charges that will apply and how they have been calculated. Under section 64(4) access to the information may be made conditional on the payment of the processing charge.

A processing charge must not be discounted under section 65 or 66 by more than 50% even if both sections apply

Advance Deposit

An applicant may be asked to pay an advance deposit of up to 50 per cent of the estimated processing charge. Under section 68 of the GIPA Act, the notice requiring an advance deposit must:

- include a statement of the processing charges for work already undertaken by the agency in dealing with the application, and
- include a statement of the estimated processing charges for work that will need to be undertaken by the agency in dealing with the application, and
- specify a date by which the advance deposit must be paid (being a date at least four weeks after the date the notice is given), and
- include a statement that if the advance deposit is not paid by the due date, Council may refuse to deal further with the application and that this will result in any application fee and advance deposit already paid being forfeited.

Council can extend the date for payment of an advance deposit and is required to give the applicant notice of any extension and indicating the new date by which the advance deposit must be paid.

The applicant is entitled to a refund of any overpayment but is not entitled to have the deposit refunded if the application is withdrawn.

The period within which an agency must decide an application stops running when the decision to require an advance deposit is made. The time starts running again when the deposit is paid

Please note, an application will be invalid if it seeks access to excluded information of Council or does not meet the requirements for a Formal 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 \$30.00 fee; and
- Provide sufficient detail to enable Council to identify the information requested.

An appropriate form that may be used is located on Council's website.

Formal Access applications are a last resort as Council will endeavour to make its information available through the other three (3) alternatives.

4.4.1 Rights of Review and Appeal

Where an applicant is refused access under a formal application, reasons for refusal will be provided in writing.

An applicant who has been refused access by Council to information requested under a formal request for access to information under the GIPA Act has three options of review available.

1. Applicants can apply to Council for an internal review.
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2. If an applicant is not satisfied with the internal review, or does not want one, they can ask for a review by the Information Commissioner.
3. If an applicant is not satisfied with the decision of the Information Commissioner or the internal reviewer or if they do not want to take these options, they can apply to the NSW Civil and Administrative Tribunal (NCAT).

Type of review	Days to request a review from when you were given the decision	Is there a fee involved?
Internal review by Council (by someone more senior than the original decision maker if possible)	20 working days	Yes - \$40*
Review by NSW Information Commissioner	40 working days	No
NCAT	20 working days from review by Information Commissioner;	Yes
	40 working days from review by agency	See the NCAT website for more information

*No fee applies for an internal review if the decision is a 'deemed refusal' because Council did not process your application in time, or the internal review is conducted because the Information Commissioner has recommended Council to reconsider its decision.

It is noted that there are no rights of review in respect of informal applications, but the applicant may make a formal application at any time.

4.4.2 What decisions can be reviewed?

You have the right to request a review of certain decisions made by Council about the release of information under the GIPA Act:

1. a decision that an application is not a valid access application;
2. a decision to transfer an access application to another agency, as an agency-initiated transfer;
3. a decision to refuse to deal with an access application (including such a decision that is deemed to have been made);
4. a decision to provide access or to refuse to provide access to information in response to an access application;
5. a decision that government information is not held by the agency;
6. a decision that information applied for is already available to the applicant;
7. a decision to refuse to confirm or deny that information is held by the agency;
8. a decision to defer the provision of access to information in response to an access application;

9. a decision to provide access to information in a particular way in response to an access application (or a decision not to provide access in the way requested by the applicant);
10. a decision to impose a processing charge or to require an advance deposit
11. a decision to refuse a reduction in a processing charge;
12. a decision to refuse to deal further with an access application because an applicant has failed to pay an advance deposit within the time required for payment; or
13. a decision to include information in a disclosure log despite an objection by the authorised objector (or a decision that the authorised objector was not entitled to object).

Further information may be located at [Fact Sheet - Your review rights under the GIPA Act \(nsw.gov.au\)](https://www.nsw.gov.au/fact-sheet-your-review-rights-under-the-gipa-act)

4.5 Copyright

Nothing in the regulations requires or permits Council to make open access information available in any way that would constitute an infringement of copyright (Section 6.6 GIPA Act).

Access to copyright documents will be granted by way of inspection only if 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. These documents include Plans/Drawings, consultant reports, Statements of Environmental Effects and other miscellaneous reports submitted with a DA (please note that this list is not definitive).

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 8:30am and 4:30pm, Monday to Friday (except public holidays). For further enquiries about any document, a Customer Services Officer should be contacted. If you experience any difficulty in obtaining documents or information, you should contact the Public Officer.

4.6 Public Officer (Right to Information officer)

The Manager of Governance, Risk and Corporate Planning has been appointed as the Public Officer by the General Manager. Amongst other duties, the Public 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 of the Council. The Public Officer is also Council's Right to Information Officer and, as such, is responsible for determining applications for access to documents or for the amendment of records.

Council has in place a Privacy Management Plan for dealing with private or personal information.

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. Enquiries should be addressed as follows:

Attention: Public Officer
Glen Innes Severn Council
PO Box 61
GLEN INNES NSW 2370
Telephone: 02 6730 2300
Email: council@gisc.nsw.gov.au

Office: 265 Grey Street, GLEN INNES NSW 2370

4.7 Role of the Information Commissioner

Council must notify the Information Commissioner before adopting or amending this AIG, and if requested to do so by the Information Commissioner, consult with the Information Commissioner on the proposed AIG or amendment.

Anyone can complain to the Information Commissioner about the conduct (including action or inaction) of Council in the exercise of functions under an Information Act, including conduct that is alleged by the person to constitute a contravention of an Information Act.

A complaint may be made in one of the following ways:

- post: GPO Box 7011, Sydney NSW 2001
- email: ipcinfo@ipc.nsw.gov.au
- in person: Level 15, McKell Building, 2-24 Rawson Place, Haymarket NSW 2000

The Information Commissioner may decide to investigate, not to continue to investigate, or not investigate a complaint.

5 Our Corporate Vision – Mission - Values

Slogan	<i>“Embracing change, building on history”</i>
Vision	A prosperous connected community that nurtures its people and places.
Mission	To be a ‘can do’ Council, that is, a Council that is proactive and prioritises affordable and relevant service delivery for its community.
Values	Respect, Integrity, Courage, Honesty and Transparency.

5.1 Strategic Priorities

In addition to serving the community through the delivery of its various operational activities, and fulfilling its compliance and statutory obligations, Glen Innes Severn Council has identified the following **Strategic Objectives**:

1. **An Attractive Quality of Life** - that is enhanced by cultural expression, an active inclusive community, with accessibility to the best possible services and facilities in a high country climate.
2. **A Prosperous Local Economy** - that is encouraged and supported by sustainable investment opportunities, in a diversified business environment with accessibility to a trained and willing labour market.
3. **Fit for Purpose Public Infrastructure** - that is designed, constructed and appropriately maintained, to keep our community and visitors, connected, safe and able to access the amenities and services they require.
4. **An Appealing Sense of Place** - that is protected and preserved, so that our authentic natural and built assets are showcased and enhanced for the enjoyment of all and enriched by new developments.
5. **Recognised for Local Leadership** - that upholds its values and responsibilities, is focused on the community through the custodianship of its assets and empowerment of its employees, to deliver the best value services and projects in partnership with others and within the means of Council.

These strategic objectives are discussed in more detail within the Community Strategic Plan 2022-2032 along with the corresponding goals and the Integrated Planning and Reporting Framework.

5.2 Strategic Financial Objectives

1. To maintain a realistic and achievable budgeted cash surplus each financial year to maintain an unrestricted current ratio of at least 2:1; thereby ensuring access to adequate working funds on a continual basis.
 2. To ensure that a realistic and reasonable percentage of Council's rates revenue is expended on roads infrastructure.
 3. To maintain sufficient funds to meet known financial commitments beyond the current financial year, and to renew or acquire new capital infrastructure assets in line with Council's Asset Management Plans for its various infrastructure assets.
 4. To continually assess all expenditure to ensure consistency with Council's newly developed and adopted strategic objectives.
 5. To continually review all operating expenditure and improve efficiency in service delivery where possible.
 6. To concentrate expenditure upon capital renewal, rather than creating new assets, as this will increase Council's maintenance budget into the future.
 7. To reduce Council-owned assets which do not align with Council's adopted strategic objectives and place an unnecessary ongoing maintenance burden on Council and the community.
 8. To implement user-pay principles on service provision and assets, excluding known and Council-approved community service obligations.
 9. To maximise returns on Council's investments, without increasing Council's investment risk above acceptable levels.
 10. To attract and maximise government grants and subsidies as external funding sources for Council services.
 11. To extend and augment Council's own source revenue stream through business opportunities that align with Council's core business.
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6 Information Services

6.1 Types of Information held by Council

Glen Innes Severn Council holds information which relate to several varying issues. This information can be grouped into five (5) categories:

- Policy documents;
- General information;
- Registers;
- Guidelines plans, reports and other information;
- Files.

Council's website has links to a significant amount of information which the public can view and download copies of the documents.

The public seeking a copy of or requesting to view information described below that is not on the website should contact Council's Right to Information Officer.

6.1.1 Policy Documents

Council is required by legislation to have certain policies, such as Code of Conduct and Code of Meeting Practice. To function effectively and in accordance with legislation, Council has also adopted a considerable number of local policies.

All these policies are reviewed at least every four (4) years and amended or deleted as required. Any changes to strategic policies must be adopted by Council.

[The policies are available on Council's website](#) as prescribed by section 18(c) of the GIPA Act.

6.1.2 General Information

Any other information held by Council **not** described in the sections below and **not** on the Council website, would require the lodgement in the initial instance of an informal access application with Council's Right to Information Officer:

- [Agendas and business papers for Council and Committee Meetings \(but not including business papers for matters considered when a meeting is closed to the public\);](#)
 - [Annual Report;](#)
 - [Annual Financial Reports;](#)
 - [Asset Management Strategy;](#)
 - [Auditor's Report;](#)
 - [Cemetery Register;](#)
 - [Code of Conduct;](#)
 - [Code of Meeting Practice;](#)
 - [Community Strategic Plan;](#)
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- [Cultural Plan;](#)
- [Delivery Program;](#)
- *Delegations Manual;*
- [EEO Management Plan;](#)
- *Environmental Planning Instruments, development control plans made under Section 94AB of the Environmental Planning and Assessment Act 1979 applying to land within the Council's area;*
- *Glen Innes Severn Land Use Strategy;*
- *Leases and licenses for use of public land classified as community land;*
- *Local Environmental Plan;*
- [Minutes of Council and Committee Meetings, but restricted to the recommendations of the meeting \(in the case of any part of a meeting that is closed to the public\);](#)
- [Operational Plan;](#)
- *Plans of land proposed to be compulsorily acquired by Council;*
- [Plans of management for community land;](#)
- [Policy concerning the payment of expenses incurred by, and the provision of facilities to Councillors;](#)
- *Records of building certificates;*
- [Register of Council's Plans, Strategies and Other Public Documents;](#)
- [Register of Council's Policies;](#)
- [State of the Environment Report.](#)

6.1.3 Registers

Council is required by legislation to maintain the following Registers:

- Council Land;
- Delegations;
- Development Consent;
- Disclosure of Donations;
- Disclosure of Conflicts of Interests;
- Investments;
- Planning Committee; and
- Disclosure Returns of the Interests of Councillors, Designated Persons and Delegates.

The Registers must be made available to the public as part of Council's open access information. Where the Registers are not available on Council's website, they are available at Council's Administration Office for inspection through the Right to Information Officer and a copy can be either provided free of charge or at a reasonable cost for photocopying.

Guidelines, Plans, Reports and other documents

Council has a significant number of guidelines, plans and reports which are either available to the public to view and download from Council's website or through an informal access application to the Right to Information Officer. The information can be categorised as follows:

- Building Application Register and Plans (excluding floor plans);
- Codes / Policies Manuals;
- Community Service Publications;
- Development Application Register;
- Development Applications and Plans (excluding floor plans);
- Development Control Plans;
- Drainage Plans;
- Engineering Design Plans;
- Environmental Impact Statements;
- Flood Mitigation Reports;
- General technical reports on water supply and sewerage, planning design and operations;
- Guidelines for the Submission of Reports on Contaminated Land 1992;
- Lease Register;
- Local Environmental Plan Amendments;
- Maps of the Council area;
- Other planning policies;
- Quarterly Financial Reviews;
- Quarterly Performance Reporting;
- Road opening permits;
- Section 94 Contribution Plans and register;
- Sewer Plans;
- Subdivision Register;
- Tender Register;
- Traffic Volumes / data;
- Water Plans;
- Works Programs; and
- Zoning Information.

Files

The main types of files that are held by Council include:

- Development Application;
 - General;
 - Property;
 - Road; and
 - Subdivision.
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7 Right to Information

You may obtain further information regarding your right to access government information from the NSW Information and Privacy Commissioner:

- Go to: www.ipc.nsw.gov.au
 - Email: ipcinfo@ipc.nsw.gov.au
 - Mail: GPO Box 7011, Sydney, NSW, 2001
 - Visit: Level 15, McKell Building, 2-24 Rawson Place, Haymarket NSW 2000
 - Call: 1800 INFOCOM (1800 472 679) between 9am to 5pm, Monday to Friday (excluding public holidays).
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Appendix A

Document Control – Continued

VERSIONS:	DATE:	RESOLUTION NO:	DESCRIPTION OF AMENDMENTS:	AUTHOR / EDITOR:	REVIEW / SIGN OFF:
10	25/06/2020	18.06/20	Amendments due to elections being postponed, small changes to the organisational structure, added information about livestreaming Council meetings and a link to data.nsw.gov.au .	Personal Assistant - Director of Corporate and Community Services (PA-DCCS)	Council
9	27/06/2019	5.06/19	Amendments to organisational structure, further financial strategic objectives added, additions and extractions to the list of committees, and name changes for some committees.	PA-DCCS	Council
8	28/06/2018	11.06/18	Amendments are an inclusion of a detailed table outlining Council's functions and minor changes to the list of committees.	PA-DCCS	Council