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## **Guide:**

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Agency Information

2020

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<b>Related Policies</b>	Code of Conduct (D20/10650) Privacy Management Plan (D19/1593) Privacy Policy (D20/22519)
<b>Related Documents</b>	Information Access Guideline 6 – Agency Information Guides, NSW Information and Privacy Commission (November 2018)

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## 1 Overview

This Information Guide has been produced by Liverpool Plains Shire Council in accordance with section 20 of the *Government Information (Public Access) Act 2009* ("GIPA Act") and is reviewed annually.

The purpose of this Information Guide is to provide members of the public and staff of the organisation with information concerning:

- The structure and functions of Liverpool Plains Shire Council;
- The way in which the functions, including decision-making functions, of Liverpool Plains Shire Council affect the public;
- The avenues available to the public to participate in policy development and the exercise of Liverpool Plains Shire Council's functions;
- The kinds of information available from Liverpool Plains Shire Council and how this information is made available; and
- How members of the public and staff may access and seek amendment to records relating to their personal affairs if they are incomplete, incorrect, out of date, or misleading.

This Information Guide is available from Council's website at [www.lpsc.nsw.gov.au](http://www.lpsc.nsw.gov.au) or from Council's Administration and Customer Service Centre at 60 Station Street, Quirindi during business hours.

## 2 Local Government Principles

Section 8 of the *Local Government Act 1993* (“the Local Government Act”) comprises a series of a principles that provide guidance to councils in carrying out their functions in a way that facilitates local communities that are strong, healthy and prosperous.

### 2.1 Guiding Principles for Exercise of Functions

The following general principles apply to the exercise of functions by councils:

- (a) Councils should provide strong and effective representation, leadership, planning and decision-making.
- (b) Councils should carry out functions in a way that provides the best possible value for residents and ratepayers.
- (c) Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- (d) Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- (e) Councils should work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- (f) Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
- (g) Councils should work with others to secure appropriate services for local community needs.
- (h) Councils should act fairly, ethically and without bias in the interests of the local community.
- (i) Councils should be responsible employers and provide a consultative and supportive working environment for staff.

### 2.2 Guiding Principles for Decision-Making

The following principles apply to decision-making by councils (subject to any other applicable law):

- (a) Councils should recognise diverse local community needs and interests.
- (b) Councils should consider social justice principles.
- (c) Councils should consider the long term and cumulative effects of actions on future generations.
- (d) Councils should consider the principles of ecologically sustainable development.
- (e) Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

### 2.3 Guiding Principles for Community Participation

Councils should actively engage with their local communities, through the use of the Integrated Planning and Reporting Framework and other measures.

## **2.4 Principles of Sound Financial Management**

The following principles of sound financial management apply to councils:

- (a) Council spending should be responsible and sustainable, aligning general revenue and expenses.
- (b) Councils should invest in responsible and sustainable infrastructure for the benefit of the local community.
- (c) Councils should have effective financial and asset management, including sound policies and processes for the following:
  - i. performance management and reporting,
  - ii. asset maintenance and enhancement,
  - iii. funding decisions,
  - iv. risk management practices.
- (d) Councils should have regard to achieving intergenerational equity, including ensuring the following:
  - i. policy decisions are made after considering their financial effects on future generations,
  - ii. the current generation funds the cost of its services.

## **2.5 Integrated Planning and Reporting Principles that apply to Councils**

The following principles for strategic planning apply to the development of the integrated planning and reporting framework by councils:

- (a) Councils should identify and prioritise key local community needs and aspirations and consider regional priorities.
- (b) Councils should identify strategic goals to meet those needs and aspirations.
- (c) Councils should develop activities, and prioritise actions, to work towards the strategic goals.
- (d) Councils should ensure that the strategic goals and activities to work towards them may be achieved within council resources.
- (e) Councils should regularly review and evaluate progress towards achieving strategic goals.
- (f) Councils should maintain an integrated approach to planning, delivering, monitoring and reporting on strategic goals.
- (g) Councils should collaborate with others to maximise achievement of strategic goals.
- (h) Councils should manage risks to the local community or area or to the council effectively and proactively.
- (i) Councils should make appropriate evidence-based adaptations to meet changing needs and circumstances.

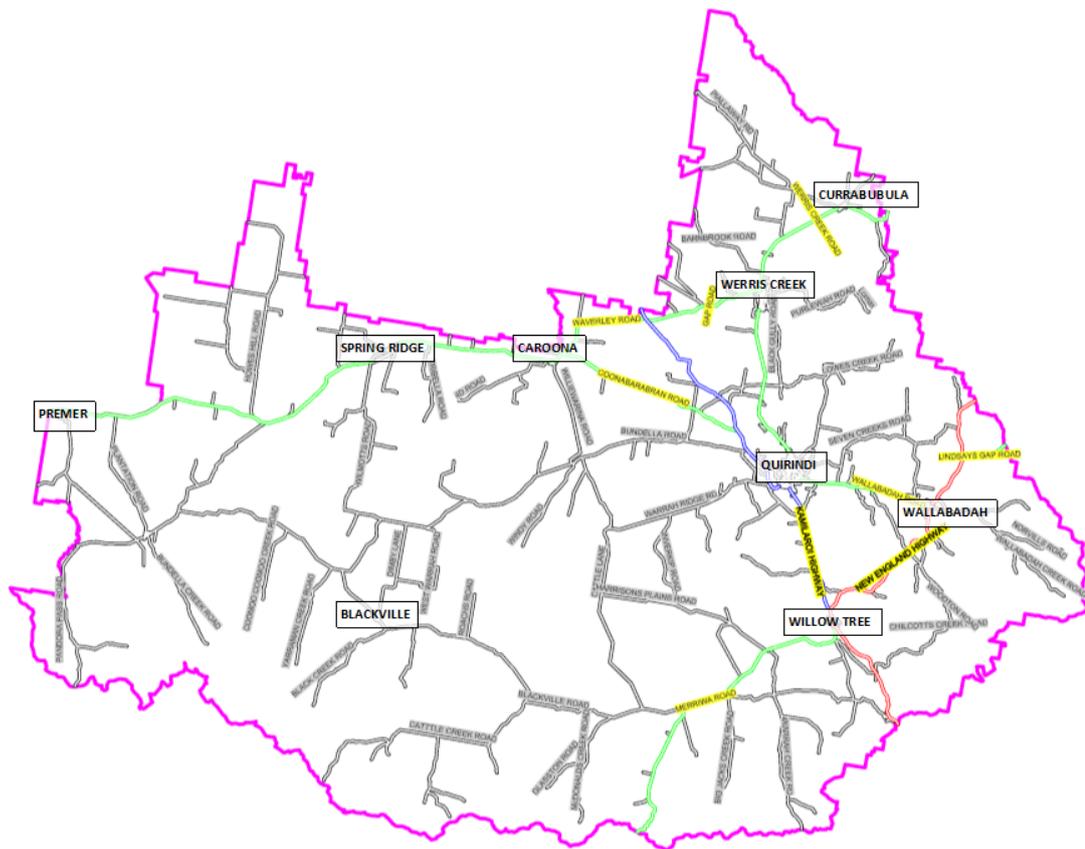
### 3 About Liverpool Plains Shire Council

Liverpool Plains Shire Council is constituted under the Local Government Act 1993 and was proclaimed on 17 March 2004, following the merger of the former Quirindi Shire with parts of the former Gunnedah Shire, Murrurundi Shire and Parry Shire.

Liverpool Plains Shire Council is a large and diverse organisation, employing 114 full-time equivalent employees and delivering a wide range of services across the local government area.

Located in the New England North West region of New South Wales, the Liverpool Plains Shire local government area covers 5,086 square kilometres and is home to a population of approximately 7,870 permanent residents.

The population centres of Quirindi and Werris Creek are located at the heart of the Shire and are supported by several smaller villages and hamlets including Blackville, Caroona, Currabubula, Pine Ridge, Premer, Spring Ridge, Wallabadah and Willow Tree.



## 4 Council's Structure

Liverpool Plains Shire Council is governed by a body of seven (7) Councillors who are elected every four (4) years. The Mayor is elected every two (2) years by the Councillors from among their number.

Council's current governing body was elected at the 2016 NSW Local Government elections, which were conducted by the NSW Electoral Commission. The next elections are scheduled to be held on Saturday, 04 September 2021.

### 4.1 Role of the Governing Body

Together, the Mayor and Councillors comprise the governing body of Council. Section 223 of the Local Government Act prescribes the collective role of Council's governing body as follows:

- To direct and control the affairs of the Council in accordance with the Local Government Act
- To provide effective civic leadership to the local community;
- To ensure as far as possible the financial sustainability of the Council;
- To ensure as far as possible that the Council acts in accordance with the principles for local government (as described above) and the plans, programs, strategies and policies of the Council;
- To develop and endorse the Community Strategic Plan, Delivery Program and other strategic plans, programs, strategies and policies of the Council;
- To determine and adopt a rating and revenue policy and operational plans that support the optimal allocation of the Council's resources to implement the strategic plans (including the Community Strategic Plan) of the Council and for the benefit of the local area;
- To keep under review the performance of the Council, including service delivery.
- To make decisions necessary for the proper exercise of the Council's regulatory functions;
- To determine the process for appointment of the general manager by the council and to monitor the General Manager's performance;
- To determine the senior staff positions within the organisation structure of the Council;
- To consult regularly with community organisations and other key stakeholders and keep them informed of the Council's decisions and activities, and
- To be responsible for ensuring that the Council acts honestly, efficiently and appropriately.

## 4.2 Role of the Councillors

Section 232 of the Local Government Act prescribes the role of individual Councillors as follows:

- To be an active and contributing member of the governing body;
- 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.

## 4.3 Role of the Mayor

Section 226 of the Local Government Act confers the following additional responsibilities upon the Mayor:

- Be the leader of the Council and a leader in the local community;
- Advance community cohesion and promote civic awareness;
- Be the principal member and spokesperson of the governing body, including representing the views of the Council as to its local priorities;
- Exercise, in cases of necessity, the policymaking functions of the governing body of the council between meetings of the Council;
- Preside at meetings of the Council;
- Ensure that meetings of the Council are conducted efficiently, effectively and in accordance with the Local Government Act;
- Ensure the timely development and adoption of the strategic plans, programs and policies of the Council;
- Promote the effective and consistent implementation of the strategic plans, programs and policies of the Council;
- Promote partnerships between the Council and key stakeholders;
- Advise, consult with and provide strategic direction to the General Manager in relation to the implementation of the strategic plans and policies of the Council;
- In conjunction with the General Manager, ensure adequate opportunities and mechanisms for engagement between the Council and the local community;
- Carry out the civic and ceremonial functions of the mayoral office;
- Represent the 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
- Exercise any other functions of the Council that the Council determines.

#### **4.4 Role of the General Manager**

The General Manager is responsible for the efficient and effective operation of Liverpool Plains Shire Council and for implementing, without undue delay, decisions of the Council.

As the most senior employee of Council, the General Manager is the only member of staff selected and appointed by Councillors. The General Manager is appointed on a renewable, fixed-term, performance-based contract for a maximum period of five (5) years.

Section 335 of the Local Government Act confers the following functions on the General Manager:

- To conduct the day-to-day management of the Council in accordance with the strategic plans, programs, strategies and policies of the Council;
- To implement, without undue delay, lawful decisions of the Council;
- To advise the Mayor and the governing body on the development and implementation of the strategic plans, programs, strategies and policies of the 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 the Council and other matters related to the Council;
- To prepare, in consultation with the Mayor and the governing body, the 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 the Council that are delegated by the Council to the General Manager;
- To appoint staff in accordance with the organisation structure determined and the resources approved by the Council;
- To direct and dismiss staff;
- To implement the Council's Workforce Management Strategy; and
- Any other functions that are conferred or imposed on the General Manager by or under the Local Government Act or any other Act.

#### **4.5 Organisation Structure**

To ensure the efficient and effective operation of Liverpool Plains Shire Council and assist the General Manager in exercising her functions under the Local Government Act, Council's organisation structure consists of five departments:

- Corporate Services
- Engineering Services
- Environmental and Economic Development Services
- Finance; and
- People and Culture.

Two departments are headed by a Director, with the remaining three departments headed by an Executive Manager.

<p><b>Corporate Services</b></p>	<p>Functional responsibilities include:</p> <ul style="list-style-type: none"> <li>• Access to Information</li> <li>• Complaint Management</li> <li>• Enterprise Risk Management</li> <li>• Governance</li> <li>• Information Communications and Technology (ICT)</li> <li>• Insurance Portfolio</li> <li>• Integrated Planning and Reporting (IP&amp;R)</li> <li>• Internal Audit</li> <li>• Leases and Licences</li> <li>• Legal Services</li> <li>• Privacy Management</li> <li>• Records Management</li> </ul>
<p><b>Engineering Services</b></p>	<p>Functional responsibilities include:</p> <ul style="list-style-type: none"> <li>• Aerodrome</li> <li>• Asset Management and Reporting</li> <li>• Cemeteries</li> <li>• Depot and Store</li> <li>• Kerb and Guttering</li> <li>• Parks, Reserves and Playgrounds</li> <li>• Pedestrian Pathways and Cycleways</li> <li>• Plant and Fleet</li> <li>• Public Water Supply</li> <li>• Quarries</li> <li>• Road Construction and Maintenance</li> <li>• Sewage Collection and Treatment</li> <li>• Storm Water Management</li> <li>• Street Lighting</li> <li>• Traffic Facilities and Road Safety</li> <li>• Waste Management</li> <li>• Workshop</li> </ul>
<p><b>Environmental and Economic Development Services</b></p>	<p>Functional responsibilities include:</p> <ul style="list-style-type: none"> <li>• Biosecurity</li> <li>• Building Approval</li> <li>• Community Advisory Committees</li> <li>• Community Home Support Services</li> <li>• Community Events</li> <li>• Compliance</li> <li>• Customer Service and Service NSW</li> <li>• Disability Inclusion Action Planning</li> <li>• Eastside Child Care Centre</li> <li>• Economic Development</li> <li>• Emergency Management</li> <li>• Food Safety</li> <li>• Library Services</li> <li>• Plains Fitness and Swimming Pools</li> <li>• Ranger Services and Companion Animals</li> <li>• Media Relations</li> </ul>

	<ul style="list-style-type: none"> <li>• Natural Resource Management</li> <li>• Town Planning and Development Assessment</li> <li>• Tourism and Visitor Services</li> </ul>
<p><b>Finance</b></p>	<p>Functional responsibilities include:</p> <ul style="list-style-type: none"> <li>• Budget Management and Reporting</li> <li>• Creditors and Debtors</li> <li>• External Audit</li> <li>• Fees and Charges</li> <li>• Investments</li> <li>• Long-Term Financial Planning</li> <li>• Payroll</li> <li>• Procurement</li> <li>• Rates and Revenue</li> </ul>
<p><b>People and Culture</b></p>	<p>Functional responsibilities include:</p> <ul style="list-style-type: none"> <li>• Employee/Industrial Relations</li> <li>• Learning and Development</li> <li>• Recruitment</li> <li>• Work Health and Safety(WHS)</li> <li>• WHS Committee</li> <li>• Workforce Development Planning</li> </ul>

## 5 Council's Functions

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

<b>Service functions</b>	<p>Including:</p> <ul style="list-style-type: none"> <li>• Providing community health, recreation, education and information services</li> <li>• Environmental protection</li> <li>• Waste removal and disposal</li> <li>• Land and property, industry and tourism development assistance</li> <li>• Civil infrastructure planning</li> <li>• Civil infrastructure maintenance and construction</li> </ul>
<b>Regulatory functions</b>	<p>Including:</p> <ul style="list-style-type: none"> <li>• Approvals</li> <li>• Orders</li> <li>• Building certificates</li> </ul>
<b>Ancillary functions</b>	<p>Including:</p> <ul style="list-style-type: none"> <li>• Resumption of land</li> <li>• Powers of entry and inspection</li> </ul>
<b>Revenue functions</b>	<p>Including:</p> <ul style="list-style-type: none"> <li>• Rates</li> <li>• Fees and Charges</li> <li>• Borrowings</li> <li>• Investments</li> </ul>
<b>Administrative functions</b>	<p>Including:</p> <ul style="list-style-type: none"> <li>• Employment of staff</li> <li>• Community and corporate planning</li> <li>• Financial reporting</li> <li>• Annual reporting</li> </ul>
<b>Enforcement functions</b>	<p>Including:</p> <ul style="list-style-type: none"> <li>• Proceedings for breaches of the Local Government Act and other legislation</li> <li>• Prosecution of offences</li> <li>• Recovery of rates and charges</li> </ul>

While Council's functions are prescribed primarily by the Local Government Act, Council also has responsibilities under other legislation, including:

- *Anti-Discrimination Act 1977;*
- *Community Land Development Act 1989;*
- *Community Services (Complaints, Review & Monitoring) Act 1993;*
- *Companion Animals Act 1998;*
- *Disability Services Act 1993;*
- *Environmental Planning & Assessment Act 1979;*
- *Equal Employment Opportunity (EEO) Act 1987;*
- *Fines Act 1996;*
- *Food Act 2003;*
- *Government Information (Public Access) Act 2009;*
- *Graffiti Control Act 2008;*
- *Heritage Act 1977;*
- *Home Care Services Act 1988;*
- *Impounding Act 1993;*
- *Independent Commission Against Corruption Act 1998;*
- *Library Act 1939;*
- *Noxious Weeds Act 1993;*
- *Ombudsman Act 1974*
- *Police (Special Provisions) Act 1901;*
- *Protection of the Environment Operations Act 1997;*
- *Privacy and Personal Information Protection Act 1998;*
- *Public Finance and Audit Act*
- *Public Health Act 1991;*
- *Public Interest Disclosure Act 1994*
- *Recreation Vehicles Act 1983;*
- *Roads Act 1993 & Road General Regulation 2000;*
- *State Emergency and Rescue Management Act 1989;*
- *State Emergency Service Act 1989;*
- *Strata Schemes (Freehold Development) Act 1973;*
- *Swimming Pools Act 1992;* and
- *Unclaimed Money Act 1995.*

Council also has certain reporting responsibilities to the Office of Local Government (OLG). The OLG has the role of monitoring all councils' compliance with various legislative requirements and sector best practice.

## 6 Impact of Council's functions on the public

As a service organisation, most of Liverpool Plains Shire Council's activities have an impact on the public. The following is an outline of how the broad functions of Council affect the community:

- **Service functions** affect the public as Council provides services and facilities to the public. These include provision of human services such as Meals on Wheels, childcare services, libraries, halls and community centres, recreation facilities, infrastructure and waste services.
- **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 community. 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 Strategic Plan;
  - Providing support to community and sporting organisations through provision of grants, training, information and access to facilities; and
  - Facilitating opportunities for people to participate in the life of the community through the conduct of a range of community events such as Australia Day celebrations, NAIDOC Week, Youth Week, Seniors Festival, art and cultural activities, as well as promoting events of others.

## 7 Public participation in Local Government

Liverpool Plains Shire Council offers several methods for members of the public to participate in the formulation of Council's policies and implementation of its functions.

### 7.1 Representation

Local government in Australia is based on the principle of representative democracy, meaning that citizens elect representatives to their local council to make decisions on their behalf. In New South Wales, elections are ordinarily held every four years. The next Local Government elections are scheduled to be held in September 2021.

At each election, voters elect seven Councillors. All residents of the area who are on the electoral roll are eligible to vote. Property owners who live outside of the Liverpool Plains Shire local government area and rate-paying lessees can also vote, but must register their intention to vote on the non-residential roll. Voting is compulsory.

Residents can raise issues with, and make representations to, the elected Councillors. Councillors, if they agree with the issue or representation, may pursue the matter on the resident's behalf. Councillors' contact details are available online from Council's website at [www.lpsc.nsw.gov.au](http://www.lpsc.nsw.gov.au) and can be obtained from Council's Administration Centre at 60 Station Street, Quirindi.

### 7.2 Council meetings

Ordinary Meetings of Liverpool Plains Shire Council are held each month, generally on the fourth Wednesday on the month commencing at 2.30pm, with Extraordinary Meetings held as and when required. A meeting schedule can be accessed from Council's website at [www.lpsc.nsw.gov.au](http://www.lpsc.nsw.gov.au).

Meetings are held at the Council Chambers, located at 60 Station Street, Quirindi, and are open to members of the public and press.

Business papers are made available to the public four working days preceding the meeting and can be accessed online from Council's website at [www.lpsc.nsw.gov.au](http://www.lpsc.nsw.gov.au) or in person from Council's Administration Centre at 60 Station Street, Quirindi.

### 7.3 Public forums

Prior to its Ordinary Meetings, Council conducts a public forum during which members of the public may, at the discretion of the Council in each case, be permitted to address the Councillors on any issue listed on the agenda for that meeting. Members of the public wishing to speak at a public forum must complete and submit the approved form prior to 12.00 Midday the day prior to the meeting.

### 7.4 Community consultations

When delivering a project or developing a strategy, policy or plan, Council may undertake community consultation to gather community input and seek feedback from members of the public. In carrying out community consultations, Council may employ a variety of consultation tools, such as public forums, stakeholder workshops, community surveys and targeted engagements with certain sectors of the community. Community consultations are promoted on Council's website at [www.lpsc.nsw.gov.au](http://www.lpsc.nsw.gov.au) and social media accounts.

## **7.5 Public submissions**

Prior to adoption, all strategies, policies and plans of Liverpool Plains Shire Council are placed on public exhibition in draft form so that interested members of the public may view them and provide feedback should they wish to.

Documents on public exhibition are made available from Council's website at [www.lpsc.nsw.gov.au](http://www.lpsc.nsw.gov.au) and can be inspected in person at Council's Administration Centre at 60 Station Street, Quirindi.

Submissions must be made in writing, addressed to the General Manager, and returned to Council by the specified closing date.

## **7.6 Council committees**

Council operates a range of specific purpose committees, some of which include external members and committee representatives in their membership. Vacancies on Council committees are publicised on Council's website at [www.lpsc.nsw.gov.au](http://www.lpsc.nsw.gov.au) when they arise.

## **7.7 Feedback and complaints**

Council welcomes constructive feedback about the exercise of its functions and its delivery of services to the community. Feedback and complaints can be provided verbally or in writing.

## 8 Council information

Liverpool Plains Shire Council holds information, contained in both hard copy and electronic format, which can be grouped into four categories:

1. Electronic documents;
2. Physical files;
3. Policy documents; and
4. General documents.

### Electronic Documents

Council implemented an electronic records management system in 2007 but still maintains certain physical hard copy files which includes general subject files, development and building files, and property files as well as street and park files. Archived paper-based Development files are gradually being scanned into Council's electronic records system.

### Physical Files

Prior to 2007, Council maintained a "hard copy" filing system, with material being held in physical, paper-based files. Archived hard copy files are maintained in storage, mainly consisting of development, building or construction information.

These records will not be transferred to electronic form and will not be published to Council's website, however information from these files may be made available either by informal release or via an access application, unless there is an overriding public interest against disclosure of the information, in accordance with the provisions of the *Government Information (Public Access) Act 2009* ("GIPA Act").

### Policy Documents

Council has a register of policy documents which is available online from Council's website at [www.lpsc.nsw.gov.au](http://www.lpsc.nsw.gov.au)

### General Documents

The following list of general documents held by Council has been divided into four sections as outlined in Clause 3 and Schedule 1 of the GIPA Act:

- (a) Information about Council;
- (b) Plans and Policies;
- (c) Information about Development Applications; and
- (d) Approvals, Orders and Other Documents.

Under the GIPA Act, these documents are considered Open Access Information. In accordance with Council's legislative responsibilities, these documents held by Council are made publicly available for inspection on Council's website at [www.lpsc.nsw.gov.au](http://www.lpsc.nsw.gov.au) or in person at Council's Administration Centre at 60 Station Street, Quirindi. Any current or previous documents of this type may be inspected by the public free of charge.

Copies can be supplied, where copyright provisions do not apply, for reasonable copying charges, in accordance with Council's adopted Fees and Charges.

## **8.1 Open Access Information**

Under the GIPA Act, the following documents or categories of documents are designated as open access information and are available for public access, free of charge:

### **Information about Council**

- Annual Reports;
- Annual financial reports;
- Auditor's report;
- Council Code of Conduct;
- Community Strategic Plan;
- Council's Land Register;
- Customer requests for service and complaints;
- Committee Terms of Reference, Reports, Agendas and Minutes;
- Community Directories;
- Equal Employment Opportunity (EEO) management plan;
- Financial Management Records;
- Register of investments;
- Register of delegations;
- Register of graffiti removal work (in accordance with s13 of the Graffiti Control Act 2008);
- Register of Councillor voting on planning matters (in accordance with s375A of the Local Government Act 1993); and
- Rates Management Information.

### **Plans and Policies**

- Council Policies;
- Plans of Management for Community Land; and
- Environmental Planning Instruments, Development Control Plans and Contribution Plans.

### **Information about Development Applications**

Development Applications and any associated documents received in relation to a proposed development, including:

- Home Warranty Insurance documents;
- Construction Certificates;
- Occupation Certificates;
- Structural Certification documents;
- Town Planner Reports;
- Submissions received on Development Applications;
- Heritage Consultant reports;
- Tree Inspections Consultant reports;
- Acoustic Consultant reports;
- Land Contamination Consultant reports;

- Records of decisions on Development Applications including decisions on appeals; and
- Records describing general nature of documents that Council decides to exclude from public view including internal specifications and configurations of residential buildings and commercially sensitive information.

### **Approvals, Orders and Other Documents**

- Applications for approvals under Part 7 of the Local Government Act;
- Applications for approvals under any other Act and any associated documents received;
- Records of approvals granted or refused, variation from Council Policies with reasons for variation, and decisions made on appeals concerning approvals;
- Orders given under Part 2 of Chapter 7 of the Local Government Act, and any reasons given under section 136 of the Local Government Act;
- Orders given under the authority of any other Act;
- Records of Building Certificates under the *Environmental Planning and Assessment Act 1979*; and
- Compulsory Acquisition notices.

### **8.2 Authorised proactive release**

Additionally, Council will make as much other information as possible publicly available in an appropriate manner, including on its website. The information will be available free of charge or at the lowest recoverable cost. It includes frequently requested information or information of public interest that has been released as a result of other requests.

### **8.3 Informal release**

Access to information which is not available as Mandatory Release or Authorised Proactive Release information may be provided through Informal Release. In this regard, applications should be made to Council by submitting the appropriate 'Informal Access to Information' application form. Council will endeavour to release information in response to such a request, subject to any reasonable conditions as Council deems fit to impose.

Any requests for information which are not classified as Open Access Information will be determined in accordance with the public interest test on a case by case basis

**Note:** Copyright law applies to most plans and reports. Consistent with section 36 of the *Copyright Act 1969*, Council cannot reproduce copies of these documents without written permission of the person or company that created them. If possible, Council will attempt to supply details of copyright owners of plans and reports to assist an applicant to obtain the necessary copyright permission. Council will continue to allow "view only" access for the purposes of the GIPA Act (unless the copyright owner has authorised other uses).

### **8.4 Formal access applications**

Notwithstanding the lodgement of an informal application, Council may require a formal access application to be submitted where the information sought:

- Is of a sensitive nature that requires careful weighing of the considerations in favour of and against disclosure; or

- Contains personal or confidential information about a third party that requires consultation; or
- Would involve an unreasonable amount of time and resources to produce.

To make a formal request for access to information a 'Formal Access Information' application form should be completed. In accordance with the GIPA Act, an application fee of \$30.00 is payable, and additional processing charges may be applicable. An acknowledgement of such application will be provided by Council within five working days.

### **8.5 Other matters**

Any fees for photocopies of documents provided under the GIPA Act are listed in Council's adopted Schedule of Fees and Charges.

Copies of documents provided are given for information purposes only and are provided by Council to meet its requirements under relevant legislation. Copyright laws still apply to each document. The copyright owner's consent is required if any part of a copyright document is used for any other purpose.

Where information is released to an applicant under a formal access application and Council considers that it will be of interest to other members of the public, Council will provide details of the information in its disclosure log for inspection by the public.

## 9 Personal information

Liverpool Plains Shire Council collects, stores and uses a broad range of information. A significant part of that information is personal information. Council is required to comply with the Information Privacy Principles in the *Privacy and Personal Information Protection Act 1998* ("PIIP Act"), which regulate the collection, storage, use and disclosure of personal information held by Council.

Any personal information you provide to us will be used for Council purposes, or a directly related purpose, unless you consent to another use or disclosure, in emergencies or as otherwise required or authorised by law.

The provision of information to Council is voluntary; no law requires you to provide any personal information to Council, however, failure to provide certain personal information to Council may inhibit our ability to provide you with the services you require.

Under the PIIP Act, you have the right to access your personal information held by Council, without excessive delay or expense. You also have the right to have your personal information corrected in certain circumstances (e.g. if it is inaccurate).

## 10 Further information

For further information about this Guide or accessing information held by Council, please contact Council's Right to Information Officer or Public Officer. For personal information and privacy-related matters, please contact Council's Privacy Contact Officer:

- **Email:** [lpsc@lpsc.nsw.gov.au](mailto:lpsc@lpsc.nsw.gov.au)
- **Phone:** (02) 6746 1755
- **Post:** PO Box 152, Quirindi NSW 2343
- **In Person:** 60 Station Street, Quirindi NSW 2343

### Right to Information Officer

The Corporate Strategy Coordinator and Records Officer are Council's Right to Information Officers. Amongst other duties, Council's Right to Information Officers are responsible for processing of requests for information and Formal Access Applications and assisting people to gain access to public documents of the Council.

### Public Officer

The Executive Manager Corporate Services is Council's designated Public Officer. Amongst other duties, the Public Officer may deal with requests from the public concerning the Council's affairs and is responsible for assisting people to gain access to public documents of the Council. The Public Officer is also responsible for determining Formal Access Applications and amending records.

### Privacy Contact Officer

The Executive Manager Corporate Services and Corporate Strategy Coordinator are Council's designated Privacy Contact Officer. Amongst other duties, the Privacy Contact Officers are responsible for acting as the first point-of-contact for members of the public for all matters related to privacy and personal information, including assessing complaints lodged under the PPIP Act.