

# Agency Information Guide

V3



<b>Title</b>	<b>Agency Information Guide</b>
<b>Summary</b>	<p>This document provides information and guidance for Council officials on their responsibilities in relation to the structure and functions of Inner West Council. Specifying on the way Council makes decisions that affect the public and how we will make government information publicly available.</p> <p>The Guide identifies arrangements that exist to enable the public to participate and the kinds of information that are, or will be, made available free of charge and those kinds for which a charge is, or will be, imposed.</p>
<b>Document Type</b>	Guideline
<b>Relevant Strategic Plan Objective</b>	Strategic Direction 5: Progressive responsive and effective civic leadership.
<b>Legislative Reference</b>	<ul style="list-style-type: none"> <li>• <i>Local Government Act 1993</i></li> <li>• <i>Government Information (Public Access) Act 2009</i></li> <li>• <i>Privacy &amp; Personal Information Protection Act 1998</i></li> <li>• <i>Environmental Planning and Assessment Act 1979</i></li> </ul>
<b>Related Council Documents</b>	<ul style="list-style-type: none"> <li>• International Association for Public Participation Framework</li> <li>• Complaints Management Policy</li> <li>• Privacy Management Plan</li> </ul>
<b>Version Control</b>	See last page

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# 1. Preface

Council's Information Guide is prescribed under section 20 of the Government Information (Public Access) Act 2009. This document's purpose is to provide information concerning:

- The structure and functions of Inner West Council
- Ways in which the functions of Inner West Council, including the decision-making functions, affect the public
- Specifying arrangements that exist to enable the public to participate in the formulation of Council policy and the exercise of our functions
- Identifying the kinds of government information held by Inner West Council
- Identifying the kinds of government information held by Inner West Council that we make publicly available
- Specifying the way Council makes, or will make, government information available
- The kinds of information that are, or will be, made available free of charge and those kinds for which a charge is, or will be, imposed.

# 2. Introduction

The objective of the [Government Information \(Public Access\) Act 2009](#) (GIPA Act) is to maintain and advance responsible and representative democratic Government that is open, accountable, fair, and effective. The aim of the Act is to encourage the release of government information; the Act also facilitates greater accessibility to government information for members of the public and provides the public with enforceable rights. We comply with the GIPA Act by providing a transparent and open process for the public to access our information. There is a right to access under the GIPA Act to certain documents held by us unless there is an overriding public interest against disclosure.

This Information Guide applies to all Inner West Council information. Government information is information in a record held by us or on behalf of us by a Council contractor or by the State Records Authority. A record can mean any document, record or source of information that is compiled, recorded, or stored in printed or electronic form.

We have provided, where appropriate, links to our records, documents, sources of further information and Council internet pages, as well as external sources.

## 3. About Inner West Council

### 3.1. Acknowledgement of local Aboriginal community

Inner West Council acknowledges the traditional Aboriginal owners of this land. We acknowledge this is a country of which the members and Elders of the local [Aboriginal Communities](#) have been custodians for many centuries, and on which these people have performed age - old ceremonies. We acknowledge their living culture and unique role in the life of this region. The traditional Aboriginal groups of the Inner West Council area are the Gadigal and Wangal peoples of the Eora Nation.

### 3.2. About us

Inner West Council was proclaimed on 12<sup>th</sup> May 2016; an amalgamation of 3 former local government authorities: Municipality of Ashfield; Leichhardt Municipal Council; and Marrickville Council. Inner West Council is constituted under the [Local Government Act 1993](#).

Local government in Australia is based on the principle of representative democracy. This means that the people elect representatives to their local Council to make decisions on their behalf. In New South Wales local government elections are normally held every 4 years and for all eligible residents of the local government authority voting is compulsory. Registered property owners who live outside of the area may also vote in local elections. Inner West Council is divided into 5 electoral districts called wards. The [5 electoral wards](#) are Djurrawunang (Ashfield), Balurdarri (Balmain), Gulgadya (Leichhardt), Midjuburi (Marrickville), and Damun (Stanmore). At each local election voters elect 3 Councillors from each ward, a total of 15 Councillors for the 4-year term.

Inner West Council consists of the suburbs of Annandale, Ashfield, Balmain (including Balmain East), Birchgrove, Dobroyd Point, Dulwich Hill, Enmore, Haberfield, Leichhardt, Lewisham, Lilyfield, Marrickville, Petersham, Rozelle, Stanmore, St Peters, Summer Hill, Sydenham, Tempe and parts of Ashbury, Camperdown, Croydon, Croydon Park, Hurlstone Park and Newtown.

We have a population of 183,772 residents (ABS,2021) and cover an area of approximately 36km<sup>2</sup> from the banks of the Parramatta River in the northeast to the Cooks River at Dulwich Hill in the southwest occupying the inner west of metropolitan Sydney. We are a vibrant cultural and creative community as well as an important business and economic contributor to the State.

Further information is available from our [Community Profile](#).

### 3.3. Our services

We, as a local government authority, provide a comprehensive range of services to the Community. These services are regularly reviewed with the Community to ensure the

right mix of services are being delivered by us and meet community expectations. Our services typically consist of, but are not limited to:

- Access and disability services
- Aquatic services including learn to swim, aquarobics
- Arts and cultural services such as artists in residence, arts and cultural grants, Chrissie Cotter Gallery, and public art
- Citizenship ceremonies
- Community events
- Council and Committee meetings
- Customer services in person and over the phone
- Cycling and road safety including planning cycle routes, planning
- Development approvals
- Economic development services for local businesses
- Environmental services including community nursery, education, grants and Green Living Centre
- Graffiti management
- Hall and community facilities hire
- History and local studies services
- Library services
- Local emergency management
- Pet registration and micro-chipping
- Planning and construction of major capital projects such as community buildings and facilities
- Planning and development controls, zoning and heritage and conservation
- Planning, construction and maintenance of roads, footpaths, and other infrastructure
- Provision and maintenance of parks, sports fields, playgrounds and dog off-leash areas
- Public access to information
- Recreation services including sports and aquatic facilities
- Regulatory services including inspections, investigations and permits for food safety, fire safety, building safety, parking regulations, pet regulations, noise pollution and footway licensing
- Removing unregistered and abandoned vehicles from local streets
- Services for older people including community transport, meals-on-wheels, home visits, social activities, and volunteering
- Services for young people, including Ashfield Youth Theatre, Youth Council, and events
- Social services such as community grants and affordable housing
- Stormwater management, and the monitoring and management of the Cooks River and local sub-catchments

- Sustainable transport and encouraging road safety
- Traffic and parking management
- Tree management, including looking after Council trees and tree approvals
- Waste services including regular household bin services, booked clean ups, chemical and e-waste disposal, skip bin permits and illegal dumping

### 3.4. Council's Guiding Principles

Section 8A of the Local Government Act 1993 sets out the key Guiding Principles that Council must follow. These enveloping principles provide the framework for sustaining Councils into the future and to ensure that the Community's aspirations are addressed. The legislation asserts general principles for the exercise of our functions; our decision making; and our community participation.

## 4. Organisational structure

### 4.1 Mayor and Councillors

The [Local Government Act 1993](#) provides that the eligible electors of the local government authority area elect [Councillors](#) to represent them on their local Council. From within their number the Councillors elect biennially a [Mayor](#) and Deputy Mayor as well as appoint members to Committees which deal with various matters.

The Councillors' function is to determine the policies of Inner West Council. In so doing they must, as far as is practicable, ensure that the activities of Inner West Council are carried out properly, efficiently, and comply with the provisions of the [Local Government Act 1993](#) and the provisions of other legislation applicable to Council (see [appendix A](#)), as well as the exercise of the powers delegated to us by such legislation.

The Mayor presides at meetings of the elected Council and carries out the civic and ceremonial functions of the Office of Mayor. The Mayor, when necessary, exercises the decision-making functions of the elected Council between its meetings, and performs any other function that the elected Council determines.

### 4.2. Staff

The General Manager is the Principal Officer of the Council. The General Manager ensures that the decisions of the elected Council are implemented. The General Manager is responsible for the day-to-day management and exercise of any functions delegated by the elected Council and for our efficient and effective operation. To assist the General Manager in the exercise of these functions there are 4 Directors: Director Infrastructure; Director Community; Director Corporate; and Director Planning. Each Director has responsibility of various divisions and departments as well as oversight of



the delivery of our services. To support to the community and deliver our services to the community we employ over 1,200 staff.

### 4.3. Our locations

We have 3 service centre locations at 2-14 Fisher Street, Petersham, NSW 2049; 7-15 Wetherill Street, Leichhardt, NSW 2040; and 260 Liverpool Road, Ashfield, NSW 2131. Our office hours are 8.30am to 5.00pm, Monday to Friday (excluding public holidays).

### 4.4. Our contact details

For further information about us, you can connect with Council using the following channels:

Post: Inner West Council, PO Box 14, Petersham, NSW 2049

Email: [council@innerwest.nsw.gov.au](mailto:council@innerwest.nsw.gov.au)

Website: [www.innerwest.nsw.gov.au](http://www.innerwest.nsw.gov.au)

Telephone: Council's call centre can be contacted from 8.30am to 5pm, Monday to Friday (excluding public holidays) on 02 9392 5000.

Social Media 

Inclusive access channels: Our service centres are hearing loop enabled, and we can be contacted using the [National Relay Service](#) and the [Translating and Interpreting Service](#).

## 5. How we engage with the public and our stakeholders

### 5.1. Public participation

We are committed to public participation and engaging with our community, it is one of the guiding principles for councils under the [Local Government Act 1993, section 8A](#). We do this to achieve better outcomes for the community that we serve and to continuously improve Council's services and practices. Community engagement is about establishing and maintaining connections. We work hard at improving these relationships by maintaining our presence with the community, and by initiating and encouraging open dialogue between us and those we serve.

This includes informing and consulting on matters that affect the community, using active processes to involve the community and obtain their feedback, and to build relationships so that the community is connected to Council's decision-making processes. Public participation relates particularly to the two-way relationship where Council and the community exchange information and feedback on projects, policies, issues, proposals or plans.

Council's website page [Tenders and Contracts](#) is a destination and source of information for our suppliers, partners and contractors, and provides access to our

[Government contracts register](#) and [current tenders](#) list among other related information. Business owners and entrepreneurs can also find [support](#) on our website find support and engage with Council via [Business Chambers and Associations](#).

Our engagement approach is guided by our [Community Engagement Policy](#), and is aligned with the [International Association for Public Participation Framework](#) (IAP2) that directs how we will engage, so that a broad range of perspectives are sought and the community has a strong voice to Council's decision making.

We are committed to [access and inclusion](#) for all, which includes respecting the rights and improving opportunities for people with a disability of all ages, to participate fully in community life as well as engagement with us and access to our services.

## 5.2. Our channels of engagement

There are two broad ways in which the public can participate in the policy development and the general activities of the Council, through representation and through personal participation.

### (i) Representation





As earlier remarked, Local Government in Australia is based on the principle of representative democracy where public elect representatives to their local Council to make decisions on their behalf.

Members of the public are encouraged to discuss local community concerns with their elected representatives. The community and stakeholders can raise matters with, and make representations to, the elected Councillors. The Councillors can pursue the issue on the resident's behalf, and this allows members of the public to influence the development of policies, issues, projects, proposals or plans.

The contact details for our Councillors are available on Council's website (use this link to access the Councillors' details page on our website).

### (ii) Personal Participation

There are many ways for the public to engage with and connect with Council:

- Council's [website](#)
- Council's smartphone Apps (New Locals Inner West App + Inner West Council Waste App)
- [Your Say Inner West website](#)
- Social media    
- [Community satisfaction research](#)
- [Local matter forums](#)
- [Council](#) meetings and meetings of [Statutory Committees](#)
- [Local democracy groups and committees](#)
- [Customer Service stalls](#)
- Public exhibition of proposed policies, plans and projects

- [Proposed building developments](#)

### 5.3. Feedback and complaints about us

We encourage members of the public to provide feedback on our services and publications and welcome input. We receive a range of diverse correspondence and complaints through a variety of channels including our website, emails, letters, phone calls and social media. The feedback is important to us and helps us to inform and improve our policies, publications, and services. We are committed to responding to feedback and complaints in accordance with our [Complaints Management Policy](#). All feedback and complaints are dealt with confidentially and personal information is managed in accordance with our [Privacy Management Plan](#).

## 6. Our functions

### 6.1. Our functions

Our functions are conferred or imposed on us by the [Local Government Act 1993](#). The Act classifies certain functions as *service* (that is, non-regulatory), *regulatory*, *ancillary* (the functions that assist the carrying out of a council’s service and regulatory functions), *revenue*, *administrative*, and *enforcement*. [Section 8a of the Local Government Act](#) enshrines guiding principles for the exercise of our functions generally, and for decision making.

Our key functions are detailed in the table below:

Service Functions	<ul style="list-style-type: none"> <li>• Provisions of community health, recreation, education and information services</li> <li>• Environmental protection</li> <li>• Waste removal and disposal</li> <li>• Land &amp; property industry and tourism development</li> <li>• Civil Infrastructure, Maintenance and Construction</li> </ul>
Regulatory Functions	<ul style="list-style-type: none"> <li>• Approvals</li> <li>• Orders</li> <li>• Building certificates</li> </ul>
Revenue Functions	<ul style="list-style-type: none"> <li>• Rates</li> <li>• Charges</li> <li>• Fees</li> <li>• Borrowings and investments</li> </ul>
Administrative Functions	<ul style="list-style-type: none"> <li>• Employment of staff</li> <li>• Management Plans</li> <li>• Financial reporting</li> <li>• Annual reports</li> </ul>
Enforcement Functions	<ul style="list-style-type: none"> <li>• Proceedings for breaches of Local Government Act and Regulations as well as other Acts and Regulations</li> <li>• Prosecution of offences</li> <li>• Recovery of rates and charges</li> </ul>

As well as the Local Government Act 1993, Council exercises powers under other Acts, see [Appendix A](#).

## 6.2. How our functions affect the public

As a service organisation, most of Council's activities have an impact on the public. Below is an outline of our functions and how they can affect the public.

**Service functions** affect the public as Council provides services and facilities to the public. These include provision of human services such as Meals on Wheels, childcare services, libraries, halls and community centres, recreation facilities, infrastructure and the removal of garbage.

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

**Ancillary functions** affect only some members of the public. These functions include, for example, the resumption of land or the power for Council to enter onto a person's land. In these circumstances, only the owner of the property would be affected.

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

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

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

Additionally,

**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 and State or working groups; and preparation and implementation of our Community Strategic Plan.
- **Providing support to our community** and sporting organisations through provision of grants, training, and information.
- **Facilitating opportunities** for people to participate in the life of the community through the conduct of a range of community events such as International

Day for People with Disabilities, Seniors Week, Lunar New Year, NAIDOC Week, Youth Week, Children's Week, as well as promoting other events.

## 7. Information we hold

Information which we hold includes, but is not limited to:

- Information about Council
  - Council's Code of Meeting Practice
  - Agendas, business papers and minutes of Council and Committee meetings
  - Annual reports including financial reports
  - Community Strategic Plan
  - Delivery Programme and Operational Plan
  - Returns of the interests of Councillors, designated persons and delegates
  - Provision of Council services
  - Employment records
  - Registers (see [Appendix B](#))
- Plans and policies
  - Local Environmental Plan
  - Development Control Plans
  - Plans of Management for community land
  - Complaints Handling Policy
  - Busking Policy
  - Sporting Grounds Allocation Policy
  - Public Access to Information Policy
  - Privacy Management Plan
  - Weed Management Policy
- Information about development applications
  - Development applications and associated documents
  - Complying development certificates
  - Construction certificates
  - Occupation certificates
  - Submissions received on development applications
  - Records of decisions made on development applications
- Approvals, orders, and other documents
  - Leases and licences for use of public land
  - Orders given under the [Local Government Act 1993](#), the [Environmental Planning and Assessment Act 1979](#), or any other Act
  - Compulsory Acquisition Notices
  - Building Certificates
- Enforcement and regulatory functions
  - Companion animal records
  - Food safety records

- Fire safety records
- Records relating to health and building matters

## 8. How to access information

[The Government Information \(Public Access\) Act 2009](#) (GIPA Act) applies to all NSW Government Agencies, including local Councils, and gives members of the public the right to access government information. The GIPA Act requires that we make some information widely available, known as Open Access Information, and other information accessible by application or Proactive Release.

### 8.1. Open Access information

Disclosure of Open Access Information is to be made publicly available free of charge on Council's [website](#), unless to do so would impose unreasonable additional costs upon us. Alternately it can be made publicly available in any other way that we consider appropriate, that is free of charge to the community unless there are over-riding public interests not to do so.

Categories of Open Access information made available by Council can be viewed in [Appendix B](#).

### 8.2. Proactive release of information

The GIPA Act encourages us to go beyond the minimum mandatory disclosure requirement unless there is an overriding public interest against disclosure. This is a discretionary power to disclose information in any manner considered appropriate, free of charge or at the lowest reasonable cost. We annually review our proactive release programme by identifying the kinds of information we hold that should be readily accessible in the public interest.

Our current proactive release programme includes current [Hot Topics](#) affecting the Inner West, as well as access to documents in relation to development applications which may be viewed via our [DA tracker tool](#) on Council's website.

Categories of Proactive Release Information made available by Council can be viewed in [Appendix C](#).

### 8.3. Informal access

Information that is not available by open access or proactive release may be provided through informal access, subject to any reasonable conditions that we may wish to impose, including deleting matter that would otherwise result in there being an overriding public interest against disclosure.

Applications for informal release can be made in writing by completing a service request using Council's [website](#), or contact us by email, letter, telephone or in person at one of our service centres. There is no fee required to lodge an informal access application.

Informal requests will be processed in a timely manner and as soon as practical.

#### 8.4. Formal access

Information which is not made available as a matter of course or defined mandatory or proactive release by legislation or our policy may be applied for under the GIPA Act through a [Formal Access Application](#) process. If you require advice or have questions regarding a Formal Access Application or the process for formal access, please contact Council and ask to speak to the Right to Information Co-ordinator or an Information Access Officer. Alternately submit your general enquiry about Formal Access to Information to [gipa@innerwest.nsw.gov.au](mailto:gipa@innerwest.nsw.gov.au).

We retain the discretion to require a Formal Access Application to be lodged in appropriate circumstances. Some examples may include instances where:

- Searching for and retrieving the information sought would require a significant diversion of resources
- The material contains information about a third party that cannot be deleted easily or without rendering the information useless, and consultation would need to occur
- The material is sensitive in nature and requires careful balancing of public interests

A request for information deemed to require a Formal Access Application under the GIPA Act requires a completed written application form and a payment of a \$30 application fee. The Formal Access Application [form](#) is available on Council's website or available at a Customer Service Centre. A further \$30 per hour processing fee may apply in some instances. We may waive, reduce, or refund the application fees and processing charges of an Access Application in any case that Council considers appropriate ([under s.127 of the GIPA Act](#)). Legislated standard turnaround time for Formal Access Application is 20 business days, with provisions for extensions in certain circumstances.

#### 8.5. Excluded information

Council is defined as an 'agency' under the GIPA Act. The GIPA Act prescribes that some information held by us, which forms part of our complaint handling, review and investigative functions, and competitive and market sensitive information, is excluded information. This means that there is a conclusive presumption against granting access to this information unless the disclosure of the information has been consented to. An Access Application for this type of excluded information is considered an invalid access application under the GIPA Act. Under the legislation there are 12 categories of information, 8 of which affect local government, for which there is a conclusive presumption of an overriding public interest against disclosure. These 8 categories are:

- Information subject to an overriding secrecy law (26 specifically named Acts)

- Information subject to the direction or order of a court or other body with the power to receive evidence on oath
- Information subject to legal professional privilege
- 'Excluded information', judicial and prosecutorial information, information about complaints handling and investigative functions, competitive and market sensitive information and information in relation to specific functions of the Public Trustee
- Documents affecting law enforcement and public safety
- Specific information relating to transport safety
- Specific reports concerning the care and protection of children
- Specific information relating to Aboriginal and environmental heritage

## 8.6. Our Public Officer and Right to Information Officer

Amongst other duties, the Public Officer may deal with requests from the public concerning Council's affairs and has the overall responsibility of assisting people to gain access to public information of Council. The Senior Manager Governance and Risk is also the Public Officer of Inner West Council. Council's Right to Information Officer responsibilities under the GIPA Act have been delegated by the Public Officer to the Right to Information Coordinator and as such, is responsible for determining applications for access to information or for the amendments of information. Assisting our Right to Information Coordinator are 2 Access Information Officers with delegated responsibility for determining Access Applications. If you have any difficulty in obtaining access to Council information, you may wish to refer your enquiry to the Right to Information Coordinator.

Also, if you would like to amend information of Council which you feel is incorrect it is necessary for you to make a written application to the Public Officer in the first instance. Enquiries should be addressed as follows:

Right to Information Coordinator, Inner West Council, PO Box 14, Petersham, NSW 2049

Or email: [council@innerwest.nsw.gov.au](mailto:council@innerwest.nsw.gov.au)

Or in person at one of our service centres; see section 3.3. of this document.

## 8.7. Access to information and the Public Interest

When deciding whether to provide access to information we must decide whether it is in the public's interest to disclose the information. Under the GIPA Act, there is an underlying principle to encourage greater accessibility to government information for the community and public interest in favour of disclosure.

In this way there are overriding public interest factors both in favour of disclosure and against disclosure. Access to the information will be refused if the public interest against disclosure outweighs the public interest in favour of disclosure - the 'public interest test'.



We take into account the personal factors of the application when applying the public interest test.

A refusal to grant access to information is subject to the public interest test against disclosure which includes the following considerations under [section 14 of the GIPA Act](#):

- Responsible and effective government
- Law enforcement and security
- Individual rights, judicial processes and natural justice; this includes any legal advice or communications between staff in relation to legal matters
- Business interests of agencies and other persons
- Environment, culture, the economy and general matters
- Secrecy provisions
- Exempt documents under interstate Freedom of Information legislation

## 9. Access to information and personal information

### 9.1. Personal Information

You have the right to access and amend the personal information and health information that we hold about you.

Council will provide access to the information we hold about you upon request. You may also request to know the purpose for which the information was collected.

Requests to access personal or health information should be made to Council in writing. Council will take steps to verify the identity of the person requesting access to information.

### 9.2. Protecting personal information of others

When a person requests information from us, that information often contains details about other individuals, businesses, or agencies. We may need to consult with those third parties before deciding whether, or not, to release the information to the applicant. Consultation is important in balancing information access rights with the rights of individuals to protect and control the privacy of information about themselves.

Council's [Privacy Management Plan](#) provides greater detail on the Information Privacy Principles and personal information.

## 10. Review rights under the GIPA Act

### 10.1. Rights of review and appeals

If you are dissatisfied with a decision about access to information you can request a review. You have the right to request a review of certain decisions made by us about disclosure of information under the GIPA Act. The reviewable decisions, the processes to be undertaken and by whom are stipulated in the legislation and are summarised in the NSW Information and Privacy Commission's fact sheet: [Your review rights under the GIPA Act](#).

### 10.2. The Information Commissioner and Privacy Commissioner

For further information in relation to the GIPA Act and privacy information please inspect the NSW Information and Privacy Commission's [website](#) or make enquiries direct by:

Email: [ipcinfo@ipc.nsw.gov.au](mailto:ipcinfo@ipc.nsw.gov.au)

Phone: 1800 472 679

Address: Level 15, McKell Building, 2-24 Rawson Place, Haymarket NSW 2000

Postal: GPO Box 7011, Sydney NSW 2001

## Appendix A

Other legislation which confers powers and responsibilities upon Council includes, but is not limited to:

- Community Land Development Act 1989
- Companion Animals Act 1998
- Conveyancing Act 1919
- Environmental Planning and Assessment Act 1979
- Fire Brigades Act 1989
- Food Act 1989
- Impounding Act 1993
- Library Act 1939
- Protection of the Environment Operations Act 1997
- Public Health Act 1991
- Recreation Vehicles Act 1983
- Roads Act 1993
- State Records Act 1998
- State Emergency Service Act 1989
- Strata Schemes (Freehold Development) Act 1973
- Strata Schemes (Leasehold Development) Act 1986
- Swimming Pools Act 1992
- Public Health Act 1991
- Coastal Protection Act 1979
- Environmental Offences and Penalties Act 1989
- Government Information (Public Access) Act 2009
- Heritage Act 1977
- State Emergency and Rescue Management Act 1989
- Unclaimed Money Act 1995
- Unhealthy Building Land Act 1990

N.B. Council is also bound by Commonwealth legislation such as the Copyright Act 1968.

## Appendix B

The Government Information (Public Access) Act 2009 and the Government Information (Public Access) Regulation 2018 define the categories of information which we must make available as “Open Access”.

What constitutes Open Access information is listed in [section 18 of the GIPA Act](#). Below are examples of government information held by an agency such as Council that is open access information and that is required to be made publicly available by us under section 6 of the GIPA Act.

- our current Agency Information Guide
- our [disclosure log](#)

Other government information is prescribed in [schedule 1 of the GIPA Regulation](#) as Open Access information. Below are examples from the GIPA Regulation:

- Information about Council
  - the code of meeting practice
  - the annual report and annual financial reports
  - EEO management plan
  - policy concerning the payment of expenses incurred by, and the provision of facilities to, councillors
  - returns of the interests of councillors, designated persons and delegates,
  - agendas and business papers for any meeting
  - registers (see below).
- Plans and policies
  - local policies adopted concerning approvals and orders
  - plans of management for community land
  - environmental planning instruments and development control plans.
- Information about development applications
  - construction certificates
  - occupation certificates
  - structural certification documents
  - submissions received on development applications
  - heritage consultant reports.
- Approvals, orders and other documents
  - orders given under Part 2 of Chapter 7 of the LGA, and any reasons given under section 136 of the LGA
  - orders given under the authority of any other Act
  - records of building certificates under the Environmental Planning and Assessment Act 1979
  - plans of land proposed to be compulsorily acquired.

We are required to make the following registers available for inspection:

- Register of Section 94 Contributions (required in connection with approval of a development application)
- Register of Development Applications
- Register of Building Certificates
- Register of Development Consents
- Register of Construction Certificates
- Register of Complying Development Certificates
- Register of Subdivision Certificates
- Register of Council Land
- Register of Pecuniary Interests
- Delegations Register
- Roll of Occupiers & Rate paying Lessees & Non Residential Roll
- Register of Skin Penetration Premises
- Register of voting on planning matters
- Register of political donations and gifts

## Appendix C

Below are a few examples of Proactive Release information; you are encouraged to explore our [website](#) for further web based accessible Proactive Release information.

- Policies, plans and regulations
  - Business regulations
  - Fees and charges
  - Park plans of management and studies
  - Policies
  - Cultural planning
  - Inclusion action plan
- News and media
  - Hot Topics – such as WestConnex, Balmain Leagues Club site, Western Harbour Tunnel
  - Awards won by Council
  - Inner West Council News
  - Council events
- The Council
  - Council meetings
  - Committees
  - Plans, performance, budget, and reporting
  - Rates
  - Creative Inner West: Cultural Strategy 2022-2025
  - De-amalgamation poll
- Reports and registers
  - Tenders and contracts
  - Impound articles register
  - Monthly financial reporting
  - Voluntary planning agreements
  - Community group register
- Development plans, policies, and controls
  - Strategic plans
  - Development controls (LEP and DCP)
  - Planning proposals
- Development applications
  - Recent DAs and determinations
  - Development application tracking
- Heritage and conservation
  - Heritage items
  - Heritage conservation areas
  - Heritage studies
- Council run works and projects
  - Park, building, and road projects
  - Tree works
  - Monthly reporting
- Statutory committees
  - Flood management advisory committee
  - Local emergency management committee
  - Local traffic committee
  - Audit, risk, and improvement committee
- Grants
  - Arts grants
  - Community history and heritage grants
  - Environment grants
  - Community wellbeing grant

## 11. Breaches of this Guide

Breaches of this Guide may result in an investigation of the alleged breach in line with relevant Council policies including the Model Code of Conduct.

Any alleged criminal offence or allegation of corrupt conduct will be referred to the relevant external agency.

## 12. Administrative Changes

From time-to-time circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made including branding, Council Officer titles or department changes and legislative name or title changes are considered minor in nature and not required to be formally endorsed.

## 13. Version Control

This Guideline will be formally reviewed annually.

Governance use only:

Document	Agency Information Guideline	Uncontrolled Copy When Printed	
Custodian	Senior Manager Governance and Risk	Version #	Version 3
Approved By	General Manager	ECM Document #	37434070
Next Review Date	March 2024		

Amended by	Changes made	Date
Governance	Newly Created document	23 March 2017
Business Information Services, Information & Communications Technology	Update to Council structures and website links	7 March 2018
Governance and Risk	Update to Council structures and website links	22 February 2023