



Government Information (Public Access) Act 2009 INFORMATION GUIDE

Amended 4 May, 2015

Version 5.0

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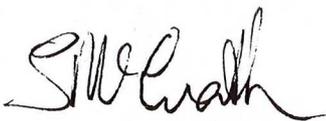
1. INTRODUCTION

Council must publish certain information pursuant to Section 20 of the Government Information (Public Access) Act 2009 as follows:

An annual publication which describes:

- (a) Council's structure and functions
- (b) How Council's functions affect the public
- (c) How the public may participate in Council's policy development
- (d) The various kinds of information that Council hold
- (e) The kinds of information held by Council that are (or will be) made publicly available
- (f) The manner in which Council makes (or will make) information publicly available
- (g) The kinds of information that are (or will be) made publicly available free of charge and those kinds for which a charge is (or will be) imposed.

Council is required to make government information publicly available as provided in this guide.



Stephen McGrath
General Manager

2. STRUCTURE AND FUNCTIONS OF COUNCIL

2.1 Description

Coffs Harbour is a major regional city on the Mid North Coast of New South Wales, about midway between Sydney and Brisbane.

With a population of 70,990 the city encompasses a total area of 1,174 square kilometres of land stretching from Red Rock south to Bundagen and west past Brooklana and Lowanna.

2.2 Basis of Constitution

Coffs Harbour City Council is constituted under the Local Government Act (LGA) 1993.

2.3 Organisational Structure and Resources

Coffs Harbour City Council is governed by a body of nine (9) Councillors [the Council] who are elected by the residents of the Coffs Harbour Local Government Area.

As a member of the governing body of the Council, the role of the Councillor is:

- to direct and control the affairs of the Council in accordance with the provisions of the LGA and other applicable legislation;
- to play a key role in the creation and review of Council's policies and objectives; and
- to review the performance of the Council and its delivery of services, and the management plans and strategic policies of the Council.

As an elected person, the role of the councillor is:

- to represent the interests of the residents and ratepayers;
- to provide leadership and guidance to the community;
- to facilitate communication between the community and the Council.

The role of the Mayor is:

- to exercise, in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council;
- to exercise such other functions of the Council as the Council determines;
- to preside at meetings of the Council;
- to carry out the civil and ceremonial functions of the mayoral office.

The Principal Officer of the Council is the General Manager. The General Manager is responsible for:

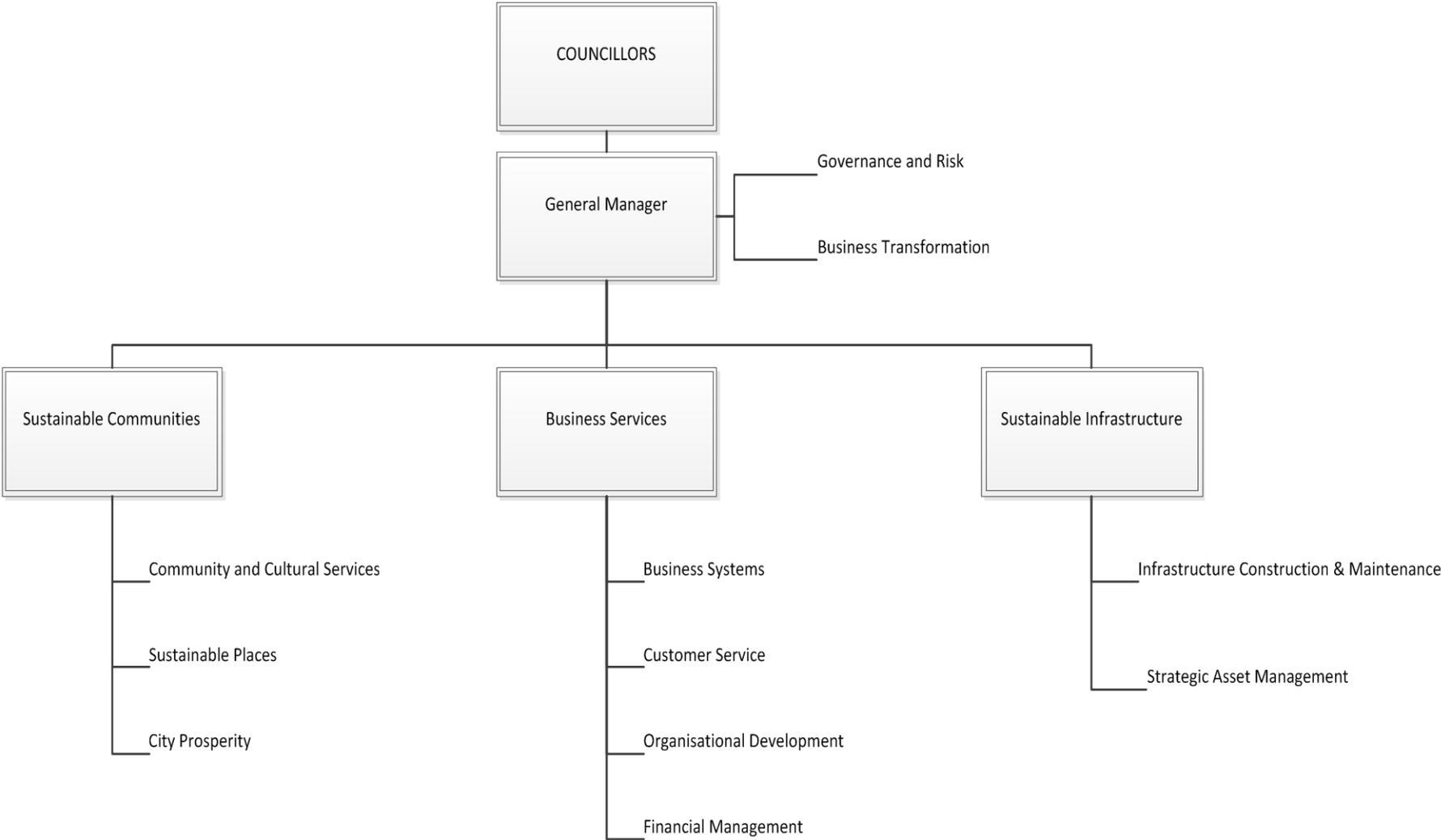
- the efficient operation of the Council's organisation and for ensuring the implementation of Council decisions
- the day to day management of the Council;
- the exercise of any functions delegated by the Council;
- the appointment, direction and where necessary, the dismissal of staff;
- the implementation of Council's Equal Employment Opportunity Management Plan;
- other roles that may be conferred or imposed by any other Act.

To assist the General Manager in the exercise of these functions, there are three (3) Directorates of Council. Each Directorate is headed by a Director and are listed as follows:

- Sustainable Planning;
- Sustainable Infrastructure and
- Business Services.

COUNCIL'S STRUCTURE AND FUNCTIONS

Effective from 5 January 2015



2.4 Functions of Coffs Harbour City Council

Council exercises functions under the LGA. Council's charter is detailed in [s8 of the LGA](#) and includes a wide diversity of organisational activity carried out by over 575 staff, many of whom work in field conditions. An extensive range of NSW Acts and Regulations, NSW Environmental Planning Instruments Commonwealth Acts and Regulations enforces Council's compliance in the administration of its operations.

The LGA states the following responsibilities and functions of Council:

FUNCTIONS		
SERVICE	REGULATORY	ANCILLARY
Including: <ul style="list-style-type: none"> • Provision of community health, recreation, education and information services • Environmental protection • Waste removal and disposal • Land and property, industry and tourism development and assistance • community services and facilities • public health services and facilities • cultural, educational and information services and facilities • sporting, recreational and entertainment services and facilities • environment conservation, protection and improvement services and facilities • waste removal, treatment and disposal services and facilities • pest eradication and control services and facilities • public transport services and facilities • energy production, supply and conservation • water, sewerage and drainage works and facilities • storm water drainage and flood prevention, protection and mitigation services and facilities • fire prevention, protection and mitigation services and facilities • land and property development • housing • industry development and assistance • tourism development and assistance. 	Including: <ul style="list-style-type: none"> • Approvals • Orders • Building Certificates 	Including: <ul style="list-style-type: none"> • Resumption of land • Powers of entry and inspection
REVENUE	ADMINISTRATION	ENFORCEMENT
Including: <ul style="list-style-type: none"> • Rates • Charges • Fees • Borrowings • Investments 	For example: <ul style="list-style-type: none"> • Employment of staff • Management plans • Financial reporting • Annual reports 	For example: <ul style="list-style-type: none"> • Proceedings for breaches of the LGA Act and Regulations and any other Act and Regulations • Prosecution of offences • Recovery of rates and Charges

Council also has the functions conferred or imposed on it by or under any other Act or law ([s.22 of the LGA](#) refers).

2.5 Specific Functions of Each Department

General Manager's Office	
<ul style="list-style-type: none"> • Access to Information • Business Transformation • Councillor Induction Development • Election Management • Governance 	<ul style="list-style-type: none"> • Internal Audit Functions • Public Officer • Privacy Complaints • Risk / Insurance
Business Services	
<ul style="list-style-type: none"> • Accounts Payable/Receivable • Administration Support and Executive Services • Airport Operations • Budget • Caravan Park Operations • Cemeteries Administration • Civic Activities/Business • Customer Services • Debt Recovery • Development Contributions • Financial Management / Accounting Systems • Government Grants/Loan Funding Information / Computer Systems 	<ul style="list-style-type: none"> • Media • Organisation Development • Plant and Vehicle Management • Printing Services • Property Systems • Purchasing and Supply • Rating • Records Management • Security & Emergency Services for Council facilities • Spatial Information Management • State Park and Woolgoolga Beach Reserve Management • Water Billing
Sustainable Infrastructure	
<ul style="list-style-type: none"> • Alcohol Free Zones • Boat Ramps • Bus Shelters • Bush Fire Control • Bridges • Carparks • Cemetery Operations • Commercial Property • Cycleways • Drainage • Environmental Laboratory • Flood Mitigation • Footpaths • Meeting Management for Emergency Services • Noxious Plants • Parks and Gardens • Private Works 	<ul style="list-style-type: none"> • Project Management (Civil Works) • Property Management • Property Valuation • Public Amenities • Recreational Areas and Playgrounds • Road Naming (Administration) • Roads and Streets (maintenance, repairs, cleaning, etc) • Sewage Supply and Services • Sporting Fields • Stormwater Drainage (Urban & Rural) • Street Structures (Lighting, Trees, Seats, Signs, etc) • Subdivision Engineering Services • Supply Services • Tendering and Contract Administration • Traffic Management • Waste Management (collection & disposal) • Water Supply and Services
Sustainable Communities	
<ul style="list-style-type: none"> • Aboriginal Services • Aged and Disabled • Animal Control • Billboard Audits • Building applications and associated matters • City Centre Marketing & Community Events • Community Committees • Corporate Planning • Cultural Development / Visual/Performing Arts • Development applications / associated matters • Development Control Plans • Economic Development (Business & Community) • Environmental Law and Regulations • Event Management • Health Control (food premises, hairdressers etc) • Heritage Library Services • Lifeguard Services • Linen Plans 	<ul style="list-style-type: none"> • Local Environmental Plan • Marketing and Tourism • Museums • On-site Sewage Management • Parking Duties • Planning Control • Places of Public Entertainment • Pollution (eg residential noise; water quality) • Regional Gallery • Sewer Diagrams • Sports Administration (Stadium / Events) • State of Environment Report • Stormwater Control (Buildings) • Strategic Landuse Planning • Subdivision Assessment – Urban & Rural • Swimming Facilities • Youth Services

3. HOW COUNCIL FUNCTIONS AFFECT MEMBERS OF THE PUBLIC

As a service organisation, the majority of the activities of Coffs Harbour City Council have an impact on the public. The following is an outline of how the broad functions of Council affect the public.

SERVICE FUNCTIONS affect the public in that services and facilities provided by the Council are for use by the public, such as halls and centres, recreational facilities and the removal of excess garbage.

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

ANCILLARY FUNCTIONS affect only some members of the public if, for example, the resumption of land is necessary or if Council's officer need to enter onto any person's land.

REVENUE FUNCTIONS affect the public directly in that rates and other charges are paid by the public in return for services and facilities that are provided to the community,

ADMINISTRATIVE FUNCTIONS do not necessarily affect the public directly but have an impact on the administration of services to the community. For example, Council has developed a management plan which outlines the strategies of the Council over a short term and long term period.

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 fines.

Functions undertaken by Council as outlined in the previous section and the effects created by these functions could be summarised in a number of categories. Apart from being the source of a wealth of information, Council operations affect our daily lives through the following diverse activities as:

- an employer
- a supporter of private enterprise
- a consent authority
- a regulatory body
- a licensing authority
- a service provider
- a catalyst for change
- a promoter of tourism
- a consultative organisation
- an operator of utilities
- a liaison link
- a landlord
- a protector of our heritage

4. HOW THE PUBLIC CAN PARTICIPATE IN COUNCIL'S POLICY DEVELOPMENT AND THE EXERCISING OF FUNCTIONS

Council is a statutory corporation constituted under the LGA to administer the affairs of the city and establish a policy framework that serves the city community. There are two broad ways in which the public may be involved in the policy development and indeed, the general activities of Council. These are through representation and participation.

4.1 Representation

Local Government in Australia is based upon the principle of representative democracy. This means that the people elect representatives to their local Council to make decisions on their behalf.

In New South Wales, local government elections are held every four years. The next election is to be held on the second Saturday in September, 2016.

At each election, voters elect nine (9) Councillors for a four (4) year term (as at March 2004, this included the election of the Mayor). 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.

Between elections, residents are able to raise issues and make representations to Councillors. Should a Councillor agree with the issue of representation, the matter may be pursued on the resident's behalf, thus allowing members of the public to indirectly influence the development of policy.

The contact details of the current elected members are:

Denise Knight (Mayor)
Mobile: 0407 486 470
e-mail: denise.knight@chcc.nsw.gov.au

Bob Palmer
Mobile: 0418 784 243
e-mail: bob.palmer@chcc.nsw.gov.au

John Arkan
Mobile: 0418 465 930
e-mail: john.arkan@chcc.nsw.gov.au

Garry Innes
Mobile: 0418 793 049
e-mail: garry.innes@chcc.nsw.gov.au

Keith Rhoades
Mobile: 0408 256 405
e-mail: keith.rhoades@chcc.nsw.gov.au

Nan Cowling
Mobile: 0419 932 102
e-mail: nan.cowling@chcc.nsw.gov.au

Rodney Degens (Deputy Mayor)
Mobile: 0438 602 425
e-mail: rodney.degens@chcc.nsw.gov.au

Mark Sultana
Mobile: 0419 572 305
e-mail: mark.sultana@chcc.nsw.gov.au

Sally Townley
Mobile: 0419 821 223
e-mail: sally.townley@chcc.nsw.gov.au

Written communications can be posted to:
Locked Bag 155
Coffs Harbour NSW 2450

4.2 Personal Participation

Public participation in Council activities is possible through attendance of Council meetings, by making written submissions or through membership of Council's sub-committees / working groups.

Public participation in policy development is invited by:

(a) Attendance at Council Meetings

Meetings of the Council are held in the Chamber at Council's Administrative Centre, 2 Castle Street, Coffs Harbour.

All matters are dealt in "open council" meetings with exception for any matter that would not be in the public interest to raise in this forum. Those would be dealt in a confidential session of the meeting.

Residents are welcome and encouraged to attend Council meetings. Meeting agendas are available on Council's website or at Council's Administrative Centre and libraries at Coffs Harbour, Toormina and Woolgoolga from the Monday preceding the scheduled meeting date.

Meetings of Council are generally held at 5.00pm on the second and fourth Thursday of each month from February to November, and the second Thursday in December in the Council Chamber. Meeting times and dates are determined by Council on an annual basis and are set out in an adopted meeting schedule. Meeting dates are advertised in a local newspaper and on Council's website.

A public forum is held on the second Thursday of each month at 5.00pm (with the exception of January and December). Any member of the public may address Council at its 'Public Forum' at a time adopted by Council during the first Ordinary meeting of the month on a matter not listed before the Council, subject to conditions outlined in the [Code of Meeting Practice](#). If you would like to address the Councillors at this forum, you must inform Council on (02) 6648 4000 at least four. Members of the public cannot address Council on the same topic more than once in a six month period.

Members of the public may also address Council, or any of its committees, on matters listed on the agenda for all Council meetings during the Public Address that commences at 5.00pm. Public addresses will be limited to the first meeting at which the report from Council staff is presented for determination.

For more information refer to the [Public Addresses / Public Forum Information Sheet](#) Council's website or call (02) 6648 4000.

(b) Written Submissions

Members of the public may influence Council's decision making by responding to Council's advertised public notices and exhibitions, notifications, surveys or questionnaires or by making representation on any issue.

All correspondence should be forwarded to:

General Manager

PO Box 155

Coffs Harbour NSW 2450

Fax: 02 6648 4199

Email: coffs.council@chcc.nsw.gov.au

(c) Sub-committees / Working Groups

Community representatives are appointed under s355 LGA to sub-committees / working groups following each local government election. They are delegated the day to day care, control and management of Council facilities or in an advisory role to make recommendations to Council and therefore, can influence the direction of Council. A list of these committees can be located on Council's website.

Council last reviewed and adopted its committee charters and composition at the Council Meeting on 11 October 2012. This also included those established under other legislation and representation to external committees. Refer to Council's website for this resolution.

(d) Referendums

Council may hold constitutional referendums on a number of issues as specified in s20 LGA that may:

- divide its area into wards or abolish all wards in its area;
- change the basis on which the Mayor attains office (that is, by election by the Councillors or by election by the electors);
- increase or decrease the number of Councillors in accordance with the limits under s 224 LGA;
- change the method of ordinary election of Councillors for any area divided in to wards;
- change, subject to Part 3 of Chapter 10, LGA the voting system used in Council elections.

(e) Polls

Council may take a poll of the people who are on the electoral roll at any time. Polls, like referendums, are elections where people vote on an issue, not for a person.

A poll can be taken on any issue where Council needs information and guidance. For example, Council may be planning to spend funds on a new library, but people may be saying that a new swimming pool is needed more urgently. Council may decide to take a poll of the electors in its area to find out what the residents see as the most urgent need, a library or a swimming pool.

Unlike a referendum, a poll is not binding under the LGA, so if Council has good reason why the library should go ahead first, they may still decide to build it, even if the poll showed most people preferred the swimming pool.

5. THE KINDS OF INFORMATION THAT COUNCIL HOLDS

Council holds a wide range of information stored in hardcopy or electronic format. Various legislations regulate retention and disposal of Council information and what are publicly available and whether fees apply. The purpose of this section is to generally describe the types of information held by Council and not to provide an exhaustive list. Council information are categorised as follows:

- Policies
- Registers
- Physical files (hard copy information)
- Electronic information

5.1 Policies

Council has a register of policies that can be accessed from Council's website or made available at Council's Administrative Centre at no charge. Copies can be provided on payment of a copying fee (see Council's Fees and Charges)

5.2 Registers

Council maintains registers as required by law or for other administrative purposes. Only public registers are available for public inspection (Section 6 refers)

5.3 Physical Files (Hardcopy Information)

Since 2002 physical files were dispensed with, except those listed below:

- Accounting – creditors / debtors
- Legal information
- Personnel files
- Tender information
- Council meeting agendas, reports and minutes (pre 2000)
- Contracts & quotes lodged in hardcopy only
- Development Applications and Construction Certificate applications in the transition to total electronic storage
- Hardcopy files and registers that existed prior to the introduction of electronic storage

5.4 Electronic Information

Since 2002, Council implemented an Enterprise Content Management System (ECM) which captures information against the following indexes:

- Correspondent
- Subject
- Property
- Permits
- Roads/Streets
- Reports
- Legal
- Meetings
- Cemetery Register
- Positions
- Personnel
- Integrated Management System

Council also uses other various software systems to manage and store electronic information to carry out its administrative operations such as:

- Accounting
- Mapping
- Payroll
- Plant
- Tendering
- Property related information
- Rating

6. THE KINDS OF INFORMATION HELD BY COUNCIL THAT ARE (OR WILL BE) MADE PUBLICLY AVAILABLE

The following list of information held by Council has been divided into four sections as outlined by Schedule 1 of the Government Information (Public Access) Regulation 2009:-

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

Council is required under the Regulation to make certain information publicly available for inspection, fee of charge. The public is entitled to inspect this information either on [Council's website](#) (unless there is an unreasonable additional cost to Council to publish this information on the website) or at the offices of the Council during ordinary office hours or at any other place as determined by the Council. Any current and previous information of this type may be inspected by the public free of charge. Copies can be supplied for reasonable copying charges. Council's current adopted fees and charges can be viewed on [Council's website](#) or at Council's Administrative Centre.

These documents are:

6.1 Information about Council

- the model code prescribed under section 440 (1) of the LGA and the code of conduct adopted under section 440 (3) of the LGA,
- code of meeting practice,
- annual report,
- annual financial reports,
- auditor's report,
- management plan,
- EEO management plan,
- policy concerning the payment of expenses incurred by, and the provision of facilities to, councillors,
- annual reports of bodies exercising functions delegated by the local authority,
- any codes referred to in the LGA.
- returns of the interests of councillors, designated persons and delegates,
- agendas and business papers for any meeting of the local authority or any committee of the local authority (but not including business papers for matters considered when part of a meeting is closed to the public),
- minutes of any meeting of the local authority or any committee of the local authority, but restricted (in the case of any part of a meeting that is closed to the public) to the resolutions and recommendations of the meeting,
- Departmental representative reports presented at a meeting of the local authority in accordance with section 433 of the LGA.
- land register,
- register of investments,
- register of delegations,
- register of graffiti removal work kept in accordance with section 13 of the Graffiti Control Act 2008,
- register of current declarations of disclosures of political donations kept in accordance with section 328A of the LGA,
- the register of voting on planning matters kept in accordance with section 375A of the LGA.

6.2 Plans and Policies

- local policies adopted by the local authority concerning approvals and orders,
- plans of management for community land,
- environmental planning instruments, development control plans and contributions plans made under the Environmental Planning and Assessment Act 1979 applying to land within the local government area

6.3 Information about Development Applications and Planning Matters

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

- home warranty insurance documents,
- construction certificates,
- occupation certificates,
- structural certification documents,
- town planner reports,
- submissions received on development applications,
- heritage consultant reports,
- tree inspection consultant reports,
- acoustics consultant reports,
- land contamination consultant reports,
- records of decisions on development applications (including decisions made on appeal),
- a record that describes the general nature of the documents that Council decides to exclude from public view including:-
 - the plans and specifications for any residential parts of a proposed building, other than plans that merely show its height and its external configuration in relation to the site on which it is proposed to be erected, or
 - commercial information, if the information would be likely to prejudice the commercial position of the person who supplied it or to reveal a trade secret.

6.4 Approvals, Orders and Other Documents

- Applications for approvals under Part 1 of Chapter 7 of the LGA and any associated documents received in relation to such an application,
- Applications for approvals under any other Act and any associated documents received in relation to such an application,
- Records of approvals granted or refused, any variation from local policies with reasons for the variation, and decisions made on appeals concerning approvals,
- 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 by the local authority,
- Compulsory acquisition notices,
- Leases and licences for use of public land classified as community land.

7. THE MANNER IN WHICH COUNCIL MAKES (OR WILL MAKE) INFORMATION PUBLICLY AVAILABLE

In accordance with the Government Information (Public Access) Act 2009, where there is a presumption in favour of the disclosure of Coffs Harbour City Council's information, there are **four ways** in which it will be made available to the public:-

- **Mandatory Disclosure** – Certain information, known as open access information must be made publicly available on an agency's website, free of charge. Read more below on how to access this information.
- **Proactive Release** – Agencies are 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).
- **Informal Release** – Agencies are encouraged to release information without the need for a formal application, unless there are good reasons to require one.
- **Formal Access** – In limited circumstances, access to information will require formal access applications.

Where possible, open access information will be made available on Council's website, at public libraries or from Customer Services at Council's Administrative Centre located at 2 Castle Street, Coffs Harbour.

Council is not permitted to make open access information available in any way that would constitute an infringement of copyright.

Members of the public seeking access to Council information should initially search [Council's website](#). If the information is not located, the public should contact Council on (02) 6648 4000 for:

- advice on how to access the required information if available;
- referral to the appropriate Customer Services, technical or professional staff.

Where information is not readily available, the applicant will be advised whether the information sought will be processed as an [Informal Access Request](#) or in limited circumstances, as a [Formal Access Application](#).

7.1 Informal Access Requests under the Government Information (Public Access) Act (GIPA)

[Informal Access Request](#) can be lodged with Council in the following ways:-

- In person
- Over the phone
- In writing (by post / fax / email)

In Person

Customers can discuss information requirements with Customer Services at Council's Administrative Centre at 2 Castle Street Coffs Harbour. The centre operates from 8.30am to 4.30pm Monday to Friday (except public holidays).

By phone

Contact Council's switchboard on 6648 4000 and describe the information you require. You will be forwarded to the appropriate officer (for e.g. Customer Service, Planning, Information Services, Right to Information officers etc) to handle your request.

By email

Email your request to coffs.council@chcc.nsw.gov.au and provide the following information to assist with your request:

- Your name and business details
- Your postal address
- Your daytime and mobile phone numbers
- Your email address (is required if you want electronic records emailed to you)
- Your fax number
- A description of the information you would like to access in enough detail to allow us to enable identification
- Advise if the information you are seeking is personal information
- Advise if you want:
 - to inspect the information
 - copies of the information
 - access to the information in another way

By fax

Complete an [Informal Access Request](#) form and fax to (02) 6648 4199.

By post

Complete an [Informal Access Request](#) form and post to:-

The General Manager
Coffs Harbour City Council
Locked Bag 155
Coffs Harbour NSW 2450

[Informal Access Request forms](#) are located on Council's website or available from Customer Services located in Council's Administrative Centre at 2 Castle Street Coffs Harbour.

There are no charges to lodge a request; however appropriate charges to obtain copies of information may apply. Charges are specified in Council's adopted Fees and Charges located on [Council's website](#) or available at Council's Administrative Centre.

The responsible officer may contact the applicant to clarify the request and discuss the means by which the information would be provided.

The public may be offered the opportunity to inspect or obtain copies of the information sought from Council's Administrative Centre which is open from 8.30am to 4.30pm Monday to Friday (except public holidays).

Although, there is no statutory timeframe imposed on Council to process informal access requests, Council will aim to action requests as soon as practicable depending on available resources.

7.2 Formal Access Applications under the Government Information (Public Access) Act (GIPA) 2009

Where Council's information is not available under mandatory requirements or by the informal access request process, they may be pursued by lodging a [Formal Access Application](#).

A formal application must be in writing and accompanied by an application fee of \$30 (the application fee paid counts as a payment towards any processing charge payable). Council's [Formal Access Application](#) form can be downloaded from Council's website or obtained from Customer Services at Council's Administrative Centre.

Requests can be posted, faxed or emailed to:-

The General Manager
Coffs Harbour City Council
PO Box 155
Coffs Harbour NSW 2450

Facsimile: 02 6648 4199
Email: coffs.council@chcc.nsw.gov.au

7.2.1 Processing Charges

Council may charge an hourly processing fee for dealing with an access application at a rate of \$30 per hour for each hour of processing time for the application. The processing fee can be waived for the first 20 hours where an applicant seeks access to their personal information. The processing charge may also be reduced by 50% where:

- the information sought is of special benefit to the public generally
- the applicant has satisfied Council that they are suffering financial hardship
- the applicant is a pensioner or a full time student or
- the applicant represents a non profit organisation.

7.2.2 Right to Information Officer (RIO)

Council has appointed the Right to Information Officer (RIO) within Governance Services to deal with [formal access applications](#) and make decisions on information sought. The Act allows 20 working days for the RIO Officer to decide the application. The applicant is informed of this decision and any applicable internal review and appeal rights in a written notice.

7.2.3 Right of Internal Review

Applicants have the right to have decisions made by the RIO reviewed. A full list of reviewable decisions is set out in Sections 63 and 80 of the GIPA Act 2009. Applications need to be lodged within 20 working days after the notice of the decision is given or in the case where Council has not issued its decision by the end of the statutory timeframe required, within 20 working days after the decision period expired.

Pursuant to Section 85(1) Council may charge an application fee of \$40 (note that no concession fee is available). The internal review is conducted by either the Manager Governance Services or General Manager (Principal Officer) being senior to the original decision maker. An internal review is not available if the original decision was made by the General Manager (Principal Officer). [Internal Review Applications forms](#) are located on Council's website or available at the Customer Services in Council's Administrative Centre

7.2.4 External Review by Information Commissioner

Applicants aggrieved by Council's decision are entitled to have the decision reviewed by the Information Commissioner and need not lodge an internal review. If you are not

the access applicant, you must seek an internal review of the decision before asking the Information Commissioner to review it. You have 40 working days from being notified of the decision to ask for a review by the Information Commissioner.

The Information Commissioner cannot review a decision that has already been reviewed by the NSW Civil and Administrative Tribunal (NCAT)

The Information and Privacy Commission can be contacted on 1800 472 679 between 9.00am to 5.00pm, Monday to Friday (excluding public holidays). For further information visit their website at www.ipc.nsw.gov.au

7.2.5 External Review by NCAT

Any person aggrieved by a decision on an access application can ask for a review by NCAT. It is not necessary to have the decision reviewed internally or by the Information Commissioner before applying for a review by NCAT.

The application must be made within 40 working days of Council's decision or 20 working days after a review was concluded by the Information Commissioner.

8. THE KINDS OF INFORMATION THAT ARE (OR WILL BE) MADE PUBLICLY FREE OF CHARGE AND THOSE FOR WHICH A CHARGE IS (OR WILL BE) IMPOSED

The *Government Information (Public Access) Act 2009* requires Council to make the information illustrated in Point 6 as open access information unless there is an overriding public interest against disclosure of the information

8.1 Information Available to the Public Free of Charge

Unless unreasonable additional costs are incurred by Council, open access information will be made publicly available free of charge and maintained on Council's website. The following information is or will be made publicly available on Council's website:

Kind of Information	Currently located on Council's website	Waiting to be posted to Council's website	Ask and Council can supply
Information about Council (the information outlined under Point 6.1 refers)	Code of meeting practice Annual reports Auditor's report Annual financial reports Management Plan EEO Management Plan Councillor Expenses Policy Any codes referred to in the LGA Business Papers (agendas and minutes) Political donations Model Code of Conduct	Register of Investments Register of Delegations Register for voting on planning matters	Disclosures of Interest Departmental Reports under Section 433 355 Committee Agendas Land Register Annual reports of bodies exercising functions delegated by Council
Plans, Policies and Forms	Council Policies Library Policies Local Environmental Plan Planning and Development Strategies Development Control Plans Developer Contributions Forms and Applications	Management Plans of Land	
Approvals, Orders and Other Documents		Chapter 7 LGA approvals Approvals under other Acts Register of approvals Orders under Chapter 7 LGA Orders under other Acts Compulsory acquisition of land Leases and licences for use of public land	Building Certificates (a copy of the property owners consent is required)

Kind of Information	Currently located on Council's website	Waiting to be posted to Council's website	Ask and Council can supply
<p>Development applications (within the meaning of the Environmental Planning and Assessment Act 1979) and any associated documents received in relation to a proposed development.</p>	<p>DA Tracking System used to follow the assessment progress of Development Applications lodged with Council (includes selected images of documents). Development Applications received on or after 4 January 2013 have been placed on Council's website. From 29 July 2013 the associated approved plans have been placed on Council's website. Selected documents on Development Modification Applications were made available from 4 November 2013.</p>	<p>Any publicly available documents / images associated with the decision making of development applications (selected images of documents).</p>	<p>Copies of publicly available information associated with development applications that are held electronically and less than 5 MB can be emailed at no charge; Viewing of specified information held on a physical file (pre 2002) can be arranged by lodging an Informal Access Request</p>

Note: As Council does not remove graffiti from private properties a register of graffiti removal work kept in accordance with section 13 of the [Graffiti Control Act 2008](#) is not required, nor held.

8.2 Information Available but Subject to Charges

Kind of Information	Hardcopy Files	Electronic Information	Comments
Development Applications (within the meaning of the Environmental Planning and Assessment Act 1979) and any associated documents received in relation to a proposed development.	In accordance with Council's Fees and Charges, a copying fee applies to the provision of hardcopies.	In accordance with Council's Fees and Charges, a fee applies to any electronic copies over 5MB.	Any information held on development application files that contain unsolicited personal and / or commercial in confidence information requires a Formal Access Application .
Building Certificates (copies of old approvals & surveys)	A copy may be obtained with the written consent of the owner of the building upon payment of a fee of \$13 prescribed under clause 261 of the EPA Regulation 2000.	A copy may be obtained with the written consent of the owner of the building upon payment of a fee of \$13 prescribed under clause 261 of the EPA Regulation 2000.	
Building Plans and Approvals/Occupation Certificates (copies of)	In accordance with Council's Fees and Charges, a copying fee applies to the provision of hardcopies.	In accordance with Council's Fees and Charges, a fee applies to any electronic copies over 5mb.	For residential buildings, the plans are limited to height and site configurations unless the property owner has provided their authority.
Other information held	In accordance with Council's Fees and Charges, a copying fee applies.	In accordance with Council's Fees and Charges, a fee applies to <ul style="list-style-type: none"> • electronic copies over 5 MB • hardcopies. 	<ul style="list-style-type: none"> • A person is entitled to access their personal information • Access to information can be arranged by lodging an Informal Access Request.

9. TABLE OF AMENDMENTS

The following amendments were made to the Coffs Harbour City Council's Information Guide 2014 and approved on 28 February 2014 :-

Page	Section / Paragraph	Amendment
4	Point 2.3 , 6 th paragraph	<u>Delete</u> "Departments" <u>Insert</u> "Directorates" <u>Delete</u> "described" <u>Insert</u> "listed" <u>Delete</u> "City Planning" <u>Insert</u> "Sustainable Planning" <u>Delete</u> "City Infrastructure Services" <u>Insert</u> Sustainable Infrastructure and" <u>Delete</u> "Community Development and" <u>Delete</u> "Corporate Business" <u>Insert</u> "Business Services"
6	Councils Structure and Functions	<u>Replace</u> chart on "Council's Structure and Functions July 2014" with "Council's Structure and Functions Effective from 5 January 2015"
8	Point 2.5	<u>Delete</u> table with heading "Executive, reporting to the General Manager" <u>Insert</u> table with heading "General Manager's Office"
11	Point 4.2 (a), 4th paragraph	<u>Insert</u> " generally" <u>Delete</u> "third Thursday" <u>Insert</u> " second Thursday" <u>Delete</u> "Chambers" <u>Insert</u> "Chamber" <u>Insert</u> "Meeting times and dates are determined by Council on an annual basis and are set out in an adopted meeting schedule." <u>Delete</u> "the Coffs Harbour City"
11	Point 4.2 (a), 5th paragraph, from 2 nd sentence	<u>Delete</u> "5.7(Clause 1) of" <u>Delete</u> "Policy" <u>Delete</u> "on a matter which is not listed on the Council agenda, please contact" <u>Insert</u> ", you must inform " <u>Delete</u> ". Four days' notice is required." <u>Insert</u> "at least four days before the meeting."
11	Point 4.2 (a), 6 th paragraph	<u>Delete</u> "Council" <u>Insert</u> "for all" <u>Delete</u> ". At the" <u>Delete</u> "meeting" <u>Insert</u> "meetings during" <u>Delete</u> "on the second and fourth Thursday of the month," <u>Delete</u> "Addresses commence" <u>Insert</u> "Address that commences" <u>Insert</u> "Public addresses will be limited to the first meeting at which the report from Council staff is presented for determination."
11	Point 4.2 (a), 7 th paragraph	<u>Delete</u> "our information sheet located on the" <u>Insert</u> " refer to the Public Addresses / Public Forum Information Sheet on Council's "
19	Point 7.2.3, 2 nd paragraph	<u>Replace</u> "Chief Information Officer" with "Manager Governance Services"

Page	Section / Paragraph	Amendment
19	Point 7.2.4	<p><u>Replace</u> "Right of" with " External" <u>Insert</u> "and need not lodge an internal review. If you are not the access applicant, you must seek an internal review of the decision before asking the Information Commissioner to review it. You have 40 working days from being notified of the decision to ask for a review by the Information Commissioner.</p> <p>The Information Commissioner cannot review a decision that has already been reviewed by the NSW Civil and Administrative Tribunal (NCAT)" <u>Replace</u> "They" with "The Information and Privacy Commission" <u>Delete</u> "The Information Commissioner also deals with complaints under GIPA Act."</p>
20	Point 7.2.5	<p><u>Replace</u> "(NSW Civil & Administrative Tribunal)" with "by NCAT" <u>Insert</u> "Any person aggrieved by a decision on an access application can ask for a review by NCAT. It is not necessary to have the decision reviewed internally or by the Information Commissioner before applying for a review by NCAT." <u>Delete</u> "Applicants also have formal avenues via the New South Wales Civil & Administrative Tribunal to review the decision to refuse access." <u>Replace</u> "This" with "the" <u>Replace</u> "the original" with "Council's"</p>
22	Cell under heading <i>Currently located on Council's website</i>	<p><u>Replace</u> "from" with "on Development" <u>Insert</u> "made"</p>