

Coffs Harbour City Council Guideline on Fees and Charges for Formal Access Applications



Background

The object of the [Government \(Public Access\) Act 2009](#) ("GIPA Act") is to provide access to government information and restrictions to this would only be required when there is an overriding public interest against disclosure. The GIPA Act promotes the [Formal Access Application](#) as a process of last resort. Information should be initially sought by lodging an [Informal Access Request](#). If Council refuses to informally release information, whether fully or partially, you may pursue the information by lodging a Formal Access Application. At times, Council staff may direct you to make a Formal Access Application particularly where other third party interests are involved.

Application Fee

A Formal Access Application must be accompanied by a \$30 application fee that will count towards the processing charges.

Processing Charges

A processing charge of \$30 per hour will apply to considering your request; searching for information, consulting third parties, decision making and providing access to information.

Council may decide to make access to information conditional on payment of any processing charges.

Discounted Processing Charges

You may be entitled to a 50% reduction in the processing charge if Council is satisfied that:

- you are [suffering financial hardship](#); or
- the information you have applied for is of [special benefit to the public generally](#).

Council is required to [reduce the processing charges](#) if you provide evidence that you:

- currently hold a Pensioner Concession Card issued by the Commonwealth; or
- have full time student status; or
- represent a non-profit organisation.

Note: This discount only applies to the processing charge, not the application fee. If you qualify for the discount, your \$30 application fee will cover the first 2 hours of processing time.

Waiver of Processing Charge for Personal Information

If you are applying for access to your own [personal information](#), you will not be charged any processing charges for the first 20 hours of processing time.

Personal information under the GIPA Act means information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual (whether living or alive) whose identity is apparent or can reasonably be ascertained from the information or opinion.

Advance Deposit for Payment of Processing Charge

You may be requested to make an advance payment of a processing charge. The notice will include an estimate of the processing time. This advance deposit will not be more than [50%](#) of what Council estimates to be the total processing charge.

If you fail to pay the advance deposit within the required time, [Council may refuse](#) to deal with your Formal Access Application.

If this advance deposit exceeds the total processing charges due, [you will be entitled to a refund](#).

[If Council does not decide a Formal Access Application within the statutory decision time period](#), no processing charges can be imposed and any advance deposit paid, will be refunded.