



KU-RING-GAI MUNICIPAL COUNCIL



# Agency Information Guide

Government Information (Public Access) Act 2009

May 2024

[krg.nsw.gov.au](http://krg.nsw.gov.au)

## Controlled Document Information

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This is a Controlled Document. Before using this document check it is the latest version by referring to Council's Controlled Document Register. Unless otherwise indicated, printed or downloaded versions of this document are uncontrolled.			
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Related Legislation and Statutory Instruments:	<i>Copyright Act 1968 (Commonwealth)</i> <i>Environmental Planning and Assessment Act 1979</i> <i>Government Information (Public Access) Act 2009</i> <i>Health Records and Information Privacy Act 2002</i> <i>Local Government Act 1993</i> <i>Privacy and Personal Information Protection Act 1998</i> <i>State Records Act 1998</i>
Related Policies	Code of Conduct Complaints Management Policy Computer Access Policy Covert Electronic Surveillance for Illegal Dumping Policy Data Breach Policy GIPA Disclosure Log Information and Cyber Security Policy Overt Electronic Surveillance in Public Places Policy Privacy Management Plan
Other References	Information and Privacy Commission NSW Civil and Administrative Tribunal

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6.1	May 2023	April 2024	Reviewed. No significant changes
7	May 2024	April 2025	Major review and update. Approved. Document provided to IPC and comments incorporated.



**Need help?**

This document contains important information. If you do not understand it, please call the Translating and Interpreting Service on 131 450. Ask them to phone 9424 0000 on your behalf to contact Ku-ring-gai Council. Business hours: Monday to Friday, 8.30am-5pm.

**Simplified Chinese****需要帮助吗？**

本文件包含重要信息。如果您不理解本文件，请致电翻译口译服务 131 450。让其代表您致电 9424 0000 联系Ku-ring-gai议会。营业时间：周一至周五，上午8.30—下午5:00。

**Traditional Chinese****需要幫助嗎？**

本檔包含重要資訊。如果您不理解本檔，請致電翻譯口譯服務 131 450。讓其代表您致電 9424 0000 聯繫Ku-ring-gai議會。營業時間：週一至週五，上午8.30—下午5:00。

**Japanese****お困りですか？**

この文書には、重要な情報が含まれています。ご不明な点があれば、「翻訳・通訳サービス」(電話 131 450) までお電話いただき、あなたに代わって、クーリングガイ (Ku-ring-gai) 議会に連絡するよう、ご依頼ください。営業時間：月曜日～金曜日 (8.30am-5pm)。

**Korean****도움이 필요하십니까?**

이 문서에는 중요한 정보가 담겨 있습니다. 여러분이 이해할 수 없다면, TIS (번역 및 통역 서비스)의 131 450번으로 전화하십시오. 9424 0000 번으로 여러분을 대신하여 전화해서 쿠링가이 카운슬을 연락해 달라고 요청하십시오. 영업 시간: 월요일-금요일, 오전 8시30분-오후 5시.

**Persian****آیا به کمک نیاز دارید؟**

این مدرک حاوی اطلاعات مهمی است. اگر آنها را نمی فهمید، خواهش می کنیم به خدمات ترجمه نوشتاری و گفتاری

(Translating and Interpreting Service)

به شماره ۱۳۱ ۴۵۰ تلفن کنید و از آن

سرویس بخواهید از جانب شما با

شهرداری کورینگای (Ku-ring-gai Council)

در ساعات کاری، دوشنبه تا جمعه از ساعت

۸:۳۰ صبح تا ساعت ۵:۰۰ بعد از ظهر با

شماره تلفن ۰۲ ۹۴۲۴ ۰۰۰۰ تماس بگیرید.

**Hindi****सहायता चाहिए?**

इस दस्तावेज़ में महत्वपूर्ण जानकारी है। यदि यह आपको समझ नहीं आती, तो कृपया अनुवाद और दुभाषिया सेवा को 131 450 पर कॉल करें, और इस सेवा को आपकी ओर से फोन: 02 9424 0000 पर व्यावसायिक घंटों के दौरान, सोमवार से शुक्रवार, सुबह 8.30 से शाम 5.00 बजे तक कू-रिंग-गई काउन्सिल से संपर्क करने के लिए अनुरोध करें।

**Need assistance with hearing or speaking?**

Contact Ku-ring-gai Council using the 24-hour National Relay Service:

**TTY users:** Call 133 677 then dial 02 9424 0000.

**Voice Relay users:** Call 1300 555 727 then ask for 02 9424 0000.

**NRS Chat:** Log onto [nrschat.nrscall.gov.au](https://nrschat.nrscall.gov.au)

**Need help to access Council's building?**

Disability parking and access is available via a ramp and lift, off Radford Place at the rear of Council's building, at 818 Pacific Highway, Gordon NSW. Call 02 9424 0000 Monday to Friday 8.30am - 5.00pm if you need further assistance.

## Preface

Ku-ring-gai Council is committed to open government and the objectives of the *Government Information (Public Access) Act 2009* (GIPA Act). The Act promotes transparency and accountability in local government by giving members of the public the right to access Council information unless there is an overriding public interest against disclosure.

This Agency Information Guide has been prepared in accordance with the requirements of the Act. It provides information about Council's functions, structure, operations and the types of information available.

The guide is not meant to be an exhaustive list of all the information that Council holds. However, the guide will help you to understand what information is available, how to access it, and what to do if you are unable to find the information you need.

We trust this guide is valuable and informative. We welcome your feedback and suggestions for improvement, as we aim to provide the community with exceptional service while being open and transparent in our operations and decisions.

The guide can be accessed at [www.krg.nsw.gov.au](http://www.krg.nsw.gov.au).

David Marshall

General Manager

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## Information access

The *Government Information (Public Access) Act 2009* (GIPA Act) sets out the rules about how you can access government information from Council.

This may include records and data about plans and policies, development applications, Council decisions, information on how Council works, or your own personal data that is held by Council.

There is a presumption in favour of releasing government information. However, some government information is excluded from access under the GIPA Act. This might include certain commercial, legal or personal information about other people.

## Agency Information Guides

Under the GIPA Act, all NSW Government agencies (including councils) must publish an Agency Information Guide. This guide helps to ensure that government information held by Council is publicly available and up to date, as well as helping the public participate in Council decision-making and service delivery. In line with the requirements of the GIPA Act, this guide includes the following information:

- the structure and functions of Council
- the ways in which the functions of Council affect the public
- arrangements that enable members of the public to participate in Council decision-making and the exercise of the agency's functions
- the kinds of government information held by Council
- the kinds of government information that Council makes publicly available
- how Council makes government information publicly available
- the kinds of information that are made publicly available free of charge and those kinds for which a charge is imposed.

## About Ku-ring-gai Council

The Ku-ring-gai Local Government Area (LGA) is located in the northern suburbs of Sydney. It covers an area of approximately 85 km<sup>2</sup> and is home to around 126,000 people. Ku-ring-gai includes the suburbs of Wahroonga, Turramurra, Lindfield, St Ives and Roseville. Known as Sydney's green heart, the area is characterised by its natural beauty with large tracts of bushland, parks, reserves, creeks and waterways.

Ku-ring-gai Council was established in 1906. The council's early years were marked by a focus on building infrastructure. The council underwent significant changes in the 1960s as new suburbs were established and the population began to grow. Since then, the council has continued to evolve and respond to the changing needs of its community and working to maintain the unique character of the area.

### Our vision

Ku-ring-gai's community vision in the Community Strategic Plan is for *an inclusive and connected community, where our natural environment and heritage are valued, working towards a sustainable future.*

### Our values

Ku-ring-gai Council's corporate values are:

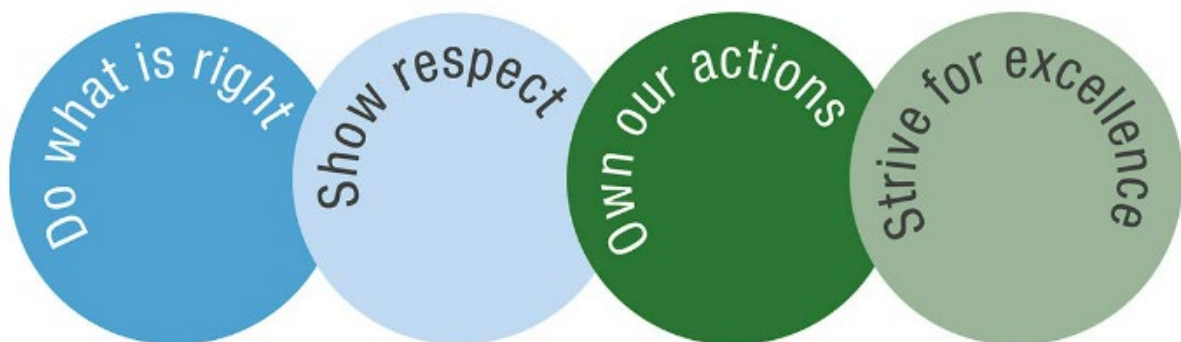


Figure 1: Ku-ring-gai Council's corporate values



These values guide staff interactions with each other and with the community, and by employing people who support these values, Council is building on its reputation as a customer service organisation.

Further information about the local area and Council's community vision and objectives is available in the Community Strategic Plan available here:

[www.krg.nsw.gov.au/Council/Strategic-plans-finance-reports-and-publications/Community-Strategic-Plan](http://www.krg.nsw.gov.au/Council/Strategic-plans-finance-reports-and-publications/Community-Strategic-Plan)).

## Constitution

Ku-ring-gai Council operates under the *Local Government Act 1993*. The Act provides the legal framework for the system of local government in NSW and the responsibilities and powers of councils and councillors. The Act also sets out principles to guide councils in carrying out their functions, including:

- strong and effective representation, leadership, planning and decision-making
- planning strategically and delivering effective, efficient services and continuous improvements
- working with others to achieve desired outcomes for the community
- providing sound financial management and the best possible value for residents and ratepayers
- acting fairly, ethically and without bias in the interests of the local community
- actively engaging with the community
- considering social justice principles, the diversity of local community needs, ecologically sustainable development principles, impacts on future generations and transparency in decision-making,
- providing a consultative and supportive working environment for staff.

## The governing body

Ku-ring-gai Council is comprised of 5 wards: Comenarra, Gordon, Roseville, St Ives and Wahroonga. Council is governed by a body of 10 Councillors (two representatives per ward) who are elected by the residents and ratepayers of the area. Elected representatives generally meet monthly at Council meetings to make decisions on policy matters and other important issues.



As members of the governing body, and in the interests of ensuring the organisation operates effectively to achieve the best outcomes for the community, councillors work constructively with Council staff who are responsible for implementing Council decisions.

The Mayor is elected for a two-year term by Councillors. The Mayor presides at meetings of the Council, carries out the civic and ceremonial functions of the office, exercises, in cases of necessity, the decision making functions of the body politic between its meetings and performs any other functions that the Council determines.

## Organisational structure

The General Manager is appointed by the Council and is responsible for the overall administration of the organisation, efficient operations and staff matters. Council activities are managed under 5 departments that report to the General Manager.

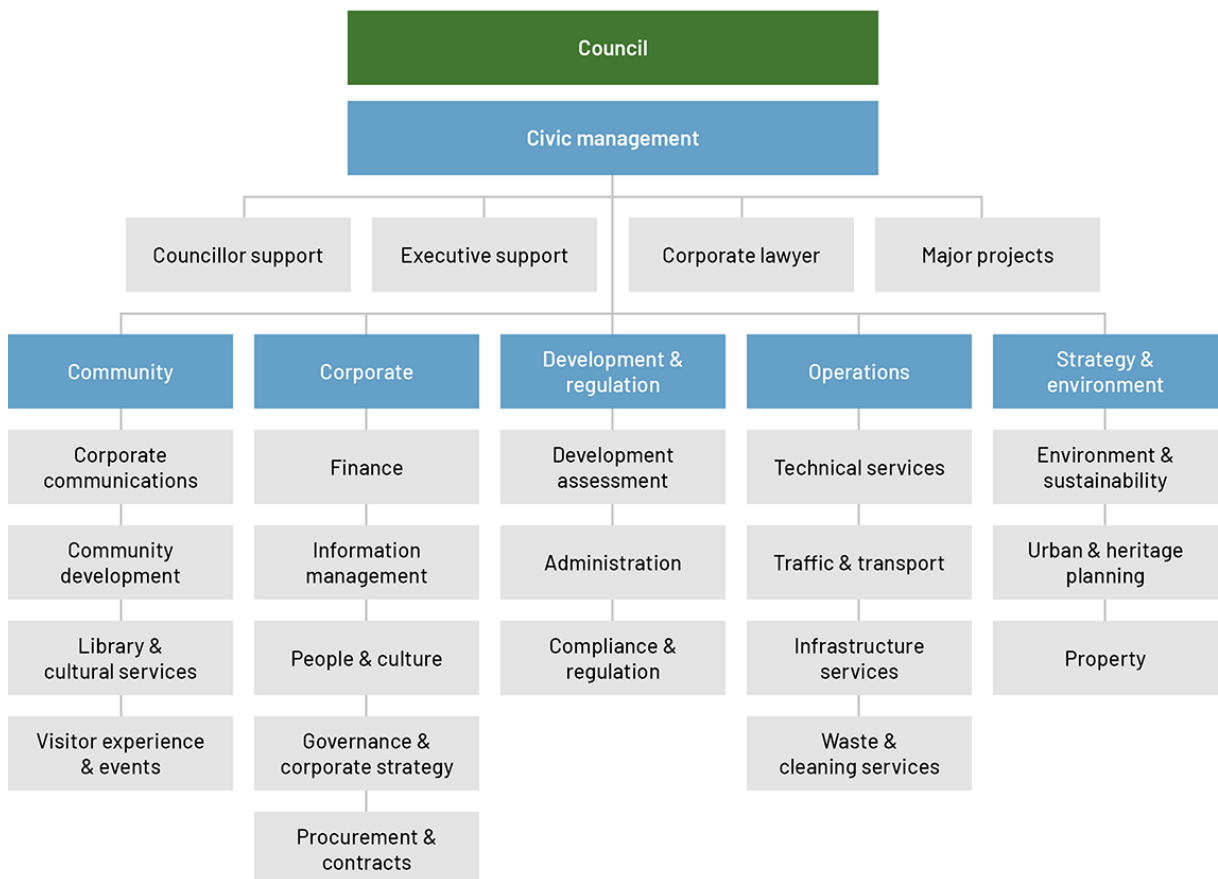


Figure 2: Ku-ring-gai Council organisation structure (as at April 2024)

## Our functions and services and how they affect the public

Ku-ring-gai Council is responsible for a wide range of programs, services and functions, including the following:

- **Citizenship ceremonies:** Council works with the Department of Home Affairs to conduct citizenship ceremonies in Council Chambers to welcome new citizens and celebrate cultural diversity.
- **Community engagement and consultation:** Council engages with the community through consultations, surveys, and public meetings to gather feedback, address concerns and involve residents in decision-making processes.
- **Community events and festivals:** Council supports community events, festivals, and celebrations to promote community engagement, cultural diversity, and local tourism.
- **Community grants and funding:** Council administers grants and funding programs to support community initiatives, projects, and organisations that contribute to the well-being and development of the local community.
- **Economic development:** Council works to promote local economic development and attract businesses to the area.
- **Emergency management:** Council works with NSW emergency services to prepare for and respond to natural disasters, such as bushfires and floods. This affects the public by ensuring that emergency services are coordinated and effective, and that communities are prepared and informed in times of crisis.
- **Environmental management:** Council is responsible for managing local waterways and bushland. The environmental levy supports environmental grants, programs and other works. These programs and services help to preserve biodiversity and protect the local natural environment.
- **Heritage protection:** Council is responsible for identifying and protecting local heritage including historic buildings and cultural sites. These development

assessment and regulatory functions preserve the cultural and historical identity of the local areas for future generations.

- **Ku-ring-gai Wildflower Garden and St Ives Showground:** The Wildflower Garden provides a place for residents and visitors to participate in bushwalking, programs and events. The St Ives Showground provides a venue for festivals, events, sports and recreational activities.
- **Libraries and community services:** Council runs four library branches (at Gordon, Turramurra, Lindfield and St Ives), the Ku-ring-gai Art Centre and a range of community halls, meeting rooms and other facilities. Council also delivers services and programs for young people, older residents and multicultural communities. These promote social inclusion, cultural diversity and community wellbeing.
- **Local planning and development control:** Council is responsible for assessing and approving development applications, enforcing building and planning regulations, and preparing local environmental plans. These affect the public by ensuring that new developments meet community needs and standards, while protecting the environment and public safety.
- **Parking management:** Council manages and regulates parking in the area by enforcing parking regulations and implementing strategies to ensure the availability of parking spaces for residents, visitors, and businesses.
- **Pets and companion animals:** Council is responsible for managing and regulating the keeping of dogs, cats and other domestic animals. This involves education and enforcing regulations related to pet ownership and control, and working with local animal shelters and pounds. These functions and services promote responsible pet ownership, protect public safety and ensure that animals are treated humanely.
- **Project management and delivery:** Council manages and oversees construction and other projects to improve local centres and deliver valuable public



infrastructure. Council projects promote local economic development and improve the quality of life for residents.

- **Rates and charges:** Council collects rates and charges from property owners and developers to fund the delivery of local services and infrastructure. This ensures that the costs of providing essential services are shared across the community, and that council has the resources needed to maintain public infrastructure and meet community needs.
- **Regulatory and compliance functions:** Council is responsible for enforcing a range of regulations, including building and planning regulations, environmental regulations, public health and safety regulations, and local polices. These functions ensure that development and activities in the community are safe, comply with legal requirements and maintain community standards.
- **Roads and infrastructure:** Council is responsible for maintaining and upgrading local roads, footpaths, cycleways and other transport infrastructure. This ensures that residents have safe and accessible transport options.
- **Seniors' services:** Council provides support services, social activities and resources for older residents.
- **Sporting facilities, parks and recreation:** Council maintains and manages local parks, playgrounds, sports fields, and other sporting facilities for community use. This provides residents with opportunities for physical activity, social interaction and enjoyment of the natural environment.
- **Stormwater management:** Council manages local stormwater systems to reduce the risk of flooding, protect water quality, and manage drainage. This protects properties from stormwater damage, pollution and erosion.
- **Tree management:** Council is responsible for managing and regulating trees within the area. This includes planting, maintenance and removal of trees on public land, as well as regulating the pruning and removal of trees on private property. This involves developing management plans, responding to requests

and complaints, and enforcing tree preservation orders. This maintains the environmental and aesthetic value of the area and protects people from hazardous trees.

- **Waste management:** Council delivers waste collection, recycling, and disposal services, as well as programs to reduce illegal dumping, and encourage waste reduction and sustainability. These services keep the local environment clean and healthy, reduce landfill and greenhouse gas emissions, and promoting sustainable living.
- **Youth services:** Council provides programs, facilities and support services specifically tailored for young people.

We also perform a range of administrative functions to support the delivery of front-line services. These include coordinating meetings of Council and committees, strategic planning, financial management, human resources, information technology, records management and communications. These ensure that council operations are efficient, effective and that the public can easily access information and services.

## Legislation

In addition to the *Local Government Act 1993*, Ku-ring-gai Council has duties and functions conferred on it under other legislation, including the following:

Anti-Discrimination Act 1977	Industrial Relations Act 1996
Biodiversity Conservation Act 2016	Land Acquisition (Just Terms) Compensation Act 1991
Biosecurity Act 2015	Land and Environment Court Act 1979
Children and Young Persons (Care and Protection) Act 1988	Library Act 1939
Civil Liability Act 2002	Ombudsman Act 1974
Community Land Development Act 2001	Privacy and Personal Information Protection Act 1998
Community Land Management Act 1989	Protection of the Environment Operations Act 1997
Companion Animals Act 1998	Public Health Act 2010
Contaminated Land Management Act 1997	Public Interest Disclosures Act 2022
Conveyancing Act 1919	Public Spaces (Unattended Property) Act 2021
Copyright Act 1968 (Commonwealth)	Public Works and Procurement Act 1912
Crown Land Management Act 2016	Real Property Act 1900
Disability Discrimination Act 1992 (Commonwealth)	Recreation Vehicles Act 1983
Dividing Fences Act 1991	Roads Act 1993
Electoral Funding Act 2018	Road Transport Act 2013
Environmental Planning and Assessment Act 1979	Rural Fires Act 1997
Environmentally Hazardous Chemicals Act 1985	State Emergency and Rescue Management Act 1989
Essential Services Act 1988	State Emergency Services Act 1989
Evidence Act 1995	State Records Act 1998
Fines Act 1996	Strata Schemes Development Act 2015
Fire and Rescue NSW Act 1989	Strata Schemes Management Act 2015
Food Act 2003	Swimming Pools Act 1992
Fringe Benefits Tax Act 1986 (Commonwealth)	Sydney Water Act 1994
Government Information (Public Access) Act 2009	Transport Administration Act 1988
Graffiti Control Act 2008	Unclaimed Money Act 1995
Health Records and Information Privacy Act 2002	Valuation of Land Act 1916
Heavy Vehicle National Law (NSW)	Waste Avoidance and Resource Recovery Act 2001
Heritage Act 1977	Work, Health & Safety Act 2011
Home Building Act 1989	Workplace Injury Management and Workers Compensation Act 1998
Inclosed Lands Protection Act 1901	Workplace Surveillance Act 2005
Income Tax Act (various) (Commonwealth)	
Independent Commission Against Corruption Act 1988	

## Public participation in Council decisions

Council decisions have a direct impact on residents, landowners, and businesses. Policy and strategic decisions are made by elected members at Council meetings, while operational decisions are usually made by relevant staff under delegated authority.

### Community engagement

Ku-ring-gai Council values the input of the community in its planning and decision-making processes. Meaningful engagement ensures that our priorities, programs, and services align with community views and needs. We use various communication and engagement methods to encourage participation, such as online surveys, web information, media releases, newspaper articles, social media, e-news and face-to-face workshops with Council staff.

See our Community Engagement Policy here:

<https://www.krg.nsw.gov.au/Council/Forms-and-policies/Policies> and Community Participation Plan here: <https://www.krg.nsw.gov.au/Planning-and-development/Planning-policies-and-guidelines/Community-Participation-Plan>.

### Representation

Local government operates on a representative democracy model. Local government elections are held every four years. Councillors represent local residents and ratepayers and facilitate communication between the community and Council.

Residents can make representations to their elected Councillors. Councillors may pursue the matter on behalf of residents, allowing members of the public to indirectly influence decisions.

For further information visit the Council website:

<https://www.krg.nsw.gov.au/Council/Elected-Council>.

### **Council meetings and public forums**

Ordinary Council Meetings are typically held monthly in the Council Chambers in Gordon. Members of the public are encouraged to attend as observers and the meetings are livestreamed and recorded for public access. Business papers and minutes are published on Council's website.

Council holds public forums where members of the public can address the Council on agenda items or general matters. To speak at a public forum, register online or contact the Governance team.

For further information visit the Council website:

<https://www.krg.nsw.gov.au/Council/Council-meetings/Council-Meetings-and-Public-Forums>.

### **Ku-ring-gai Local Planning Panel**

The Ku-ring-gai Local Planning Panel (KLPP) is comprised of expert and community members and determines development applications of public interest or strategic importance. Members of the public can address the KLPP by submitting a written submission on a development application before the meeting. When public meetings are held, members of community can attend the KLPP as observers. Recordings of the public KLPP meetings are available on Council's website.

For further information visit the Council website:

<https://www.krg.nsw.gov.au/Council/Council-meetings/Ku-ring-gai-Local-Planning-Panel-KLPP-meetings>.

### **Council committees**

Council has established a number of advisory and reference committees that play an essential role in engaging the community and informing Council decisions. Minutes of committee meetings are reported to Council.



For further information visit the Council website:

<https://www.krg.nsw.gov.au/Council/Council-meetings/Committees-and-Panels/Council-committees>.

### **Contacting Council**

To provide feedback, comments or obtain information not available on the website, Council is contactable via phone on (02) 9424 0000, email at [krg@krg.nsw.gov.au](mailto:krg@krg.nsw.gov.au) or in person at our Service Centre in Gordon.

We aim to acknowledge general and service requests within 24 hours and resolve them within 5 days. For more complex matters, we will acknowledge correspondence, provide updates and aim to resolve the issue within 14 working days.

Residents can submit feedback, comments and petitions on matters open for public exhibition or participate in public consultations on projects. Documents on public exhibition can be viewed on the website, at Council Chambers or local libraries.

Submissions can be made through the Your Say page on Council's website (see <https://www.krg.nsw.gov.au/Council/Your-say>). Residents can also submit petitions or submissions directly to Council.

## Access to information

### How is information held by Council?

Ku-ring-gai Council holds a range of information in various formats. We hold most of our information in our electronic document and records management system (EDRMS). This system serves as the central repository for most Council information. There may still be instances where information is stored on physical files, particularly for records predating the implementation of the electronic system in 2003. These files are gradually being scanned and incorporated into Council's electronic records system to ensure they are protected and accessible.

### How can I access information held by Council?

Under the GIPA Act, members of the public have a right to certain information held by Council, unless there is an overriding public interest against disclosure. Access can be provided through the following channels:

#### Open access

Council is required to make certain information available to the public without the need for a specific request. Much of this information is published on the Council website.

#### Proactive release

Council can voluntarily provide additional information to the public by publishing it to the Council website.

#### Informal release

Members of the public can request information directly from Council through an informal access request. This may be suitable for open access, straightforward or non-sensitive information.

#### Formal release

For information not available through other means, a formal access application can be submitted. This involves completing an application form, paying a fee (if applicable), and following the process defined by the GIPA Act.

## Open access

Certain types of information are made publicly available without the need for a formal request. This is known as mandatory disclosure of open access information. Council is required to publish certain information under the GIPA Act and GIPA Regulation, or otherwise make it available to the public free of charge.

Council does not restrict access to open access information, although Council may redact personal or other protected information before it is circulated or published.

Open access information may be available on the Ku-ring-gai Council website, and specific documents can be located using the '[Find a Document](#)' page. Where information is not available on the website, it can be requested via an informal access to information application.

The table below lists these public documents and how they may be accessed.

*Table 1: Open access information held by Ku-ring-gai Council.*

Name of open access document	Website	Informal Access
Information about Council		
Agency Information Guide	✓	
Disclosure log of access applications	✓	
Register of contracts	✓	
Code of Conduct	✓	
Code of Meeting Practice	✓	
Annual Report, financial statements and auditor's report	✓	
Community Strategic Plan, Delivery Program and Operational Plan	✓	
Equal Employment Opportunity (EEO) Management Plan	✓	
Councillor Expenses and Facilities Policy	✓	
Annual reports of bodies exercising delegated functions	N/A	N/A
Other codes referred to in the Local Government Act 1993		✓
Disclosure of interest returns for Councillors and designated staff	✓	
Council and committee meeting business papers and minutes	✓	
Reports of Office of Local Government investigations	✓	
Land register	✓	
Register of investments		✓
Register of delegations		✓

Name of open access document	Website	Informal Access
Register of graffiti removal work		✓
Register of declarations of political donations	✓	
Register of voting on planning matters	✓	
Plans and policies		
Council policy documents	✓	
Local policies concerning orders and approvals	✓	
Plans of management for community land	✓	
Environmental planning instruments, development control plans and contribution plans made under the <i>Environmental Planning and Assessment Act 1979</i>	✓	
Information about development applications		
Development applications and records of decisions (on website from 2008)	✓	✓
Associated documents including: <ul style="list-style-type: none"> <li>• home warranty insurance documents</li> <li>• construction certificates</li> <li>• occupation certificates</li> <li>• structural certification documents</li> <li>• town planning reports</li> <li>• submissions received on development applications</li> <li>• consultant reports</li> </ul>		✓
Approvals, orders and other documents		
Applications for approval under Part 1 of Chapter 7 of the <i>Local Government Act 1993</i>		✓
Applications for approvals under other Acts. Development contribution and planning agreement registers are accessible from the Council website. Other documents are available via access request	✓	✓
Records of approval granted or refused, variation from Council policies, and decisions made on appeals. Register of approved variations from local development standards are accessible from the Council on website. Other documents are available via access request	✓	✓
Orders given under Part 2 of Chapter 7 of the <i>Local Government Act 1993</i> and any reasons given under Section 136 of the Act		✓
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 Council		✓
Compulsory acquisition notices		✓
Leases and licences for use of public land classified as community land		✓

### Proactive release

Ku-ring-gai Council may choose to proactively release additional information beyond what is required by the GIPA Act and GIPA Regulation. This may include committee terms of reference, news and events, research reports and project updates.

Council may issue newsletters or media releases, publish reports and other relevant documents to Council's website and/or make physical copies available at Council Chambers or local libraries.

If we receive repeated requests for the same type of information, we may decide to proactively release that information (subject to any overriding public interest considerations). This saves us time and resources while sharing information that is in the public interest.

Members of the public can suggest additional information they would like to see released by contacting the Right to Information Officer at [governance@krq.nsw.gov.au](mailto:governance@krq.nsw.gov.au).

### Informal release

Ku-ring-gai Council is authorised to release information without the need for a formal access application. This is a more efficient, flexible and timely option for most information.

Council will generally release open access (see Table 1), straightforward and non-personal information via informal release. Council will also provide access to your own personal information via an informal access request. Council will require proof of identity if you are requesting access to your personal information.

We may also suggest to applicants that their formal access application can be dealt with informally. In this case, applicants should be aware of the implications, including that they do not have to pay an application fee, but they will not receive a written or decision or have any review rights under the GIPA Act.



Applicants will usually be advised within 10 working days whether information is available for release, with most requests finalised within 15 working days.

If your application involves a large volume of information, if it contains personal information about someone else, if it relates to an insurance claim or if it contains sensitive or confidential material, we may require you to lodge a formal access application.

We may redact sensitive information or impose other reasonable conditions on the informal release of information (such as view-only access).

Informal Access requests can be submitted via the online form available at:

<https://www.krg.nsw.gov.au/Council/Access-to-information/How-to-apply-for-access-to-information>.

### **Formal release**

If you are seeking access to information that is not available through mandatory disclosure, proactive release, or informal means, you can submit a formal access application under the GIPA Act.

This involves completing the required application form and paying an application fee. The formal release process includes an assessment by Council officers to determine if any exceptions or considerations apply under the GIPA Act. Council has set timeframes to respond to formal access applications, and it must provide reasons if access to information is denied or restricted.

Generally, a formal access application is required if the application involves:

- a large volume of information and/or extensive research
- sensitive or confidential information
- details regarding an insurance claim

- information relating to third parties who will need to be consulted prior to its release (for example, if the request relates to someone else's personal information).

A formal application must:

- be in writing and sent to or lodged at Council
- expressly state that the application is made under the *Government Information (Public) Access Act 2009*
- include the prescribed application fee
- include a postal or email address for correspondence
- provide sufficient details for the information to be located.

Formal access applications cost \$30, and processing charges of \$30 per hour may also apply. We will provide an estimate of any processing charges and may also require a deposit to be paid prior to commencing work on formal applications. A fee reduction may be available in some circumstances, such as financial hardship. We may require proof of identity from you if you are requesting access to personal information.

Once we have determined it is a valid application and payment has been received, we will acknowledge each application within 5 working days and complete applications within 20 working days from receipt. This period can be extended for up to 15 working days if there is a need for consultation with a third party or retrieval of documents outside the Council.

Information released under a formal access application which is of public interest may be recorded in Council's disclosures log.

Formal access application forms can be found on the Council website:

<https://www.krg.nsw.gov.au/Council/Access-to-information/How-to-apply-for-access-to-information>.

## Rights of review

You have the right to have a decision on a formal access application reviewed. A full list of reviewable decisions is set out in section 80 of the GIPA Act.

If your access application has been refused, you have a general right to seek an internal review of the decision. You must apply for an internal review within 20 working days of the original decision and pay a \$40 fee before the internal review can commence. The review will be carried out by an officer who is more senior than the person who made the original decision, and the review decision will be made as if it was a fresh application.

You can also ask for an external review by the NSW Information Commissioner or the NSW Civil and Administrative Tribunal (NCAT) if we refuse access or if you are unsatisfied with our decision on a GIPA application. Details can be found on the Information and Privacy Commission website: <https://www.ipc.nsw.gov.au>

## Interaction with other legislation

Access to certain information may be limited in accordance with the *Privacy and Personal Information Protection Act 1998* (PPIPA Act) and the *Health Records and Information Privacy Act 2002* (HRIPA Act) which provide for the protection of personal and health information.

Council has adopted a Privacy Management Plan which outlines Council's practice for dealing with privacy and personal information. The Plan can be found on the Council website at: <https://www.krg.nsw.gov.au/Council/Information-pages/Privacy>

Information held by Council may also be subject to the *Copyright Act 1968*. Copyright laws may prohibit the copying and publishing of information held by Council unless permission has been given for copying by the copyright owner.

## Further information

### Public Officer and Right to Information Officer

Council has appointed the Manager Governance and Corporate Strategy as its Public Officer. The Public Officer is responsible for managing applications for access to information. If you believe a Council record is incorrect, you will need to submit a written application to the Public Officer outlining your reasons for requesting the amendment to the information.

The Manager Governance and Corporate Strategy and the Governance Team are Council's Right to Information Officers and are responsible for determining applications for access to documents.

The Public Officer and Right to Information Officers may be contacted as follows:

**Email:** [governance@krg.nsw.gov.au](mailto:governance@krg.nsw.gov.au)

**Telephone:** (02) 9424 0000

**Address:** 818 Pacific Highway, Gordon NSW 2072

**Postal:** Locked Bag 1006, Gordon NSW 2072

### Information and Privacy Commissioner

If you require any further advice about access to information, you may contact the Information and Privacy Commission using the following details:

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

**Telephone:** 1800 472 679

**Postal:** GPO Box 7011, Sydney NSW 2001

**Website:** <https://www.ipc.nsw.gov.au>



## Find Open Data

Data.NSW aims to build trust with the NSW community and encourage transparency and openness in data usage across government.

Every government agency collects data but often do not share their data with other agencies. Data.NSW provides a secure platform and resources to support agencies to share their data. Ultimately this will help NSW government to build better products and services for the community.

**Website:** <https://data.nsw.gov.au>

**Ku-ring-gai Council**

818 Pacific Highway, Gordon NSW 2072

Phone 02 9424 0000 Email [krq@krq.nsw.gov.au](mailto:krq@krq.nsw.gov.au)

[krq.nsw.gov.au](http://krq.nsw.gov.au)