



Greater  
Hume  
Council



# Government Information (Public Access) Act 2009 **Publication Guide**

# Government Information (Public Access) Act 2009 (known as GIPA)

## What is GIPA?

The GIPA Act replaced the Freedom of Information Act 1989 (NSW) on 1 July 2010.

## Who does it apply to?

The law applies to all NSW public sector agencies including:

- Government departments
- Ministers and their personal staff
- NSW local councils; public offices and courts.

The law facilitates access to information by:

- making it necessary for agencies to make certain information publicly available
- authorising agencies to proactively release other information to the community
- authorising agencies to release their information in response to informal access requests
- giving the public a legally enforceable right to access government information through making a access application, unless there is an overriding public interest against doing so.

This Publication Guide has been prepared in accordance with the provisions of Section 20 of the Government Information (Public Access) Act 2009.

# Greater Hume Council

Greater Hume Shire Council was constituted by a Proclamation of the Local Government Act 1993 on 26 May 2004. The Proclamation gave legal effect to the restructure of local government boundaries in the Albury region.

The first Council for the Greater Hume Council was elected on 5 March 2005.

The Council covers an area of 5,939 square kilometres with a population of approximately 10,509 and is situated in southern New South Wales.



The Council shares its boundary with Albury, Federation, Lockhart, Snowy Valleys and Wagga Wagga Councils.

## Structure and functions of Council

The elected members comprise the Mayor, Deputy Mayor and seven councillors.

Politically, the Council comprises three wards with three councillors elected in each ward.

The Mayor is elected biannually by the councillors and presides at meetings of the Council. The Deputy Mayor is elected on an annual basis.

In cases of necessity, the Mayor exercises the policy-making functions of the Council between meetings of the Council.

Council has appointed a General Manager who is generally responsible for the efficient and effective operation of the organisation and for ensuring the implementation without undue delay of decisions of the Council.

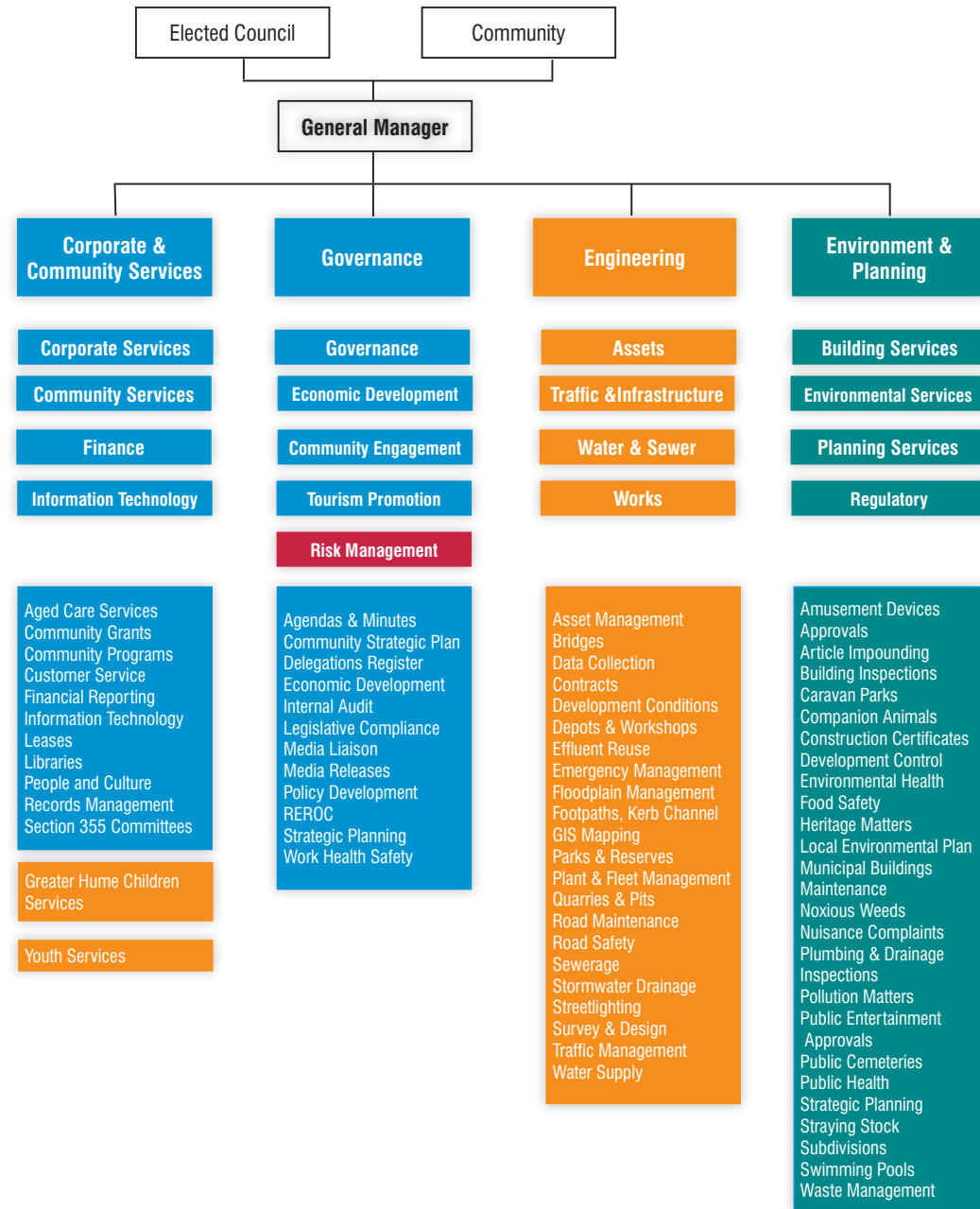


General Manager  
Evelyn Arnold

# Structure of Council

Staff are divided into four departments - Governance, Corporate and Community Services, Environment and Planning and Engineering. The head of each department together with the General Manager make up the Management Executive Team (MANEX) which meets twice per month to discuss issues related to the day to day management of the Council's operations and to formulate recommendations to Council.

The following diagram is a depiction of Council's organisational structure.



# Functions of Council

Under the Local Government Act 1993, Council’s functions can be grouped into the following categories:

SERVICE FUNCTIONS	REGULATORY FUNCTIONS	ANCILLARY FUNCTIONS	REVENUE FUNCTIONS	ADMIN FUNCTIONS	ENFORCEMENT FUNCTIONS
Including: Provision of community health Environmental protection Waste removal & disposal Land & property Industry & tourism development Civil infrastructure planning Civil Infrastructure maintenance & construction	Including: Approvals Orders Building Certificates	Including: Resumption of land Powers of entry and inspection	Including: Rates Charges Fees Borrowings Investments	Including: Employment of staff Management plans Financial reporting Annual reports	Including: Proceedings for breaches of Local Govt Act & Regulations Prosecution of offences Recovery of rates and charges

As well as the Local Government Act, Council has powers under a number of other Acts including:

- Companion Animal Act 1998
- Community Land Development Act 1989
- Conveyancing Act 1919
- Environmental Planning & Assessment Act 1979
- Fire Brigades Act 1989
- Food Act 1989
- Government Information (Public Access) Act 2010
- Heritage Act 1977
- Impounding Act 1993, Impounding Regulation 2008
- Library Act 1939
- Local Government (General Regulation) 2005
- Noxious Weeds Act 1993
- Privacy & Personal Information Protection Act 1998
- Protection of the Environment Operations Act 1997, Protection of the Environment Operations Regulation 2000, Protection of the Environment Operations Amendment Act 2005
- Public Health Act 1991
- Recreation Vehicles Act 1993
- Roads Act 1991
- Rural Fires Act 1997, Rural Fires Regulation 2008
- State Emergency & Rescue Management Act 1989
- State Emergency Service Act 1989
- Swimming Pools Act 1992
- Unclaimed Money Act 1995

## How Council's Functions Affect the Public

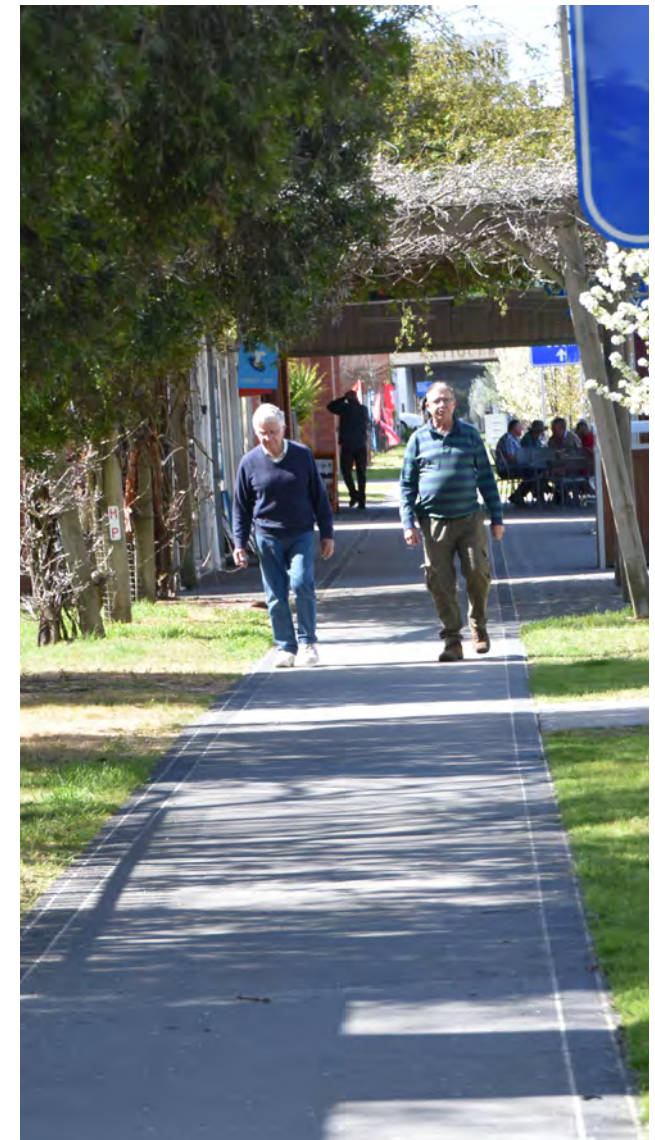
Virtually all of Council's functions have a direct impact on members of the public. The functions performed by Council may affect the public in one of two ways as most functions involve either the provision of a service or the regulation of an activity.

With respect to its service functions, Council provides goods, services and facilities and carries out activities appropriate to the needs within its local communities.

Council's service functions include the provision, operation and management of -

- 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
- water, sewerage and drainage works and facilities

- stormwater drainage and flood prevention, protection and mitigation services and facilities
- fire prevention, protection and mitigation services and facilities
- land and property development
- roads, bridges, footpaving, kerb and gutter, and streetscapes.



## How the public may participate in policy development and excising of function

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

### Representation

The local government system used in Australia is that of a 'representative democracy'. This means that the people in the shire elect representatives to their local council to make decisions on their behalf.

In NSW, local government elections are held every four years. The next election will be held in September 2020. All residents who are on the electoral roll are eligible to vote. Property owners who live outside the area and rate paying lessees can also vote, but must register their intention to vote on the non-residential roll. Voting is compulsory.

Right. Council meeting in progress at Wymah, November 2017.

Residents and ratepayers of the area may also, at any time, make verbal representations to their elected representatives or written representations direct to the Council, through the General Manager, relating to any matter concerning the Council.

Additionally, members of the public may address Council at the public forum that is held prior to each monthly meeting, generally held the third Wednesday of the month, commencing at 6.00pm.

Meetings of the Council and its committees (where all members are councillors) are required, as a general rule, to be open to the public. A council or committee meeting may only be closed to the public for certain reasons in accordance with Section 10 of the Local Government Act 1993.

For dates and venues regarding Council meetings go to Council's website [greaterhume.nsw.gov.au](http://greaterhume.nsw.gov.au)



## How the public may participate in policy development and excising of function

The Council considers matters referred to it by the General Manager, Directors, other organisations (public and private) and constituents of the area.

In turn, the councillors, if they agree on the issue or representation may pursue the matter on the resident's behalf, therefore influencing the development of policy.

Section 14 of the Local Government Act provides Council with the power to take a poll of electors for its information and guidance. Specific matters relating to changes in ward boundaries, the basis on which the mayor attains office, the number of councillors to be elected, and the method of election and the voting system cannot be dealt with unless approval to do so has been given at a constitutional referendum, ie, a poll initiated by Council.

### Personal Participation

Members of the public may also choose to personally participate in policy development and the functions of Council by way of election to one or more of Council's management committees.

Certain matters which are being considered by Council are also required to be placed on public exhibition before a decision is made. Examples of such matters include management plans, revenue policy, specific development applications and proposals to lease unused roads.

In these instances, persons are invited to make submissions, including comments on or objections to the proposals relating to these matters.



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

Roads Act 1993, Section 162

### Proposed Road Names

In accordance with the Roads (General) Regulation 2008 7(1) (a) and The Roads Act 1993, Greater Hume Council hereby gives notice of proposed naming of roads within Greater Hume Council off Coogera Crt, Jindera.

Proposed Road Name - **Mulgrave Road**

Written comments or objections are invited on the proposed name and can be made in writing by Friday, 23 February 2018 to Brett McAliece, Technical Officer, Greater Hume Council PO Box 99, Holbrook NSW 2644, or alternatively by email to [mail@greaterhume.nsw.gov.au](mailto:mail@greaterhume.nsw.gov.au)

### Third Instalment of 2017/2018 Rates

Ratepayers are reminded that the third instalment for the 2017/2018 Rates and Charges is due for payment by 28 February 2018.

Please refer to your Rates Notice for methods of payment. Please note if paying by BPay and you have more than one assessment, ensure that each individual reference number is under a separate transaction.

If payment is not received by the due date, any amounts overdue including the third instalment will attract interest at the rate of 7.5% per annum calculated daily.



## Elected Representatives

Name	Email Address	Phone No
Cr Tony Quinn MAYOR	tquinn@greaterhume.nsw.gov.au	0429 674 933
Cr Annette Schilg DEPUTY MAYOR	aschilg@greaterhume.nsw.gov.au	0429 906 401
Cr Ian Forrest	iforrest@greaterhume.nsw.gov.au	0457 522 654
Cr Matt Hicks	mhicks@greaterhume.nsw.gov.au	0419 602 780
Cr Jenny O'Neill	joneill@greaterhume.nsw.gov.au	0438 263 417
Cr Lea Parker	lparker@greaterhume.nsw.gov.au	0427 362 723
Cr Ashley Lindner	alindner@greaterhume.nsw.gov.au	0458 293 328
Cr Doug Meyer	dmeyer@greaterhume.nsw.gov.au	0429 690 999
Cr Heather Wilton	hwilton@greaterhume.nsw.gov.au	0417 166 731



## Information held by Council

Council holds information (hard copy and/or electronic form) that relate to a number of different issues concerning the Greater Hume Shire area. The information is grouped into four categories:

- Electronic Documents
- Physical Files
- Policy Documents
- General Documents

Some information may require a formal access application in accordance with the Government Information (Public Access) Act 2010.

### Electronic and Physical

Council has implemented an Electronic Document Management System (EDMS) and post August 2008 hard copy, physical files were dispensed with, except for development/building/construction applications and property files.

Prior to August 2008 the main types of physical files held by Council includes general subject files, development and building files and property files.

The foregoing are not available on Council's website; however, this information may be made available either by informal release or via an access application in accordance with Sections 7-9 of the GIPA Act 2010, unless there is an overriding public interest against disclosure of the information as outlined in Section 14 of the GIPA Act. Members of the public who require an informal release or an access application can do so by contacting Council on 02 6036 0100.

### Policy Documents

Council has a register of policy documents which is available on Council's website.

### General Information

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

Information about Council  
Plans and Policies  
Information about Development Applications  
Approvals, Orders and Other Documents

The Government Information (Public Access)

Regulation requires that this information held by Council is to be made publicly available for inspection, free 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 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.

Information includes:

- Information about Council
- The Model Code prescribed under section 440 (1) of the LGA
- Council's adopted Code of Conduct
- Code of Meeting Practice
- Annual Report
- Annual Financial Reports
- Auditor's Report
- Management Plan
- EEO Management Plan
- Payment of Expenses & Provision of Facilities to the Mayor and Councillors Policy

## Information held by Council

- Returns of Interest of Councillors, Designated Persons and Delegates
- Agendas and Business Papers for any meeting of Council or any Committee of Council
- Minutes of any meeting of Council or any Committee of Council
- Departmental Representative Reports presented at a meeting of Council
- Land Register
- Register of Investments
- Register of Delegations
- Register of Graffiti Removal Works
- Register of Current Declarations of Disclosures of Political Donations
- Register of Voting on Planning Matters

### Plans and Policies

Local Policies adopted by Council concerning approvals and orders

Plans of Management for Community Land  
Environmental Planning Instruments,  
Development Control Plans and Contribution Plans.

### Information about Development Applications

For information regarding the documents listed below please contact Council's Environment and Planning Department.

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

- Home Warranty Insurance Documents
- Construction Certificates
- Occupation Certificates
- Structural Certification Documents
- Planning Reports
- Submissions received on Development Applications
- Heritage Consultants Reports
- Tree Inspections Consultants Reports
- Land Contamination Consultant Reports
- Records of Decisions on Development Applications including decisions on appeals
- Records that Council decides to exclude from public viewing including internal specifications and configurations, and commercially sensitive information

### Approvals, Orders and Other Information

- Applications for approvals under part 7 of the LGA
- Applications for approvals under any other Act and any associated information received
- Records of approvals granted or refused, any variations from Council 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 Council
- Compulsory Acquisition Notices
- Leases and Licences for use of Public Land classified as Community Land

## How To Access Information Held By Council

As mentioned previously, Council has a vast range of information that can be accessed in varying ways. Most information can be inspected at and obtained from Council's Offices between 8.30am and 5.00pm, Monday to Friday (except Public Holidays) or via Council's web site **[greaterhume.nsw.gov.au](http://greaterhume.nsw.gov.au)**.

For further enquiries about information a Customer Services Officer should be contacted. If you experience any difficulty in obtaining information you should contact the Public Officer.

Where confidentiality on the basis of private affairs, legal professional privilege, court proceedings, etc, may be involved, your enquiry will be referred to the Public Officer. It may then be necessary to lodge an application under the Government Information (Public Access) Act 2009 and the necessary forms will be provided to you.

An initial application fee of \$30.00 is required and, dependant on processing time involved, extra charges may also be payable. If the application is refused, reasons will be given and the appropriate form to appeal the decision forwarded to you.

The Privacy and Personal Information Protection Act 2000 requires Council to comply with specific Information Protection Principals in relation to handling of personal information.

Our staff will assist you with any concerns you may have regarding the accuracy of information held by Council. Requests for amendments/ corrections to our records should be addressed to the General Manager and outline the basis of any objections to the information currently held by Council. Statutory requirements may prevent amendments without submission of satisfactory documentation.

For example, property ownership records cannot be amended unless confirmation is received from the Land Titles Office, Sydney. In these instances, the assistance of a solicitor is often necessary.

It is again emphasised that our staff will cooperate and, whenever this is permissible, will provide access to you to inspect information relevant to your interests. Our statutory responsibilities and legal obligations may restrict or prohibit the inspection of certain information/ files, etc and, in some cases, may prevent us from providing a copy of the information.

The Director of Corporate and Community Services has been delegated the Public Officer role.

Amongst other duties, the Public Officer may deal with requests from the public concerning the Council's affairs and has the responsibility of assisting people to gain access to public information of the Council.

The Director of Corporate and Community Services is also Council's Right to Information Officer and, as such, is responsible for determining applications for access to information or for the amendment of records. If you have any difficulty in obtaining access to Council information, you may wish to refer your enquiry to the Public Officer. Also, if you would like to amend information held by Council which you feel is incorrect it is necessary for you to make written application to the Public Officer in the first instance.

All written enquiries should be addressed as follows:

**The Public Officer**

Greater Hume Council  
PO Box 99  
HOLBROOK NSW 2644

**P** (02) 60 36 0100  
1300 653 538 (local call)  
**E** mail@greaterhume.nsw.gov.au

**Office of the Information Commissioner**

If you require any other advice or assistance about access to information you may contact the Office of the Information Commissioner by:

**P** 1800 472 679  
**E** ipcinfo@ipc.nsw.gov.au  
**W** ipc.nsw.gov.au



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