

This fact sheet has been developed to assist members of the public to access council information.

### Council's process for access to information

Rights to access information are provided for under the *Government Information (Public Access) Act 2009* (GIPA Act). Council is required to make certain information publicly available. This information is available in various ways:

1. Mandatory release – open access information must be published free of charge on Council's website.
2. Proactive release – beyond mandatory release, agencies are encouraged to release as much government information as possible.
3. Informal request – agencies are encouraged to informally release information, without the need for a formal application or fee (although photocopying charges may apply).
4. Request by application – please refer to 'How can I access the building and development records for a property?' and 'How do I make a formal access application under the GIPA Act?'.

### What information can I access for free?

Council's website contains an 'Agency Information Guide' – this document is located on the 'Access to Council Information' page. The Information Guide lists documents that are available to view on Council's website, free of charge, including:

- § Policy documents;
- § Integrated Planning and Reporting documents i.e. Annual Report, Community Strategic Plan, Revenue Policy;
- § Council Meeting Business Papers and Minutes;
- § Financial Information i.e. Financial Statements, Budget Reviews, Contracts Register;
- § Registers;
- § Planning documents i.e. Development Control Plan (DCP), Local Environment Plan (LEP); and
- § Disclosure of Interest Returns.

### How can I access the building and development records for a property?

1. Complete a Request to Access Building and Development Records form (available on Council's website) and submit the request to Council with an accompanying payment of \$30.00.
2. If you are seeking copies of building and development files, and you are not the owner of the property, written owner's consent is required. Council's preference is for an owner's signature on the application form, however, email consent will also be accepted.
3. Council endeavours to fulfil requests to access building and development records within 7 business days. However, where insufficient information is provided or where a large quantity of files is requested, processing times may extend to the allowable timeframe of 20 business days.
4. Council will phone or email the applicant to advise when files are available for viewing.

Note: Under the Government Information (Public Access) Regulation 2018, building and development applications made before 1 July 2010 are excluded from the definition of open access information for local government. Any development applications received on or after 1 July 2010 continue to be open access information and release of this information will be considered in light of the public interest test outlined at Part 2 Division 2 of the GIPA Act.

## How do I make a formal access application under the GIPA Act?

1. Complete a Formal Access Application form (available on Council's website) and submit the request to Council with an accompanying payment of \$30.00.
2. If you are applying for access to your personal information, proof of identity must be provided (i.e. a copy of your driver's licence).
3. Processing charges at a rate of \$30.00/hour may be required in some instances. Where applicable, you will be notified of this requirement as soon as possible.
4. Timeframes for response to formal access applications are legislated at 20 business days (with allowable extensions in some circumstances).

## How do I access other types of information?

At times, members of the public may wish to access other types of information. This may include:

- § archived records under the *State Records Act 1998* – for example, personnel records;
- § confirmation as to whether Council holds an individual's personal information – under the *Privacy and Personal Information Act 1998* (PPIP Act);
- § confirmation as to whether Council holds an individual's health information – under the *Health Records and Information Privacy Act 2002*; or
- § access to information held within Public Registers – under the PPIP Act, Council may request an applicant complete a Statutory Declaration describing the intended use of information obtained from a Public Register.

Applications to view these types of information should be made in writing, to:

General Manager  
Richmond Valley Council  
Locked Bag 10  
CASINO NSW 2470

## Need more information?

Further information about this subject can be found in Council Policy 1.19 Access to Council Records and Privacy Management Plan (available on Council's website [www.richmondvalley.nsw.gov.au](http://www.richmondvalley.nsw.gov.au)) or by contacting Council on (02) 6660 0300 or via email on [council@richmondvalley.nsw.gov.au](mailto:council@richmondvalley.nsw.gov.au). More in depth information is available by contacting the the Information and Privacy Commission on 1800 472 679 or visit [www.ipc.nsw.gov.au](http://www.ipc.nsw.gov.au).