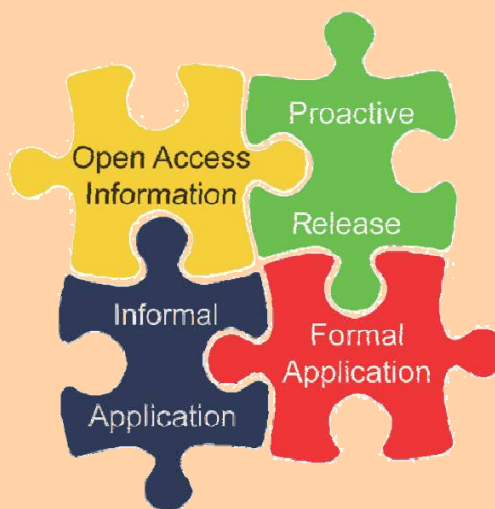




Goulburn Mulwaree Council Agency Information Guide 2014



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Mission

To serve the community

Vision

A sustainable vibrant community, protecting, enhancing and enjoying Goulburn Mulwaree’s rich social, environmental and economic heritage.

INTRODUCTION

Under the provisions of the *Government Information (Public Access) Act 2009* (GIPAA) members of the community have the ability to gain access to government information. The GIPAA replaces the *Freedom of Information Act 1989*. This reform encourages government agencies to proactively release information, creating greater transparency in the public sector to better meet the expectations of the community.

Section 20 of GIPAA requires Council to produce an Agency Information Guide and to review this document at intervals at not more than 12 months. This document is Goulburn Mulwaree Council's Agency Information Guide.

STRUCTURE AND FUNCTIONS OF COUNCIL

General Manager

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

- the efficient operation of the organisation;
- ensuring the decisions of the Council are implemented;
- the day to day management of the Council;
- exercising any functions delegated by the Council;
- appointing, directing and where necessary dismissal of staff; and
- implementing Council's Equal Employment Opportunity Management Plan.

To assist the General Manager exercise these functions there are three Directorates each led by a Director. Each Directorate carries a number of functional responsibilities; these are divided into Units and led by a Unit Manager. The Units by Directorate is shown in the attached Organisational Structure.

As well as the Directorates, the General Manager is supported by an Executive Services Division and the Water Services Unit. The composition of both of these areas is shown in the attached Organisational Structure.

PUBLIC IMPACT OF COUNCIL FUNCTIONS

All functions of Goulburn Mulwaree Council come from statute, that being either from the *Local Government Act 1993* or a number of other Acts.

Councils are the level of government operating closest to the public and therefore the majority of Council's functions will affect the public, whether directly or indirectly. Council recognises it is accountable to the public for its actions.

Below is a brief outline of the manner in which Council's broad functions can affect the public.

Service Functions (*Chapter 6, Local Government Act 1993*)

Council provides a variety of services and facilities which directly affect the public. These include provision of:

- HACC Services
- Regional Art Gallery and associated public programs
- Public library
- Recreational and sporting facilities
- Cemeteries

- Museums
- Domestic, recycling and organic waste collections
- Commercial waste services
- Recycling education to schools
- Road safety programs and education
- Operate and maintain airport
- Aquatic Centre
- Wastewater treatment
- Sewer pumping
- Effluent disposal
- Sewer reticulation
- Trade waste
- Construct, rehabilitate and maintain infrastructure and assets eg: roads, bridges, stormwater, signs and footpaths
- Water treatment and distribution
- Maintenance of raw water sources
- Public health education
- Visitor Information Centre

Regulatory Functions *(Chapter 7, Local Government Act 1993)*

Council's regulatory functions affect the public as restrictions are placed on developments and buildings to ensure they meet certain requirements affecting the amenity of the community and not endangering the lives and safety of any person. The public must not only be aware of, but also comply with, such restrictions.

Ancillary Functions *(Chapter 8, Local Government Act 1993)*

The ancillary functions of Council do not affect the majority of the public as they primarily involve the resumption/acquisition of land, powers of entry and inspection over land. These functions predominately only affect the owner of the particular land/property.

Revenue Functions *(Chapter 15, Local Government Act 1993)*

The revenue functions of Council finance the overall operation of the Council. This directly affects the public as the revenue is obtained from the rates, charges and fees paid by the public and it is these funds which enable the Council to provide the services and facilities to the community as well as the other functions of Council. Additional revenue is obtained from borrowing and investments and this revenue source is also used to finance the functions of Council.

Administrative Functions *(Chapters 11, 12 & 13, Local Government Act 1993)*

Generally the administrative functions of Council indirectly impact on or affect the public. However these functions may impact on the community through the efficiency and effectiveness of the service Council provides. All of the following are considered the administrative functions of the Council:

- Employment of staff
- Planning and reporting
- Store and fleet/plant functions
- Building maintenance
- Management of insurance policies
- Provision of technology systems and maintaining and supporting these systems
- Access to accurate and timely information
- Customer Service Counter
- Records support
- Governance services
- Public Officer functions
- Policy development

Enforcement Functions (*Chapters 16 & 17, Local Government Act 1993*)

Council's enforcement functions will directly affect those members of the public who are in breach of legislation Council enforces. These functions include matters such as:

- Non payment of rates and charges
- Parking offences
- Noxious weeds
- Public health
- Companion animals & impounding

PUBLIC PARTICIPATION IN FORMULATING POLICIES AND COUNCIL FUNCTIONS

Council actively encourages and values public participation in the exercise of its functions and in formulating policies.

There are a number of avenues the public have to participate in formulating Council policies and/or exercising Council's functions.

Policy Formulation

Council's policies are determined by the elected Council at Council Meetings which are open to the public. All new Council policies are placed on public exhibition prior to adoption to invite submissions from the public. Any existing policy with substantial changes will also be placed on public exhibition to enable submissions from the public. All submissions received are then considered by Council prior to the adoption of the policy.

Open Council Meetings & Public Forum

Council holds its Ordinary Meetings on the first Tuesday (Planning matters) and the third Tuesday of each month, commencing at 6pm. These meetings are open for members of the public to attend. In addition, members of the public are encouraged to make use of the Public Forum session held at the commencement of each Ordinary Meeting. Public Forum assists members of the public to address Council on any issue, including those items on the agenda. For more information on Council's Public Forum, including registering for Public Forum, please contact Council's Governance section on 4823 4444.

Submissions to Council

Council provides various opportunities for the public to make submissions to Council on a range of Council functions and publications. This is done through public exhibition periods which are advertised with details of how to make a submission to Council.

Legislative Provisions

Various Acts and Regulations provide the opportunity for members of the public to be involved in Council's decisions through submissions, comments or objections to proposals. Examples include levels of rates, fees and charges, policy, content of management plans and granting development and building approvals, all of which are advertised for comment.

Community Surveys

From time to time Council also undertakes community surveys to receive input from members of the community on proposals and local community or council issues.

Council Committees

Council's Committee Structure provides another avenue for members of the public to participate in policy development and Council functions. A number of Council Committees comprise or include members of the public.

Council has four Advisory Committees to deal with a range of issues. Each Advisory Committee sits for a four year term, consistent with the Council term and includes a mix of Councillors, community group representatives as well as members of the public.

In addition to Advisory Committees, the following comprise members of the public:

- Special Purpose Committees:- Community Learning Hub, Flood Plain Management, Sports Council, Ray Harvey Sports Foundation and Sporting Hall of Fame
- Working Parties:- Working parties are appointed from time to time to manage current projects
- Internal Committees:- Health and Safety and Consultative Committees

Council is represented on a number of External Committees by Councillors and staff. Participation in these committees allows our Local Government Area to be represented within the wider community.

COUNCIL INFORMATION

Access to Information under *Government Information (Public Access) Act 2009 Provisions*

Most information held by Council will be made available to the public under GIPAA provisions through four channels:

- Open Access Information
- Proactive Release
- Informal Application
- Formal Application

Council's Public Officer deals with requests from the public concerning Council's affairs and can assist people to gain access to public information of Council. The Public Officer is also Council's Right to Information Officer and is responsible for determining applications for access to information or for the amendments of information.

Open Access Information

Section 6 of GIPAA and the GIPAA Regulation prescribe open access information for local government which must be publicly available. This includes Council's:

- Agency Information Guide
- Policy documents
- Disclosure Log
- Contracts Register
- Code of Meeting Practice

- Agendas and business papers for Council and Committee meetings (excluding those papers for matters considered a part of the meeting closed to the public)
- Code of Conduct
- Annual Report
- Annual Financial Report
- Auditor's Report
- Management Plan
- EEO Management Plan
- Annual reports of bodies exercising functions delegated by Council
- Returns of Interests of Councillors and designated persons
- Land Register
- Register of Investments
- Delegations Register
- Graffiti Removal Works Register
- Declarations of Disclosures of Political Donations Register
- Register of Voting on Planning Matters
- Policies adopted concerning approvals and orders
- Plans of Management for community land
- Environmental Planning Instruments, Development Control Plans and Contributions Plans
- Development Applications and associated documents
- Records of decisions on Development Applications
- Applications for Approvals under Part 7 of the Local Government Act
- Applications for approvals under any other Act and associated documents
- Records of approvals granted or refused
- Orders
- Records of Building Certificates
- Plans of land proposed to be compulsorily acquired by Council
- Compulsory acquisition notices
- Leases and licenses for use of public land classified as community land

Where any of the above is not available from Council's website, it will be made available from Council's Customer Service Counter during normal opening hours as stated on Council's website. Copies of the documents can also be provided and a reasonable photocopying charge may apply.

Proactive Release

In addition to the information outlined above, Council will make as much other information as possible publicly available in an appropriate manner, including on Council's website. Any proactive release information will be available free of charge and will include frequently requested information or information of public interest that has been released as a result of other requests.

To date, the following is available as proactive release information:

- Council's Gifts Register
- GIS Printouts showing location of Council infrastructure within a landowner's boundary

- Flood Study
- List of Tenders Received

Informal Release

Information which is not available as Open Access Information or Proactive Release may be provided through informal release. Council will endeavour to release information in response to such a request subject to any reasonable conditions as Council deems fit to impose.

Formal Application - Release

Council will require formal applications to be submitted where the information sought:

- is of a sensitive nature that requires careful weighting of the considerations in favour of and against disclosure; or
- contains personal or confidential information about a third party that requires consultation; or
- would involve an unreasonable amount of time and resources to produce.

Formal applications should be submitted using the application form provided by Council for this purpose. Formal applications received will be processed according to the provisions and requirements of GIPAA and the applicable fees and charges as set out in GIPAA.

It is recommended that members of the public contact the Public Officer before lodging GIPAA applications to ensure that documents are available or can be made available when required.

Formal access applications under the GIPAA Act will incur a \$30 fee for all applications; a further processing charge of \$30 per hour will be imposed thereafter of processing time. In certain circumstances individuals may be eligible for a reduction of all fees and charges in accordance with Section 9 of the GIPAA Regulations 2009.

Access to Personal Information under the Privacy and Personal Information Protection Act 1998 (PPIPA)

Council adopted a Privacy Management Policy which sets out its policies and practices for dealing with privacy and personal information. The plan is accessible on Council's web page and at Council's offices.

A person's rights of access under the privacy legislation is quite separate from his or her rights under GIPAA but are limited to "personal information" as defined in the privacy legislation. A person has a right to access any information held by Council which relates to their personal affairs. This information will be made available to the individual free of charge and wherever possible without the need for a Formal Application. A person also has the right to amend any information which Council holds which concerns their personal affairs.

Council's Public Officer can assist with enquiries relating to information concerning personal affairs.

CONTACT INFORMATION

Council's Public Officer can be contacted through Council's Customer Service Counter located in Council's Civic Centre during office hours

Goulburn Mulwaree Council Civic Centre
 184-194 Bourke Street
 GOULBURN NSW 2580
 Phone: (02) 4823 4444
 E-mail: council@goulburn.nsw.gov.au

OFFICE OF THE INFORMATION COMMISSIONER

Questions concerning GIPAA or access to government information can also be directed to the Office of the Information and Privacy Commission who can be contacted on 1800 472 679 or through their website: www.ipc.nsw.gov.au

ATTACHMENT ONE - Organisational Structure

