

Agency Information Guide 2020



City of
Wagga Wagga

Statement of commitment to Aboriginal Australians

Wagga Wagga City Council would like to acknowledge the Traditional Custodians of the Land - Wiradjuri country, and to pay respects to Elders past and present.

Wagga Wagga City Council has a long history and association with the local First Nations Peoples community within the Local Government Area (LGA).

Council values the diversity of our local community and supports reconciliation by working consistently in partnership with the local Wiradjuri and First Nations community, always ensuring that the process is based on respect, trust and a spirit of openness.



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Introduction

The Agency Information Guide is published by Wagga Wagga City Council in accordance with the requirements of the Government Information (Public Access) Act 2009 (GIPA Act).

Enquiries regarding the information within the Agency Information Guide should be directed to the Wagga Wagga City Council Information Management.

Phone: (02) 6926 9217

Fax: (02) 6926 9199

Email: council@wagga.nsw.gov.au

Post: Wagga Wagga City Council, PO Box 20, Wagga Wagga, NSW, 2650

Office Location: 243 Baylis St, Wagga Wagga, NSW, 2650

Business Hours: Monday to Friday, 8.30am to 5pm

Our mission

Contribute to a vibrant growing community by providing excellence in leadership, and delivery of 'best value' infrastructure and services, supporting quality living in an improving sustainable environment.

Our vision

To be acclaimed by our community for our passion, professionalism and performance.

Our values

- Trust
- Respect
- Innovation
- Teamwork

What is the Agency Information Guide?

The Agency Information Guide provides the community with the structure and functions of Wagga Wagga City Council and details on how each function affects them. In the guide it identifies what information is publically available to members of the public, how to access government information and how to be involved in Council's decision-making processes.



About the City of Wagga Wagga

The Local Government Area covers 4,825km² and has a population of approximately 65,000. Wagga Wagga is located in the Riverina region of Southern New South Wales, about 450km south west of Sydney and 460km north of Melbourne. Wagga Wagga constitutes both rural and urban areas, with some commercial, industrial and military areas.

The city is located on the lands of the Wiradjuri people, the largest Aboriginal Nation in New South Wales. The name Wiradjuri means 'people of the three rivers' and traditionally these rivers (the Lachlan, the Murrumbidgee and the Macquarie) were the primary source of food for the Wiradjuri people.

The term wagga wagga was used for the developing city on the banks the of the Murrumbidgee River as it was the name of the original settlers farming "run" at the location. Early settlers recorded the Wiradjuri term Wagga as meaning crow. The repetition of the term Wagga was similarly interpreted to mean place of many crows as it was understood that the repetition of a word in the Wiradjuri language meant that it was plural. Hence, to this day the city is associated with the crow.

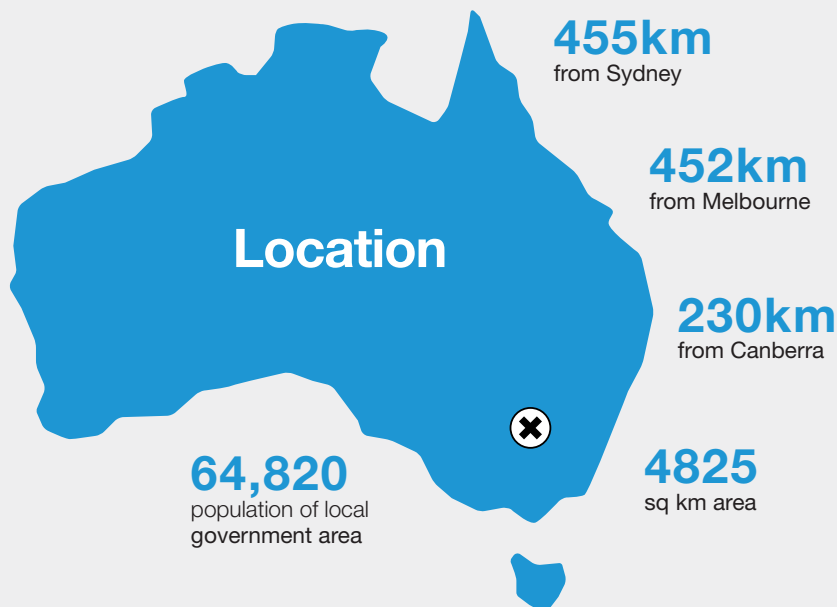
In more recent times, the term Wagga Wagga has been identified by the Wiradjuri people to be a term in their language which means place of dance, place of celebration. As the Wiradjuri used the term in repetition as Wagga Wagga, it may mean place of many celebrations or place of many dances. The Council and the community look forward to the development of a world wide understanding that we live in a city which has been known as a place of dance and celebration for many 1000's of years.

Wagga Wagga City Council produces an annual report which highlights the programs and achievements for the previous financial year. The items documented throughout the annual report outline the outcomes of the projects and services the community has requested Council deliver, facilitate and plan for, to make Wagga Wagga the type of place in which our community choose to live, work and play in. This report is located on our website at wagga.nsw.gov.au/annualreport.



Our community

Located on the banks of the Murrumbidgee River in the heart of Wiradjuri Country, Wagga Wagga is the centre of the Riverina area and is the largest inland city in NSW.



Education & employment

16.7%

of our population has a degree or higher

22%

of the population earned over \$1500 a week.

18%

of households in Wagga Wagga are classified as low income (earn less than \$650 per week)

15.8%

Largest industry of employment was health care and social assistance

5.5%

Unemployment rate



Population

35.2%

of population under 25

9.4%

of our population was born overseas with top 5 countries being United Kingdom, India, New Zealand, Philippines and China

6%

of the population coming from countries where English was not their first language

5.6%

of the population identify themselves as Indigenous or Torres Strait Islander.

4.9%

of the population in 2011 reported needing help in their day-to-day lives due to disability



Housing

76.3%

of homes had internet connection

33.6%

of the rental population pays between \$200 and \$300 per week.

0.7%

of dwellings considered to be high density

Our reporting framework

Integrated planning and reporting

Integrated Planning and Reporting (IP&R) is the planning and reporting framework the Wagga Wagga City Council uses to work towards achieving the community's vision. Under NSW Government legislation, councils must prepare a number of plans that provide details on how a council intends to deliver works and services in the short and long term. This is based on the community's priorities, which have been identified through consultation and engagement, as well as the resources available to council in delivering these items. The framework ensures councils illustrate their various plans together, to understand how they interact in planning for the future. The framework opens the way for Wagga Wagga City Council and our community to have important discussions about funding priorities, service levels and shaping local identity and to plan in partnership for a more sustainable future. As illustrated, the plans are designed to flow so that the broader objectives in a high level plan are translated into specific targets, actions and measures.



Code of conduct

Council has adopted a Code of Conduct (in line with Section 440 of the Local Government Act 1993) that sets out the minimum requirements of conduct for Council officials in carrying out their functions. Councillors, administrators, Wagga Wagga City Council staff members, independent conduct reviewers, members of Council committees including the Conduct Review Committee and delegates of the Council must comply with the applicable provisions of the Council's Code of Conduct in carrying out their functions as Council officials.



Organisation structure

Current elected members

Councillors are ratepayers and residents within the City of Wagga Wagga who have volunteered their time to provide an avenue for public participation and input on important decisions which affect the local community. Councillors are available for residents to contact to discuss any concerns or issues they may have relevant to the Wagga Wagga City Council.

Wagga Wagga City Council has nine elected members, their details and contact information can be found on the Council website wagga.nsw.gov.au.

The Mayor is elected every two years along with the Deputy Mayor. The Deputy Mayor however can be elected for the same two-year period or for a shorter term as determined by the Council. The next election will be held in September 2020.



**Councillor Greg Conkey OAM
(Mayor)**

Councillor Greg Conkey OAM was elected to Council in 2012 and was elected Mayor in September 2017.



**Councillor Dallas Tout
(Deputy Mayor)**

Councillor Dallas Tout was elected to Council in 2012 and was elected Deputy Mayor 2014 – 2016.



Councillor Vanessa Keenan

Councillor Vanessa Keenan was elected to Council in 2016.



Councillor Paul Funnell

Councillor Paul Funnell was elected to Council in 2012.



Councillor Yvonne Braid OAM

Councillor Braid OAM was elected to Council in 2008, with a tenure as Deputy Mayor in 2012.



Councillor Rod Kendall

Councillor Rod Kendall was elected to Council in 2004 and was elected Mayor in 2012 – 2015.



Councillor Tim Koschel

Councillor Tim Koschel was elected to Council in 2016.



Councillor Dan Hayes

Councillor Dan Hayes was elected to Council in 2016.



Councillor Kerry Pascoe

Councillor Kerry Pascoe was elected to Council in 2004 and was elected Mayor 2004 – 2009 and 2011.

Council committee structure

Council has no standing committees; however this may change in the future. Council has a number of user group committees comprising of stakeholders, Councillors and staff from the respective facilities/precincts. These groups include:

Committee	Meeting Schedule	Responsible Officer
Airport Advisory Committee	Quarterly	Airport Facility Manager
Annual Grants Panel	Annual	Manager Community Services
Audit, Risk and Improvement Committee	At least four times per year	Chief Audit Executive
Australia Day Committee	Monthly	Manager Community Services
Economic Development Grants Panel	As required	Manager City Strategy
Floodplain Risk Management Advisory Committee	Bi-monthly	Manager Operations
General Manager's Performance Review Committee	Quarterly	Mayor, Manager People and Culture
Honours Committee	As required	General Manager
Loans to Community Organisations Steering Committee	As required	Manager Finance
Local Traffic Committee	Bi-monthly	Manager Operations
Museum of the Riverina Community Committee	Quarterly	Manager Community Services
Major Events, Festivals & Film Sponsorship Advisory Panel	Bi-annually	Manager Community Services
Public Art Panel	Monthly	Manager Community Services
The Sister City Community Committee	As required	Manager Executive Support
Sporting Hall of Fame Panel	As required	Manager City Strategy
Southern Joint Regional Planning Panel	As required	Executive Assistant – Director Commercial

Organisation and management structure

Wagga Wagga City Council adopted a new organisation structure in 2019. Our structure is currently organised into five sectors with each sector responsible for delivering services to the community.



Service delivery

The four directorates within Wagga Wagga City Council are responsible for delivering services to the community.

General Manager	Regional Activation Directorate	Community Directorate	Corporate Services Directorate	Commercial Operations Directorate
<ul style="list-style-type: none"> • Audit • Risk • Governance • Corporate Planning • Insurance • Marketing • Public Relations • Graphic Design • Branding • Communications • Web • Executive Support • General Managers Office • Mayors Office • Councillor Services • Recruitment • Workplace Relations • Learning & Development • Work Health & Safety • Riverina Regional Library • Riverina Mobile Library Services • Town Planning • Building Surveying • Plumbing Inspection • Development Administration 	<ul style="list-style-type: none"> • Economic Development • Land Use Strategy • Urban Design • Recreation Planning • Development Contributions • Property Management • Acquisition & Disposal • Riverina Intermodel Freight & Logistics (RIFL) Hub • Bomen Enterprise Area 	<ul style="list-style-type: none"> • Events • Visitor Economy/ Tourism Information Centre • Social Plannin/ Community Development • Wagga Wagga Art Gallery • Cultural Planning & Programs • Museum of the Riverina • Wagga Wagga Civic Theatre • Family Day Care • Wagga Wagga Library • Biodiversity & Natural Resource Management • Environmental Planning & Monitoring • Environmental Education • Ranger Services & Animal Management • Development Compliance • Public Health Education & Compliance • Environmental Compliance • Glenfield Road Animal Shelter (GRAS) 	<ul style="list-style-type: none"> • Financial Accounting • Management Accounting • Revenue (Rates, Trade Waste & Water) • Accounts Receivable/ Accounts Payable • Tendering • Evaluations • Contract Administration • Purchasing & Stores • Preferred Supplier Establishment • Fleet & Plant • Information Technology Support Services • Corporate Applications • Geospatial Services • Records • Information Management • Customer Service • Payroll 	<ul style="list-style-type: none"> • Project Management Office (PMO) • Technical & Strategy • Subdivisions • Asset Management • Engineering • Traffic • Sewer • Stormwater • Civil • Design • Operations • Parks and Gardens • Facilities Management/ Maintenance • Condition Assessment/Analysis • Gregadoo Waste Management Centre • Workshop • Wagga Wagga Airport • Livestock Marketing Centre (LMC) • Oasis Regional Aquatic Centre

Functions of the Council



The Local Government Act 1993 highlights the purpose of local government is to provide a system under which councils perform the function and exercise the powers conferred by or under this Act and any other Act for the peace, order and good government of the community. It is the role of the Council to provide governance and leadership for the local community through advocacy, decision making and action. It is essential that Council is accountable to their local communities in the performance of functions and the exercise of powers and the use of resources. Council has functions conferred or imposed upon it by the Local Government Act 1993 which include but are not limited to:

Service Function	<ul style="list-style-type: none">• Providing community health, recreation, education and information services• Environmental protection• Waste removal & disposal• Land and property, industry, tourism development and assistance
Regulatory Functions	<ul style="list-style-type: none">• Approvals• Orders• Building Certificates
Ancillary Functions	<ul style="list-style-type: none">• Resumption of Land• Powers of entry and inspection
Revenue Functions	<ul style="list-style-type: none">• Rates• Charges• Fees• Borrowings• Investments
Administrative Functions	<ul style="list-style-type: none">• Employment of Staff• Management Plans• Financial Reporting• Annual Reports
Enforcement Functions	<ul style="list-style-type: none">• Proceedings of breaches of the Act• Prosecution of offences• Recovery of rates and charges

The role of the governing body

The governing body is to consult with the general manager in directing and controlling the affairs of Council. Chapter 9, Section 223 of the Local Government Act 1993 stipulates the role of the governing body is as follows:

- To direct and control the affairs of the council in accordance with this Act,
- To provide effective civic leadership to the local community,
- To ensure as far as possible the financial sustainability of the council,
- To ensure as far as possible that the council acts in accordance with the principles set out in Chapter 3 of the Act and the plans, programs, strategies and policies of the council,
- To develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of the council,
- To determine and adopt a rating and revenue policy and operational plans that support the optimal allocation of the council's resources to implement the strategic plans (including the community strategic plan) of the council and for the benefit of the local area,
- To keep under review the performance of the council, including service delivery,
- To make decisions necessary for the proper exercise of the council's regulatory functions,
- To determine the processes for appointment of the general manager by the council and to monitor the general manager's performance,
- To determine the senior staff positions within the organisational structure of the council,
- To consult regularly with community organisations and other key stakeholders and keep them informed of the council's decisions and activities
- To be responsible for ensuring that the council acts honestly, efficiently and appropriately.

Administration

As well as the Local Government Act 1993, Council has functions and/or obligations under a number of other related Acts including but not limited to:

- Anti-Discrimination Act, 1977
- Biosecurity Act 2015
- Cemeteries and Crematoria Act, 2013
- Community Land Development Act, 1989
- Companion Animals Act, 1998
- Contaminated Land Management Act, 1997
- Conveyancing Act, 1919
- Copyright Act, 1968
- Crown Lands Act, 1989
- Environmental Planning and Assessment Act, 1979
- Fire Brigades Act, 1989
- Food Act, 2003
- Government Information (Public Access) Act, 2009
- Heritage Act, 1977
- Health Records and Information Privacy Act, 2002
- Impounding Act, 1993
- Interpretation Act, 1987
- Land Acquisitions Just Terms Compensation Act, 1991
- Library Act, 1939
- Local Government Act 1993
- Privacy and Personal Information Protection Act, 1998
- Protection of the Environment Operations Act, 1997
- Public Health Act, 2010
- Public Interest Disclosures Act, 1994
- Real Property Act, 1900
- Recreation Vehicles Act, 1983

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- Roads Act, 1993
 - Road Transport Act, 2013
 - State Emergency Services and Rescues Management Act, 1989
 - State Emergency Service Act, 1989
 - State Records Act, 1998
 - Swimming Pools Act, 1992
 - Unclaimed Money Act, 1995
 - Valuation of Land Act, 1916
 - Waste Avoidance and Resource Recovery Act, 2001
 - Work Health and Safety Act, 2011

Decision-making functions

The Mayor

The role of the Mayor as stated in Section 226 of the Local Government Act 1993 is as follows:

- To be the leader of the council and a leader in the local community
- To advance community cohesion and promote civic awareness,
- To be the principal member and spokesperson of the governing body, including representing the view of the council as to its local priorities,
- To exercise, in case of necessity, the policy-making functions of the governing body of the council between meetings of council,
- To preside at meetings of council
- To ensure that meetings of council are conducted efficiently, effectively and in accordance with the Local Government Act,
- To ensure the timely development and adoption of the strategic plans, programs and policies of the council,
- To promote the effective and consistent implementation of the strategic plans, programs and policies of the council,
- To promote partnerships between the council and key stakeholders,
- To advise, consult with and provide strategic direction to the general manager in relation to the implementation of the strategic plans and policies of the council,
- In conjunction with the general manager, to ensure adequate opportunities and mechanisms for engagement between the council and the local community,
- To carry out the civic and ceremonial function of the Mayoral office,
- To represent council on regional organisations and at inter-governmental forums at regional, state and Commonwealth level.
- In consultation with the councillors, to lead performance appraisals of the general manager,
- To exercise any other function of the council that the council determines.

The General Manager

The General Manager of Wagga Wagga City Council has the following functions according to section 335 of the Local Government Act 1993:

- To conduct the day-to-day management of the Council in accordance with the strategic plans, programs, strategies and policies of the Council,
- To implement, without undue delay, lawful decisions of the Council,
- To advise the Mayor and the governing body on the development and implementation of the strategic plans, programs, strategies and policies of the council,
- To advise the Mayor and the governing body on the appropriate form of community consultation on the strategic plans, programs, strategies and policies of the Council and other matters related to the council,
- To prepare, in consultation with the Mayor and the governing body, the council's community strategic plan, community engagement strategy, resourcing strategy, delivery program,

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- operational plan and annual report,
- To ensure the Mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their functions,
 - To exercise any of the functions of Council that are delegated by the council to the general manager,
 - To appoint staff in accordance with the organisation structure determined under Chapter II of the Local Government Act 1993 and the resources approved by the council,
 - To direct and dismiss staff,
 - To implement the Council's workforce management strategy,
 - Any other functions that are conferred or imposed on the general manager by or under this or any other Act.

Delegations

Section 377 of the Local Government Act 1993 provides that Council may delegate functions, other than those specified in that Section, to the General Manager or any other person or body (not including another employee of Council). The Council delegates a number of authorities and powers to the Mayor for certain functions to be exercised in a manner consistent with Council's policies and decisions.

As part of the overall running of the Council, Council also delegates a number of powers and functions to the General Manager to ensure the efficient day to day management of Wagga Wagga City Council. Additionally, in accordance with Section 378 of the Act, the General Manager may sub-delegate any of the powers and functions of the General Manager, other than the power of delegation.



Public participation

There are two main ways in which members of the public may participate in policy development and the general activities of Council. These are through representation and personal participation.

How Council functions affect members of the public

As a service organisation, the majority of activities carried out by Wagga Wagga City Council have an impact on the public.

The following is an outline of how the broad functions of the Council affect the public.

Service Functions affect members of the public as the Council provides services and facilities to the community. These services include human services such as child care, libraries, halls, community centres and recreation facilities. Wagga Wagga City Council also provides services relating to stormwater and sewerage facilities, civil infrastructure, maintenance and construction, environmental protection, waste removal and disposal.

Regulatory Functions allow the Council to regulate developments and buildings to ensure they meet certain requirements affecting the amenity and safety of the community; this includes issuing approvals, orders and building certificates. Members of the public must be aware of, and comply with such regulations.

Ancillary Functions affect only some members of the public. These functions include, for example, the resumption of land or the power for Council to enter a person's land. In these circumstances only the owner of the property would be affected.

Revenue Functions affect the public directly in that revenue from rates and other charges paid by the public is used to fund services and facilities provided to the community.

Administrative Functions do not directly affect the public however they do have an indirect effect on the community through the efficiency and effectiveness of services provided. Administrative functions include employment of staff, development and management plans as well as financial and performance reporting.

Enforcement Functions only affect members of the public when in breach of legislation. This includes but is not limited to matters such as the non-payment of rates and charges, unregistered dogs/cats, environmental planning offences and parking offences.

Representation

Local Government in Australia is based on the principles of representative democracy. This means that people elect representatives of their local Council to make decisions on their behalf. In New South Wales, local government elections are generally held every four years. The next elections are expected to be held in September 2020.

At each election voters elect nine Councillors for a four year term. All residents of the area 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 role. Voting is compulsory.

Residents are able to raise issues with, and make representations to the elected Councillors. The Councillors may pursue the matter on the resident's behalf accordingly allowing members of the public to influence the development of policy.

Members of the public are encouraged to discuss local community concerns with their elected representatives.

Equity and Respect

We request that you:

- Treat staff with respect
- Provide accurate and complete details relating to your enquiry to enable us to help you
- Call to make an appointment if you have a complex enquiry
- Work with us to solve problems
- Give us feedback on things we do
- Respect community property

Personal participation

Committee membership

Members of the public may be involved in Council committees. Council has a number of advisory committees comprising of stakeholders, Councillors and staff (refer to Page 11 for a full list of committees). Council calls for expressions of interest on committees as vacancies become available.

Address to Councillors

Residents and interested parties can make an application to address Councillors at a Council meeting on matters listed on the agenda of the meeting for which they have an interest:

Make an application to address Councillors at a Council meeting on matters for which they have an interest in that is listed on the agenda of that meeting

You can address, attend or listen to Council meetings in the following ways:

- Public Address Applications
- Written requests
- Petitions
- Live streaming of Council meetings

Agendas and minutes are published on the website and access can also be requested by emailing council@wagga.nsw.gov.au.

Customer requests and online services

There are a number of avenues available for members of the public to raise complaints or ideas for improvement to Wagga Wagga City Council which include:

- Online Services
- Written and emailed requests
- Face to face at the customer service centre
- Call centre on 1300 292 442
- Web chat

Online Services is a fantastic tool for the community as it allows people to view Council information at the touch of a button. Online Services includes the following features:

- Web chat
- Customer request system and the ability to monitor your requests
- Access to detailed mapping information
- Property information
- Garbage collection information
- Tracking the progress of development applications
- Development quote calculator
- Make a payment
- Lodge applications (Note: not all Council applications are available through this function)

Public Exhibition

Some documents may be temporarily placed on public exhibition. This gives members of the community a chance to review the documents and make a submission. The submissions are then reviewed by the Council officer and assessed based on their content and impact.

Complaint handling

Council provides democratic government through its services and facilities for the benefit of our customers who include residents of the Wagga Wagga local government area, local businesses and the many visitors to the area. Customers have the right to expect satisfactory standards of work and good conduct in service delivery. The performance of the Council might, at times, not be to the satisfaction of customers. In those circumstances the Council is committed to ensuring the opportunity is available to express dissatisfaction through an effective complaints management system and that any complaint received through the system is dealt with courteously, investigated fully and acted on within an appropriate time period.

More information on the management of complaints at Council can be found in Council's Complaint Handling Policy, which can be found on wagga.nsw.gov.au/policies.

Community consultation

Council also has an online consultation platform, Wagga View. This platform is used to inform the community of current consultations being undertaken and the progress of projects. Community members can register to be informed of upcoming projects and consultation at waggaview.com.au.

Council actively encourages community participation in our governance and decision making processes. Council's approach to community engagement is based on the International Association of Public Participation's (IAP2) Spectrum. The level of engagement is determined by considering the issue, problem or opportunity requiring community engagement, the objectives to be achieved by engaging and the extent that the community can assist Council to make decisions

Council's Community Engagement Strategy has been developed to guide the ongoing dialogue between Council and the community as we plan for our future. The current Community Engagement Strategy can be viewed on our website:

wagga.nsw.gov.au/city-of-wagga-wagga/council/community-engagement

Residents within the community are notified of some future developments taking place within the community. Adjoining neighbours are notified by a letter advising them the plans are available to be viewed at the Council's Customer Service Centre. For larger developments, notifications of the advertising period can be found in the Daily Advertiser.

The notification periods are in place to give residents the chance to submit their comments about the proposed developments.

Council also engages and consults with the community through annual programs and services.



Government information (Public Access) Act 2009 (GIPA Act)

What is GIPA?

GIPA is short for Government Information Public Access which gives members of the public a legally enforceable right to access government information. The Act ensures that access to government information is restricted only when there is an overriding public interest against releasing that information.

Documents proactively released

Council releases additional information, not considered mandatory, which may be of interest to the general public. Any proactive release of information must be exercised in an appropriate manner by or with the authority of the Council's principal officer, free of charge (or at the lowest reasonable cost). A list of the documents proactively released by Council can be found on the Wagga Wagga City Council website or by accessing the link provided below.

Wagga Wagga City Council also promotes a disclosure log which provides a list of past formal access applications that may be of interest to members of the public. Past applications are listed in the Disclosure log on the website, and can be accessed from wagga.nsw.gov.au/gipa.

Documents available under the GIPA Act

Under the GIPA Act the following documents are referred to as open access information. Some of this information may already be published on the Wagga Wagga City Council website; other information on this list may require the lodgement of an Informal Access Application. All informal applications containing open access information once finalised are published on the website for easy access by the members of the community.

- Policy Documents
- Register of Contracts
- Annual, financial and auditors' reports, management plans and various codes
- Agendas, business papers and minutes of meetings
- Information contained in certain registers
- Development applications and associated documents, and
- Information concerning approvals, orders and other documents

Documents not available under the GIPA Act

The GIPA Act (section 14) provides a list of public interest considerations against disclosure. This means information requested that falls into any of the below categories may not be released once the public interest test is applied.

- Law enforcement and security
- Individual rights, judicial processes and natural justice
- Business interests of agencies and other persons
- Environment, culture, economy and general matters
- Secrecy provisions specifically provided in other legislation
- Exempt documents under interstate Freedom of Information legislation

How to access our information

There are four ways to access Government Information under GIPA:

- Publicly available information
- Lodging an informal access application,
- Lodging a formal access application or,
- The court may issue Council with a subpoena for information.

Publicly available Information

Some information is proactively released on the Wagga Wagga City Council website. This may include Council Meeting Minutes, Agendas and Business Papers, Reports, and Property Information. When information regarding a property is required the best place to check is the website before lodging any new Information Requests. Property information which has been sought previously is published on the website.

Informal Access Applications

An informal application is the avenue generally recommended to members of the public. An informal application is a free service. To apply for this type of application members of the public can complete an application form located on the Council website, where they will need to supply the following information:

- Applicant Name, Address and Contact Information
- Detailed description of the information required
- Owner's consent (if applicable)

Formal Access Applications

A Formal Access application follows a more official process. Once a formal access application is lodged an acknowledgment letter is sent on commencement and a Notice of Decision at completion of the application. A formal application carries a \$30 fee which is payable at the time of lodgement.

To apply, a Formal Access Application Form needs to be completed, providing the following information:

- Applicant Name, Address and Contact Information
- Proof of Identity (If personal information is requested)
- Detailed Description of the information required
- Reason for lodging the formal request
- Owner's consent (if applicable)
- Consent to provide this information in Council's Disclosure log

Subpoenas

Subpoenas are served on Council by the Courts to access information held.

Fees and charges

GIPA applications may be subject to the following fees and charges in accordance with the Government Information (Public Access) Act 2009. Informal applications and proactively released documents have no associated fees or charges.

Fees and charges	Fee
Formal Access to Information – Government Information Public Access (GIPA) Application Fee. Please note that there may be processing charges (charged at a rate of \$30 per hour).	\$30.00
Formal Access to Information – GIPA Internal Review	\$40.00
Access to Council Information GIPA Informal	Nil

Notice of Decision

Formal GIPA applications require a Notice of Decision to be sent out once the final decision has been made on the application. The Notice of Decision will be provided by the Information Management Coordinator to the applicant and outlines the types of information that have been provided and how they have been granted access.

If access is refused or only partially granted the 'Notice of Decision' will outline the reasons as to why the applicant has been denied access to all or any of the documents.

Copyright Disclaimer

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Where Council is not the copyright owner of the documents, authority from the document owner may be necessary before Council can release copies of documents to members of the public. An example of this would be property plans and property reports lodged as part of a DA application.

The Public Interest Test

Providing access to government information is restricted only when there is an overriding public interest against disclosure. Schedule 1 of the GIPA Act lists the conclusive considerations against disclosure. In addition, section 14 of the GIPA Act lists the discretionary considerations against disclosure.

Third Party Consultation

In accordance with section 54 of the GIPA Act, Council must consult where the information requested concerns:

- Personal information
- Business interests
- Research that has been carried out
- The affairs of another state or the Commonwealth government

Disclosure Log

We maintain a disclosure log under section 25 of the GIPA Act which documents the information we release in response to access applications, and that may be of interest to members of the public. Our disclosure log provides a mechanism to further proactively release information to the public. A regular review of our disclosure log provides a valuable opportunity to analyse data collected from across the IPC on requests for information and to identify trends and documents that could be released proactively. This allows us to update our AIG to reflect the released information. Increased disclosure of information from our disclosure log allows citizens greater opportunity to participate in our policy formulation and service delivery, and identifies trends and documents that could be released proactively.



GIPA process

Informal request

The process for an informal request is detailed in Figure 1.

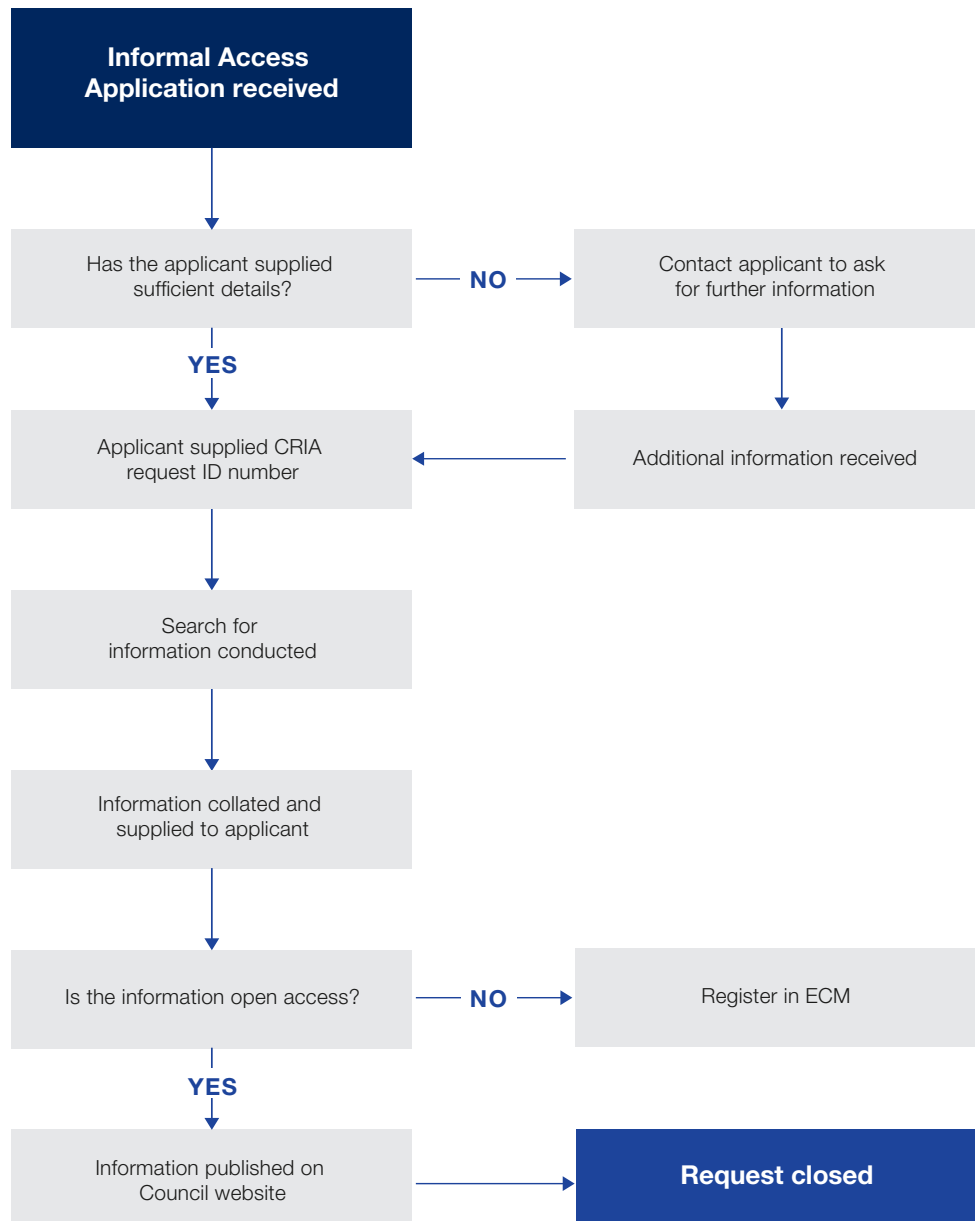


Figure 1: Informal request process.

Application Forms

Visit wagga.nsw.gov.au/gipa to access our informal and formal request forms.

Formal request

The process for a formal request is detailed in Figure 2.

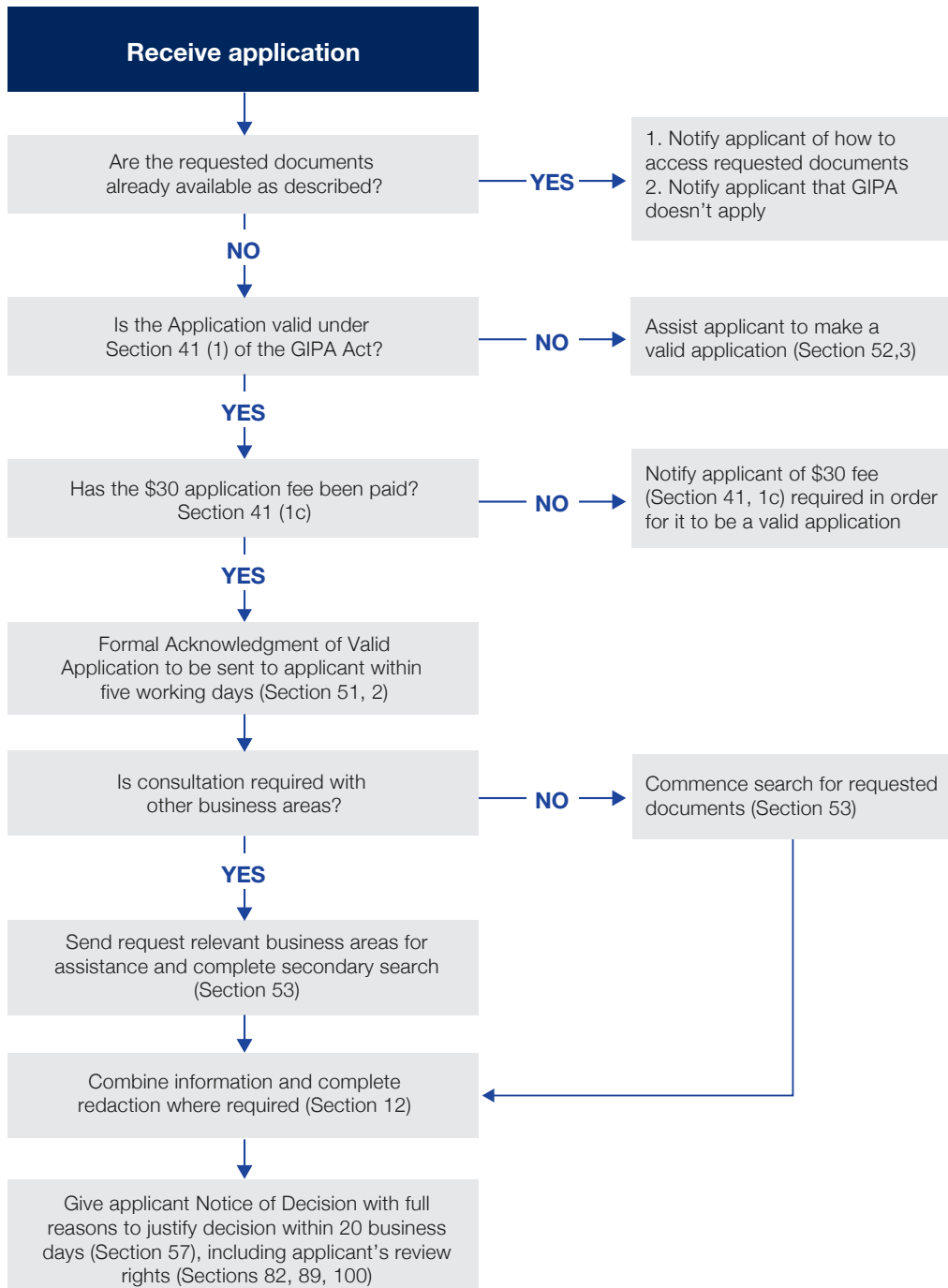


Figure 2: Formal request process.

GIPA Review Rights

Applicants have the right to request a review of certain decisions made by Wagga Wagga City Council regarding the release of information under the GIPA Act. When reviewing a decision made under the Act, applicants can seek an internal review, an external review by the Information Commissioner or an external review by the NSW Civil and Administrative Tribunal (NCAT).

An internal review is to be carried out by another staff member on the same level or more senior than the original officer who made the initial decision. The agency must acknowledge the application and determine if it is a valid application within five working days of receipt. The agency must decide the internal review within 20 working days of receipt.

An external review by the Information Commissioner can be sought if the applicant disagrees with any of the decisions made by the Council. If the requesting person is not the applicant, they must seek an internal review before applying for the review by the Information Commissioner. Applicants have 40 working days from being notified of the decision to apply for a review by the Information Commissioner.

The final option for a review is an external review by the NSW Civil and Administrative Tribunal (NCAT). There is no requirement to have the decision reviewed internally or by the Information Commissioner before applying for a review of the decision by NCAT. Applicants have 40 working days from being notified of Council's decision to apply for a NCAT review. However if an applicant has applied for a review by the Information Commissioner prior they have 20 working days to apply to NCAT after receiving the Information Commissioner's determination.

Useful resources on the Information Privacy Commissioner (IPC) website

ipc.nsw.gov.au/resources-public





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**City of
Wagga Wagga**

PO Box 20, Wagga Wagga NSW 2650
Cnr Baylis and Morrow Streets, Wagga Wagga NSW