



Hornsby Shire Council

# **Information Guide**

November 2017

## Preface

This Information Guide has been produced by Hornsby Shire Council in accordance with Section 20 of the Government Information (Public Access) (GIPA) Act.

The purpose of the document is to provide members of the public and Council's staff with information concerning:

- the structure and functions of Hornsby Shire Council
- the way in which the functions of Hornsby Shire Council affect the public
- the avenues available to the public to participate in policy development and the exercise of Hornsby Shire Council's functions
- the kinds of information available from Hornsby Shire Council and how this information can be obtained
- how members of the public and staff may access and seek amendment to records relating to their personal affairs if they are incomplete, incorrect, out of date or misleading

The Information Guide is available on Council's website (<http://www.hornsby.nsw.gov.au/council/about-council/access-to-information>) or from Council's Administration Centre during business hours.

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## **STRUCTURE AND FUNCTIONS OF COUNCIL**

### **Introduction**

Hornsby Shire Council was first established in March 1906. The Council governing body of the Hornsby Shire consists of 10 Councillors - three elected from each of the three wards, plus a Mayor elected by all voters across the Shire.

The Shire, situated on the north-western outskirts of Sydney, has an area of 462 square kilometres, much of it comprised of virgin bushland surrounding residential development. To the west lie rural communities, some of which still provide a variety of agricultural produce. The Shire is richly endowed with National Parks and recreation areas, whilst along its northern and eastern borders is the beauty of the Hawkesbury River and Berowra and Cowan Creeks.

### **Council's Charter**

Council has a charter that is defined under Section 8 of the Local Government Act. To view this charter follow the below link and go to Chapter 3 Section 8 – The council's charter:

<http://www.legislation.nsw.gov.au/maintop/view/inforce/act+30+1993+cd+0+N>

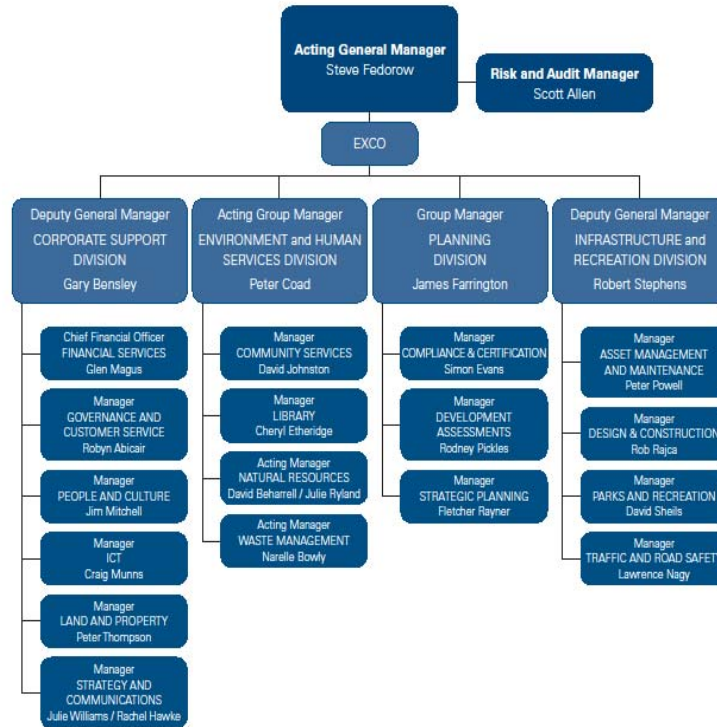
### **Organisational Structure**

The role of the governing body is to direct and control the affairs of the Council in accordance with the Local Government Act and other applicable legislation. As elected persons, Councillors are required to represent the interests of the residents and ratepayers, provide leadership and guidance to the community, facilitate communication between the community and the Council and to formulate policies.

The Mayor carries out Council's civic and ceremonial functions, and presides at meetings of the Council. The Mayor may also exercise the policy-making functions of the governing body of the Council between its meetings where necessary, and carry out any other functions that the Council determines.

The General Manager is the Chief Executive Officer of the Council and is responsible for the operation of the Council's organisation and for implementing decisions of the Council and its policies. The General Manager is also responsible for the day-to-day management of the Council, exercising any functions delegated by the Council, and the overall management of staff.

To assist the General Manager in the exercise of these functions, there are four Divisions of Council. These Divisions are: Corporate Support; Environment and Human Services; Planning; and Infrastructure and Recreation. Each of these Divisions has a number of functional responsibilities and is headed by a senior manager.



### Council's Major Functions

Section 21 of the Local Government Act states that the Act classifies certain of a Council's functions as service - ie non-regulatory - (Chapter 6), regulatory (Chapter 7) or ancillary (Chapter 8). Ancillary functions are those functions that assist in the carrying out of a Council's service and regulatory functions.

Councils also have revenue functions (Chapter 15), administrative functions (Chapters 11, 12 and 13) and functions relating to the enforcement of the Local Government Act (Chapters 16 and 17).

To view these various functions in detail follow the link below to the Local Government Act and scroll down the left hand margin to find the relevant chapters:

<http://www.legislation.nsw.gov.au/maintop/view/inforce/act+30+1993+cd+0+N>

In addition, Council has functions conferred or imposed on it by, or under, many other Acts. Some other Acts and some of the functions they confer are listed under Chapter 5 Section 22 - 'Other functions' - of the Local Government Act.

The major functions that Council exercises according to the Local Government Act are summarised in the table on the following page.

<b>COUNCIL EXERCISES FUNCTIONS UNDER:</b>						
Local Government Act						Other Acts
Service Functions (Non-regulatory)	Regulatory Functions	Ancillary Functions	Revenue Functions	Administrative Functions	Enforcement Functions	Various Functions
<ul style="list-style-type: none"> <li>- Providing community health, recreation, education and information services</li> <li>- Environmental health and protection</li> <li>- Waste removal and disposal</li> <li>- Land and property management and development, industry and tourism development and assistance</li> <li>- Civil infrastructure – planning, maintenance and construction</li> </ul> <p>For other functions see the introduction to Chapter 6 of the Local Government Act</p>	<ul style="list-style-type: none"> <li>- Development Approvals</li> <li>- Orders</li> <li>- Building, Subdivision and Construction Certificates</li> </ul>	<ul style="list-style-type: none"> <li>- Resumption of land</li> <li>- Powers of entry and inspection</li> </ul>	<ul style="list-style-type: none"> <li>- Rates</li> <li>- Charges</li> <li>- Fees</li> <li>- Borrowings</li> <li>- Investments</li> </ul>	<ul style="list-style-type: none"> <li>- Employment of staff</li> <li>- Delivery Programme</li> <li>- Financial reporting</li> <li>- Annual reports</li> <li>- Sustainable reporting</li> </ul>	<ul style="list-style-type: none"> <li>- Proceedings for breaches of the Act</li> <li>- Prosecution of offences</li> <li>- Recovery of rates and charges</li> </ul>	<p>Many functions and services of Council are influenced by legislation other than the Local Government Act, for example:</p> <ul style="list-style-type: none"> <li>- Companion Animals</li> <li>- Access to information</li> <li>- Privacy Management</li> <li>- Emergency Services</li> </ul>

## **THE IMPACT OF COUNCIL'S FUNCTIONS ON THE PUBLIC**

As a service organisation, the majority of Council's activities have a significant impact on the public. Some of the activities shown in the preceding table, and their impact on the community, are briefly described below:

### **Service Functions**

Council exercises these functions in providing facilities such as roads, parks, halls and swimming pools, as well as services such as libraries, garbage removal and bushland regeneration. In turn, these facilities can be used and enjoyed by the general public.

### **Regulatory Functions**

These functions are for regulating various activities for the general well being of the local community, for example planning controls.

### **Ancillary Functions**

These functions assist Council in carrying out its other functions and include, for example the acquisition of land or the entry onto land by a Council officer.

### **Revenue Functions**

The exercise of functions such as levying rates and setting fees and charges has a direct impact on many residents. The rates, fees and charges paid by the public are used by Council to provide services and facilities for its residents.

### **Administrative Functions**

These functions relate to the internal operations of Council and set out the processes and mechanisms for Council's operation and accountability, through which the public are kept informed of the administration of their Council.

### **Enforcement Functions**

These functions concern members of the public who are in breach of certain legislation, such as the non-payment of rates and parking fines, or non-compliance with an order or notice.

### **Community Planning and Development Functions**

These functions affect areas such as cultural development, social planning and community profile. They involve:

- Advocating and planning for the needs of our community
- Providing support to community organisations
- Facilitating opportunities for people to participate in the life of the community through a range of community events such as NAIDOC Week, Youth Week, Children's Week etc.

## **PUBLIC PARTICIPATION IN THE FORMULATION OF COUNCIL POLICIES AND/OR THE EXERCISE OF COUNCIL'S FUNCTIONS**

There are a number of ways in which the public can participate in the formulation of Council's Policies and/or the exercise of Council's functions. These include:

### **Open Council Meetings**

The meetings of Council are open to the public except when dealing with specified confidential matters. General Meetings are held on the second Wednesday of each month (except January) and deal with all relevant matters, including planning and development matters. In addition, Council may hold Workshop Meetings to consider specific matters or where a presentation from staff or external organisation is required. All Meetings are held in the Council Chambers - 296 Peats Ferry Road (formerly Pacific Highway), Hornsby, commencing at 6.30pm.

### **Public Forum**

Members of the public are invited to attend the above meetings to present their submissions to Council and to respond to Councillors' questions to assist the decision making process. During Council's Meetings, a period of time is devoted to allowing the public to address Council on agenda items and/or other matters.

### **Making Representations to Councillors**

Councillors are the elected representatives of the residents and make decisions having regard to the views of their constituents. Members of the public are able to contact their appropriate ward Councillors directly to raise any concerns.

### **Mayoral Interviews**

After speaking to the relevant ward Councillors and/or appropriate staff, members of the public may make an appointment with the Mayor and Council officers to discuss issues that require further attention.

### **Submissions to Council**

The public can comment about matters being handled by Council, either personally or in writing. Every attempt is made by Council to satisfy any concerns raised. Information provided to Council in correspondence, submissions or requests (verbal, electronic or written), may be made publicly available, including via Council's website, in accordance with the Government Information (Public Access) (GIPA) Act.

### **Community Workshops**

Community Workshops are held as required to gain public input and understanding in respect of major studies, Local Environment Plans and Development Control Plans. A special committee may be formed to guide Council in its deliberation of a matter.

### **Legislative Provisions**

The public have opportunity to influence Council's decisions through certain Acts or Regulations by making submissions, comments or objections to proposals. For example, matters such as the levels of rates and charges, the contents of strategic plans and the granting of development and building approvals are advertised for comment before a final decision is made by Council.

### **Council Polls**

The Local Government Act permits Council to take a poll of electors for its information and guidance on any matter. Council is also required to conduct a constitutional referendum before being able to proceed with certain matters.

### **Section 377 Committees**

These are Committees to which Council has delegated a function of Council e.g. the care, control and management of Council facilities such as halls or parks. In performing this role the Committees exercise some functions of Council. Opportunities for members of the public to participate in these Committees are advertised in the local papers and on Council's website as necessary.

### **TYPES OF INFORMATION HELD BY COUNCIL AND HOW TO ACCESS IT**

Council holds a variety of information about the wide range of functions it undertakes and the issues it handles in relation to the Hornsby Local Government area. Information is held in various forms, eg electronic and hard copy files.

Much of this information is available for inspection free of charge, whilst some documents are available for purchase.

Hornsby Council has a commitment to openness and transparency, and to assisting easy access to information that it holds. To support this commitment, as much information as possible is available via the website ([hornsby.nsw.gov.au](http://hornsby.nsw.gov.au)). The information available on the website is regularly reviewed and updated, having regard to current issues and topics of public interest.

Under the Government Information (Public Access) Act - GIPA Act - there is a right of access to information held by Council unless there is an overriding public interest against disclosure of the information. There are four main ways in which Council will provide access to information:

1. Mandatory Proactive Release – referred to as “open access” information
2. Authorised Proactive Release
3. Informal Release
4. Formal Access Applications

Any access to information applications will be processed in accordance with the GIPA Act and a determination will be made to either provide the information or refuse access on the basis of the relevant considerations under that Act.

Further details of the four main ways in which information will be made available is provided below.

### 1. **Mandatory Proactive Release / Open Access Information**

Under the GIPA Act, certain information is prescribed as open access information and must be made publicly available unless there is an overriding public interest against doing so. Open access information is also required to be published on Council's website unless to do so would impose an unreasonable additional cost on Council.

Council has developed the below Checklist of its open access information which provides links to where the information can be found. Where any of the listed open access information is not made available on Council's website, it will be made available for viewing at Council's administration offices during normal business hours. Copies of the documents will also be available for a reasonable copying charge.

#### **Open Access Information Checklist**

Note 1\*: Pursuant to Section 6(5) of the GIPA Act, an agency must keep a record of the open access information (if any) that it does not make publicly available on the basis of an overriding public interest against disclosure. In this regard, it should be noted that as from 1 May 2017, certain information associated with Development Applications, such as submissions and internal referrals, as well as information associated with Construction Certificates, will not be made available to the public until a determination of the matter has been made. This is on the basis of an overriding public interest consideration against disclosure of those documents during Council's deliberative process. Once a decision about the DA or Construction Certificate has been made, the information may be available in accordance with the GIPA Act and subject to any public interest test considerations by contacting Council's Access to Information section on 98476749 or at [gipa@hornsby.nsw.gov.au](mailto:gipa@hornsby.nsw.gov.au).

Open Access Information – what is available	Where I can find this information
<b>Open Access Information (as per Section 18 of the GIPA Act)</b>	
(a) Council's current Information Guide	<a href="http://hscenquiry.hornsby.nsw.gov.au/Common/Output/TrimLink.aspx?iid=0Vysn%2b8duHM%3d">http://hscenquiry.hornsby.nsw.gov.au/Common/Output/TrimLink.aspx?iid=0Vysn%2b8duHM%3d</a>
(b) Information about the Council contained in any document tabled in Parliament by or on behalf of the Council	No documents tabled.
(c) Council's policy documents	<a href="http://www.hornsby.nsw.gov.au/council/about-council/policies,-codes,-regulations-and-standards">http://www.hornsby.nsw.gov.au/council/about-council/policies,-codes,-regulations-and-standards</a>

(d) Council's disclosure log of formal GIPA applications	<a href="http://www.hornsby.nsw.gov.au/council/about-council/access-to-information">http://www.hornsby.nsw.gov.au/council/about-council/access-to-information</a>
(e) Council's register of government contracts	<a href="http://www.hornsby.nsw.gov.au/council/notices-board/tenders,-rfqs-and-eois">http://www.hornsby.nsw.gov.au/council/notices-board/tenders,-rfqs-and-eois</a>
(f) Council's open access information that it does not make publicly available on the basis of an overriding public interest against disclosure - <i>e.g. some DA documents</i>  Council's open access information that it does not make publicly available on the internet – <i>e.g. Orders issued by Council; DA submissions of determined DAs</i>	Some of these documents can be applied for by means of an Informal GIPA application. Also refer to Note 1* above.
<b>Additional Open Access Information for Local Authorities:(as per Schedule - 1 of the GIPA Regulation)</b>	The GIPA Regulation 2009 lists other information about a Local Authority (Council) that should be displayed on the Council's website
<b>1 Information About Local Authority</b>	
<b>1(1) Information contained in the current version and the most recent previous version of the following records:</b>	
(a) the model code prescribed under section 440 (1) of the LGA – DLG Model Code of Conduct  the code of conduct adopted under section 440 (3) of the LGA - Council's Code of Conduct	<a href="http://www.olg.nsw.gov.au/strengthening-local-government/conduct-and-governance/model-code-of-conduct">http://www.olg.nsw.gov.au/strengthening-local-government/conduct-and-governance/model-code-of-conduct</a>  <a href="http://www.hornsby.nsw.gov.au/council/about-council/code-of-conduct">http://www.hornsby.nsw.gov.au/council/about-council/code-of-conduct</a>
(b) code of meeting practice	<a href="http://hscenquiry.hornsby.nsw.gov.au/pages/xc.report.policy/policy.aspx?gid=governance">http://hscenquiry.hornsby.nsw.gov.au/pages/xc.report.policy/policy.aspx?gid=governance</a>
(c) annual report	<a href="http://www.hornsby.nsw.gov.au/council/about-council/corporate-documents-and-reports/annual-report">http://www.hornsby.nsw.gov.au/council/about-council/corporate-documents-and-reports/annual-report</a>
(d) annual financial reports	<a href="http://www.hornsby.nsw.gov.au/council/about-council/corporate-documents-and-reports/financial-statements">http://www.hornsby.nsw.gov.au/council/about-council/corporate-documents-and-reports/financial-statements</a>
(e) auditor's report	<a href="http://www.hornsby.nsw.gov.au/_data/assets/pdf_file/0013/81040/HSC2266-Financial-report.pdf">http://www.hornsby.nsw.gov.au/_data/assets/pdf_file/0013/81040/HSC2266-Financial-report.pdf</a>
(f) management plan, adopted annually by Council in June  Hornsby Shire Community Plan  Delivery Program, including Operational Plan	<a href="http://www.hornsby.nsw.gov.au/council/about-council/corporate-documents-and-reports">http://www.hornsby.nsw.gov.au/council/about-council/corporate-documents-and-reports</a>  <a href="http://www.hornsby.nsw.gov.au/council/about-council/corporate-documents-and-reports/community-plan">http://www.hornsby.nsw.gov.au/council/about-council/corporate-documents-and-reports/community-plan</a>  <a href="http://www.hornsby.nsw.gov.au/council/about-council/corporate-documents-and-reports/operational-plan">http://www.hornsby.nsw.gov.au/council/about-council/corporate-documents-and-reports/operational-plan</a>

Fees and Charges	<a href="http://www.hornsby.nsw.gov.au/council/about-council/corporate-documents-and-reports/fees-and-charges-2012-2014">http://www.hornsby.nsw.gov.au/council/about-council/corporate-documents-and-reports/fees-and-charges-2012-2014</a>
(g) EEO management plan,	<a href="http://www.hornsby.nsw.gov.au/council/about-council/corporate-documents-and-reports">http://www.hornsby.nsw.gov.au/council/about-council/corporate-documents-and-reports</a>
(h) policy concerning the payment of expenses incurred by, and the provision of facilities to, councillors	<a href="http://hscenquiry.hornsby.nsw.gov.au/pages/xs.report.policy/policy.aspx?gid=councillors">http://hscenquiry.hornsby.nsw.gov.au/pages/xs.report.policy/policy.aspx?gid=councillors</a>
(i) annual reports of bodies exercising functions delegated by the Council	s.377 Management Committees - Council does not currently have bodies operating under this delegation  Information relating to volunteer management committees can be applied for by means of an informal GIPA application
NSROC Regional State of the Environment Report	<a href="http://www.hornsby.nsw.gov.au/council/about-council/corporate-documents-and-reports">http://www.hornsby.nsw.gov.au/council/about-council/corporate-documents-and-reports</a>
(j) any codes referred to in the LGA	
Application Services	<a href="http://www.hornsby.nsw.gov.au/property/development-applications/lodging-an-application">http://www.hornsby.nsw.gov.au/property/development-applications/lodging-an-application</a>
Planning Controls/Studies –(Housing & Employment Strategies)	<a href="http://www.hornsby.nsw.gov.au/property/development-applications/planning-studies">http://www.hornsby.nsw.gov.au/property/development-applications/planning-studies</a>
Codes & Regulations	
* Keeping of Animals	<a href="http://www.hornsby.nsw.gov.au/media/documents/planning-and-building/codes-and-regulations/Keeping-Animals.pdf">http://www.hornsby.nsw.gov.au/media/documents/planning-and-building/codes-and-regulations/Keeping-Animals.pdf</a>
* Facilitation and Mediation of Development Issues	<a href="http://www.hornsby.nsw.gov.au/media/documents/planning-and-building/codes-and-regulations/Facilitation-and-Mediation-of-Development-">http://www.hornsby.nsw.gov.au/media/documents/planning-and-building/codes-and-regulations/Facilitation-and-Mediation-of-Development-</a>
* Landscape Code for Development Applications	<a href="http://www.hornsby.nsw.gov.au/media/documents/planning-and-building/policies-guides-and-best-practices/Flora-and-Fauna-Assessment-Guidelines.pdf">http://www.hornsby.nsw.gov.au/media/documents/planning-and-building/policies-guides-and-best-practices/Flora-and-Fauna-Assessment-Guidelines.pdf</a>
<b>1(2) Information contained in the current version and the most recent previous version of the following records:</b>	
(a) returns of the interests of councillors, designated persons and delegates	Returns are available for inspection at Council's Access to Information counter during usual business hours
(b) agendas and business papers for any meeting of the local authority or any committee of the local authority (but not including business papers for matters considered when part of a meeting is closed to the public)	<a href="http://businesspapers.hornsby.nsw.gov.au/">http://businesspapers.hornsby.nsw.gov.au/</a> - this links to the Business Papers webpage –select relevant year, meeting etc.

(c) minutes of any meeting of the local authority or any committee of the local authority, but restricted (in the case of any part of a meeting that is closed to the public) to the resolutions and recommendations of the meeting	
(d) complaints to the Office of Local Government NSW about Hornsby Shire Council - in accordance with section 433 of the LGA – Report of Investigation	<a href="http://www.olg.nsw.gov.au/strengthening-local-government/conduct-and-governance/council-complaint-statistics">http://www.olg.nsw.gov.au/strengthening-local-government/conduct-and-governance/council-complaint-statistics</a>
<b>1(3) Information contained in the current version of the following records:</b>	
(a) land register	<a href="http://hscenquiry.hornsby.nsw.gov.au/Pages/XC.track.landregister/landregister.aspx">http://hscenquiry.hornsby.nsw.gov.au/Pages/XC.track.landregister/landregister.aspx</a>
(b) register of investments  The current version of Council's investments is attached to the Investment & Borrowing Report which is considered on a monthly basis at Council's General Meetings. Please see Council's business papers for detail.	<a href="http://businesspapers.hornsby.nsw.gov.au/">http://businesspapers.hornsby.nsw.gov.au/</a>
(c) register of delegations - Register of Council Staff Delegations of Authority	<a href="http://hscpenq/pages/xc.report.delegation/delegation.aspx">http://hscpenq/pages/xc.report.delegation/delegation.aspx</a>
(d) register of graffiti removal work kept in accordance with section 13 of the Graffiti Control Act 2008,	<a href="http://www.hornsby.nsw.gov.au/community/common-enquiries/graffiti">http://www.hornsby.nsw.gov.au/community/common-enquiries/graffiti</a>
(e) register of current declarations of disclosures of political donations kept in accordance with section 328A of the LGA  Link to Election Funding Authority	<a href="http://searchdecs.efa.nsw.gov.au/search.aspx">http://searchdecs.efa.nsw.gov.au/search.aspx</a>  <a href="http://www.elections.nsw.gov.au/fd">http://www.elections.nsw.gov.au/fd</a>
(f) the register of voting on planning matters kept in accordance with section 375A of the LGA	<a href="http://www.hornsby.nsw.gov.au/council/about-council/meetings">http://www.hornsby.nsw.gov.au/council/about-council/meetings</a> - this links to Council Meetings – then scroll down to the Planning Decisions Register for the relevant year
<b>2. Plans and Policies</b>	
<b>Information contained in the current version and the most recent previous version of the following records:</b>	
(a) local policies adopted by Council concerning approvals and orders	Council does not have a local Notice and Orders Policy
(b) plans of management for community land	<a href="http://www.hornsby.nsw.gov.au/council/about-council/corporate-documents-and-reports">http://www.hornsby.nsw.gov.au/council/about-council/corporate-documents-and-reports</a>
(c) environmental planning instruments, development control plans and contributions plans made under the Environmental Planning and Assessment Act 1979 applying to land within the local authority's area	<a href="http://www.hornsby.nsw.gov.au/property/development-applications/hornsby-development-control-plan">http://www.hornsby.nsw.gov.au/property/development-applications/hornsby-development-control-plan</a>  <a href="http://www.hornsby.nsw.gov.au/property/development-applications/section-94-contributions">http://www.hornsby.nsw.gov.au/property/development-applications/section-94-contributions</a>

<b>3. Information About Development Applications:</b>	
<b>3(1) Information contained in the following records (whenever created):</b>	
<p>(a) development applications (EP&amp;A Act 1979) and associated documents:</p> <ul style="list-style-type: none"> <li>(i) home warranty insurance documents</li> <li>(ii) construction certificates</li> <li>(iii) occupation certificates</li> <li>(iv) structural certification documents</li> <li>(v) town planner report</li> <li>(vii) heritage consultant reports</li> <li>(viii) tree inspection consultant reports</li> <li>(ix) acoustics consultant reports</li> <li>(x) land contamination consultant reports</li> </ul>	<p><a href="http://hscenquiry.hornsby.nsw.gov.au/Pages/XC.Track/SearchApplication.aspx">http://hscenquiry.hornsby.nsw.gov.au/Pages/XC.Track/SearchApplication.aspx</a> Search under the DA number if known or advance search the property address. Also refer to Note 1* above.</p>
(vi) submissions received on development applications,	Refer to Note 1* above.
(b) records of decisions on development applications (including decisions made on appeal)	<p><a href="http://hscenquiry.hornsby.nsw.gov.au/Pages/XC.Track/SearchApplication.aspx">http://hscenquiry.hornsby.nsw.gov.au/Pages/XC.Track/SearchApplication.aspx</a> - search under the DA number if known or advance search the property address</p>
(c) a record that describes the general nature of the documents that the local authority decides is excluded from the operation of this clause by sub clause (2). - See 2(a) and 2(b) below	Council keeps a record of all informal and formal GIPA applications including those for information to which access has been denied under this clause.
<b>3(2) DA information that is not open access:</b>	
<p>(a) residential floor plans - requests can be made with an informal GIPA application</p> <p>or by means of an email to Council's Access to Information section</p>	<p><a href="http://www.hornsby.nsw.gov.au/council/about-council/access-to-information">http://www.hornsby.nsw.gov.au/council/about-council/access-to-information</a></p> <p><a href="mailto:gipa@hornsby.nsw.gov.au">gipa@hornsby.nsw.gov.au</a> or via Council' website</p>
<p>(b) commercial information, if the information would be likely to prejudice the commercial position of the person who supplied it or to reveal a trade secret</p> <p>Requests for information falling into this category are likely to involve a formal GIPA application.</p>	<p><a href="http://www.hornsby.nsw.gov.au/council/about-council/access-to-information">http://www.hornsby.nsw.gov.au/council/about-council/access-to-information</a></p> <p><a href="mailto:gipa@hornsby.nsw.gov.au">gipa@hornsby.nsw.gov.au</a> or via Council' website</p>
<b>3(3) Information not released - referred to in sub clause (1) (c).</b>	Council keeps a record of all informal and formal GIPA applications including those for information to which access has been denied under this clause. Also refer to Note 1* above.
<p>Additional information not prescribed by the Act but provided under Council's Proactive Release Program:</p> <p>Building Applications Consents Register 1956 to 1974. This is a listing of BA applications alphabetically by street name</p>	<p><a href="http://www.hornsby.nsw.gov.au/property/development-applications/building-applications-consents-register-1956-to-1974">http://www.hornsby.nsw.gov.au/property/development-applications/building-applications-consents-register-1956-to-1974</a></p>

4. Approvals, Orders and Other Documents	
Information contained in the following records (whenever created):	
(a) applications for approvals under Part 1 of Chapter 7 of the LGA and any associated documents received in relation to such an application	Applications for approvals of structures or places of public entertainment are available for viewing at the Customer Service counter. Applications for approvals of hoardings over road reserves and road openings are available for viewing by contacting the Infrastructure and Recreation Division on 9847 6884 or 9847 6841. Applications for approvals of skip bins and cargo containers, and crane permits are available for viewing by contacting the Traffic & Road Safety Branch on 9847-6639.
(b) applications for approvals under any other Act and any associated documents received in relation to such an application	Currently available for viewing at the Customer Service counter.
(c) records of approvals granted or refused, any variation from local policies with reasons for the variation, and decisions made on appeals concerning approvals,  There is a <i>Summary of Legal Proceedings</i> contained within the Annual Report regarding appeals concerning approvals and other litigation.	<a href="http://www.hornsby.nsw.gov.au/property/development-applications/sepp1-returns">http://www.hornsby.nsw.gov.au/property/development-applications/sepp1-returns</a>
(d) orders given under Part 2 of Chapter 7 of the LGA, and any reasons given under section 136 of the LGA (e) orders given under the authority of any other Act	Order documents can be applied for by means of an Informal GIPA application to the email address – <a href="mailto:gipa@hornsby.nsw.gov.au">gipa@hornsby.nsw.gov.au</a> or via Council' website.
(f) records of building certificates under the Environmental Planning and Assessment Act 1979,	These documents can be applied for by means of an Informal GIPA application by email - <a href="mailto:gipa@hornsby.nsw.gov.au">gipa@hornsby.nsw.gov.au</a> or via Council' website
(g) plans of land proposed to be compulsorily acquired by the local authority,	Contact Manager Property Development – 9847-6669.
(h) compulsory acquisition notices	Contact Manager Property Development – 9847-6669.
(i) Summary information on <i>Leases and Licenses for land classified as community land</i> .	Lease and license documents can be applied for by means of an Informal GIPA application to the email address – <a href="mailto:gipa@hornsby.nsw.gov.au">gipa@hornsby.nsw.gov.au</a> or via Council' website

## 2. Authorised Proactive Release

In addition, Council will make as much other information as possible publicly available in an appropriate manner, including on its website. The information will be available free of charge or at the lowest reasonable cost. This other information may include frequently requested

information or information of public interest that has been released as a result of other requests.

### **3. Informal Release**

Access to information which is not available through Mandatory Release or Authorised Proactive Release may be provided through Informal Release by submitting an Access to Information application form <http://www.hornsby.nsw.gov.au/council/about-council/access-to-information> or by sending an email to Council's GIPA email address: [gipa@hornsby.nsw.gov.au](mailto:gipa@hornsby.nsw.gov.au). You can also obtain an application form at Council's administration centre.

### **4. Formal Access Applications**

Notwithstanding the lodgement of an informal application, Council may require a formal access application to be submitted where the information sought:

- is of a sensitive nature that requires careful weighing of public interest 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.

To make a formal access to information application, an 'Access to Information' form should be completed and the words "Formal Application" included in the "details of information sought" section of the form. In accordance with the GIPA Act, an application fee of \$30.00 is payable, and additional processing charges may apply. Formal Access to Information applications should only be used as a last resort.

Any fees for copies of documents provided under the GIPA Act are listed in Council's adopted Fees and Charges.

Copies of documents provided are given for information purposes only and are provided by Council to meet its requirements under relevant legislation. Copyright laws still apply to each document. The copyright-owner's consent is required if any part of the document is used for any other purpose.

Where information is released to an applicant under a formal access application and Council considers that it will be of interest to other members of the public, Council will provide details of the information in a Disclosure Log for inspection by the public.

For further information about accessing Council information, including, time limits and rights of review, please refer to Council's website or contact the Access to Information Team on 9847 6666.

In addition to information being available through the above methods, copies of Council documents placed on public exhibition are also generally available in all Libraries throughout

the exhibition period. For enquiries about specific documents please telephone Council on 9847 6666 during business hours, and speak to the appropriate Council Branch or the Public Officer.

### **Privacy and Health Information Protection**

Access to certain information may be limited in accordance with the Privacy and Personal Information Protection Act and the Health Records and Information Privacy Act. These Acts provide for the protection of personal information and the privacy of individuals generally, as well as health related information. To ensure proper management of such information, Council has adopted a Privacy Management Plan.

### **Privacy Management Plan**

Council's Privacy Management Plan has been adopted to meet its legislative requirements under the Privacy and Personal Information Protection Act (PPIPA), to confirm Council's commitment to privacy protection, and to outline Council's practice for dealing with privacy and personal information in accordance with the Information Protection Principles contained within the Act. Council also uses the Privacy Management Plan to comply with the Health Privacy Principles as set out in the Health Records and Information Privacy Act (HRIPA). The Privacy Management Plan is available on Council's website -

<http://www.hornsby.nsw.gov.au/online-privacy-statement>

### **Amendment of Council Documents**

Members of the public are able to request access or amendment to personal information about themselves which is held on Council records if the information is inaccurate, irrelevant, out of date, incomplete or misleading. Such requests should be made under the PPIPA or the HRIPA, and be lodged in writing to Council's Privacy Contact Officer.

### **Privacy Contact Officer**

Council's Privacy Contact Officer, appointed under the PPIPA, is responsible for responding to any concerns raised by members of the public regarding the collection, use and disclosure of their personal information and for ensuring Council's practices comply with the requirements of Council's Privacy Management Plan.

### **Public Officer**

Under the Local Government Act each Council must appoint a Public Officer. Among other duties, Council's Public Officer may deal with requests from the public concerning Council's affairs, has the responsibility of assisting people to gain access to public documents of the Council and may receive submissions or accept service of documents on behalf of Council. The Public Officer may also determine applications for access to documents under the GIPA Act or for the amendment of records, but the General Manager may delegate this responsibility to other appropriate staff. If you have any difficulty in obtaining access to Council documents, you may wish to refer your enquiry to the Public Officer.

### **Right to Information Officer**

Council's Right to Information Officer is responsible for determining applications for access to documents or for the amendment of records. The Right to Information Officer is also the primary contact person at Council for the Information and Privacy Commission (IPC). The IPC oversee the application of the GIPA Act.

Council has appointed its Manager Governance and Customer Service to act as its Privacy Contact Officer, Public Officer, and Right to Information Officer. Enquiries should be forwarded to:

The Manager

Governance and Customer Service

Hornsby Shire Council

296 Peats Ferry Road

HORNSBY NSW 2077

e-mail: Attention Public Officer

PO Box 37

HORNSBY NSW 1630

[hsc@hornsby.nsw.gov.au](mailto:hsc@hornsby.nsw.gov.au)

Phone: 9847 6608

(8.30am to 5pm, Mon - Fri)

### **Additional Information**

Further information regarding your rights to access information can be obtained by contacting the Information and Privacy Commission as follows:

Free call telephone: 1800 472 679

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

website: [www.ipc.nsw.gov.au](http://www.ipc.nsw.gov.au)

Postal address: GPO Box 7011, Sydney NSW 2001.