



2019

AGENCY INFORMATION GUIDE

Adopted: 15 August 2019

Resolution No: 47/1920

Contents

Introduction	2
Structure and Functions	2
Effect of Functions on the Public.....	8
Public Participation in Council's Policy Development	9
Various Kinds of Government Information Held by Council	11
Kinds of Information Held by the Agency that the Agency will make Publicly Available	12
Kinds of Information that is Available Free of Charge and those Kinds for which a Charge is Imposed.....	12
Applications for Access to Council's Records Under the <i>Government Information (Public Access)</i> <i>Act 2009</i>	14
The Manner in which the Agency will make Information Publicly Available	14
Public Officer – Right to Information Officer	15
Office of the Information Commissioner	15

Introduction

This document has been issued in accordance with the requirements of section 20 of the *Government Information (Public Access) Act 2009* (NSW) ('GIPA Act'). It forms the Warrumbungle Shire Council Agency Information Guide.

The information provided in this Agency Information Guide is intended to increase public awareness and access to information held by Council. The Agency Information Guide is required to:

- describe the structure and functions of Council;
- describe the way in which the functions (including the decision making functions) of Council affect members of the public;
- specify any arrangements that exist to enable members of the public to participate in the formulation of policy and the exercise of Council's various functions;
- identify the various kinds of information which Council holds;
- identify the kinds of information held by Council that Council makes (or will make) publicly available;
- specify the manner in which the Council makes (or will make) information publicly available;
- identify the kinds of information that are (or will be) made publicly available free of charge and those kinds for which a charge is (or will be) imposed.

Structure and Functions

Warrumbungle Shire Council is located in North Western NSW and is the gateway to the Warrumbungle Mountains, Siding Spring Observatory and Coolah Tops.

The Shire has a population of 9,384 (2016 Census data) and the Council provides services covering an area of 12,380 square kilometres.

Coonabarabran is the Administration Centre within the Council area, with Council Chambers also located at Coolah. Services are provided to the districts of Baradine, Binnaway, Coolah, Coonabarabran, Dunedoo and Mendooran.

Structure

Warrumbungle Shire Council is governed by a nine member Council. The elected members comprise the Mayor, Deputy Mayor and seven Councillors. The Senior Management team consists of the General Manager and three divisional heads: the Director Technical Services, Director Environment and Development, and Director Corporate and Community Services.

Elected members:

Mayor

Councillor Denis Todd
Telephone: (02) 6843 1831
Email: Denis.Todd@warrumbungle.nsw.gov.au

Deputy Mayor

Councillor Aniello Iannuzzi
Telephone: (02) 6842 3333
Email: Aniello.Iannuzzi@warrumbungle.nsw.gov.au

Councillors

Councillor Kodi Brady
Telephone: 0411 696 490
Email: KodiBrady@warrumbungle.nsw.gov.au

Councillor Anne-Louise Capel
Telephone: (02) 6377 4620
Email: Anne-Louise.Capel@warrumbungle.nsw.gov.au

Councillor Fred Clancy
Telephone: (02) 6842 1353
Email: Fred.Clancy@warrumbungle.nsw.gov.au

Councillor Ambrose Doolan
Telephone: 0419 695 079
Email: Ambrose.Doolan@warrumbungle.nsw.gov.au

Councillor Wendy Hill
Telephone: (02) 6375 1948
Email: Wendy.Hill@warrumbungle.nsw.gov.au

Councillor Ray Lewis
Telephone: (02) 6886 3517
Email: Ray.Lewis@warrumbungle.nsw.gov.au

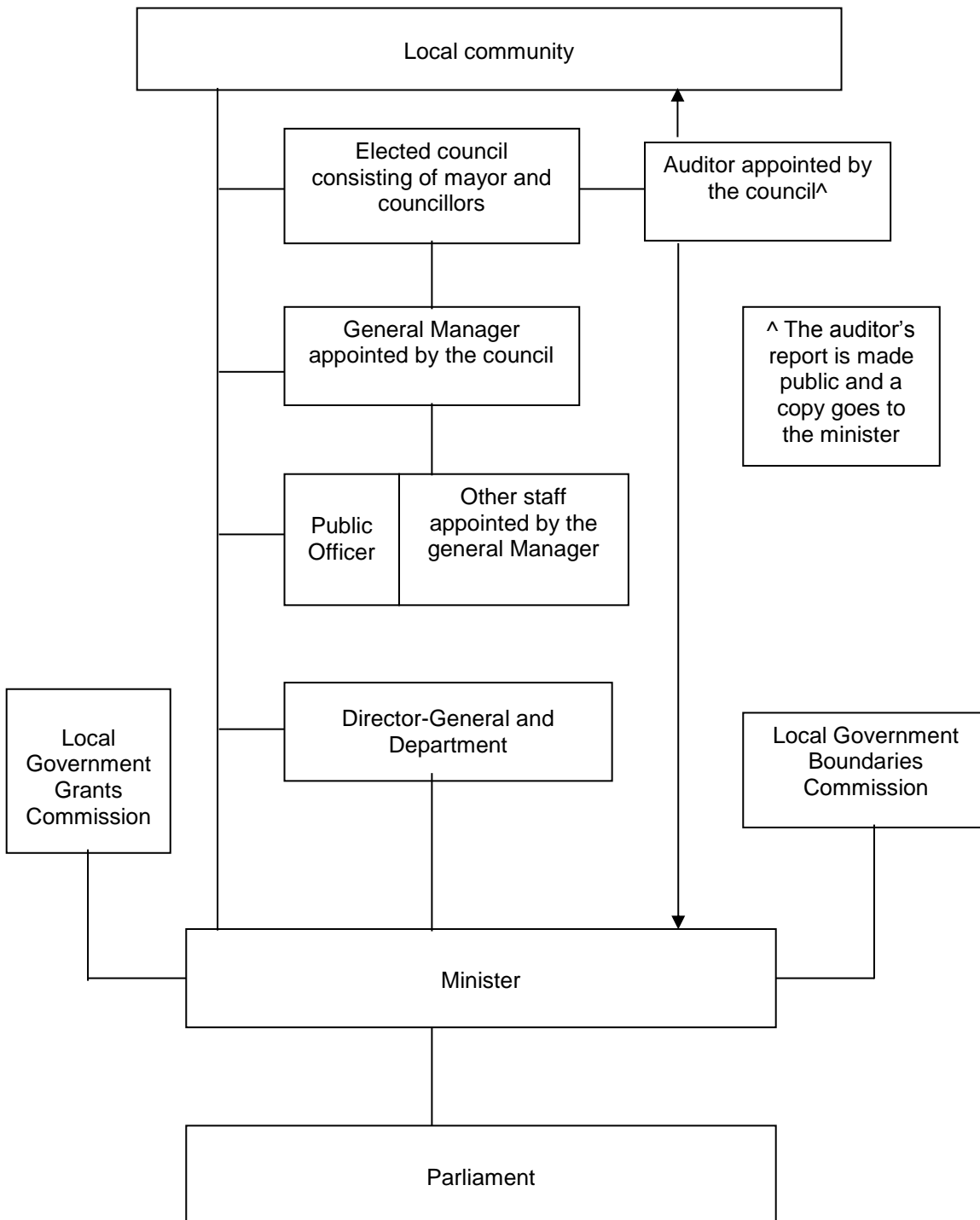
Councillor Peter Shinton
Telephone: (02) 6842 2055
Email: Peter.Shinton@warrumbungle.nsw.gov.au

Senior staff:

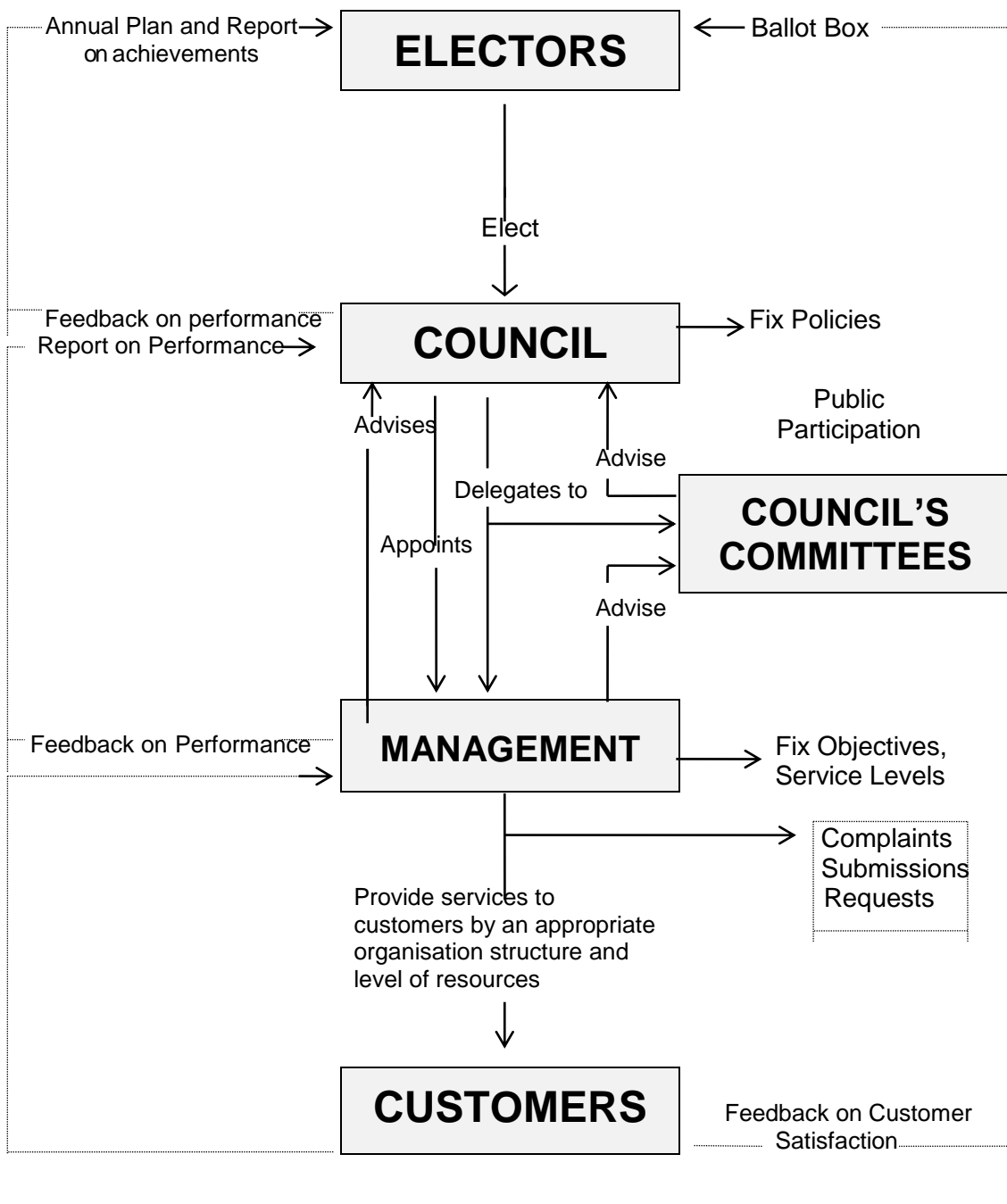
Mr Roger Bailey
Mr Kim Parker
Mr Kevin Tighe
Mrs Leeanne Ryan

General Manager
Acting Director Corporate and Community Services
Director Technical Services
Director Environment and Development

The system of Local Government



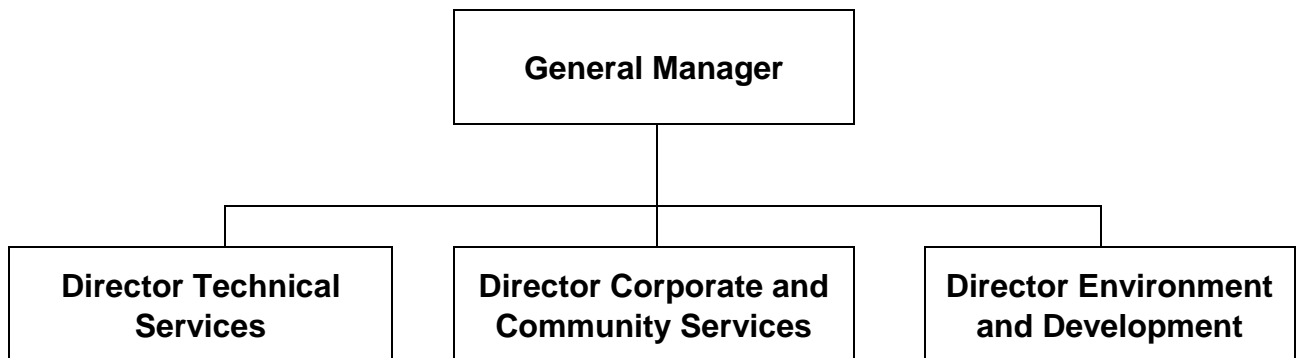
How your Council works



What this Chart Indicates

This chart shows you as both an elector and as a customer of Council. It demonstrates the teamwork between Council and management who provide advice for policy development and then implement the policies and objectives decided by the Council. Channels for feedback and responses appear in dotted outlined.

Warrumbungle Shire Council Organisation Structure



Major Functions

Warrumbungle Shire Council is responsible for the management of the following principal activities and services provided by Council:

Executive Services

The General Manager is responsible for the day to day care, control and management of all functions of the Organisation, and the outcomes achieved by the divisions, plus:

- Governance
- Corporate Affairs
- Corporation Image and Government Relations
- Community Strategic Plan
- Integrated Planning and Reporting Framework
- Management and Leadership
- Community Consultation
- Public Relations
- Legal Services
- Organisation Structure and Development
- Policies, Codes and Delegations
- Public Relations – Annual Report, Ceremonies / Functions, Advertising, Promotions
- Organisational Development Services
- Water & Waste Water Services

Technical Services

- Technical Services Management
- Asset and Design Services
- Road Operations
- Urban Services
- Fleet Services
- Quarry Operations

Corporate and Community Services

- Corporate Services Management
- Financial Services
- Children's & Community Services
- Administration & Customer Services
- Service NSW
- Communications & IT Services

Environment and Development Services

- Development Management
- Regulatory Services
- Warrumbungle Waste
- Property & Risk Management
- Economic Development and Tourism

Effect of Functions on the Public

GIPA Act section 20(1)(b) – an agency must have a guide (it's 'Agency Information Guide') that describes the way in which the functions (including, in particular, the decision-making functions) of the agency affect members of the public.

Most of Council's functions have a direct impact on members of the public. This impact is summarised below:

- Council currently employs in excess of 200 people. Staff are members of local communities. Council supports local businesses in a Local Preference Purchasing Policy.
- Council processes applications dealing with a variety of requests. Applications dealing with land (subdivision and development) and the use of buildings are a large component of Council's activities. Council also receives requests for the opening and/or closure of roads, permission to hold special events and applications to use public facilities.
- Council is responsible for the monitoring and enforcement of any conditions imposed under its role as a Consent Authority together with enforcement of regulatory conditions which extend to bushfire control, animal control and any activities involving public property.
- Council is responsible for ensuring that the infrastructure and land use zonings are capable of accommodating future growth needs.
- Council is also responsible for the licensing of public halls, food outlets, caravan parks and companion animals. Monitoring of the approvals to ensure compliance with the licence conditions is an ongoing activity.
- Libraries, public halls, parks, cemeteries, reserves and swimming pools are some of a wide range of facilities provided by Council.
- Council is actively seeking to promote economic development with the employment of staff in this area and is actively involved with tourism through the Visitor Information Centre and Economic Development and Tourism Committee.
- The provision of waste management, water supply and sewerage services is a major component of Council's budget and these activities have a direct impact on all properties serviced by the various schemes throughout the Shire.
- Council has a quarry. The purpose of the quarry is to produce aggregates for bitumen sealing and concrete production on a commercial basis.
- Council provides a range of children's and community service functions including Connect Five Children's Services, Coonabarabran After School and Vacation Care and Warrumbungle Community Care.
- Council's Youth and Community Development Programs provide support for local communities in relation to community development and capacity building.
- Warrumbungle Shire Council has developed a close working relationship with the State Member for Barwon (The Hon Kevin Humphries MP; Roy Butler MP as of 23 March 2019) and Federal Member for Parkes (The Hon Mark Coulton MP). These working relationships have assisted Council in representations on behalf of the community to both State and Federal Governments with some positive outcomes for the Shire flowing from those representations.

Public Participation in Council's Policy Development

GIPA Act section 20(1)(c) – an agency must have a guide (it's 'Agency Information Guide') that specifies any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and exercise of the agency's functions.

Monthly meetings of Council are advertised and attendance by members of the public is encouraged. Until 20 June 2019, an open forum time was provided at the commencement of each monthly meeting to allow community members to address Council and senior staff on issues of concern. Council's new Code of Meeting Practice came into effect on 20 June 2019, based on requirements of the NSW Government. From that date, public forums are provided before the commencement of each monthly meeting, and community members are invited to address Council and senior staff on issues appearing in the business paper of the meeting following the public forum. The opportunity to speak at public forums is advertised regularly and participants are advised that they may speak for four (4) minutes. Each speaker is provided prior to the meeting with a copy of Council's Public Forum Policy and is required to complete and sign a Public Forum Speaker Agreement Form before addressing the forum. Councillors are encouraged to ask questions at the time of the forum presentation and the Mayor accepts written information that may be provided at that time for distribution to each Councillor.

The Council considers matters referred to it by and through the General Manager from division heads, other organisations (public and private) and constituents of the area. Input from community members in any area of Council's operations is invited and welcomed. Copies of the Draft Operational Plan incorporating budget proposals for the ensuing year are placed in each of the libraries for community input and copies are forwarded by mail to community bodies (eg. progress associations) in outlying areas for public comment and seeking further community consultation. Community members may also access documentation on Council's website.

The following committees have community representation and act as advisory bodies to Council:

- Warrumbungle Shire Tourism and Economic Development Advisory Committee
- Traffic Advisory Committee
- Coonabarabran Swimming Pool Advisory Committee
- Warrumbungle Aerodromes Advisory Committee
- Baradine Floodplain Management Advisory Committee
- Robertson Oval Committee
- Warrumbungle Mayors Bushfire Appeal Advisory Committee
- Coonabarabran Sporting Complex Advisory Committee
- Three Rivers Regional Retirement Community Section 355 Committee (TRRRC)

Ordinary meetings of Council are held generally on the third Thursday of each month commencing at 5:00pm. Monthly Council meetings alternate between Coonabarabran and Coolah Council Chambers. Any change of venue and time is advertised in the local papers.

Extraordinary Council Meetings are held for the consideration of specific issues as required.

Both Ordinary and Extraordinary meetings are open to the public, with the exception of matters which are considered to be of a confidential nature as defined by section 10A(2) of the *Local Government Act 1993* (NSW), and public attendance at these meetings is invited.

Community Consultation meetings are held every six (6) months at Baradine, Binnaway, Dunedoo, Mendooran, Coolah and Coonabarabran to enable easier access by community members to bring relevant issues before Council. In the first round of meetings for 2019, a meeting was also held at Goolhi. These meetings are usually held in April and November and are advertised and promoted to each community.

Items of correspondence can be delivered to the Council Chambers in John Street, Coonabarabran or Council Chambers, Coolah or addressed to Council's Administration Centre - The General Manager, Warrumbungle Shire Council, PO Box 191, Coonabarabran NSW 2357.

Various Kinds of Government Information Held by Council

GIPA Act section 20(1)(d) – an agency must have a guide (it's 'Agency Information Guide') that identifies the various kinds of government information held by the agency.

Council holds a wide range of information, in both hard copy and electronic form in respect of the wide range of functions undertaken by it. That information is contained in:

- Files – either physical or electronic
- Policy documents
- General documents

Information included under the heading “General Documents” of this Agency Information Guide may be made available to the public on request unless there is an overriding public interest not to do so.

Some information may require a formal access application in accordance with the GIPA Act.

Files

Council processes incoming and outgoing mail through an electronic Document and Records Management System (InfoXpert). Copies of relevant incoming/outgoing correspondence are kept electronically with hard copies retained in daily correspondence folders, which are archived and dealt with under the provisions of the General Retention & Disposal Authority – Local Government (GA39).

Hard copy files have continued to be maintained for all matters relating to properties, plant and equipment, personnel, roads, financial and some general business of Council.

Council's files are not available on the website however this information may be made available either by informal release or via an access application, unless there is an overriding public interest against disclosure of the information, in accordance with the provision of GIPA.

Members of the public who require an informal release or an access application can do so by contacting council on 02 6849 2000.

Policy Documents

Council's policy documents are contained in a Register incorporating policies under the headings of: Strategic; Auspiced; Management; and Staff.

A copy of Council's Strategic Policies can be viewed on Council's website at

<http://www.warrumbungle.nsw.gov.au>.

General Documents

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

1. Information about Council
2. Plans and Policies
3. Information about Development Applications
4. Approvals, Orders and other documents

Kinds of Information Held by the Agency that the Agency will make Publicly Available

GIPA Act section 20(1)(e) – an agency must have a guide (it's 'Agency Information Guide') that identifies the kinds of government information held by the agency that the agency makes (or will make) publicly available.

AND

Kinds of Information that is Available Free of Charge and those Kinds for which a Charge is Imposed

GIPA Act section 20(1)(g) – an agency must have a guide (it's 'Agency Information Guide') that identifies the kinds of information that are (or will be) made publicly available free of charge and those kinds for which a charge is (or will be) imposed.

The *Government Information (Public Access) Regulation 2009* requires that information contained in the following records held by Council, are to be made publicly available for inspection, free of charge. The public is entitled to inspect these records on Council's website (unless there is an unreasonable additional cost to Council to publish these records on the website) and copies may also be inspected at the Administrative Office of the Council at Coonabarabran during ordinary office hours or at any other place as determined by the Council.

Copies can be supplied for reasonable copying charges.

These records are:

1. Information about Council

Information contained in the current version and the most recent previous version of the following records is prescribed as open access information and may be inspected by the public free of charge.

- The Model Code prescribed under section 440(1) of the *Local Government Act 1993* ('LGA')
- Council's adopted Code of Conduct
- Code of Meeting Practice
- Annual Report
- Annual Financial Reports
- Auditor's Report
- Community Strategic Plan
- Resourcing Strategy – Long Term Financial Plan, Work Force Management Strategy and Asset Management Plan
- Operational Plan and Delivery Program
- Equal Employment Opportunity Management Plan
- Policy concerning the Payment of Expenses and the Provision of Facilities to Councillors
- Annual Reports of Bodies Exercising Functions Delegated by Council
- Any Codes referred to in the LGA.

Information contained in the following records (whenever created) is prescribed as open access information and may be inspected by the public free of charge.

- Returns of the Interests of Councillors, Designated Persons and Delegates
- Agendas and Business Papers for any meeting of Council or any Committee of Council (but not including business papers for matters considered when part of a meeting is closed to the public)
- Minutes of any meeting of Council or any Committee of Council 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

- Departmental representative reports presented at a meeting of Council in accordance with section 433 of the LGA.

Information contained in the current version of the following records is prescribed as open access information and may be inspected by the public free of charge.

- Land Register
- Register of Investments
- Register of Delegations
- Register of graffiti removal work kept in accordance with section 13 of the *Graffiti Control Act 2008*
- Register of current Declarations of Disclosures of Political Donations
- Register of Voting on Planning Matters.

2. Plans and Policies

Information contained in the current version and the most recent previous version of the following is prescribed as open access information and may be inspected by the public free of charge.

- Local Policies adopted by Council concerning approvals and orders
- Plans of Management for Community Land
- Environmental Planning Instruments, Development Control Plans and Contribution Plans made under the *Environmental Planning and Assessment Act 1979* applying to land within Council's area.

3. Information about Development Applications

Information contained in the following records (whenever created) is prescribed as open access information and may be inspected by the public free of charge.

Development applications (within the meaning of the *Environmental Planning and Assessment Act 1979*) and any associated information received in relation to a proposed development including the following:

- Home Warranty Insurance documents
- Construction Certificates
- Occupation Certificates
- Structural Certification documents
- Town Planning Reports
- Submissions received on Development Applications
- Heritage Consultant Reports
- Tree Inspections Consultant Reports
- Acoustic Consultant Reports
- Land Contamination Consultant Reports
- Records of decisions on Development Applications including decisions made on appeal
- Records describing the general nature of documents that Council decides are excluded from public view including the plans and internal specifications and configurations for any residential parts of a proposed building and commercially sensitive information if that information would be likely to prejudice the commercial position of the person who supplied it or to reveal a trade secret.

4. Approvals, Orders and Other Documents

Information contained in the following records (whenever created) is prescribed as open access information and may be inspected by the public free of charge.

- 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 under any other Act and any associated documents received in relation to such an application
- Records of approvals granted or refused, any variation from council policies with reasons for the variation, and decisions made on appeals concerning approvals
- Orders given under part 2 of chapter 7 of the LGA, and any reasons given under section 136 of the LGA
- Orders given under the Authority of any other Act
- Records of Building Certificates under the *Environmental Planning and Assessment Act 1979*
- Plans of land proposed to be compulsorily acquired by Council
- Compulsory Acquisition Notices
- Leases and Licenses for use of Public Land classified as Community Land
- Performance improvement orders issued to a council under part 6 of chapter 13 of the LGA.

Privacy Management Plan

Council's endorsed Privacy Management Plan (endorsed 19 October 2017) under the terms of the *Privacy and Personal Information Protection Act 1998* ("PPIPA") and *Health Records and Information Privacy Act 2002* ("HRIPA") provides for the protection of personal information and for the protection of the privacy of individuals.

Local Government Councils are required to collect personal information but must ensure the privacy rights of individuals are not infringed. Council is bound by the terms of the PPIPA and HRIPA and has established procedures to ensure that the provision of information sought from Council meets the requirements of the Acts.

Applications for Access to Council's Records Under the GIPA Act

If you ask for records or documents and you are not able to obtain them, you can apply for them, under the GIPA Act by:

1. Completing an Access Application. These forms are available at Council's offices or you may apply in writing, supplying all the details required under the GIPA Act. Application forms can also be accessed via the IPC website at www.ipc.nsw.gov.au.
2. Present the form or letter, the appropriate fee and where necessary, identification to either of the Council's offices. Details of procedures, fees and reductions in certain cases can be obtained from Council's office.

The Manner in which the Agency will make Information Publicly Available

GIPA Act section 20(1)(f) – an agency must have a guide (it's 'Agency Information Guide') that specifies the manner in which the agency makes (or will make) government information publicly available.

Council has a vast range of information that can be accessed in varying ways. Council will make as much information as possible available by inclusion on Council's website. Other information/ records can be inspected at and obtained from Council's Administrative Centre at Coonabarabran between the hours of 8:30am and 4:30pm, Monday to Friday (except public holidays).

Access Arrangements

In most instances, access will be provided to information that is available to members of the public without the need to apply in writing, under the GIPA Act. Access can be obtained by contacting enquiry staff from the relevant division at either Council Chambers.

Enquiries relating to matters of a confidential nature, court proceedings, private affairs or of a legal professional privilege, will be referred to the General Manager as Principal Officer. It may then be necessary to lodge an application under the GIPA Act and the necessary forms will be provided to you.

It should be noted however that 'personal information' relating to individuals may be protected under the PPIPA and may not be able to be made available without the consent of the person concerned.

An initial application fee of \$30.00 is required and dependent on processing time involved, extra charges may also be payable.

The application fee covers the first hour of processing time. A further processing charge of \$30.00 per hour may be applicable. If the application is refused, reasons will be given and information provided on how to appeal the decision.

Public Officer – Right to Information Officer

The Director Corporate and Community Services has been appointed as the Public Officer. Amongst other duties, the Public Officer may deal with requests from the public concerning the Council's affairs and has the responsibility of assisting people to gain access to public documents of the Council.

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

Enquiries should be directed to:

The General Manager

Warrumbungle Shire Council

14-22 John Street

COONABARABRAN NSW 2357

Postal Address: PO Box 191

COONABARABRAN NSW 2357

Telephone: 02 6849 2000

Facsimile: 02 6842 1337

Email: info@warrumbungle.nsw.gov.au

Council's website: www.warrumbungle.nsw.gov.au

Office hours for public access: 8:30am – 4:30pm

Monday to Friday (excluding public holidays)

Switchboard operates: 8:30am – 4:30pm

Monday to Friday (excluding public holidays)

Office of the Information Commissioner

If you require any other advice or assistance about access to information you may contact the Office of the Information and Privacy Commissioner by telephone on 1800 472 679 (free call) or by email at ipcinfo@ipc.nsw.gov.au.

Information and Privacy Commission NSW

Level 17, 201 Elizabeth Street

SYDNEY NSW 2000

Free Call: 1800472679

Fax: (02) 81143756

www.ipc.nsw.gov.au