


All Divisions

POLICY:-	
Policy No:	
Policy Title:	Access to Information Held By Queanbeyan City Council.
Date Policy was adopted by Council:	28 July 2010
Resolution Number:	177/10
Previous Policy Review Date:	
Next Policy Review Date:	1 July 2012
PROCEDURES/GUIDELINES:-	
Date Procedure/Guideline (if any) was developed:	1 July 2010 – Access to Information Guidelines
RECORDS:-	
Container Reference in TRIM: Policy	SF080616
Container Reference in TRIM: Procedure	
Other locations of Policy:	Intranet (linked to TRIM Container)
Other locations of Procedures/Guidelines:	Intranet (linked to TRIM Container)
DELEGATION (if any):-	
RESPONSIBILITY:-	
Draft Policy developed by:	Executive Manager – Legal and Internal Services
Committees (if any) consulted in the development of the Draft Policy:	Council Executive
Responsibility for Implementation:	Executive Manager – Legal and Internal Services
Responsibility for Review of Policy:	Executive Manager – Legal and Internal Services

INTEGRATED PLANNING FRAMEWORK:	
Community Strategic Plan:	Strategic Priority No. 6
Delivery Program Title:	Legal & Insurance Services
Operational Plan:	Program No. 130

Senior Authorizing Officer	Position General Manager	Signature/Date  29 July 2010
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ACTION	COUNCIL MEETING DATE	RESOLUTION NUMBER	REPORT ITEM NUMBER
NEW/RECONFIRMED/ AMENDED			
New	28 July 2010	177/10	Item 3

DATE REVIEWED	REVIEWER POSITION	REVIEWER NAME

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1. OUTCOMES:

The Council has obligations under the *Government Information (Public Access) Act 2009* whereby it is recognised as an Agency. In respect of any Government Information there is a presumption in favour of the disclosure unless there is an overriding public interest against disclosure.

The policy provides some structure, principles and process in the administration of the requests for information.

2. POLICY:

The objective of this policy is to describe Council's principles regarding public access to information and to facilitate the processing of requests for such access. This policy is to be read in conjunction with the Access to Information Guidelines.

3. LEGISLATIVE OBLIGATIONS AND/OR RELEVANT STANDARDS

Full Council compliance with *the Government Information (Public Access) Act 2009*.

4. CONTENT:

Queanbeyan City Council is committed to the following principles regarding public access to documents and information:

- Open and transparent government
- Consideration of the overriding public interest in relation to access requests
- Proactive disclosure and dissemination of information
- Respect for the privacy of individuals

Implementation

The Council publishes specific open access information on our website, free of charge unless to do so would impose unreasonable additional costs to Council. The Council will facilitate public access through this and other appropriate mediums. Also the Council publishes for inspection documents listed under Schedule 5 of the *Government Information (Public Access) Act 2009* held by it, unless there is an overriding public interest not to do so. Council will keep a record of all open access information that is not published because of an overriding public interest against disclosure.

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Council also makes as much other information as possible publicly available in an appropriate manner, including on the internet website. Such information is also available free of charge or at the lowest reasonable cost.

The 'Access to Information Guidelines' document associated with this policy identifies the documents and types of information that are available for public access and any restrictions that may apply.

Some documents may require a formal access application in accordance with the *Government Information (Public Access) Act 2009*. Council will assess all requests for access to documents and information in a timely manner and in accordance with the 'Access to Information Guidelines' and relevant legislation.

Depending upon the nature of the request and the form of access requested charges may be applied in accordance with Council's Schedule of Fees and Charges and relevant legislation.

Council will assess requests for access to information with reference to:

- Government Information (Public Access) Act 2009
- Privacy and Personal Information Protection Act 1998
- Health Records and Information Privacy Act 2002
- State Records Act 1998
- Local Government Act 1993
- Environmental Planning and Assessment (EPA) Act 1979
- Companion Animals Act 1998

and any other relevant legislation and guidelines as applicable.

Broad requests for access to a large number of unspecified documents which, if processed, would divert substantial Council resources from dealing with other requests or from performing other Council functions may be refused on the grounds that such a diversion of resources is contrary to the public interest. Council will endeavour to assist in defining the request to a more manageable one.

Council also endeavours to release other information in response to an informal request, subject to any reasonable conditions Council may impose having regard to the circumstances of the case.

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.

The General Manager has authority to approve Guidelines for Information Access, which is to be available to members of the public.

5. PERFORMANCE INDICATOR

The level of compliance with the *Government Information (Public Access) Act 2009*.

The number of formal requests for information and processing of such requests in accordance with the time lines laid down in the *Government Information (Public Access) Act 2009*.