

Formal Access to Information Application

Government Information (Public Access) Act 2009

Wingecarribee Shire Council ABN 49 546 344 354

📍 Civic Centre, 68 Elizabeth Street, Moss Vale NSW 2577 (PO Box 141, Moss Vale NSW 2577)

☎ (02) 4868 0888 ✉ mail@wsc.nsw.gov.au



Please complete this form to apply for access to government information under section 9(1) of the *Government Information (Public Access) Act 2009* (GIPA Act). Please note that pursuant to section 13 of the GIPA Act, the **public interest test** will be applied to determine if there is an overriding public interest against disclosure of the information sought. This application must be accompanied by an application fee of \$30 (refer to part 11.2 on page 4 of this application form for further information).

Fields marked with an asterisk (*) are mandatory.

If you require any assistance in completing this form, please contact Council's Corporate Strategy and Governance team using the contact details provided above.

Information already available

A search of Council's website or **Agency Information Guide (AIG)** may provide the information you seek. If the information has already been proactively released via our website or AIG, there is no need to lodge an application.

Council makes certain documents available for purchase. See Council's Fees and Charges for further information. Please be aware that if you seek a document that is available for purchase, it will **not** be available free of charge, pursuant to section 59(1)(c) of the GIPA Act.

Office Use Only
Application Number:
Receiving Officer:
Receipt No.
Cashier:

1. Applicant Details

*Full Name:	Title:	
Business Name:	ABN:	
*Postal Address:	Postcode:	
*Email:		
*Telephone: (H)	(W)	(M)
Preferred contact method for Council to send notices as required by the GIPA Act: <input type="checkbox"/> Email (preferred) <input type="checkbox"/> Post. NOTE: If you do not make a selection, notices will be sent to your email address if you have provided one. An applicant can provide an email address AND/OR a postal address for the purpose of receiving correspondence about the application.		

2. Proof of Identity

NOTE: When seeking access to their personal information, or when an applicant is acting with the authority of another person and seeks to access that person's personal information, an applicant must provide proof of identity which includes a full name, address and a signature. This can be either an original or a certified copy, or can be provided using more than one document.

<input type="checkbox"/> Australian Driver's Licence with full name, signature and current address	<input type="checkbox"/> Other (give details):
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3. Seeking Access on Behalf of Others

Are you seeking access to government information on behalf of another person or other persons?
 Yes No

If you selected yes, please provide the name of all persons for whom you are acting in the space below. Please attach additional pages if required, including evidence of your authority to act on behalf of the persons named below if applicable.

1.	Title:	Given Name(s):	Surname:
2.	Title:	Given Name(s):	Surname:
3.	Title:	Given Name(s):	Surname:

4. Property and/or Application Details

NOTE: Complete this section if you are applying for access to information concerning a particular property or application.

Street Number:	Street Name:
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Locality:

Lot Number(s):	DP or SP Number(s):
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Application Number(s):

5. Type of Information

*Please specify the document(s) you wish to access, or provide as much detail as possible about the information you wish to access. Please attach additional pages if required.

NOTE: If you do not provide information reasonably necessary to enable the identification of the government information you are applying for, it may be decided that this application is invalid.

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*Date or date range you would like us to search within (e.g. Sept 2018 – June 2019):

Does the information relate to your personal affairs?
 Yes No

Are you seeking access to government information for the purpose of proceedings before a court to which you are a party?
 Yes No

Please provide the reason(s) for your application (optional).
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*Have you applied to another agency for substantially the same information?
 Yes No
If you selected yes, please provide the name of that agency:.....

6. Third Party Consultation

Council may need to consult with third parties before deciding your application. This information may assist any third party to understand why you are seeking the information.

Do you consent to the release of your name and/or company name to third parties with whom Council may need to consult?
 Yes No

Do you consent to the release of the reasons why you are making this application to third parties with whom Council may need to consult?
 Yes No

NOTE: Should you decline to provide your consent, if your identity as the applicant is relevant to the decision to be made and to the consultation with a third party as to their views whether access should be granted to you as the applicant, it may be necessary for Council to disclose your identity to any third parties it is required to consult with. If this is the case, you will be consulted beforehand.

7. Preferred Form of Access

For further information concerning forms of access, refer to part 11.3 on page 4 of this application form.

Inspect the records **NOTE:** An appointment must be made with Customer Service staff.

Receive a paper copy of the records

Receive an electronic copy of the records

8. Disclosure Log

Do you object to the inclusion of information disclosed in response to your application being included in Council's disclosure log?
For further information concerning the disclosure log, refer to part 11.1 on page 4 of this application form.

Yes No

If you selected yes, please provide the reason(s) for your objection.

NOTE: Your objection must be made on the basis of at least one of the grounds detailed in part 11.1 on page 4 of this application form.

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9. Privacy Notification

In making this application, you are providing personal information such as your name and contact details. This information will be used for the purpose of assessing your application and ensuring Council can contact you regarding the status of your application. Your personal information will be handled in accordance with the *Privacy and Personal Information Protection Act 1998* (PPIPA) and Council's Privacy Management Plan.

Purpose of collection: Access to government information held by Council.

Intended Recipients: Council staff and persons granted lawful access under the *Government Information (Public Access) Act 2009*.

Supply: Voluntary; however, Council may not be able to process your application if insufficient information is provided.

Access/Correction: You may make application for access or amendment to your personal information held by Council. Council will consider any such application in accordance with the PPIPA.

Storage: This form will be placed on a relevant file and/or recorded in Council's electronic document management system.

10. Declaration

I DECLARE THAT:

- The information provided in this form is complete and correct.
- I have read the Explanatory Notes and Privacy Notification.
- I have included the application fee, or I will pay the application fee following the lodgement of this application.
- I understand that the copyright owner's consent must be provided in order to use any part of a copyright document for any other purpose (including making further copies in any format).
- Where applicable, I have attached documents required for the purpose of this application (e.g. authorisation to act on another person's behalf, evidence of copyright owner's consent).
- I will not remove, alter, deface or destroy items contained within files to which I have been granted access via inspection.
- I understand that it is an offence to give misleading information about my identity and that doing so may result in a decision to refuse the application.

Name: Date:

Signature:

11. Explanatory Notes

11.1 Disclosure Log

If the information you have requested is released to you and would be of interest to other members of the public, the following details about your application may be recorded on Council's 'disclosure log' which is published on Council's website:

- (a) the date the application is decided,
- (b) a description of the information to which access was provided in response to the application,
- (c) a statement as to whether any of the information is now available from Council to other members of the public and (if it is) how it can be accessed.

NOTE: *The personal information you provide on this form is not disclosed.*

Generally, all information released under an access application for information will be made available on Council's disclosure log unless there are specific public interest reasons for not making it available in this way (for example, where providing access to information via Council's disclosure log would reveal personal information about an individual). This is consistent with the general presumption in favour of the disclosure of information under the GIPA Act.

Pursuant to section 56 of the GIPA Act, you can object to the inclusion in Council's disclosure log of all or specified information concerning your application. However, the grounds on which you can object to this are limited to any one or more of the following:

- (a) the information includes your personal information (or a deceased person for whom you are the personal representative),
- (b) the information concerns your business, commercial, professional or financial interests,
- (c) the information concerns research, or the compilation or analysis of statistics that has been, is being, or is intended to be, carried out by or on your behalf,
- (d) the information concerns the affairs of a government of the Commonwealth or another State (and you are that government).

11.2 Fees and Charges

An access application is not valid unless it is accompanied by the prescribed application fee of \$30.

Council will impose a processing charge for dealing with a formal application at a rate of \$30 per hour for each hour of processing time, in accordance with section 64(1) of the GIPA Act. The application fee of \$30 counts as payment towards the first hour of processing charges. An advance deposit may be required to be paid for any application that involves more than five (5) hours processing time.

You are entitled to a 50 per cent reduction in a processing charge if Council is satisfied that the information applied for is of special benefit to the public generally or evidence is provided that you:

- (a) are the holder of a valid Pensioner Concession Card issued by the Commonwealth Government;
- (b) are a full-time student; or
- (c) are a non-profit organisation (including a person applying on behalf of a non-profit organisation).

Please attach appropriate evidence if you consider that you are entitled to a 50 per cent reduction in the processing charge.

11.3 Forms of Access

Under section 72(2) of the GIPA Act Council must provide access to information in the manner requested by you unless:

- (a) providing access in the requested way would interfere unreasonably with the operations of the agency, or result in the agency incurring unreasonable additional costs,
- (b) providing access in the requested way would detriment the proper preservation of the record to which access has been granted,
- (c) providing access in the requested way would involve an infringement of copyright, or
- (d) there is an overriding public interest against disclosure in the way requested by the applicant.

As such, due to the *Copyright Act 1968* (Cth), the consent of the copyright owner is required for Council to be legally able to provide copies of certain documents (including, but not limited to, **plans, drawings and some reports**). Without this consent, copyrighted information made available to you in response to your application will be made available by inspection only.

The consent of the property owner is required for the provision of copies of **building information certificates** (see section 6.26(10) of the *Environmental Planning and Assessment Act 1979*).