



Agency Information Guide 2023/2024

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What is the Agency Information Guide?

The Agency Information Guide (AIG) has been produced by Strathfield Council in accordance with Section 20 of the *Government Information (Public Access) Act 2009* and is reviewed annually.

The purpose of this document is to provide members of the community, staff of the organisation and the public generally on information concerning:

- The structure and functions of Strathfield Council
- How the functions of the Council affect the public
- The avenues available to the public to participate in policy development and exercise of Strathfield Council's functions
- The types of information produced by Council and how it is made available
- How members of the public and staff may access records and seek amendments to records relating to their personal affairs if those records are incomplete, incorrect, out of date or misleading
- The manner in which Council makes information publicly available
- Information that will be made publicly available free of charge by Council and information for which a charge will be imposed

The AIG is available via Council's website - www.strathfield.nsw.gov.au and Council's Administration Office.

Michael Mamo
General Manager

Introduction

1.1 About Strathfield Council

Strathfield Council was incorporated on 2 June 1885, which included the suburbs of Redmyre (renamed Strathfield), Homebush and Druitt Town (renamed Strathfield South). The unincorporated area of Flemington (now Homebush West) was added to the Strathfield Council area on 19 February 1892. From 1892, the Council area was divided into three Wards: Strathfield, Flemington and Homebush Wards. In 1916, Wards were abolished and all Aldermen were elected by those eligible to vote.

On 19 August 1930, parts of Homebush West were transferred from the Lidcombe Municipality to Strathfield Council. The former Municipality of Homebush was added to Strathfield Council on 25 May 1947. The west ward of the former Municipality of Enfield was added to Strathfield Council on 1 January 1949.

There have been two minor boundary adjustments. In 1953, Strathfield Council's south western boundary at Roberts Road Greenacre was altered when the site of the former Bankstown Sanitary Depot came under Bankstown Council control. In 1992, the western boundary of the Strathfield Municipality was adjusted involving land exchanges between Strathfield and Auburn Councils, and most recently part of Belfield renamed Strathfield South in 2023.

The term 'Alderman' was changed to 'Councillor' and 'Town Clerk' was changed to 'General Manager' with the implementation of the *Local Government Act 1993*.

The current Council was elected at the December 2021 Local Government Election and will serve until the council election in September 2024. The Mayor was elected in September 2023 for the remainder of the term.



1.2 Role of the Governing Body

The role of the Councillors, as members of the body corporate, are:

- To direct and control the affairs of the Council in accordance with the *Local Government Act 1993*
- 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 and the plans, programs, strategies and policies of the Council. 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 process 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 organisation structure 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 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
- The governing body is to consult with the General Manager in directing and controlling the affairs of the Council

1.3 Role of a Councillor

- To be an active and contributing member of the governing body of Council
- To make considered and well-informed decisions as a member of the governing body
- To participate in the development of the integrated planning and reporting framework
- To represent the collective interests of residents, ratepayers and the local community
- To facilitate communication between the local community and the governing body
- To uphold and represent accurately the policies and decisions of the governing body
- To make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor to be an active and contributing member of the governing body of Council
- A Councillor is accountable to the local community for the performance of the Council



1.4 Role of the Mayor

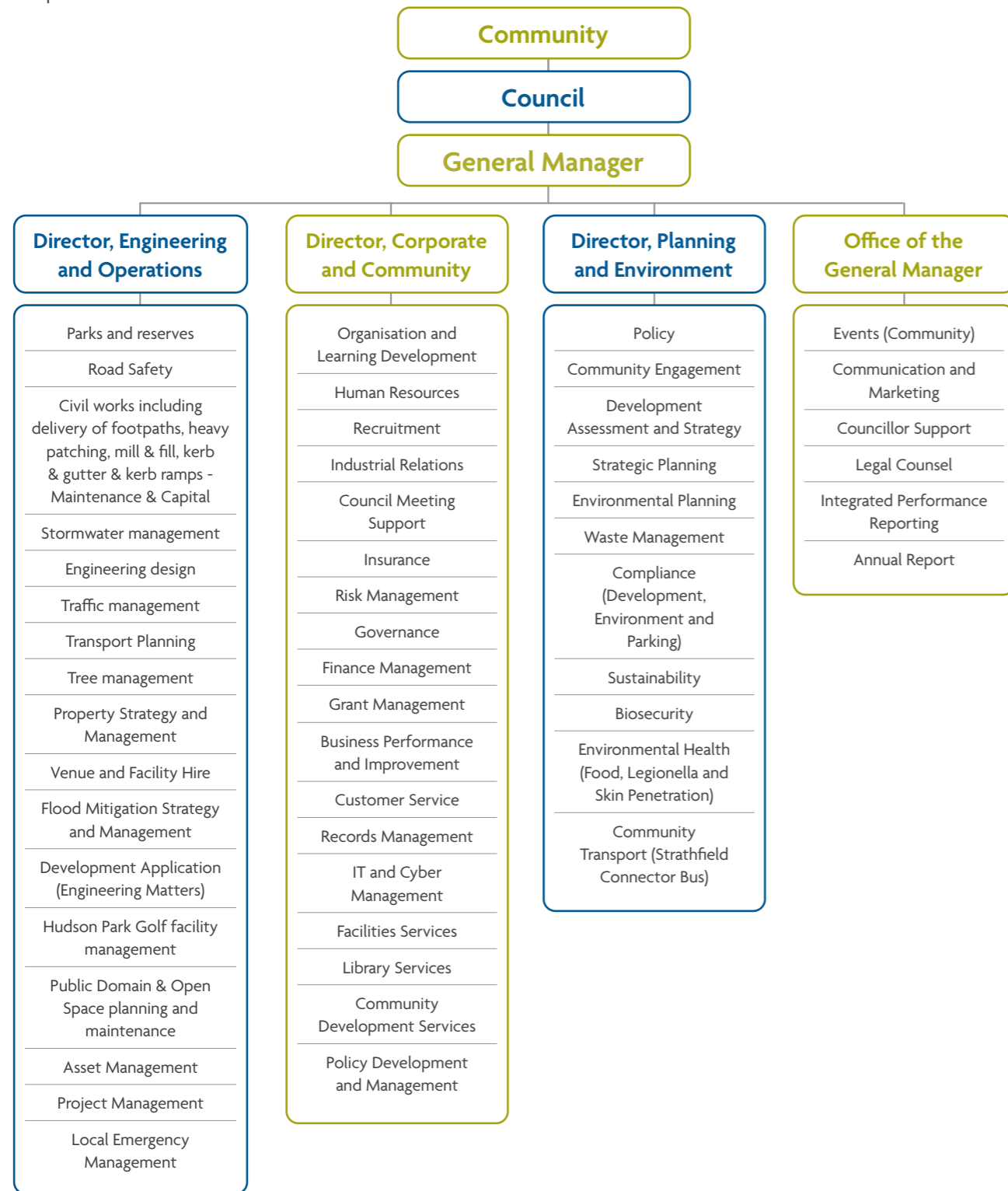
- To be the leader of Council and a leader in the local community
- To advance community cohesion and promote civic awareness
- To be the principal member and spokesperson of the governing body, including representing the views of Council as to its local priorities
- To exercise, in cases of necessity, the policy-making functions of the governing body of 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 1993*
- To carry out the civic and ceremonial functions of the Mayoral Office
- To represent the Council on regional organisations and at inter-Governmental forums at regional, State and Commonwealth level
- To lead performance appraisals of the General Manager
- To ensure the timely development and adoption of the strategic plans, programs and policies of Council.
- To promote the effective and consistent implementation of the strategic plans, programs and policies of Council
- To promote partnerships between 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 Council In conjunction with the General Manager, to ensure adequate opportunities and mechanisms for engagement between the Council and the local community
- To exercise any other functions of the Council that the Council determines

1.5 Role of the General Manager

- To conduct the day-to-day management of Council in accordance with the strategic plans, programs, strategies and policies of Council
- To implement, without undue delay, lawful decisions of Council
- To advise the Mayor and the governing body on the development and implementation of the strategic plans, programs, strategies and policies of 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 Council and other matters related to Council
- To prepare, in consultation with the Mayor and the governing body, Council's community strategic plan, community engagement strategy, resourcing strategy, delivery program, operational plan and annual report
- To ensure that 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 Council to the General Manager
- To appoint staff in accordance with the organisation structure determined under this Chapter and the resources approved by Council
- To direct and dismiss staff
- To implement Council's workforce management strategy
- Any other functions that are conferred or imposed on the General Manager by or under the *Local Government Act 1993* or any other Act

1.6 Organisational Structure

The General Manager is responsible for the operation of the Council's organisation and for implementing decisions of the Council. To assist the General Manager in the exercise of their functions the organisational structure below has been adopted:



1.7 Functions of Council

Under the *Local Government Act 1993*, Council's functions are outlined and can be grouped into the following categories:

SERVICE FUNCTIONS - INCLUDING:

Providing community health, recreation, education and information services
 Environmental protection
 Waste removal and disposal
 Land and property, industry and tourism development and assistance
 Civil infrastructure and planning
 Civil infrastructure, maintenance and construction

REGULATORY FUNCTIONS - INCLUDING:

Approvals
 Orders
 Building Certificates

ANCILLARY FUNCTIONS - INCLUDING:

Including:
 Resumption of land
 Powers of entry and inspection

REVENUE FUNCTIONS - INCLUDING:

Rates
 Charges
 Fees
 Borrowings
 Investments

ADMINISTRATIVE FUNCTIONS - INCLUDING:

Employment of staff
 Community strategic management plans
 Financial reports
 Annual reports

ENFORCEMENT FUNCTIONS - INCLUDING:

Proceedings for breaches of various Acts
 Prosecution of offences
 Recovery of rates and charges

As well as the *Local Government Act 1993*, Council has functions imposed on it by or under other Acts, which include but are not limited to:

A to D

| | |
|-------------------------------------|---------------------------------------|
| Biodiversity Conservation Act 2016 | Contaminated Land Management Act 1997 |
| Biosecurity Act 2015 | Conveyancing Act 1919 |
| Building Professionals Act 2005 | Crown Land Management Act 2016 |
| Civil Liability Act 2002 | Crown Lands Act 1989 |
| Community Land Development Act 2021 | Dividing Fences Act 1991 |
| Companion Animals Act 1998 | |

E to H

| | |
|--|---|
| Environmental Planning and Assessment Act 1979 | Food Act 2003 |
| Fines Act 1996 | Geographical Names Act 1996 |
| Firearms Act 1996 | Government Information (Public Access) Act 2009 |
| Fire Brigades Act 1989 | Graffiti Control Act 2008 |
| Fluoridation of Public Water Supplies Act 1957 | Heritage Act 1977 |

I to M

| | |
|---|--------------------------------------|
| Impounding Act 1993 | Liquor Act 2007 |
| Inclosed Lands Protection Act 1901 | Local Land Services Act 2013 |
| Land Acquisition (Just Terms Compensation) Act 1991 | Major Events Act 2009 |
| Land and Environment Court Act 1979 | National Parks and Wildlife Act 1974 |
| Library Act 1939 | |

N to R

| | |
|--|--|
| Ombudsman's Act 1974 | Public Interest Disclosures Act 2022 |
| Pesticides Act 1999 | Public Spaces (Unattended Property) Act 2021 |
| Pipelines Act 1967 | Recreation Vehicles Act 1983 |
| Plumbing and Drainage Act 2011 | Road Transport Act 2013 |
| Privacy and Personal Information Protection Act 1998 | Roads Act 1993 |
| Protection of the Environment Operations Act 1997 | Rural Fires Act 1997 |
| Public Health Act 2010 | |

S to W

| | |
|--|---|
| Smoke Free Environment Act 2000 | Transport Administration Act 1988 |
| State Emergency and Rescue Management Act 1989 | Unclaimed Monies Act 1995 |
| State Emergency Service Act 1989 | Valuation of Land Act 1916 |
| State Records Act 1998 | Waste Avoidance and Resource Recovery Act 2001 |
| Strata Schemes Development Act 2015 | Water Management Act 2000 |
| Surveying and Spatial Information Act 2002 | Work Health & Safety Act 2011 |
| Swimming Pools Act 1992 | Workplace Injury Management and Workers Compensation Act 1998 |



2. Impact Of Council Functions On The Public

Nearly all of the functions of Strathfield Council have an effect on members of the community. The following is an outline of how the broad functions of Council affect the community.

2.1 Service Functions

Service functions affect the community as Council provides services and facilities to the community. These include halls and community centres, recreation facilities and services such as garbage removal.

2.2 Regulatory Functions

Regulatory functions place restrictions on development and buildings to ensure that they meet certain requirements and will not endanger the lives and safety of any person. Members of the community must be aware of and must comply with such regulations.

2.3 Ancillary Functions

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

2.4 Revenue Functions

Revenue functions affect the community directly in that revenue from rates and other charges paid by the community is used to fund services and facilities provided. Council has prepared resource strategies which detail short to long term financial plans, asset management strategies and workforce management plans.

2.5 Administrative Functions

Administrative functions do not necessarily affect the public directly but have an indirect impact on the community through the efficiency and effectiveness of the service provided.

2.6 Enforcement Functions

Enforcement functions only affect those members of the community who are in breach of certain legislation. This includes matters such as the non-payment of rates and charges, unregistered dogs and parking offences. Council has adopted an enforcement policy.

2.7 Community Planning and Development

Community planning and development functions affect areas such as cultural development, social planning and community profile and involves:

- Advocating and planning for the needs of our community. This includes initiating partnerships; participating on regional, State or Commonwealth working parties; and preparation and implementation of the Community Plan.
- Providing support to community and sporting organisations through provision of grants, training and information.
- Facilitating opportunities for people to participate in the life of the community through the conduct of a range of community events such as Seniors Week, NAIDOC Week, Youth Week, Children's Week, as well as promoting other events.

3. Public Participation In Local Government

Strathfield Council supports the principles of open government and encourages community involvement in policy development and general activities of Council.

There are two broad ways in which the community may participate in the policy development and indeed the general activities of Council. These are through representation and personal participation.

3.1 Representation

Local government in NSW is based on the principle of representative democracy. This means that the people elect representatives to their local Council to make decisions on their behalf. In New South Wales, local government elections are generally held every four years in September.

Voters elect seven councillors for a four year term. All residents of Strathfield Local Government Area (LGA) who are eligible to vote must vote. Property owners who live outside of the LGA may vote by registering their intention to vote on the non-residential roll.

Members of the community can raise issues with and make representations to Councillors. Councillors may raise the issue on the resident's behalf thereby allowing members of the public to influence the development of policy and decisions made by Council.



3.2 Current Elected Members

**Mayor of Strathfield
Karen Pensabene**



First elected to Council:
September 2017

Address: PO Box 120,
Strathfield NSW 2135

Telephone: 0428 410 856
Email: cr.kpensabene@strathfield.nsw.gov.au

**Deputy Mayor of Strathfield
Sandy Reddy**



First elected to Council:
December 2021

Address: PO Box 120,
Strathfield NSW 2135

Telephone: 0407 234 391
Email: cr.sreddy@strathfield.nsw.gov.au

**Councillor
Matthew Blackmore**



First elected to Council:
September 2017

Address: PO Box 120,
Strathfield NSW 2135

Telephone: 0406 099 048
Email: cr.mblackmore@strathfield.nsw.gov.au

**Councillor
Benjamin Cai**



First elected to Council:
December 2021

Address: PO Box 120
Strathfield NSW 2135

Telephone: 0407 314 370
Email: cr.bcai@strathfield.nsw.gov.au

**Councillor
Raj Datta**



First elected to Council:
December 2021

Address: PO Box 120,
Strathfield NSW 2135

Telephone: 0407 334 908
Email: cr.rdatta@strathfield.nsw.gov.au

**Councillor
Nella Hall**



First elected to Council:
September 2017

Address: PO Box 120,
Strathfield NSW 2135

Telephone: 0428 307 097
Email: cr.nhall@strathfield.nsw.gov.au

**Councillor
Sharangan Maheswaran**



First elected to Council:
December 2021

Address: PO Box 120,
Strathfield NSW 2135

Telephone: 0417 372 672
Email: cr.smaheswaran@strathfield.nsw.gov.au

3.3 Personal Participation

Ratepayers, residents and business are encouraged to have a say in what Council does. Community participation in Council is a major focus of the *Local Government Act 1993*. The Act encourages Councils to be open and accountable to the community. This is achieved by people having appropriate access to information, voting in polls and referendums, making submissions to Council, and by Council Meetings being open to the public.

Council has adopted a 'Community Engagement Strategy' which outlines Council's approach to communicating and consulting with members of the public in issues of significance.

Council's website at www.strathfield.nsw.gov.au is regularly updated with notifications and information on Council's activities, meeting agendas and business papers. The website also publishes public notices and exhibitions, tenders, news items, events and many Council documents and reports. The website is reviewed and updated on a regular basis to ensure information is accurate and timely.

Council also provides information on Council activities, decisions and programs in Council e-News, which is distributed by email on a weekly basis.

3.4 Council and Committee Meetings

Members of the public are able to attend Council Meetings. Council Meetings are held in the Council Chambers, Strathfield Council, 65 Homebush Road, Strathfield NSW 2135. Business papers for the Council Meetings are published on the Council website generally on the Thursday prior to the Tuesday meeting. Hard copies may be viewed at Council's Customer Service or Strathfield Main Library (also available to view on library computers). Copies of the business paper can be printed upon request. The schedule of meetings for 2024 as resolved by Council at the Ordinary Council Meeting 14 November 2023 (Resolution 271/23) is below:

| Meeting | Date/Time | Location |
|--------------------------|-----------------------------|---|
| Ordinary Council Meeting | 27 February 2024 at 6:30pm | Council Chambers, 65 Homebush Road, Strathfield |
| Ordinary Council Meeting | 26 March 2024 at 6:30pm | Council Chambers, 65 Homebush Road, Strathfield |
| Ordinary Council Meeting | 23 April 2024 at 6:30pm | Council Chambers, 65 Homebush Road, Strathfield |
| Ordinary Council Meeting | 28 May 2024 at 6:30pm | Council Chambers, 65 Homebush Road, Strathfield |
| Ordinary Council Meeting | 25 June 2024 at 6:30pm | Council Chambers, 65 Homebush Road, Strathfield |
| Ordinary Council Meeting | 23 July 2024 at 6:30pm | Council Chambers, 65 Homebush Road, Strathfield |
| Ordinary Council Meeting | 13 August 2024 at 6:30pm | Council Chambers, 65 Homebush Road, Strathfield |
| Ordinary Council Meeting | 30 September 2024 at 6:30pm | Council Chambers, 65 Homebush Road, Strathfield |
| Ordinary Council Meeting | 22 October 2024 at 6:30pm | Council Chambers, 65 Homebush Road, Strathfield |
| Ordinary Council Meeting | 26 November 2024 at 6:30pm | Council Chambers, 65 Homebush Road, Strathfield |
| Ordinary Council Meeting | 10 December 2024 at 6:30pm | Council Chambers, 65 Homebush Road, Strathfield |

3.5 Public Forum at Council Meetings

The Council holds a Public Forum during each Ordinary Meeting of the Council for the purpose of hearing oral submissions from members of the public, only on items of business to be considered at the meeting.

To speak at a Public Forum, a person must first make an application to the council in the approved form. Applications to speak at the Public Forum must be received by 3pm on the day of the meeting on which the Public Forum is to be held. The applicant must identify the issues they wish to raise or the item of business on the agenda of the Council Meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.

A person may apply to speak on no more than three items of business on the agenda of the Council Meeting.

The General Manager or their delegate may refuse an application to speak at a Public Forum. The General Manager or their delegate must give reasons in writing for a decision to refuse an application.

No more than two speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the Council Meeting.

3.6 Public Submissions on Plans, Strategies and Relevant Policies

All significant plans, strategies and policies of Strathfield Council are placed on exhibition in draft form so that interested members of the public may view them and make comments should they wish to. Exhibition documents are available at Strathfield Council Customer Service, Strathfield Library and Council's website. Submissions should be addressed to the General Manager, Strathfield Council, PO Box 120, Strathfield, NSW, 2135 or sent to Council via email or fax. www.strathfield.nsw.gov.au/develop/development-applications/ sets out how submissions should be made and how personal information is considered.

3.7 Community Engagement

Council's Community Engagement Strategy affirms Council's commitment to community engagement and guides how Council involves the community in decision-making processes. Community engagement is tailored to the project, proposal or plan and can include surveys, community workshops, online forums and other participation tools.

Community members can also stay up to date on news and media by accessing the following websites and social media accounts utilised by Council:

- www.strathfield.nsw.gov.au/
- www.facebook.com/StrathfieldCouncil
- @StrathfieldMC – Twitter
- @strathfieldcouncil – Instagram
- www.youtube.com/c/strathfieldtv/videos

3.8 Notification of Development Applications

Council provides public notification of development applications lodged with Strathfield Council. The procedure for notification is outlined Council's Development Control Plan (part L) and involves direct notification by mail to properties in close vicinity of the proposed development, site notices at the place of the proposed development and notification on Council website and/or local media. Development Applications and associated documents are exhibited for a minimum period of 14 days on Council's website and Customer Service Centre. During the period of exhibition, submissions may be made to relation to the proposal outlined in the application.

3.9 Advisory Committees and Working Groups

Council may establish advisory committees and working groups to provide Council with guidance on specific Council projects and programs. Minutes of these committees and taskforces are tabled to Council Meetings and are published on Council's website. Further information about Council's panels is available from Council's Customer Service Centre on 9748 9999 or email: council@strathfield.nsw.gov.au.

3.10 Feedback and Complaints

Council welcomes constructive feedback about the exercise of its functions and its delivery of services to the community.

Feedback and complaints can be provided verbally or in writing using any of the contact methods outlined in section 5 of this Agency Information Guide.

3.11 Council Polls

Council may elect to take a poll of electors to obtain information and guidance on certain matters. Council is also required to conduct a constitutional referendum before being able to proceed with certain matters relating to its area, mayoral office and altering the number of Councillors to be elected.



4. Access To Government Information

Council holds a wide range of information concerning the Strathfield local government area and operation of the Council. Council information may be made available under the *Government Information (Public Access) Act 2009* in the following ways:

1. Open Access – free of charge
2. Proactive Release – free of charge
3. Informal Release – free of charge
4. Formal Access Application - chargeable

4.1 Council Information

Council information is generally held in:

1. Records (Physical and electronic)
2. Policy documents
3. General information/documents

4.1.1 Records

Most Council information is maintained in electronic form since the implementation of Council's electronic records management systems, CM10, in January 2022.

Council files are not available through the website, however information may be made available either through an 'informal request' or a 'formal application' under the *Government Information (Public Access) Act 2009*.

The main types of records that are held by Council include:

4.1.2 Digital records and information

Information is captured in Council's electronic records system, CM10, against subject containers.

4.1.3 Hard copy files

Most hard copy Council files are stored 'off-site'. As files must be retrieved, some delays in obtaining hard copy files may occur. The main types of files held by Council in hard copy form are:

- Development application files – files containing information relating to specific development applications
- Property files – information relating to specific properties within Strathfield Local Government Area (note not all properties have a property file. Files are created as required)
- Subject files – subject based files which contain information relating to activities of Council

4.2 Policy Documents

Council's policy documents can be inspected at Council's offices during business hours and are available on Council's website at www.strathfield.nsw.gov.au/council/policies-plans-and-regulations/. Requests for copies or additional information on Council policies should be made through Council's Customer Service Centre on 9748 9999 or email council@strathfield.nsw.gov.au.

4.3 General Information/ Documents

The *Government Information (Public Access) Act 2009* requires Council to make a range of general documents available for public inspection free of charge which includes Council's Disclosure Log, Register of contracts (over \$150,000) and Council's Agency Information Guide.

Council documents listed in this section are available on Council's website in the section 'Council Documents' at www.strathfield.nsw.gov.au/council/council-reports-and-registers/. This section provides a list and links to a wide range of Council information.

The following list of general documents considered 'open access' held by Council is set out in the *Government Information (Public Access) Regulation 2018*:

1. Agency Information Guide
2. Information about the agency contained in any document tabled in Parliament
3. Policy documents
4. Disclosure log of access applications
5. Register of government contracts
6. Record of the open access information that Council does not make publicly available on the basis of an overriding public interest against disclosure

Schedule 1 of the *Government Information (Public Access) Regulation 2018* requires that these documents held by Council are to be made publicly available for inspection free of charge. The public is entitled to inspect these documents either on Council's website (unless there is an unreasonable additional cost to Council to publish these documents on the website or subject to Copyright Act restrictions) or alternatively available for inspection at Council's Customer Service Centre, 65 Homebush Road Strathfield during ordinary office hours.

Any current and previous documents of this type may be inspected by the public free of charge. Copies can be supplied for copying charges, in accordance with Council's adopted fees and charges.

Information held by Council may be subject to the *Copyright Act 1968*. Copyright laws may prohibit the copying and publishing of information held by Council, unless permission has been given for copying by the copyright owner.

4.3.1. Information about Council

- The Model Code prescribed under section 440 (1) of the *Local Government Act 1993*
- Councils adopted Code of Conduct
- Code of Meeting Practice
- Annual Report
- Annual Financial Reports
- Auditor's Report
- Management Plans (including Community Strategic Plan, Delivery Program and Operational Plan)
- EEO 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 *Local Government Act 1993*
- 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
- Land Register
- Register of Investments
- Register of Delegations
- Register of Graffiti removal works
- Register of current Declarations of Disclosures of Political Donations
- Register of Voting on Planning Matters

4.3.2 Plans and Policies

- Local Policies adopted by Council concerning approvals and orders
- Plans of Management for Community Land
- Environmental Planning Instruments, Development Control Plans and Contribution Plans

4.3.3 Information about Development Applications

Development Applications and any associated documents received in relation to a proposed development, including:

- Home Warranty Insurance documents
- Construction Certificates
- Occupation Certificates
- Structural Certification Documents
- Town Planner 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 general nature of documents that Council decides to exclude from public view including internal specifications and configurations, and commercially sensitive information

4.3.4 Approvals, Orders and Other Documents

- Applications for approvals under Part 1 of Chapter 7 of the *Local Government Act 1993*
- Applications for approvals under any other Act and any associated documents received
- 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 *Local Government Act 1993*, and any reasons given under section 136 of the *Local Government Act 1993*
- 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

4.4 Proactive Disclosures

In addition to 'open access' information provisions in the Act and Regulation, Council proactively releases information to the public such as frequently requested information or information which assists the public to better understand Council's processes or standards. This information will be available on Council's website and includes Council strategies, Council Events information, Council News Updates, Media Releases, Community Service programs, Infrastructure and Major Projects Updates, Government Submission, Community Information Directories, Publications and Services, Council's Codes and Policies. Council's Governance Business Unit and Legal Counsel actively engages with all sections of Council to promote privacy and also determine if there is any additional information that may be pro-actively released through team and management meetings, training, and promoting initiatives such as Right to Know Week. Council proactively provides information for open data initiatives and bodies including:

- OpenGov NSW is a searchable online repository for NSW Government publications
- Data.NSW brings together a list of NSW Government datasets available in one searchable website - data.nsw.gov.au/data/about
- NSW Government provides news and events, projects, services and government information visitors - www.nsw.gov.au/

The NSW legislation website is the official NSW government website for the online publication of legislation and the Gazette.

4.5 Informal Release

Council generally releases other information in response to an informal request subject to any reasonable conditions as Council thinks fit to impose. However, Council may require a formal access application to be submitted where the information sought:

- Is of a sensitive nature that requires careful weighing of the 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 an informal request for access to information under the *Government Information (Public Access) Act 2009*, Council may require the completion of an Informal Access Application. Forms are available from Council's Customer Service Centres or from Council's website at www.strathfield.nsw.gov.au/council/policies-plans-and-regulations/access-to-information/request-for-informal-access-to-information/.

Council will generally advise within ten (10) working days whether information is available for release with the majority of requests finalised within fifteen (15) working days.

4.6 Restrictions in Accessing Council Information

While Council will endeavor to release as much information via proactive or informal release, access to some information may be subject to a formal application. Requests are assessed in accordance with the *Government Information (Public Access) Act 2009*. Council may not release information where there is an overriding public interest not to release the information or pursuant to other considerations.

4.7 Formal Access Applications

Prior to lodging a formal access application, a person seeking information from Council should check if the information being sought is already available on Council's website or could easily be made available by Council through an informal request application.

If information is not available through mandatory, proactive or informal release, a formal access application will need to be made.

In deciding whether to release information that is subject to a formal access application, Council must decide whether it is in the public's interest to disclose the information.

4.7.1 Determining a Valid Application

For an access application to be valid, the following must be included as outlined by Section 41 of the *Government Information (Public Access) Act 2009*:

- The request for access must be in writing and sent to or lodged at Council
- It must expressly state that the application is made under the *Government Information (Public Access) Act 2009*
- Include the prescribed fee of \$30 (unless Council has waived or reduced the fee prior or after lodgment of the application)
- Include a postal address for correspondence
- Importantly the request must include information to assist Council in identifying the government information applied to have access to

The Formal Application fee is \$30.00 and processing charges may be applicable (there is no GST in relation to these charges).

When considering the personal factors of an application, section 55(5) enables Council to request proof of identity from the applicant as a precondition to providing access to requested information (if the application involves certain personal factors about the applicant).

Formal Access Application forms are available from Council's Customer Service Centres or from Council's website at www.strathfield.nsw.gov.au/council/policies-plans-and-regulations/access-to-information/request-for-formal-access-to-information/.

4.7.2 Actioning a Valid Application

Once it is determined that a valid application has been received:

- Council must acknowledge via a letter to the applicant, within 5 days, the receipt of the valid application
- The letter is to state the date by which the application is to be decided
- That the application is refused if it is not decided by this date
- State that if the application is such that it is of the nature to be included in the disclosure log and that the applicant may object to this
- Also include details about the rights to review
- A decision regarding the application must be made and the applicant notified within the 20 days decision period
- If Council decides that the information should also be released to the wider public, a record of the access application will be made on the disclosure log

Note: Section 26 of GIPAA sets out the requirements in the disclosure log. The disclosure log is a record of formal access applications made to Council which will include the following details: the date the application was decided, a description of the information to which access was provided in response to the application, a statement as to whether any of the information is now available from the agency to other members of the public and if it is made available, how it can be accessed.

4.7.3 Granting Access

Access to Council information can be provided in the following ways in accordance with Section 72 of the *Government Information (Public Access) Act 2009*:

- Opportunity to inspect the document, record etc.
- Providing a copy of the record or information
- Providing access to a record with facilities to read, view or listen
- Providing a written transcript if applicable

If access is granted, a \$30 per hour processing fee may apply (a 50% discount may apply to pensioner or student). The first hour processing is included in

the \$30 lodgment fee. The processing charge covers the time needed to process the application. However, if the information sought by the applicant is personal information, then the first 20 hours of processing is free. Formal access is not to be provided in these ways if:

- It will interfere with Council operations,
- It will impact on the preservation of the record,
- It will involve infringing copyright; and/or
- The way access is requested gives rise to an overriding public interest against disclosure.

The applicant must be notified of the decision to refuse access. Such notification must include reasons for the decision. Access will be refused if the public interest against disclosure outweighs the public interest in favour of disclosure.

4.7.4 Time Limits

In respect of formal applications, Council will notify applicants of the decision on an application within twenty (20) working days. Council may also extend the time by up to fifteen (15) working days where consultation with a third party is required.

If access is deferred by Council, then Council will notify the applicant and include the reason for deferral and the date on which the applicant will be given access. A decision to defer access is reviewable. If Council does not decide the applicant's access application within the above timeframes, it is deemed 'refused'. Council will refund the application fee and the applicant may seek internal or external review (see clause 5.9 Rights of Review) of this refusal. This will not apply if an extension of time has been arranged or payment of an advance deposit is pending.

4.7.5 Rights of Review

There are rights to review a decision made by Council's Access to Information Officers. A full list of reviewable decisions is set out in section 80 of the *Government Information (Public Access) Act 2009*.

4.7.6 Internal Review

If an access application has been refused, there is a general right to seek an internal review of the decision. An internal review must be applied for within 20 working days of the original decision and is subject to a \$40 fee. Internal review involves a senior person in the agency reviewing the decision to reject the access to information application.

Where the Information Commissioner recommends reconsideration of a decision under section 93 of the Act, Council will not impose any charges as part of making its redetermination.

4.8 Interaction with Copyright Legislation

Copyright issues may arise when requests are made for copies of documents held by Council.

The *Commonwealth Copyright Act 1968* takes precedence over State legislation. Therefore, the right to copy documents under the GIPA Act does not override the Copyright Act. Nothing in the GIPA Act or Regulations permits Council to make government information available in any way that would constitute an infringement of copyright.

Access to copyrighted documents will be granted by way of inspection only, unless the copyright owner's written consent is provided. Where authority is unable to be obtained or the copyright owner is not able to be contacted, copies of copyright material will not be provided.

Copyright material includes, but not limited to, plans/drawings, consultant reports and survey reports.

4.9 Interaction with Privacy Legislation

Access to certain information may be limited in accordance with the *Privacy and Personal Information Protection Act 1998* (PIIP Act) and the *Health Records and Information Privacy Act 2002* (HRIP Act). The PIIP Act and HRIP Act provide for the protection of personal and health information and for the protection of the privacy of individuals generally.

In accordance with the PPIP Act and the HRIP Act, Council has adopted a Privacy Management Plan (available on Council's website) which outlines Council's practice for dealing with privacy and personal information in accordance with Information Protection Principles contained within the PPIP Act and the Health Protection Principles contained within the HRIP Act.

4.10 Public Interest Test

Under the GIPA Act, when deciding whether or not to release information, government agencies must consider whether there is an overriding public interest against releasing the information.

Referred to as the "public interest test", this requires government agencies to consider balancing factors for and against disclosure of each piece of government information. That balancing must be undertaken within the context of the GIPA Act.

In deciding what information to release, Council will apply the public interest test which will involve:

- identification of the relevant public interest considerations for disclosure;
- identification of any relevant public interests against disclosure

The GIPA Act (section 14) provides an exhaustive list of public interest considerations against disclosure. These are the only considerations against disclosure that decision makers can consider in applying the public interest test.

- Responsible and effective government
- 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 legislation
- Exempt documents under interstate Freedom of Information legislation

5. Access And Amendments To Council Documents

As mentioned previously, Council's information can be accessed in varying ways. Many documents are available on Council's website at www.strathfield.nsw.gov.au or can be inspected at Council's Office at 65 Homebush Road Strathfield between the hours of 8.30am and 4pm, Monday to Friday (except public holidays).

Persons interested in obtaining access to documents or who wish to seek amendment to Council's records concerning their personal affairs should contact a Council Access to Information Officer.

5.1 Access to Information Officer

Council's Governance and Risk Business Unit are appointed as Council's Access to Information Officers and responsible for determining applications for access to information and for the amendment of records. Should you have difficulty in obtaining access to any Council documents, you should contact the Access to Information Officers. Council's Access to Information Officers can be contacted by phone (02) 9748 9999, email: council@strathfield.nsw.gov.au or in person by visiting Council's Customer Service Centre during business hours.

Should you wish to make an application to amend a record held by Council which contains your personal affairs on the basis that you consider the information is incorrect, you will need to submit a written application to Council outlining your reasons for requesting the amendment to the information.

5.2 Public Officer

Council's Public Officer can also deal with requests from the public concerning Council's affairs and has the responsibility of assisting people gain access to the public documents of Council.

Enquiries to the Public Officer should be addressed as follows:

The Public Officer
Strathfield Council
65 Homebush Road
STRATHFIELD NSW 2135

Postal address:
Strathfield Council
PO Box 120
STRATHFIELD NSW 2135

6. Open Data

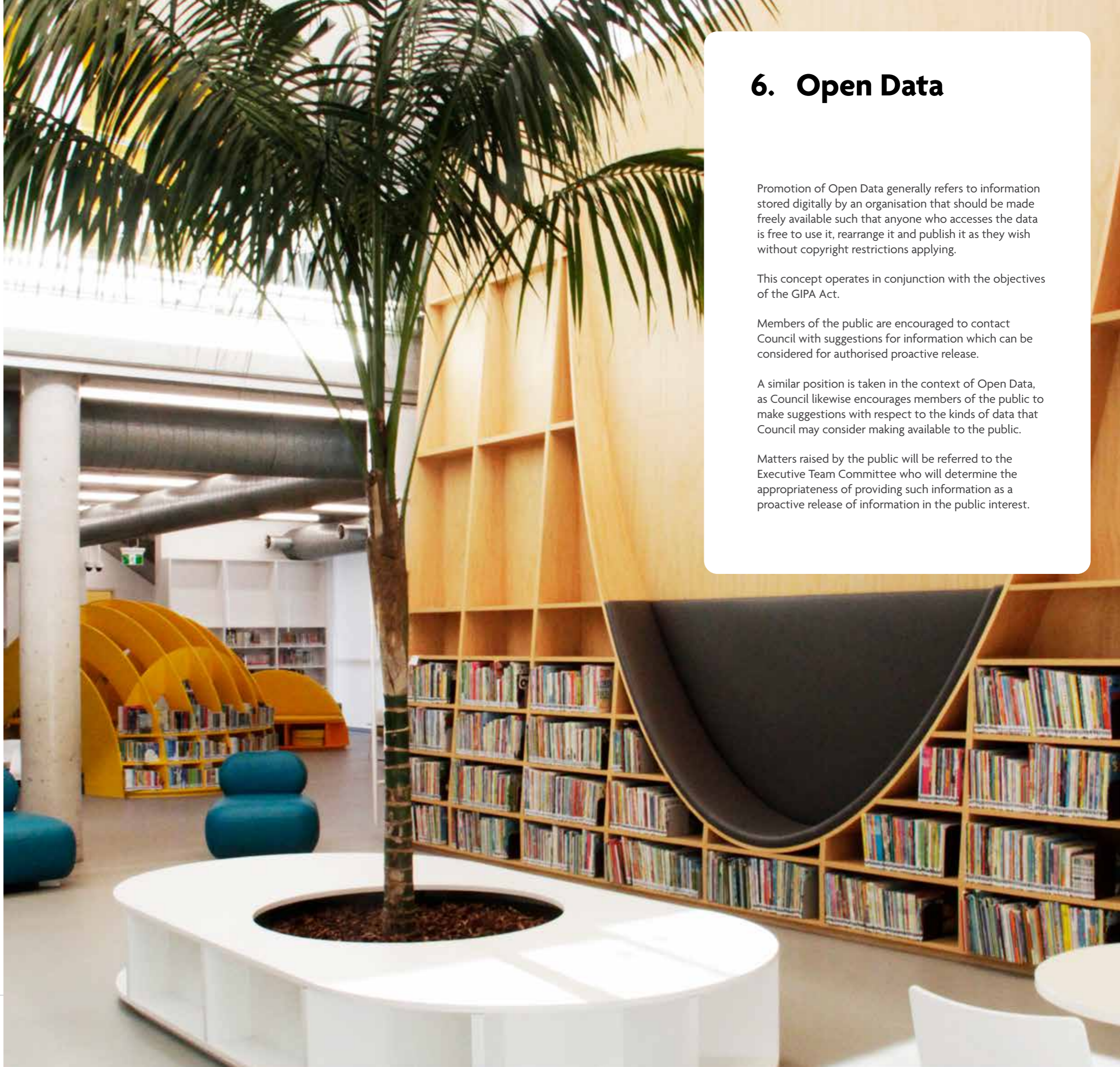
Promotion of Open Data generally refers to information stored digitally by an organisation that should be made freely available such that anyone who accesses the data is free to use it, rearrange it and publish it as they wish without copyright restrictions applying.

This concept operates in conjunction with the objectives of the GIPA Act.

Members of the public are encouraged to contact Council with suggestions for information which can be considered for authorised proactive release.

A similar position is taken in the context of Open Data, as Council likewise encourages members of the public to make suggestions with respect to the kinds of data that Council may consider making available to the public.

Matters raised by the public will be referred to the Executive Team Committee who will determine the appropriateness of providing such information as a proactive release of information in the public interest.



7. Agency Information Guide Review

7.1 Versions

The Agency Information Guide is the thirteenth Strathfield Council Guide. This Guide was formerly known as the Publication Guide. The following versions are:

| Name of publication | Version | Date of Publication | Approval |
|--------------------------|---------|---------------------|-------------------------|
| Publication Guide | 1 | 20 December 2010 | General Manager |
| Publication Guide | 2 | 12 July 2011 | General Manager |
| Agency Information Guide | 3 | 31 July 2012 | General Manager |
| Agency Information Guide | 4 | 30 July 2013 | General Manager |
| Agency Information Guide | 5 | 1 July 2014 | General Manager |
| Agency Information Guide | 6 | 31 July 2015 | General Manager |
| Agency Information Guide | 7 | 29 July 2016 | General Manager |
| Agency Information Guide | 8 | 31 July 2017 | Chief Executive Officer |
| Agency Information Guide | 9 | 2 October 2018 | Chief Executive Officer |
| Agency Information Guide | 10 | 31 October 2019 | Chief Executive Officer |
| Agency Information Guide | 11 | 23 December 2020 | Chief Executive Officer |
| Agency Information Guide | 12 | 22 December 2021 | Chief Executive Officer |
| Agency Information Guide | 13 | 20 November 2023 | General Manager |

7.2 Information and Privacy Commission (IPC)

If you require any other advice or information about access to information you may contact the Information and Privacy Commission by telephone on 1800 472 679 (free call) or by e-mail on ipcinfo@ipc.nsw.gov.au.

8. Community Languages

Simplified Chinese

若您需要协助或需要了解任何信息，请与史卓菲市议会联络。您可以通过翻译与传译服务 (TIS) 使用自己的母语与史卓菲市议会通话。具体步骤是：致电 13 14 50，说明您的母语，然后要求与“史卓菲市议会”通话 (电话号码 02 9748 9999)。此项服务适用本地通话费。

Traditional Chinese

若您需要協助或需要瞭解任何資訊，請與史卓菲市議會聯絡。您可以透過翻譯與傳譯服務 (TIS) 使用自己的母語與史卓菲市議會通話。步驟是：致電 13 14 50，說明您的母語。然後要求與“史卓菲市議會” [(02) 9748 9999] 通話。此項服務適用本地通話費。

Korean

시의회의 도움이나 정보가 필요하신 경우 스트라스필드 시의회에 연락하십시오. 통역 및 번역 서비스(TIS)를 통해 스트라스필드 시의회와 전화통화 시 통역 서비스를 이용할 수 있습니다. 13 14 50번에 전화하여 필요한 언어의 통역을 요청하십시오. 그런 후 (02) 9748 9999번 “스트라스필드 시의회”에 전화해 달라고 부탁드립니다. 본 서비스 이용에는 시내 전화 요금이 부담됩니다.

Arabic

يُجرى، تامول عم وأدعاسم إلى إيجاحب تنك إذا رفاوتت. دلي فثارتس سلجم لاصتالا سلجم إلى إيدحتلل قيهفشلا عمجرتلا عمخ عمجرتلا عمخ لالخنم كتغلب دلي فثارتس لاصتالا يجرى. قيهفشلا او قيهرشلا عمخ لاصتالا بلطامث، كتغل بلطو 50 14 13 عم 9999 فتاهال إلى دلي فثارتس سلجم عم لداعت عمخ لاهذه مادختسا ةفلكت. 9748 02. ةفلكت عمالكملا ةفلكت

English Translation

If you require assistance or information, please contact Strathfield Council. An interpreter service is available to speak to Strathfield Council in your own language through the Translators and Interpreter Service (TIS). Please call 13 14 50 and ask for your language. Then ask to speak with “Strathfield Council” on telephone (02) 9748 9999. Use of this service is the cost of a local call.



65 Homebush Road, Strathfield NSW 2135
P 02 9748 9999 | www.strathfield.nsw.gov.au



@StrathfieldCouncil
@StrathfieldEvents



@StrathfieldMC



@StrathfieldCouncil