Informal Request to Access Information

Use this form to ask for access to information that is not commercially or legally sensitive, personal or related to security.

Summary

You will need to complete our separate 'Application for adjoining owner details' if you are seeking personal details to contact a neighbour about a dividing fence and/or serve a notice under Section 21 of the *Dividing Fences Act 1991.*

Your request is for information on	☐ a property ☐ other matters
Sections to this form	**Section 1** – Contact Details **Section 2 & 3** – Information Descriptions (only complete sections relevant to your request above) **Section 4** – Your right to access information
Your declaration	☐ The information provided on this form is true, complete and correct.
Your signature	**Date**

For help and to return this form	Wentworth Main Office wentworth.nsw.gov.au	61 Darling Street Wentworth 2648 council@wentworth.nsw.gov.au	(03) 5027 5027

1 Your Details

Your Full Name			
Company Name (if applicable)			
Postal Address			
Phone	Home	Mobile	Work
Email			
Tell us how you would like to access the information if your request is approved.			
☐ By Email	☐ By Post	☐ I will collect.	☐ I will attend your offices to inspect.

2 Property Information Description

Complete this section to access information on a property.

Property Address				
Information Sought	☐ Consents	☐ Plans	☐ Reports	☐ Certificates
Provide details of the type of information you wish to access				

Information Purpose (Tell us the reason why you are asking for this information as it will help us assess whether the release of information is reasonable and/or in the public interest.)	

3 Other Matters Information Description

Complete this section to access information on any non-property related matter.

Information sought (Provide details of the type of information you wish to access)	
Information Purpose (Tell us the reason why you are asking for this information as it will help us assess whether the release of information is reasonable and/or in the public interest.)	

4 Your right to access information

Most requests for information can be satisfied via an informal request using this form. If copyright protections apply, we can allow you to view the information. Reproduced copies will only be provided when we have the permission of the copyright owner.

If the information you are requesting is of a personal nature, or relates to another business or agency, we may be required to inform and/or consult with those parties before deciding your application.

Formal access requests must be made for information that is restricted due to commercial confidence, legal privilege, security or protection of privacy. If you are unsure whether the information you seek will need a formal request, you may submit an Informal request using this form. We will review the request and advise you if a formal application is needed.

We do not charge an application for informal requests. We may however charge processing fees for search time, photocopying and written responses. If your request is approved and processing fees are to be applied, we will provide you with an estimate before proceeding. Applications are assessed in order of receipt, but are generally finalised within 20 working days. If we cannot provide a response within this time, we will advise you of the anticipated extension time.

Privacy Notice

We are collecting this information to process your request. We may not be able to do so without it. Supplying this information is voluntary. We will store your personal information on our systems or in our offices, where it will be used by our staff and contractors. Other people can request access to it under the *Government Information (Public Access) Act 2009.* You can ask us to suppress your personal information from a public register and we will consider your request in line with the *Privacy and Personal Information Protection Act 1998.* Our *Privacy Management Plan* sets out how you can access or correct your personal information. Please visit www.wentworth.nsw.gov.au for a copy of the plan.

ACCESS TO INFORMATION REQUEST

TERMS AND CONDITIONS

(in accordance with the GIPA Act 2009)

Completion of this form will only be required if the information is not available on Council's website.

The following documents are available under the GIPA Regulations 2018 unless there is an overriding public interest against disclosure of the information.

1. Information about local authority

(1) Information contained in the current version and the most previous version of the following records is prescribed as **open access information**;

a. The Model Code prescribed under Section 440(1) of the LGA and the Code of Conduct adopted under Section 440(3) of the LGA;
b. Code of Meeting Practice;
c. Annual Report;
d. Annual Financial Reports;
e. Auditor's Report;
f. Management Plan;
g. EEO Management Plan;
h. Policy concerning the payment of expenses incurred by, and the provision of facilities to Councillors;
i. Annual reports of bodies exercising functions delegated by the local authority;
j. Any codes referred to in the LGA.

(2) Information contained in the following records (whenever created) is prescribed as open access information:

a. Returns of the interests of councillors, designated persons and delegates;
b. Agendas and business papers for any meeting of the local authority or any committee of the local authority (but not including business papers for matters considered when part of the meeting is closed to the public);
c. Minutes of any meeting of the local authority of any committee of the local authority, but restricted (in the case of any part of a meeting that is closed to the public) to the resolutions and recommendations of the meeting;
d. Reports by the Chief Executive of the Office of Local Government presented at a meeting of the local authority in accordance with Section 433 of the LGA.

(3) Information contained in the current version and the most recent previous version of the following records is prescribed as open access information:

a. Land register;
b. Register of investments;

c. Register of delegations;
d. Register of graffiti removal work kept in accordance with Section 13 of the *Graffiti Control Act 2008*.
e. Register of current declarations of disclosures of political donations kept in accordance with Section 328A of the LGA,
f. The register of voting on planning matters kept in accordance with Section 375A of the LGA.

2. Plans and Policies

Information contained in the current version and most recent previous version of the following records is prescribed as open access information:

a. Local policies adopted by the local authority concerning approvals and orders;
b. Plans of management for community land;
c. Environmental planning instruments, development control plans and contribution plans made under the *Environmental Planning and Assessment Act 1979* applying to land within the local authority's area.

3. Information about development applications

(1) Information contained in the current version and the most recent previous version of the following records is prescribed as open access information:
   a. Development applications (within the meaning of the *Environmental Planning and Assessment Act 1979*) and any associated documents received in relation to a proposed development including the following:
      i. Home warranty insurance documents;
      ii. Construction certificates;
      iii. Occupation certificates;
      iv. Structural certification documents;
      v. Town planner reports;
      vi. Submissions received on development applications;
      vii. Heritage consultant reports;
      viii. Tree inspection consultant reports;
      ix. Acoustics consultant reports;
      x. Land contamination consultant reports;
   b. Records of decisions made on or after 1 July 2010 on development applications (including decisions made on appeal);
   c. A record that describes the general nature of the documents that the local authorities decides are excluded from the operation of this clause by subclause (2).

(2) However, this clause does not apply to so much of the information referred to in subclause (1)(a) as consists of:
   a. The plans and specifications for any residential parts of a proposed building, other than plans that merely show its height and its external configuration in relation to the site on which it is proposed to be erected, or
   b. Commercial information, if the information would be likely to prejudice the commercial position of the person who supplied it or to reveal a trade secret, or

c. Development applications made before 1 July 2010 and any associated documents received (whether before, on or after that date) in relation to the application.

(3) A local authority must keep the record referred to in subclause (1)(c).

4. Approvals, orders and other documents

5. Information contained in the current version and most recent previous version of the following records is prescribed as open access information:
   a. Applications for approvals under Part 1 of Chapter 7 of the LGA and any associated documents received in relation to such an application;
   b. Applications for approvals under any other Act and any associated documents received in relation to such an application;
   c. Records of approvals granted or refused, any variation from local policies with reasons for the variation, and decisions made on appeals concerning approvals;
   d. Orders given under Part 2 of Chapter 7 of the LGA, and any other reasons given under Section 135 of the LGA;
   e. Orders given under the authority of any other Act;
   f. Records of building certificates under the *Environmental Planning and Assessment Act 1979*;
   g. Plans of land proposed to be compulsorily acquired by the local authority;
   h. Compulsory acquisition notices;
   i. Leases and licenses for use of public land classified as community land;
   j. Performance improvement orders issued to a council under Part 6 of Chapter 13 of the LGA.

Fees and Charges

- After your application is assessed, you will be advised of any fees that may be applicable including photocopying fees. Fees are charged in accordance with Council's adopted Revenue Policy.
- Payment of fees and charges may be made by cash, cheque or by credit card.

Guidelines

- The applicant is required to provide specific details of the information requested to aid in the retrieval of the correct information.
- The reason for the request for information access will be of assistance in processing your application. Information that is, on balance, contrary to the public interest or is considered an unreasonable disclosure of personal matters will not be made available.
- A member of Council's staff will supervise the information viewing sessions should it be decided that the information requested can only be viewed at Council's office.

Plans/Drawings

- The viewing and copying of internal plans other than those showing height and external configurations of a residential property will require the property owner's written consent.
- The viewing of plans of a commercial property will not normally require consent except where residential components form part of that property.
- Some plans or reports may be subject to a copyright notice. In accordance with section 72(2)(c) of the GIPA Act, Council will not release information that is copyright protected unless the copyright owner has expressly consented in writing. Council may provide you with access to view the information only.