



PUBLICATION GUIDE

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1. Structure and Functions of Council

1.1 Description

Coonamble Shire Council is constituted under the Local Government Act 1993 and was proclaimed in 1952. The Shire covers an area of 9955 square kilometres. Council shares its boundary with Gilgandra Shire, Walgett Shire, Warren Shire and Warrumbungle Shire Councils.

1.2 Organisational Structure and Resources

The Council is an undivided area, with 7 Councillors. The Mayor is elected each year by the Councillors from among their numbers.

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

- to direct and control the affairs of the Council in accordance with the Local Government Act and other applicable legislation;
- to participate in the optimum allocation of the Council's resources for the benefit of the area;
- to play a key role in the creation and review of the Council's policies, objectives and criteria relating to the exercise of the Council's regulatory functions;
- to review the performance of the Council and its delivery of services, management plans and revenue policies of the Council;

The role of a Councillor is, as an elected person:

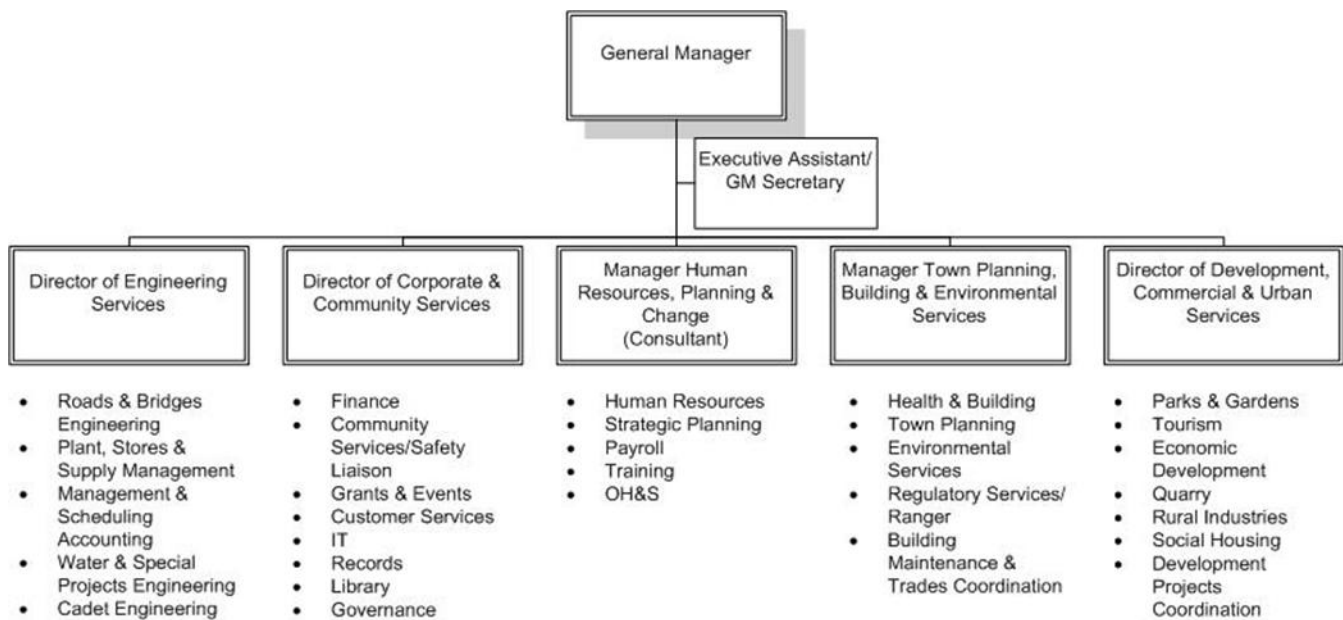
- to represent the interests of the residents and ratepayers;
- to provide leadership and guidance to the community;
- to facilitate communication between the community and the Council.

The Mayor presides at meetings of the Council, carries out the civic and ceremonial functions of the office, exercises, in cases of necessity, the decision making functions of the body politic, between its meetings and performs any other functions that the Council determines.

The Principal Officer of the Council is the General Manager. The General Manager is responsible for the efficient operation of the Council's organisation and for ensuring the implementation of Council decisions. The General Manager is also responsible for the day to day management of the Council, the exercise of any functions delegated by the Council, the appointment, direction and where necessary, the dismissal of staff, as well as the implementation of Council's Equal Employment Opportunity Management Plan.

To assist the General Manager in the exercise of these functions, there are 2 Departments of Council. These Departments are Engineering and Corporate Services. Each of these Departments is headed by a Group Manager.

The following is a depiction of Coonamble Council's organisational structure.



1.3 Functions of Coonamble Council

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

SERVICE FUNCTIONS	REGULATORY FUNCTIONS	ANCILLARY FUNCTIONS	REVENUE FUNCTIONS	ADMIN FUNCTIONS	ENFORCEMENT FUNCTIONS
Including: *Provision of community health, recreation, education & information services *Environmental protection * Waste removal & disposal * Land &property, industry & tourism development & assistance * Civil Infrastructure Planning * Civil Infrastructure Maintenance & Construction	Including: * Approvals * Orders * Building Certificates	Including: * Resumption of land. * Powers of entry and inspection	Including: * Rates * Charges * Fees * Borrowings * Investments	Including: * Employment of staff * Management plans * Financial reporting * Annual reports	Including: * Proceedings for breaches of the Local Government Act & Regulations and other Acts & Regulations. * Prosecution of offences * Recovery of rates and charges.

As well as the Local Government Act, Council has powers under a number of other Acts including:

Community Land Development Act 1989
Companion Animals Act 1998
Contaminated Land Management Act 1997
Conveyancing Act 1919
Environmental Planning and Assessment Act 1979
Fire Brigades Act 1989
Fluoridation of Public Water Supplies Act 1957
Food Act 1989
Government Information (Public Access) Act 2009
Heritage Act 1977
Impounding Act 1993
Library Act 1939
Noxious Weeds Act 1993

Privacy & Personal Information Protection Act 1998
Protection of the Environment Operations Act 1997
Public Health Act 1991
Recreation Vehicles Act 1983
Roads Act 1993
State Emergency & Rescue Management Act 1989
State Emergency Service Act 1989
Strata Schemes (Freehold Development) Act 1973
Strata Schemes (Leasehold Development) Act 1986
Strata Schemes Management Act 1996
Swimming Pools Act 1992
Unclaimed Money Act 1995

2. How Council Functions Affect Members of the Public

As a service organisation, the majority of the activities of the Council have an impact on the public. The following is an outline of how the broad functions of Council affect the public.

Service functions affect the public as Council provides services and facilities to the public. These include provision of human services such as libraries, halls and community centres, recreation facilities, infrastructure and the removal of garbage.

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

Ancillary functions affect only some members of the public. 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.

Revenue functions affect the public directly in that revenue from rates and other charges paid by the public is used to fund services and facilities provided to the community.

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.

Enforcement functions only affect those members of the public who are in breach of certain legislation. This includes matters such as the non payment of rates and charges, unregistered dogs and parking offences.

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

3. How the Public can participate in Council's Policy Development and the Exercising of Functions

There are 2 broad ways in which the public may participate in the policy development and, indeed, the general activities of the Council. These are through representation and personal participation.

3.1 Representation

Local Government in New South Wales is based on the principle of representative democracy. The community elect representatives to their local Council to make decisions on their behalf. In New South Wales, local government elections are held every 4 years. The next elections are due to be held in September, 2012.

At each election, voters elect 7 Councillors for a 4 year term. All residents of the area who are on the electoral roll are eligible to vote. Property owners who live outside of the area and rate paying lessees can also vote, but must register their intention to vote on the non residential roll. Voting is compulsory.

Residents are able to raise issues with, and make representations to, the elected Councillors. The Councillors, if they agree with the issue or representation, may pursue the matter on the resident's behalf thus allowing members of the public to influence the development of policy.

3.2 Personal Participation

Members of the community have the opportunity to participate in the formulation of Council's policies and the exercising of its functions as follows:

- Making submissions for Council's consideration in relation to the development of its Management Plans.
- Making submissions, comments or objections to proposals relating to Development, Subdivision and Building Approvals in accordance with the requirements of Local Government Act 1993 and the Environmental Planning and Assessment Act 1979.
- Written comment invited from the public on policies and document when on public exhibition.

Members of the public are also able to attend Council meetings generally held on the second Wednesday of the month except January (when no meeting is held). At these meetings the opportunity is offered to interested persons to address Council on matters that are within jurisdiction during public question time at 9.00am.

4. Information Held by Council

Council holds a wide range of information concerning the Coonamble local government area and operation of the Council.

This information may be broadly categorised as:

1. Files,
2. Policy Information, and
3. General Information.

Some information may require a formal access application in accordance with the Government Information (Public Access) Act. Some records for example, returns of the interests of Councillors and designated officers, as listed under the Government Information (Public Access) Regulation will not be published on the web site, application for such information is available by an informal access application.

4.1 Files

Council has a “hard copy” filing system, with material being held in physical record files.

Council’s files are not available on the website, however information may be made available either through ‘informal request’ or through a ‘formal application’ under the Government Information (Public Access) Act 2009. The information contained within records will be made available to the public unless there is an overriding public interest against disclosure of the information.

4.3 Policy Information

Council has a register of policy information which is maintained by Council's Public Officer and is available on Council's website.

4.4 General Information

General Information about Council, Plan and Policies, Development Applications, Approvals, Orders and other information may be made available to the public on request unless there is an overriding public interest not to do so.

5. How Members of the Public may Access Information

Council information may be made available under the Government Information (Public Access) Act in four (4) ways:

1. as open access information,
2. through proactive release of information,
3. following an informal request,
4. through a formal access application.

Most information can be inspected at and obtained from Council's Administration office between the hours of 9.00 am and 5.00 pm, Monday to Friday (except public holidays). For further enquiries about any information, a Customer Services Officer should be contacted. If you experience any difficulty in obtaining information, you should contact the Public Officer.

Information included in Clause 6 of this Publication 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 Government Information (Public Access) Act. Some records for example, returns of the interests of Councillors and designated officers, as listed under the Government Information (Public Access) Regulation will not be published on the web site, application for such information is available by an informal access application.

6. Information Publicly Available

The following information held by Council, will be made publicly available for inspection, free of charge on either Council's website (unless there is an unreasonable additional cost to Council to publish this information on the website) or alternatively available for inspection at Council's Administration Office, 80 Castlereagh Street, Coonamble during ordinary office hours. Any current and previous information of this type may be inspected by the public free of charge. Copies can be supplied for reasonable copying charges, in accordance with Council's adopted fees and charges.

1. Information about Council

- Councils adopted Code of Conduct
- Code of Meeting Practice
- Annual Report
- Annual Financial Reports
- Auditor's Report
- Management Plan
- EEO Management Plan
- Policy concerning the Payment of Expenses Incurred by, 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,
- 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

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

3. Information about Development Applications

Development Applications and any associated information received in relation to a proposed development:

- Home Warranty Insurance information
- Construction Certificates
- Occupation Certificates
- Structural Certification Information
- 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 on appeals
- Records describing general nature of information that Council decides to exclude from public view including internal specifications and configurations, and commercially sensitive information

4. Approvals, Orders and Other Information

- Applications for approvals under part 7 of the LGA
- Applications for approvals under any other Act and any associated information 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 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

6. Public Officer and Right to Information Officer

The Director of Corporate 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 information of the Council.

The Director of Corporate Services is also Council's Right to Information Officer who is responsible for determining applications for access to information or for the amendment of records. If you have any difficulty in obtaining access to Council information, you may wish to refer your enquiry to the General Manager. If you would like to amend a document of Council which you feel is incorrect you will need to make written application to the Public Officer in the first instance.

Enquiries should be addressed as follows:

General Manager

Coonamble Council

PO Box 289

COONAMBLE NSW 2829

Email: council@coonambleshire.nsw.gov.au

Office of the Information Commissioner

website www.oic.nsw.gov.au.

If you require any other advice or assistance about access to information you may contact the Office of the Information Commissioner by telephone on 1800 463 626 (free call) or by email at ocinf@oic.nsw.gov.au

Document Review History

Date	Changes Made	Approved By
2010	Document creation	General Manager
July 2012	Review and update	General Manager