

Members of the public are entitled to have access to the majority of council documents. Inspection of council documents is generally free, although you may have to pay reasonable photocopying charges if you want to have your own copy.

Which council documents can you inspect?

Section 12 of the *Local Government Act 1993* specifies that the following council documents must be made available free of charge for people to inspect at council offices during business hours.

Codes, plans, policies and reports

- code of conduct
- code of meeting practice
- any codes referred to in the *Local Government Act 1993*
- management plan
- EEO management plan
- social / community plan
- plans of management for community land
- policy about the payment of expenses and the provision of facilities to councillors
- annual report
- annual financial reports
- auditor's report
- annual reports of bodies exercising delegated council functions
- the statements of affairs, the summary of affairs and the register of policy documents required under the *Freedom of Information Act 1989*
- departmental representatives' reports presented at a meeting of the council in accordance with section 433 of the *Local Government Act 1993*.

Registers and returns

- land register
- register of investments
- register of delegations
- returns of the interests of councillors, designated persons and delegates
- returns about candidates' campaign donations.

Agendas, business papers and minutes

- agendas and business papers for council and committee meetings, not including business papers for matters considered when part of a meeting is closed to the public
- minutes of council and committee meetings - if any part of a meeting is closed to the public then only the resolutions and recommendations that were made are included in the minutes.

Planning and development documents

- building and development applications under the *Environmental Planning and Assessment Act 1979* and associated documents
- records of approvals granted, any variation from local policies with reasons for the variation and decisions made on appeals concerning approvals
- local policies adopted by the council concerning approvals and orders
- records of building certificates under the *Environmental Planning and Assessment Act 1979*
- plans of land proposed to be compulsorily acquired by council
- leases and licences for the use of public land classified as community land
- environmental planning instruments, development control plans and plans made under sections 94A and B of the *Environmental Planning and Assessment Act 1979* that apply to land within the council's area.

Many councils have their own website which may include some of these documents.

A council may also allow you to access other documents – but this will be a matter for each council to decide, taking into account whether or not they consider it to be in the public interest.

Each council is required to have a designated Public Officer and this person is responsible for assisting people to gain access to council documents.

Accessing a council's website

You can access a council's website through the Department of Local Government's website at www.dlg.nsw.gov.au. Select local government directory, then local councils, the name of your council and then their web address.

If you think a council document should be on their website, you can ask the council to put it on. We have encouraged councils to do this, but it is up to each council to decide whether they do.

Freedom of information

You can also use the *Freedom of Information Act 1989* to apply to access council documents if you can't obtain them under section 12 of the *Local Government Act 1993*.

Privacy issues

When accessing council documents, you need to be aware of the *Privacy and Personal Information Protection Act 1998* which helps to protect personal information and the privacy of individuals. Councils are required to develop a privacy management plan under the Privacy and Personal Information Act and comply with other legislation regarding public access to information.

If you are refused access to documents on the grounds of privacy, you should read a document called 'Privacy, you and your local council'. It provides a brief overview of the Privacy and Personal Information Protection Act and answers some frequently asked questions. Councils have been encouraged to make this document available to help anyone who wants to access

council documents. It is also available on the department's website at www.dlg.nsw.gov.au or you can contact our Nowra office on (02) 4428 4100 to obtain a copy.

Need more information?

The department has produced a range of other fact sheets and brochures on topics such as:

- Your council.
- How to have your say in council.
- Why do you pay rates?

You can access these documents on our website or by contacting us at our offices.

Our contact details



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