





## FORMAL INFORMATION ACCESS REQUEST GUIDELINES

### 1. About your application

Your application will be considered by Council under Part 4 of the [GIPA Act](#) and will be placed in Council's records management system. In accordance with Part 4, Section 41 (1), formal access applications **must** comply with the following:

- a) It must be in writing sent to or lodged at an office of the agency concerned,
- b) It must clearly indicate that it is an access application made under this Act,
- c) It must be accompanied by a fee of \$30,
- d) It must state a postal address in Australia as the address for correspondence in connection with the application,
- e) It must include such information as is reasonably necessary to enable the government information applied for to be identified.

Council will process your application as soon as practicable after it is received. The [GIPA Act](#) allows Council **twenty (20) business days** to process an application which can be extended if consultation with a third party is necessary or by agreement with the applicant. Upon receiving your request, Council will determine how the request will be processed and what information is available. This may involve contacting you to clarify what information is sought.

### 2. Have you checked online?

Council's Online Services facility, available via its website, stores a large volume of freely accessible information. It is recommended that you view [Council's website](#) for the information you have requested, before submitting this application. Click the following links to: [Online application link](#) for the Wyong Office and the [ePlanning Portal](#) for the Gosford Office.

### 3. Decisions of applications

Council can make any one of the following decisions in regard to your application:

- To provide access to the information requested;
- Council does not hold the information requested;
- The information is already available to you;
- That there is an overriding public interest against disclosing the information;
- To refuse to deal with your application;
- To refuse to confirm/deny that information is held by Council where there is an overriding public interest against confirming/denying that fact.

### 4. Are you buying/selling a property?

Any information provided to you in response to your application is in accordance with Council's obligations under the [GIPA Act](#) and is *for information purposes only*. If you are buying/selling a property, it is important that you obtain your own legal and/or planning advice as to what Council certificates/information you need to provide you with Council's official position in respect of a property. For guidance click the following links: [Online property info link](#) and [Building and Development Forms](#).

### 5. Copyright

Access to documents subject to copyright will be granted by way of inspection only, unless the copyright owner's written consent is submitted with your application. The copyright owner is the author of the document, NOT the property owner. Council's copyright authority form may be used for the purpose of obtaining a copyright owner's written consent. Click the following for links to: [Copyright Authority Form](#) and [Copyright FAQ](#).

### 6. Privacy Notification

*Personal Information* means information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual (whether living or deceased) whose identity is apparent or can be reasonably be ascertained from the information or opinion. Some of the information you provide on this form is your personal information, such as your name and contact information. This information is being collected by Council for the purpose of processing your application and will be accessible by Council staff. It is voluntary for you to provide your personal information, however if you do not provide the information, Council may be unable to process your application. The intended recipients of your information are Council staff, but some of the information may be available to the general public under the [GIPA Act](#). Council is to be regarded as the agency that holds the information. You may make an application for access or amendments to your personal information held by Council under the *Privacy and Personal Information Protection Act 1998* or the [GIPA Act](#).

### 7. Assistance

If you require assistance in completing this form, please contact Customer Services on 1300 463 954 or visit [Council's website](#). General information about the [GIPA Act](#) is also available by calling the Office of the Information and Privacy Commission on 1800 I{C NSW (1800 472 679) or at its website: [www.ipc.nsw.gov.au](http://www.ipc.nsw.gov.au)