



PUBLICATION GUIDE 2011

Prepared in accordance with the requirements of the Government Information (Public Access) Act 2009. Adopted by Council 15 November 2011.

Contents

1. Publication Guide	3
2. Structure and functions of Kempsey Shire Council	3
2.1 Organisational structure.....	3
2.2 Functions	5
2.3 Council’s Organisational Values	5
3. How Council’s functions affect members of the public	5
4. How members of the public can participate in the formulation of Council’s policies and exercise of Council’s functions.	6
5. Open access information publicly available	7
6. How members of the public may access Government Information	8

1. Publication Guide

Section 20 of the Government Information (Public Access) Act 2009 (the GIPA Act) requires agencies to develop and adopt a publication guide as part of their mandatory open access information. The Act states that the Publication Guide shall:

- describe the structure and functions of the agency
- describe the ways in which the functions affect members of the public
- specify arrangements that exist to enable members of the public to participate in the formulation of the agency's policies and functions
- identify various kinds of government information held by the agency and what information will be made publicly available

2. Structure and functions of Kempsey Shire Council

Kempsey Shire Council is a duly constituted council in the State of New South Wales under the terms of the Local Government Act 1993. Council is a body politic of the State with perpetual succession and the legal capacity and powers of an individual, both in and outside the State.

2.1 Organisational structure

An Organisational Structure has been developed to facilitate the functions of Council.

Council's operational policy is determined by the elected Council which comprises of nine (9) councillors elected each four years. The next Council election is due in September 2012. The Council is presided over by the Mayor who occupies the chair at meetings and who is elected to the position each year in September by the full Council.

At the September 2012 election, the Mayor for the ensuing four years will be popularly elected by the people.

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

Council's operational functions are carried out through the General Manager and four Directors covering the areas of Sustainable Environment, Community Engagement, Infrastructure Services and Corporate Management.

The General Manager is responsible for the efficient operation of the Council's organisation and for ensuring the implementation of Council's decisions. The General Manager is also responsible for the day to day management of the Council.

On the following page is Kempsey Shire Council's organisational structure.



ORGANISATIONAL STRUCTURE

COMMUNITY

ELECTED COUNCIL

GENERAL MANAGER

DIRECTOR SUSTAINABLE ENVIRONMENT

DIRECTOR COMMUNITY ENGAGEMENT

DIRECTOR INFRASTRUCTURE SERVICES

DIRECTOR CORPORATE MANAGEMENT

Goal 1:
To facilitate ecological and economical sustainable development in the Shire.

Goal 2:
To foster and enhance effective social, cultural and community relations building respect and civic pride.

Goal 3:
To plan and fund the Shire's infrastructure and service needs.

Goal 4:
To pursue beneficial relationships with regional neighbours and other levels of government.

Goal 5:
To ensure leadership and effective, efficient accountable management.

Planning & Natural Resources

- Acid sulphate soils
- Climate change adaption
- Coastal environment
- Development control
- Development of long term plans to manage environmental impacts of development.
- Environmental health of estuaries
- Flood mitigation planning
- Processing of development applications
- State of Environment Reporting
- Vegetation Management (including weed control)

Economic Sustainability

- Assisting business in expansion or relocation
- Assisting in increasing tourism visitations and length of stay
- Beach patrols
- Review and implement economic development strategies
- Review and implement tourism strategies
- Review ways to maximise return or minimise cost of service through business models.

Health & Building

- Building Control
- Regulatory enforcement
- Onsite sewerage management systems (septic program)
- Public health matters
- Food premises inspections
- Environmental pollution
- Complying development applications and construction cert's
- Companion animals
- Ranger services

Service Delivery

- **Customer Service**
 - Provide information to answer questions/needs where possible
 - Provide one point for first contact
 - Receive payments and information from Council's customers/stakeholders
- **Social needs**
 - Assist the aged
 - Access/Services for the disabled
 - Cemetery bookings and arrangements
 - Macleay Community Care Options services
 - Senior Citizens Week
- **Cultural Development**
 - Art gallery
 - Library services

Community Relations

- Development of Strategic/Delivery/Operational Plans
- Ensure consistency and co-ordination of plans of Council
- Heritage
- Undertake community engagement
- Undertake staff engagement
- Aboriginal community engagement
- Assist events
- Donations and contributions to community groups
- Management of community buildings
- Newsletter and media information
- Youth community engagement
- Emergency services contract/administrative support

Assets & Design

- Civic infrastructure asset management
- Development of major works schedules
- Development of required maintenance standards
- Strategic asset management planning
- Works design and costing
- Management of corporate buildings

Operations

- **Transport Infrastructure**
 - Bridges
 - Car Parking
 - Pedestrian Infrastructure
 - Quarries
 - Roads
 - Private Works
 - Street Lighting
- **Open Space and Recreation Facilities**
 - Beach foreshores
 - Boat ramps
 - Parks & open space
 - Sporting grounds
 - Swimming Pools
- **Community Use Infrastructure**
 - Airport
 - Caravan Parks
 - Cemetery
 - Flood Mitigation (infrastructure & operations)
 - Public toilets
 - Saleyards
 - Stormwater
 - Waste management

Water Process

- Water treatment and quality
- Sewer treatment and disposal
- Water and sewer compliance issues
- **Water Strategy**
 - Major project management
 - Meter readings
 - Sewer Blockages
 - Strategic planning for water and sewer infrastructure needs
 - Water supply interruptions.

- Resource sharing
- Lobbying
- Information sharing
- Developing Partnerships

Finance

- Development of budgets
- Fleet resources
- Financial planning
- Raise and collect revenue

Human Resources

- Employment Training & development
- Payroll
- Occupational Health & Safety

Information Management and Governance

- Information technology and communications support
- Preparation of minutes from meetings
- Preparation of business papers
- Provide administrative support
- Records management and control

2.2 Functions

Council's functions can be summarised under the five goals of Council's community strategic plan:

- Goal 1 To facilitate ecological and economical sustainable development in the Shire.
- Goal 2 To foster and enhance effective social, cultural and community relations, building respect and civic pride.
- Goal 3 To plan and fund the Shire's infrastructure and service needs.
- Goal 4 To pursue beneficial relationships with regional neighbours and other levels of Government.
- Goal 5 To ensure leadership and effective, efficient, accountable management.

2.3 Council's Organisational Values

Council has adopted a set of organisation values which were developed by the staff and management to form the basis of Council's dealing with our customers and align organisational values and individual values:

<i>Trust</i>	We earn trust by being honest, respecting differences and by encouraging open communication.
<i>Co-operation</i>	We achieve the best for our community through effective teamwork.
<i>Service</i>	We value our community by providing quality professional service to all.
<i>Innovation</i>	We encourage creative and visionary thinking to achieve sustainable outcomes.
<i>Pride</i>	We take pride in Kempsey Shire Council's contribution to our community.

3. How Council's functions affect members of the public

Kempsey Shire Council is a service organisation and most of its functions will have an impact on the public. The following is a summary of the major functions and how they may affect the public.

Planning and Natural Resources

- Processing of development applications lodged by the public
- Environmental health of estuaries is maintained for public use and enjoyment
- Flood mitigation planning to protect the public from affects of flooding
- Vegetation management through weed control and tree preservation order

Economic Sustainability

- Businesses assisted in expansion or relocation
- Beach patrols provided for the safety of the public at beaches
- Tourism strategies reviewed and implemented to promote area to the public

Health and Building

- Public health matters such as food premises are inspected
- Companion animals program to benefit public enjoyment of companion animals
- Onsite sewerage management systems are monitored to ensure health

Service Delivery

- Customer service provided at point of first contact at the Customer Services Centre
- Aged care services are provided through Macleay Community Care Options
- Library and Art Gallery services are provided

Community Relations

- Community engagement is undertaken to receive public input
- Community groups receive donations and contributions
- Youth community engaged through the Youth Worker

Assets and Design

- Major works schedules developed to maintain assets and facilities
- Management of corporate buildings

Operations

- Roads, bridges and car parking provided for public use
- Parks, beach foreshores, swimming pools and sporting grounds provided
- Airport, caravan parks and saleyards provided and maintained
- Waste management services

Water Process and Strategy

- Water treatment and quality provided
- Sewer treatment and disposal
- Planning for water and sewer infrastructure needs

Finance

- Financial planning and development of budgets
- Council revenue raised and collected

Human Resources

- Occupational health and safety promoted and implemented
- Employment

Information Management and Governance

- Agendas and minutes of meetings published for public access
- Information technology and communications provided and maintained
- Records management

4. How members of the public can participate in the formulation of Council's policies and exercise of Council's functions

In the broad sense members of the public may participate in the formulations of Council's policies and functions through representation and personal participation. The public elect the nine councillors to represent them at council meetings and to make decisions on Council's policies and functions on their behalf.

Members of the public are able to raise issues and make representations to the elected councillors.

Council meetings are held monthly on the third Tuesday of the month commencing at 9.00am at the Civic Centre Council Chambers, 22 Tozer Street, West Kempsey. The general public are welcome and encouraged to attend these meetings. Council meetings include a public forum session where, subject to approval of the mayor, a person may address council on any matter listed on the meeting agenda or other matters of their choosing.

Personal participation can occur through Council's community engagement forums. The method of engagement used by the council will depend on the nature and complexity of the issue. It may be by public exhibition of documents, surveys, public meetings, citizen panels,

community conversations, workshops and forums. Council will advise the community of the engagement process via its website and Council's notice page in the Macleay Argus and Macleay Valley Happynings newspapers.

5. Open access information publicly available

The Government Information (Public Access) Act 2009 (GIPA Act) requires that Council provide much of its information as open access information that is made available to the public. At least one of the ways it is provided (usually by a website) must be free of charge.

The following Council information is prescribed as open access information:

Information about council

1. Code of conduct adopted under section 440 (3) of the Local Government Act (LGA)
2. Code of meeting practice
3. Annual report
4. Annual financial reports
5. Auditor's report
6. Management Plan
7. EEO Management Plan
8. Policy concerning the payment of expenses incurred by, and the provision of facilities to the Mayor and Councillors
9. Annual reports of bodies exercising delegated Council functions
10. Any codes referred to in the LGA
11. Returns of the interests of councillors, designated persons and delegates
12. Agendas and business papers for Council and committee meetings (but not including business papers for matters considered when a meeting is closed to the public)
13. Minutes of Council and committee meetings (but not including minutes of a meeting or any part of a meeting that is closed to the public other than the recommendations of that meeting)
14. Departmental representatives reports presented at a meeting of the local authority in accordance with section 433 of the LGA
15. Land register
16. Register of investments
17. Register of delegations
18. Register of graffiti removal work kept in accordance with section 13 of the Graffiti Control Act 2008
19. Register of current declarations of disclosures of political donations kept in accordance with section 328A of the LGA
20. Register of voting of planning matters kept in accordance with section 375A of the LGA

Plans and policies

21. Local policies adopted by the Council concerning approvals and orders
22. Plans of Management for community land
23. Environmental planning instruments, development control plans and plans made under Section 94AB of the Environmental Planning and Assessment Act 1979 applying to land within the Council's area

Information about development applications

24. Development applications and any associated documents received in relation to a proposed development including the following:
 - (a) home warranty insurance documents
 - (b) construction certificates
 - (c) occupation certificates
 - (d) structural certification documents
 - (e) town planners reports
 - (f) submissions received on development applications
 - (g) heritage consultant reports
 - (h) tree inspection consultant reports
 - (i) acoustics consultant reports
 - (j) land contamination consultant reports

25. Records of decisions on development applications (including decisions made on appeal)
 26. A record that describes the general nature of the documents that the local authority decides are excluded from the operation of this clause by subclause 4(2) of schedule 1 of the GIPA Act. These excluded documents are:
 - (a) 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, of the information would be likely to prejudice the commercial position of the person who supplied it or to reveal a trade secret.
- Approvals, orders and other documents**
27. Applications for approvals under Part 1 of Chapter 7 of the LGA and any associated documents received in relation to such an application
 28. Applications for approvals under any other Act and any associated documents received in relation to such an application
 29. Records of approvals granted or refused, any variation from local policies with reasons for the variation, and decisions made on appeals concerning approvals
 30. Orders given under Part 2 of Chapter 7 of the LGA and any reasons given under section 136 of the LGA
 31. Orders given under the authority of any other Act
 32. Records of building certificates under the Environmental Planning and Assessment Act 1979
 33. Plans of land proposed to be compulsorily by council
 34. Compulsory acquisition notices
 35. Leases and licences for use of public land classified as community land

6. How members of the public may access Government Information

The Government Information (Public Access) Act 2009 (GIPA Act) provides for government information to be released in four ways:

1. Mandatory proactive release
2. Authorised proactive release
3. Informal release
4. Release subject to a formal access application

Information that is subject to mandatory proactive release is available in the Open Access Information section of Council's website. Council has proactively released a range of information on this site.

The rights to information provided by the GIPA Act mean that formal applications for access to information should be a last resort. In most circumstances you should not have to make a formal application to access information that council holds.

To access the Council's information:

1. Search our website to see if it's already available
2. Contact Council and ask for the information. We will decide whether the information you want:
 - a) is open access information that is readily available. If it is, we will tell you where and how you can get the information
 - b) should be made available as part of a "proactive release" of information
 - c) can be disclosed to you through "informal release", for example where no third party personal information is involved
 - d) requires a "formal access application", for example because consultation with a third party is required.

Formal applications for access to information should be made using the application form. Before making a formal application for access to information, we suggest you contact the

Customer Services Centre on 65663200 to see if the information you seek is already available or can be made available to you without the need for a formal application. The GIPA Act formal application form is available on Council's website (click on communications then forms index) or at the Customer Services Centre, 22 Tozer Street, West Kempsey.

Formal applications for access may be made to:

The Right to Information Officer
Kempsey Shire Council
Civic Centre
22 Tozer Street
West Kempsey 2440

Telephone (02) 65 663200
Facsimile (02) 65 663205
E-Mail ksc@kempsey.nsw.gov.au
Internet <http://www.kempsey.nsw.gov.au>

Office of the Information Commissioner

If you require any other advice or assistance about access to government information you may also contact the Office of the Information Commissioner NSW at:

Level 11, 1 Castlereagh Street, Sydney 2000
GPO Box 7011, Sydney NSW 2001
Tel: 1800 463 626 Fax: (02) 8114 3756
Email: oinfo@oic.nsw.gov.au
Website: www.oic.nsw.gov.au