



**PUBLICATION GUIDE  
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**NAMBUCCA VALLEY COUNCIL**

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# PUBLICATION GUIDE – NAMBUCCA VALLEY COUNCIL

The Government Information (Public Access) Act 2009 requires that all Councils in NSW must have a Publication Guide that meets certain statutory requirements.

This Publication Guide provides you with an explanation about the information held by Council which you may access.

## Who we are and what we do

Nambucca Valley Council is a local authority constituted under the Local Government Act 1993. The purposes of the Act (Section 7) are:

- (a) to provide the legal framework for the system of local government in New South Wales,
- (b) to set out the responsibilities and powers of councils, councillors and other persons and bodies that constitute the system of local government,
- (c) to provide for governing bodies of councils that are democratically elected,
- (d) to facilitate engagement with the local community by councils, councillors and other persons and bodies that constitute the system of local government,
- (e) to provide for a system of local government that is accountable to the community and that is sustainable, flexible and effective.

The guiding principles for Local Government under Chapter 3 of the Act are as follows:

### 8A Guiding principles for councils

#### (1) Exercise of functions generally

The following general principles apply to the exercise of functions by councils—

- (a) Councils should provide strong and effective representation, leadership, planning and decision-making.
- (b) Councils should carry out functions in a way that provides the best possible value for residents and ratepayers.
- (c) Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.

- (d) Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- (e) Councils should work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- (f) Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
- (g) Councils should work with others to secure appropriate services for local community needs.
- (h) Councils should act fairly, ethically and without bias in the interests of the local community.
- (i) Councils should be responsible employers and provide a consultative and supportive working environment for staff.

## (2) Decision-making

The following principles apply to decision-making by councils (subject to any other applicable law)—

- (a) Councils should recognise diverse local community needs and interests.
- (b) Councils should consider social justice principles.
- (c) Councils should consider the long term and cumulative effects of actions on future generations.
- (d) Councils should consider the principles of ecologically sustainable development.
- (e) Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

## (3) Community participation

Councils should actively engage with their local communities through the use of the integrated planning and reporting framework and other measures.

The Nambucca Valley Council consists of 9 Councillors elected usually every 4 years, one of whom is the Mayor who is elected for the same 4 year term. The elected Council, much like a Board of Directors in a private company, provides the overall direction of the Council. The Council appoints a General Manager to ensure that its directions are carried out. The General Manager employs staff to undertake the functions required for the Council's operations. A link to Council's organisation structure can be found at <https://www.nambucca.nsw.gov.au/Council/Council-Business-Councillors/Organisation-Structure> . The organisation structure shows all of the staff employed by the Council and responsibility for the management of those staff.

**Council's Vision is:**

*"Nambucca Valley – Living at its best"*

**Council's Mission Statement is:**

*"The Nambucca Valley Council will value and protect its natural environment, maintain its assets and infrastructure and develop opportunities for its people".*

**Council's Values in Service Delivery are:**

**Professionalism:**

Show drive and motivation, innovation, risk awareness, an awareness of strengths and weaknesses and a commitment to learning

**Accountability:**

Take responsibility for own actions, act in line with legislation and policy and be open and honest

**Community Focus:**

Commit to delivering customer and community focused services in line with strategic objectives

**Teamwork:**

Be a respectful, inclusive and reliable team member, collaborate with others and value diversity

**Safety:**

Strive towards a safety focused workplace culture to ensure the wellbeing of staff, their families and the community

**Value for Money:**

Achieve results through efficient use of resources and a commitment to quality outcomes

**Leadership (managers):**

Engage and motive staff, develop capability and potential in others and champion positive change

## How we affect you

Nambucca Valley Council has an impact on the daily activities of all of the residents of the Nambucca Valley through the provision of:

- ✓ local roads, bridges, footpaths, cycle ways, and stormwater drainage
- ✓ parks and recreational facilities such as the Macksville Memorial Aquatic Centre
- ✓ community buildings such as halls, senior citizens centre, the Bowraville Theatre
- ✓ libraries and other community services
- ✓ water supply and sewerage services
- ✓ companion animal regulation services
- ✓ land use and building regulation services
- ✓ environmental planning and monitoring
- ✓ enforcement of environmental and local laws
- ✓ tourism, economic and business development services.

## How you can participate in what we do

Nambucca Valley Council encourages the public's participation in our decision making. Our values in service delivery include, "Commit to delivering customer and community focused services in line with strategic objectives".

You can participate in our decision making by:

- 1 sending your views by email to [council@nambucca.nsw.gov.au](mailto:council@nambucca.nsw.gov.au)
- 2 writing to the General Manager, Nambucca Valley Council, PO Box 177 Macksville 2447
- 3 telephoning Council on 02 6568 2555
- 4 attending public meetings and public forums held by Council
- 5 contacting the Mayor and Councillors
- 6 responding to advertisements lodged in local newspapers and on Council's website
- 7 speaking to Council staff at our office, 44 Princess Street, Macksville
- 8 by becoming an elected Councillor
- 9 by lodging a customer request on Council's website [www.nambucca.nsw.gov.au](http://www.nambucca.nsw.gov.au)

## What information is held by Council and what information is publicly available

Council holds information in many forms including.

- Database information concerning the valuation of land, rating, debtors and creditors. In general this information includes the private particulars of people and their financial dealings with Council and is not publicly available.
- Database information concerning properties. Again, much of this information includes the personal information of individuals and is not publicly available.
- Database information concerning the condition of Council's assets, eg bridges, roads, buildings etc. This information can be made available to the public.
- Correspondence to and from residents and government departments.
- Registers, including the Contracts Register, are generally available to the public.
- Policies and Plans. These are publicly available.
- Database information of telephone and face to face complaints is generally available to the public.
- Financial information is generally available to the public.

There are 4 ways that information may be made available to the public. These are:

- 1 Open Access Information – mandatory that it be made publicly available free of charge on Council’s website unless there is an overriding public interest against disclosure of the information. The Government Information (Public Access) Act 2009 prescribes open access information which Council must make available (Schedule 1). All of this information is included in the following table.
- 2 Proactive Release of Government Information – Council can make any information publicly available unless there is an overriding public interest against disclosure of the information. Council must review its program for release of information at intervals of not more than 12 months.
- 3 Informal Release of Government Information – Council is authorised to release information in response to an informal request unless there is an overriding public interest against disclosure of the information.
- 4 Formal Access Application – A person who makes an access application for information has a legally enforceable right to be provided with access to the information unless there is an overriding public interest against the disclosure of the information.

Council will impose an application fee of \$30 for a formal access application plus a charge of \$30 per hour for each hour of processing time for the application. The application fee of \$30 counts as a payment towards any processing charge. An applicant is entitled to a 50% reduction in a processing charge if Council is satisfied that the applicant is suffering financial hardship. An applicant is also entitled to a 50% reduction in a processing charge if the Council is satisfied that the information applied for is of special benefit to the public generally. If the information applied for was not publicly available at the time the application was received but Council makes the information publicly available with 3 working days after providing access to the applicant, the applicant is entitled to a full waiver of the processing charge.

Depending on the anticipated time required to respond to the access application, Council may require an advance deposit being 50% of the amount the Council estimates to be the total processing charge for dealing with the application (ignoring any reduction in processing charge to which the applicant may be entitled). An applicant is entitled to a refund of any advance deposit paid to the extent that it exceeds the total processing charges payable for dealing with the application.

Any enquiries in relation to an Access Application should be directed to Mr Matthew Sykes, Director Corporate Services, Nambucca Valley Council on 6568 0205 or [matthew.sykes@nambucca.nsw.gov.au](mailto:matthew.sykes@nambucca.nsw.gov.au). For further information in relation to the Government Information (Public Access) Act 2009 please contact the Information and Privacy Commission NSW on free call 1800 472 679 or visit their website [www.ipc.nsw.gov.au](http://www.ipc.nsw.gov.au).

The following table lists the information which is publicly available, if it is free of charge, and/or how it can be accessed.

How to use this table:

- 1 Look down the information type column until you find the information that you are looking for.
- 2 Then read across to see where you can find the information.

Information Type	Available on Council's website free of charge	Available to be copied at Council's Administration Office, subject to photocopying charges*	Available to view at Council's Administration Office, free of charge	Available to view at Council's library branches, Macksville & Nambucca heads	Formal Access application required
* Advance notice may be required in some circumstances, contact Council on (02) 6568 2555 for more information					
<b>General Information</b>					
Publication Guide	✓	✓	✓		
Disclosure Log of applications for requesting information		✓	✓		
Register of open access information not made public because of overriding public interest against disclosure	✓	✓	✓		



Information Type	Available on Council's website free of charge	Available to be copied at Council's Administration Office, subject to photocopying charges*	Available to view at Council's Administration Office, free of charge	Available to view electronically at Council's library branches, Macksville & Nambucca heads	Formal Access application required
	* Advance notice may be required in some circumstances, contact Council on (02) 6568 2555 for more information				
<b>Corporate Information</b>					
10 Year Community Plan	✓	✓	✓		
Agendas & Minutes of any Committee of Council		✓	✓		
Agendas & Minutes of Council Meetings excluding matters in closed session	✓	✓	✓	✓	
Annual Financial Reports	✓	✓	✓		
Annual Report	✓	✓	✓		
Annual Reports of bodies exercising functions delegated by Council	✓	✓	✓		
Auditor's Report	✓	✓	✓		
Code of Conduct adopted by Nambucca Valley Council	✓	✓	✓		
Code of Conduct (model)	✓	✓	✓		
Code of Meeting Practice	✓	✓	✓		
Compulsory Acquisition Notices		✓	✓		

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Council Policies	✓	✓	✓		
Details of Submissions and Complaints					✓
Fees and Charges (refer to Operational Plan)	✓	✓	✓		
Land Register – Council Owned Property		✓	✓		
Leases and Licences for Use of Public Land Classified as Community Land		✓	✓		
Local Disaster Management Plan	✓	✓	✓		
Integrated Planning Suite of Documents	✓	✓	✓		
Organisation Structure	✓	✓	✓		
Payment of expenses incurred by, and the provision of facilities to, Councillors policy	✓	✓	✓		
Pecuniary Interest Returns (councillors, delegates & designated persons)	✓	✓	✓		

Information Type	Available on Council's website free of charge	Available to be copied at Council's Administration Office, subject to photocopying charges*	Available to view at Council's Administration Office, free of charge	Available to view at Council's library branches, Macksville & Nambucca heads	Formal Access application required
Related Parties Disclosure Register		✓	✓		
Gifts and Benefits Register		✓	✓		
Plans of Land Proposed to be Compulsorily Acquired		✓	✓		
Plans of Management for Community Land	✓	✓	✓		
Register of Contracts	✓	✓	✓		
Register of Current Declarations of Disclosures of Political Donations	✓	✓	✓		
Register of Delegations	✓	✓	✓		
Register of Graffiti Removal Work		✓	✓		
Register of Investments		✓	✓		
Register of Voting on Planning Matters		✓	✓		
Social Planning (Social Plan, Community Profile, Cultural Plan, Disability Action Plan)	✓	✓	✓		
EEO Management Plan	✓	✓	✓		

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* Advance notice may be required in some circumstances, contact Council on (02) 6568 2555 for more information					
<b>Personal Information</b>					
Complainant Details					✓
Personal Information About Yourself		✓	✓		✓ (if in a confidential document)
Personal Information About Others					✓
Sensitive Information from Community Services					✓

Information Type	Available on Council's website free of charge	Available to be copied at Council's Administration Office, subject to photocopying charges*	Available to view at Council's Administration Office, free of charge*	Available to view at Council's library branches, Macksville & Nambucca heads	Formal Access application required
*Advance notice may be required in some circumstances, contact Council on (02) 6568 2555 for more information					
<b>Planning, Environment &amp; Engineering</b>					
Adopted Policies Concerning approvals and Orders	✓	✓	✓		
Application for Approval – Section 68			✓		
Applications for approval - On Site Sewerage Management			✓		
Applications for approval – Sewer			✓		
Applications for approval – Water			✓		
Coastal & Estuary Studies	✓	✓	✓		
Contribution Plans (Sections 7.11 & 7.12 and Section 64)	✓	✓	✓		
Details of Submissions & Complaints					✓
Development Applications (open access only from July 2010)		✓	✓		
Development Control Plans	✓	✓	✓		
Environment Reports	✓	✓	✓		

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Environmental Planning Instruments	✓	✓	✓		
Estuary Management Plans & Related Studies, Documents & Information	✓	✓	✓		
Orders Given Under Act (eg water building, vegetation, weeds, rangers) – will be redacted			✓		
Planning Studies & Reports	✓	✓	✓		
Records of Building Certificates			✓		
Records of Decision on Development Applications		✓	✓		
State of Environment Report	✓	✓	✓		
<b>Other</b>					
OLG Reports presented at a meeting as per S433 of the LGA	✓	✓	✓		