



# Kyogle Council

Government Information (Public Access) Act 2009  
Annual Report 2024/2025

## OVERVIEW

In accordance with section 125(1) of the *Government Information (Public Access) Act 2009* (GIPA Act), Kyogle Council is required to report annually on its obligations under the GIPA Act. The GIPA Act creates rights to information that are designed to meet the community's expectations of an open and transparent government.

In line with the GIPA Act's goal of routine and proactive release of government information; there are four ways in which government information can be released.

### 1. Open Access Information

Open access information is published on Council's website and includes policies, meeting agendas and minutes, annual reports and various other categories of information.

### 2. Proactive Release

Section 7(3) of the GIPA Act requires Council to review its program for the release of government information to identify the kinds of information which can be made publicly available. This review must be undertaken at least once every twelve months. Kyogle Council's program for the proactive release of information includes:

1. Proactively providing information through Council's website;
2. Promoting openness and accountability in decision making and the provision of information;
3. Consultation with staff;
4. Review of other council's websites to assess the types of data being proactively released;
5. Identifying information that is requested most often and that can be made available online without the need for an application to access information; and
6. Planning and implementing open data initiatives such as progress on key roadwork projects promoted on Council's social media platforms.

In the reporting period, Council's website was reviewed to identify areas that required updates and to identify information whereby proactive release would benefit the community. For example, revised Council policies were published, together with a review of Council's Disclosure Log.

Kyogle Council has effective communication protocols, and is open to, and encourages feedback from the community and other stakeholders. Services are delivered professionally, effectively and in a timely manner.

Information on all key decisions, projects and events are communicated via both online and traditional methods. Council’s website is the primary source for providing information and engaging with stakeholders. Social media is used as a more targeted communication for audiences who embrace technology.

3. Informal Release of Information

Council encourages the public to request access to information either by email or in writing in order to meet the intent of the GIPA Act. There is no charge for this request however appropriate photocopying charges may be applicable in accordance with Council’s adopted Fees and Charges Policy. An application form to informally request information is available on Council’s website:  
<https://www.kyogle.nsw.gov.au/forms-applications/forms-and-applications/>

4. Formal Release of Information (Formal Access Application)

Where information is not accessible via the above methods, members of the public may submit a formal access application. A \$30 application fee is payable, and processing charges may be applied. Formal access applications can be made via the completion of an application form, available online:  
<https://www.kyogle.nsw.gov.au/forms-applications/forms-and-applications/>

SUMMARY

| Access Applications Received 2024/2025                                                                                                                                                                          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Kyogle Council received 3 access applications from 1 July 2024 to 30 June 2025.</p> <p>Schedule 2 of this Annual Report provides the statistical information required to be reported under the GIPA Act.</p> |

## Schedule 1: Agency review & number of applications

Clause 8A: Details of the review carried out by the agency under section 7(3) of the Act during the reporting year and the details of any information made publicly available by the agency as a result of the review.

| Review carried out by the agency | Information made publicly available by the agency |
|----------------------------------|---------------------------------------------------|
| Yes                              | Yes                                               |

Clause 8B: The total number of access applications received by the agency during the reporting year (including withdrawn applications but not including invalid applications).

| Total number of applications received |
|---------------------------------------|
| 3                                     |

Clause 8C: The total number of access applications received by the agency during the reporting year that the agency refused either wholly or partly, because the application was for the disclosure of information referred to in Schedule 1 to the Act (information for which there is conclusive presumption of overriding public interest against disclosure).

| Number of applications refused | Wholly | Partly | Total |
|--------------------------------|--------|--------|-------|
| Number                         | 0      | 0      | 0     |
| % of total                     | 0      | 0%     |       |

## Schedule 2: Statistical information about access applications

**Table A: Number of applications by type of applicant and outcome\***

|                                                     | Access<br>Granted in<br>Full | Access<br>Granted<br>in Part | Access<br>Refused in<br>Full | Information<br>not Held | Information<br>Already<br>Available | Refuse to<br>Deal with<br>Application | Refuse to<br>Confirm/<br>Deny<br>whether<br>information<br>is held | Application<br>withdrawn | Total | % of<br>Total |
|-----------------------------------------------------|------------------------------|------------------------------|------------------------------|-------------------------|-------------------------------------|---------------------------------------|--------------------------------------------------------------------|--------------------------|-------|---------------|
| Media                                               | 0                            | 0                            | 0                            | 0                       | 0                                   | 0                                     | 0                                                                  | 0                        | 0     | 0%            |
| Members of Parliament                               | 0                            | 0                            | 0                            | 0                       | 0                                   | 0                                     | 0                                                                  | 0                        | 0     | 0%            |
| Private Business Sector                             | 0                            | 0                            | 0                            | 0                       | 0                                   | 0                                     | 0                                                                  | 0                        | 0     | 0%            |
| Not for profit organisations or<br>community groups | 0                            | 0                            | 0                            | 0                       | 0                                   | 0                                     | 0                                                                  | 0                        | 0     | 0%            |
| Members of the public (by legal<br>representative)  | 2                            | 0                            | 0                            | 0                       | 0                                   | 0                                     | 0                                                                  | 0                        | 2     | 66.67%        |
| Members of the public (other)                       | 1                            | 0                            | 0                            | 0                       | 0                                   | 0                                     | 0                                                                  | 0                        | 1     | 33.33%        |
| Total                                               | 3                            | 0                            | 0                            | 0                       | 0                                   | 0                                     | 0                                                                  | 0                        | 3     |               |
| % of Total                                          | 100%                         | 0%                           | 0%                           | 0%                      | 0%                                  | 0%                                    | 0%                                                                 | 0%                       |       |               |

\* More than one decision can be made in respect of a particular access application. If so, a recording must be made in relation to each such decision. This also applies to Table B.

**Table B: Number of applications by type of applicant and outcome\***

|                                                                                              | Access<br>Granted in<br>Full | Access<br>Granted<br>in Part | Access<br>Refused in<br>Full | Information<br>not Held | Information<br>Already<br>Available | Refuse to<br>Deal with<br>Application | Refuse to<br>Confirm/<br>Deny<br>whether<br>information<br>is held | Application<br>withdrawn | Total | % of<br>Total |
|----------------------------------------------------------------------------------------------|------------------------------|------------------------------|------------------------------|-------------------------|-------------------------------------|---------------------------------------|--------------------------------------------------------------------|--------------------------|-------|---------------|
| Personal information<br>applications*                                                        | 1                            | 0                            | 0                            | 0                       | 0                                   | 0                                     | 0                                                                  | 0                        | 1     | 33.33%        |
| Access applications (other than<br>personal information<br>applications)                     | 2                            | 0                            | 0                            | 0                       | 0                                   | 0                                     | 0                                                                  | 0                        | 2     | 66.67%        |
| Access applications that are<br>partly personal information<br>applications and partly other | 0                            | 0                            | 0                            | 0                       | 0                                   | 0                                     | 0                                                                  | 0                        | 0     | 0%            |
| Total                                                                                        | 3                            | 0                            | 0                            | 0                       | 0                                   | 0                                     | 0                                                                  | 0                        | 3     |               |
| % of Total                                                                                   | 100%                         | 0%                           | 0%                           | 0%                      | 0%                                  | 0%                                    | 0%                                                                 | 0%                       |       | 100%          |

\* A personal information application is an access application for personal information (as defined in clause 4 of Schedule 4 to the Act) about the applicant (the applicant being an individual).

**Table C: Invalid applications**

| Reason for invalidity                                                         | No. of applications | % of Total |
|-------------------------------------------------------------------------------|---------------------|------------|
| Application does not comply with formal requirements (section 41 of the Act)  | 0                   | 0%         |
| Application is for excluded information of the agency (section 43 of the Act) | 0                   | 0%         |
| Application contravenes restraint order (section 110 of the Act)              | 0                   | 0%         |
| Total number of invalid applications received                                 | 0                   | 0%         |
| Invalid applications that subsequently became valid applications              | 0                   | 0%         |
| Total                                                                         | 0                   | 0%         |

**Table D: Conclusive presumption of overriding public interest against disclosure: matters listed in Schedule 1 of Act**

| Consideration                                                    | Number of time consideration used* | % of Total |
|------------------------------------------------------------------|------------------------------------|------------|
| Overriding secrecy laws                                          | 0                                  | 0%         |
| Cabinet information                                              | 0                                  | 0%         |
| Executive Council information                                    | 0                                  | 0%         |
| Contempt                                                         | 0                                  | 0%         |
| Legal professional privilege                                     | 0                                  | 0%         |
| Excluded information                                             | 0                                  | 0%         |
| Documents affecting law enforcement and public safety            | 0                                  | 0%         |
| Transport safety                                                 | 0                                  | 0%         |
| Adoption                                                         | 0                                  | 0%         |
| Care and protection of children                                  | 0                                  | 0%         |
| Ministerial code of conduct                                      | 0                                  | 0%         |
| Aboriginal and environmental heritage                            | 0                                  | 0%         |
| Privilege generally - Sch 1(5A)                                  | 0                                  | 0%         |
| Information provided to High Risk Offenders Assessment Committee | 0                                  | 0%         |
| Total                                                            | 0                                  | 0%         |

\*More than one public interest consideration may apply in relation to a particular access application and if so, each such consideration is to be recorded (but only once per application). This also applies in relation to Table E.

**Table E: Other public interest considerations against disclosure: matters listed in table to section 14 of Act**

| Consideration                                                         | Number of times consideration used* | % of Total |
|-----------------------------------------------------------------------|-------------------------------------|------------|
| Responsible and effective government                                  | 0                                   | 0%         |
| Law enforcement and security                                          | 0                                   | 0%         |
| Individual rights, judicial processes and natural justice             | 0                                   | 0%         |
| Business interests of agencies and other persons                      | 0                                   | 0%         |
| Environment, culture, economy and general matters                     | 0                                   | 0%         |
| Secrecy provisions                                                    | 0                                   | 0%         |
| Exempt documents under interstate Freedom of Information legislations | 0                                   | 0%         |
| Total                                                                 | 0                                   | 0%         |

**Table F: Timeliness**

|                                                                  | Number of applications | % of Total |
|------------------------------------------------------------------|------------------------|------------|
| Decided within statutory timeframe (20 days plus any extensions) | 3                      | 100%       |
| Decided after 35 days (by agreement with applicant)              | 0                      | 0%         |
| Not decided within time (deemed refusal)                         | 0                      | 0%         |
| Total                                                            | 3                      | 100%       |

**Table G: Number of applications reviewed under Part 5 of the Act (by type of review and outcome)**

|                                                                  | Decision varied | Decision upheld | Total | % of Total |
|------------------------------------------------------------------|-----------------|-----------------|-------|------------|
| Internal review                                                  | 0               | 0               | 0     | 0%         |
| Review by Information Commissioner*                              | 0               | 0               | 0     | 0%         |
| Internal review following recommendation under section 93 of Act | 0               | 0               | 0     | 0%         |
| Review by NCAT                                                   | 0               | 0               | 0     | 0%         |
| Total                                                            | 0               | 0               | 0     |            |
| % of Total                                                       | 0%              | 0%              |       |            |

\*The Information Commissioner does not have the authority to vary decisions but can make recommendations to the original decision-maker. The data in this case indicates that a recommendation to vary or uphold the original decision has been made.

**Table H: Applications for review under Part 5 of the Act (by type of applicant)**

|                                                                                                                      | Total | % of Total |
|----------------------------------------------------------------------------------------------------------------------|-------|------------|
| Applications by access applicants                                                                                    | 0     | 0%         |
| Applications by persons to whom information the subject of access application relates<br>(see section 54 of the Act) | 0     | 0%         |
| Total                                                                                                                | 0     |            |

**Table I: Applications transferred to other agencies**

|                               | Number of applications transferred | % of Total |
|-------------------------------|------------------------------------|------------|
| Agency-Initiated Transfers    | 0                                  | 0%         |
| Applicant-Initiated Transfers | 0                                  | 0%         |
| Total                         | 0                                  |            |