Government Information (Public Access) Act 2009

Agency Information Guide - Eurobodalla Shire Council

Version: December 2025

Contents

Version history

Adopted	IPC notified	Amendments
December 2025	Yes	Updated with current information and web links; added new information about restricted access to confidential Companion Animals information, and AI technologies.
December 2024	Yes	Updated with current information and website links. Updated information about organisational structure.
December 2023	Yes	Updated with current information and website links. Added more information about organisational structure.
December 2022	Yes	Updated with current information and website links. Added version history, information about proactive release, and Open Data initiatives.
December 2021	Yes	Updated with current information and links. Replaced information about committees with link to website.
December 2020	Yes	Updated with current information and links. Add change of organisation structure to be effective from 4 Jan 2021.
December 2019	Yes	New version of AIG commenced – completely revised format and content, per IPC Self-Assessment Checklist and Information Access Guideline 6
October 2019	Yes	Interim AIG adopted with minor updates, pending approval of completely revised version in draft
June 2012	Yes	Reviewed and updated (this version remained published on Council website until 2019 due to administrative error)
September 2011	Yes	Reviewed and updated
December 2010	Yes	New AIG adopted

1. Introduction

Eurobodalla Shire Council (**Council**) supports the broad object of the *Government Information (Public Access) Act 2009* (**GIPA Act**) to advance a system of responsible and representative government that is open, accountable, fair, and effective; and the presumption in the GIPA Act in favour of providing access to government information unless there is an overriding public interest against its disclosure.

This Agency Information Guide (**AIG**) is published in accordance with section 20 of the GIPA Act and provides a mechanism to make government information held by Council accessible, and to promote currency and appropriate release of information.

AIGs can play an important role in promoting access to information, supporting community participation in government decision-making, and contributing to open government.

This AIG sets out how community members and organisations, the media, and other government agencies can interact with us, and access information about us and held by us.

The purpose of this AIG is to provide general information about:

- The structure and functions of Council;

- The ways in which the functions of Council, including decision-making functions, affect members of the public;

- Arrangements in place to enable members of the public to participate in the formulation of Council policy and the exercise of its functions;

- Types of information held by Council, and the ways in which Council makes information publicly available;

- Information that Council makes publicly available either free of charge or for a charge;

- Development of strategy and policy about current and future use of emerging AI technologies, and how this may affect members of the public.

A copy of this AIG is available on our website at:

www.esc.nsw.gov.au/council/governance/public-access-to-information

We value your feedback on this AIG to assist us to achieve the highest levels of accessibility. Throughout this AIG we provide links to our website, online documents, reports, and other information to make information easily accessible.

Please advise us by email to council@esc.nsw.gov.au or call (02) 4474 1000 if you have difficulty accessing any of the links, or to provide feedback about this AIG.

This AIG is reviewed and updated annually in December.

This version was last updated and adopted in **December 2025**.

Scott Westbury

Public Officer

Eurobodalla Shire Council

2. About Eurobodalla Shire Council

2.1. About us

Eurobodalla Shire Council was proclaimed in 1906 and is constituted under the *Local Government Act 1993* (NSW) (**LG Act**).

We offer a wide range of services to our community including local roads and footpaths, public works, recreation and leisure facilities, parks and public places, local transport, planning, building regulations and development, waste disposal and recycling collections, water supply, stormwater and sewerage, public and environmental health, animal care and registrations, local environmental management, libraries, business regulation and support, arts and cultural heritage programs, support for children, young people, seniors, and people living with disability, and plenty of events and activities that everyone can attend.

Our **Annual Report** provides information about the diversity and breadth of our services and operations delivered to our community daily, with insights into our financial position and decision-making: www.esc.nsw.gov.au/council/plans-and-reporting/performance-reporting

Our **Community Strategic Plan** identifies our community's main priorities and aspirations for the future, and provides strategies for achieving these goals: www.esc.nsw.gov.au/council/plans-and-reporting/community-strategic-plan

Our four-year **Delivery Program** and one-year **Operational Plan** outline the activities and actions that are Council's responsibility in achieving our Community Strategic Plan: www.esc.nsw.gov.au/council/plans-and-reporting/delivery-program-and-operational-plan

Our other **strategies and plans** can be found at: www.esc.nsw.gov.au/council/plans-and-reporting/plans-and-strategies

To find out more information about Council, visit our website at: www.esc.nsw.gov.au

- Current news and events: www.esc.nsw.gov.au/home/news-and-events
- Current major projects: www.esc.nsw.gov.au/council/major-projects
- Matters on public exhibition for community feedback: www.esc.nsw.gov.au/council/have-your-say/public-exhibition
- Meeting agendas and business papers: www.esc.nsw.gov.au/council/council/meetings
- Subscribe to *Council News* monthly email newsletter and read the *Living in Eurobodalla* resident's print newsletter, published quarterly*:* www.esc.nsw.gov.au/news-and-events/newsletters

Follow us on **social media**:

Facebook: www.facebook.com/EurobodallaCouncil/

Instagram: www.instagram.com/eurobodallacouncil/

YouTube: www.youtube.com/user/EurobodallaCouncil/videos?app=desktop

Regulatory and other community information is also published as required in local news outlets and made freely available at our Customer Service Centre in Moruya, and our libraries in Narooma, Moruya and Batemans Bay.

2.2. Our location

The Eurobodalla Shire local government area covers over 3400 square kilometres of land and 110 kilometres of coastline stretching along the NSW South Coast. More than 80 percent of the land is national park or state forest.

We share boundaries with Shoalhaven City Council to the north, Bega Valley Shire Council to the south, Queanbeyan-Palerang Regional Council to the west, and Snowy Monaro Regional Council to the south-west.

More information about the Eurobodalla area and community can be found at: www.esc.nsw.gov.au/community/community-profile-and-population-forecasts and www.eurobodalla.com.au .

2.3. Where to find us

Our main Customer Service Centre is at the corner of Vulcan and Campbell Streets, Moruya.

Our main office hours are Monday to Friday, 8.30am to 4.30pm, excluding public holidays and the advertised Christmas closedown period.

You can also find us at:

- libraries in Batemans Bay, Moruya, and Narooma www.esc.nsw.gov.au/community/libraries
- our Community Transport office, at the Dr Mackay Centre at 9 Page St, Moruya
- works depots at Moruya, Batemans Bay and Narooma
- visitor information outlets throughout the Eurobodalla Shire
- waste management centres at Surf Beach, Moruya and Brou.

For more information, opening hours and contact numbers for our various services and facilities check our website at: www.esc.nsw.gov.au/council/have-your-say/contact-us .

2.4. How to contact us

Monday to Friday, 8.30am to 4.30pm, excluding public holidays and the Christmas closedown.

Email	council@esc.nsw.gov.au
Online	www.esc.nsw.gov.au/council/have-your-say/contact-us
Feedback form	www.esc.nsw.gov.au/council/have-your-say/feedback-form
Community engagement	www.oureurobodalla.esc.nsw.gov.au
Phone	02 4474 1000
After hours emergencies	1800 755 760 (water or sewer leaks and other hazards)
In person	Customer Service Centre, corner Vulcan & Campbell St, Moruya
Post	PO Box 99, Moruya 2537
Fax	02 4474 1234

2.5.   How Council operates

Council operates within the legislative framework laid down by state and federal government. Our primary powers and responsibilities derive from the *Local Government Act 1993.*

Our Council is made up of nine elected councillors, the General Manager, and staff, working together to implement our community's vision to be friendly, responsible, thriving, and proud.

Council's community and strategic plans detail our priority activities and how we achieve them.

Our community sets the vision for the future through the Community Strategic Plan. It is the driving force behind everything we do and supports how we provide a range of services, programs, and initiatives on behalf of residents, businesses, and visitors.

The elected Council adopts a four year Delivery Program and one year Operational Plan which sets out our commitment to implementing the vision of the Community Strategic Plan.

We monitor progress in implementing both the Delivery Program and Operational Plan and report this to the community in our Annual Report.

2.6.   Representation, role, and responsibilities of Council

In New South Wales local government, the community votes to elect representatives to their local Council body to make decisions on their behalf. Elections are usually held every four years. Publicly elected councillors are elected for a four-year term to carry out duties under the *Local Government Act 1993* (NSW) and Regulations, and other relevant legislation.

Eurobodalla Shire Council is an undivided local government area represented by nine councillors including the Mayor. Our current councillors were elected at the local government election on 14 September 2024. The Mayor is popularly elected every four years by the community at the local government elections. The Deputy Mayor is elected by the elected councillors at the first Council Meeting of the term.

The role of the Council is to:

• represent the community and advocate its viewpoint
• formulate policy and make decisions that will benefit the community as a whole
• oversee the implementation of policy and review the performance of the organisation
• approve the Council budget and key expenditure items.

The elected councillors represent the interests of residents and ratepayers. They provide community leadership and guidance, channel communication between the community and Council, and consider the issues facing Eurobodalla, ensuring that ratepayers' money is allocated in the most effective way. This means balancing the needs of the community and the needs of individuals, considering the long- and short-term implications of decisions.

While individual councillors may consult with their constituents and advocate on their behalf, it is only as a collective that they can make decisions affecting Eurobodalla. A decision of Council requires a majority vote at a council meeting and is known as a "resolution".

Members of the public are encouraged to discuss local community concerns with their elected representatives. For contact details and information about ways to engage with the Mayor and councillors, visit our website at: www.esc.nsw.gov.au/council/councillors

Councillors

The role of a Councillor is defined in section 232 of the *Local Government Act 1993*.

The role of a Councillor as *an elected person* is to:

- represent the interests of the residents and ratepayers;
- provide leadership and guidance to the community
- facilitate communication between the community and the Council.

The role of the Councillors as *members of the body corporate* are to:

- direct and control the affairs of the Council in accordance with the Local Government Act and other applicable legislation;
- participate in the optimum allocation of the Council's resources for the benefit of the area;
- play a key role in the creation and review of the Council's policies, objectives and criteria relating to the exercise of the Council's regulatory functions;
- review the performance of the Council and its delivery of services, management plans and revenue policies of the Council;

Mayor

The Mayor represents Council when it is not in session. The Mayor presides at meetings of the Council, carries out the civic and ceremonial functions of the office, exercises, in cases of necessity, the decision-making functions of the body politic between its meetings, and performs any other function that the Council determines.

The role of the Mayor is to:

- be the leader of Council and a leader in the local community,
- advance community cohesion and promote civic awareness,
- be the principal member and spokesperson of the governing body, including representing the views of Council as to its local priorities,
- exercise, in cases of necessity, the policy-making functions of the governing body of Council between meetings of Council,
- preside at meetings of Council and ensure that meetings of Council are conducted efficiently, effectively and in accordance with legislation,
- ensure the timely development and adoption of the strategic plans, programs, and policies of Council,
- promote the effective and consistent implementation of the strategic plans, programs, and policies of Council,
- promote partnerships between Council and key stakeholders,
- advise, consult with, and provide strategic direction to the general manager in relation to the implementation of the strategic plans and policies of Council,
- in conjunction with the General Manager, to ensure adequate opportunities and mechanisms for engagement between Council and the local community,
- carry out the civic and ceremonial functions of the mayoral office,
- to represent Council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level,
- in consultation with the councillors, lead performance appraisals of the General Manager,
- exercise any other functions of Council that Council decides.

Committees

[Committees](#) are one way Council engages the community in operations and decision making. Residents, ratepayers, and interested parties may be invited to attend and address committee meetings on items listed on committee agendas. We have three types of committees:

- **Advisory committees** - membership includes at least one councillor, plus experts, professionals, government employees, community representatives and Council staff. Advisory committees typically meet four times a year at the Council's offices in Moruya.
- **Community Facility Management Committees** - oversee the management of three Council facilities: Kyla Park Community Hall, Tuross Memorial Gardens, Moruya Showgrounds. Committee members include community representatives and volunteers.
- **External Committees** - Councillors attend a range of committees external to Council to share ideas, provide feedback and inform Council decisions on behalf of the community.

Some committees invite membership from members of the public, who are encouraged to apply when opportunities are available and advertised by Council.

Council's current committees can be found at: www.esc.nsw.gov.au/council/committees

3. Our functions

3.1. Functions under the *Local Government Act 1993*

Council has functions conferred or imposed on it by the *Local Government Act 1993* (LG Act):

Service Functions	Community and family services; recreation; arts and culture; libraries; heritage; parks and community land; roads and transport; water and sewer; waste management; education and information services; environmental protection and sustainability; land and property; industry and tourism development; civil infrastructure planning, construction and maintenance
Revenue Functions	Rates, charges, and fees; investments and borrowings; levying and recovery of rates and charges; debt recovery proceedings
Ancillary Functions	Resumption of land; powers of entry and inspection
Regulatory Functions	Approvals and orders; building certificates; companion animal management
Governance and Administrative Functions	Governance and statutory compliance; customer service and records management; staff recruitment and organisational development; human resources management; work health and safety; information technology; strategic planning; integrated planning and reporting; procurement and contract management; resourcing; financial management; fleet management; facility management
Enforcement Functions	Proceedings for breaches of the LG Act and Regulations and other Acts and Regulations; prosecution of offences

Council's exercise of its functions and activities under the LG Act may also be modified by the provisions of another Act. Some of those Acts and modifications they effect include—

Environmental Offences and Penalties Act 1989	forfeiture of Council functions to person appointed by Governor
Government Information (Public Access) Act 2009	provide public access to certain information
Heritage Act 1977	rating based on heritage valuation
Privacy and Personal Information Protection Act 1998	collection, use, storage, disclosure and management of personal information
State Emergency and Rescue Management Act 1989	prepare for and respond to emergencies
Unclaimed Money Act 1995	unclaimed money to be paid to the Chief Commissioner

3.2. Functions under other legislation

As well as the LG Act, Council has obligations, responsibilities, functions or powers under other Acts and Regulations including:

Biodiversity Conservation Act 2016
Biosecurity Act 2015
Building Professionals Act 2005
Civil Liability Act 2002
Coastal Management Act 2016
Community Land Development Act 1989
Companion Animals Act 1998
Contaminated Land Management Act 1997
Conveyancing Act 1919
Crown Land Management Act 2016
Crown Lands Act 1989
Dividing Fences Act 1991
Contaminated Land Management Act 1997
Environmental Planning and Assessment Act 1979
Fines Act 1996
Firearms Act 1996
Fire Brigades Act 1989
Fire and Rescue NSW Act 1989
Fluoridation of Public Water Supplies Act 1957
Food Act 2003
Geographical Names Act 1966

Government Information (Public Access) Act 2009
Graffiti Control Act 2008
Heritage Act 1977
Impounding Act 1993
Enclosed Lands Protection Act 1902
Land Acquisition (Just Terms Compensation) Act 1991
Land and Environment Court Act 1979
Library Act 1939
Liquor Act 2007
Local Land Services Act 2013
Major Events Act 2009
National Parks and Wildlife Act 1974
Ombudsman's Act 1974
Pesticides Act 1999
Pipelines Act 1967
Plumbing and Drainage Act 2011
Privacy and Personal Information Protection Act 1998
Protection of the Environment Operations Act 1997
Public Health Act 2010
Public Interest Disclosures Act 2022
Recreation Vehicles Act 1983
Road Transport Act 2013

Roads Act 1993
Road Transport Act 2013
Rural Fires Act 1997
Smoke Free Environment Act 2000
State Emergency Rescue Management Act 1989
State Emergency Service Act 1989
State Records Act 1998
Strata Schemes Development Act 2015
Strata Schemes Management Act 1996
Surveying and Spatial Information Act 2002
Swimming Pools Act 1992
Threatened Species Conservation Act 1995
Transport Administration Act 1988
Unclaimed Money Act 1995
Valuation of Land Act 1916
Waste Avoidance and Resource Recovery Act 2001
Water Management Act 2000
Work Health and Safety Act 2011
Workplace Injury Management and Workers Compensation Act 1998

4. How do our functions affect the public?

As a service organisation, our functions have a direct impact on the local community.

Service functions

We provide a wide range of services and facilities which directly affect the public, including the local community and visitors. These include services and facilities such as:

environmental health; sports, leisure and recreation facilities; libraries; community, youth and family services; child care; arts, culture and heritage services; community centres and halls; local strategic planning; cultural development; social planning and community profile; environmental protection and sustainability; health; aged and disability services; local and community transport; parks and public places; local business, tourism and industry; public roads, footpaths and pathways; road safety; building certification; water and sewer; waste removal disposal and recycling; land and property; managing community land; companion animal management; and providing other community services and facilities.

Information about our service functions is available on our website, including:

www.esc.nsw.gov.au/community
www.esc.nsw.gov.au/community/for-businesses/eurobodalla-tourism
www.esc.nsw.gov.au/residents
www.esc.nsw.gov.au/residents/health-and-hazards
www.esc.nsw.gov.au/residents/household-waste-and-bins
www.esc.nsw.gov.au/residents/roads
www.esc.nsw.gov.au/residents/roads/current-works
www.esc.nsw.gov.au/residents/roads/Parking,-pathways,-and-traffic
www.esc.nsw.gov.au/residents/roads/road-reserve-information
www.esc.nsw.gov.au/residents/roads/road-safety
www.esc.nsw.gov.au/environment
www.esc.nsw.gov.au/property
www.esc.nsw.gov.au/property/development
www.esc.nsw.gov.au/council/plans-and-reporting/managing-community-land

Other service functions of Council include:

Providing support to community and sporting organisations through provision of grants, training, and information. Facilitating opportunities for people to participate in the life of the community by a range of community activities such as Families Week, Children's Week, Youth Week, Seniors Festival, NAIDOC Week, International Day for People With Disability, and event promotion:
www.esc.nsw.gov.au/community/grant-opportunities
www.esc.nsw.gov.au/community/community-and-family-services
www.esc.nsw.gov.au/news-and-events/planning-your-event

Governance and administrative functions

Governance and administrative functions have an impact on the community through accountability, continuous improvement and the efficiency and effectiveness of services.

Governance and administrative functions include: customer service, records management, recruitment, employment and management of staff, development of policies and management plans, information technology, statutory compliance, procurement, contract management, fleet management, delegations, financial and performance reporting, advocating and planning for the needs of our community, initiating partnerships, participating in regional, State or Commonwealth working parties, preparing and implementing the Community Strategic Plan.

www.esc.nsw.gov.au/council/governance
www.esc.nsw.gov.au/council/plans-and-reporting
www.esc.nsw.gov.au/council/plans-and-reporting/advocacy
www.esc.nsw.gov.au/council/jobs-at-council

Revenue functions

Revenue functions affect the public directly because revenue from rates and other charges paid by the public helps fund services and facilities provided for the community. These functions include levying rates, fees, and charges and debt recovery proceedings, as well as borrowings and investments.

www.esc.nsw.gov.au/residents/rates-payments

Regulatory functions

Regulatory functions place restrictions on developments and buildings to ensure that they meet certain requirements affecting the amenity of the community and do not endanger the lives and safety of any person. Council regulates development by issuing development and construction or demolition approvals, orders and building certificates. Members of the public are directly affected because they must be aware of and comply with the regulated restrictions.

www.esc.nsw.gov.au/property/lodge-track-and-plan
www.esc.nsw.gov.au/property/development
www.esc.nsw.gov.au/community/for-businesses/permits-approvals-and-public-health

Enforcement functions

Enforcement functions only affect those members of the public who are in breach of certain legislation. Enforcement functions include matters such as the non-payment of rates and charges, environmental planning offences, companion animal offences (such as dangerous, barking, or unregistered dogs), construction outside of hours, and parking offences. Council may issue penalty notices or initiate legal proceedings for breaches.
www.esc.nsw.gov.au/property/development/development-and-building

www.esc.nsw.gov.au/residents/health-and-hazards
www.esc.nsw.gov.au/residents/health-and-hazards/rangers

Ancillary functions

Ancillary functions affect only some members of the public. These functions include, for example, the resumption of land or the power for Council to enter onto a person's land. In these circumstances, only the owner of the property would be affected.

5. Our organisational structure

Eurobodalla Shire Council's elected body of councillors is supported by an organisation of Council staff led by the General Manager. The General Manager has statutory and operational delegations from Council and is responsible for the day-to-day management and efficient operation of the organisation. This includes ensuring the implementation of Council's decisions and policies, and the program of services, capital works and projects set out in the four year Delivery Program and annual Operational Plan. Section 335 of the *Local Government Act 1993* explains the General Manager's functions.

Information about our organisational structure can be found at www.esc.nsw.gov.au/council/organisation-structure, and in Council's Annual Report with an overview of our roles and responsibilities.

Executive Team

Staff of Eurobodalla Shire Council are led by our Executive Team, made up of the General Manager and senior staff. The Executive team is responsible for developing and implementing policies and programs to achieve Council's vision and deliver its services and functions.

Our current Executive Team is:

- General Manager
- Community Arts and Recreation Director
- Finance and Corporate Services Director
- Infrastructure Services Director
- Planning and Environment Director

www.esc.nsw.gov.au/council/organisation-structure/executive

The Executive Team is supported by our:

- Executive Manager Public Affairs
- Executive Manager People and Safety
- General Counsel
- Public Officer
- Chief Information Officer
- Chief Financial Officer

Divisional and Corporate Managers

Divisional and Corporate Managers lead teams responsible for the delivery of our range of services and functions across our community, to ensure that Council performs to the community's expectations. Their contact details are available at:

www.esc.nsw.gov.au/council/organisation-structure/divisional-and-corporate-managers

Our directorates are focused on specific functions or service delivery.

Broadly, the functions and services delivered by our directorates are:

General Manager and Executive Services

- Council meetings, statutory compliance, legal, delegations, and ethical decision-making
- providing support to community organisations through provision of grants
- human resources, employment, learning and development, providing a safe workplace
- community engagement, advocacy, and planning for the needs of our community
- performance reporting
- elections, councillor training and development

Infrastructure Services

- building and maintaining our civil infrastructure: local roads, footpaths, parks and gardens, boat ramps, stormwater, bridges, public amenities
- infrastructure planning, design, engineering, and asset management
- local transport planning and road safety
- local emergency management
- managing our drinking water and taking care of sewerage facilities and networks

Community Arts and Recreation

- facilitating opportunities for people to participate in the life of the community
- youth and children's services, aged and disability support
- access to libraries and the arts
- sporting groups and community facilities, planning, and designing recreational spaces

Finance and Corporate Services

- providing customer service for our community
- long term planning, financial management and reporting
- levying rates, fees and charges, borrowings and investments
- records management, access to information, privacy
- governance, legislative compliance, risk management, insurance
- information and communication technology
- procurement, contract management, fleet management

Planning and Environment

- looking after our environment and ensuring sustainable activity
- helping the community build and develop their homes and properties
- issuing development, construction or demolition approvals, orders and building certificates
- waste management and recycling
- enforcement and regulatory functions
- industry and tourism development
- strategic planning, management of community land and properties

6. How we engage with the public and our stakeholders

6.1. Public participation in our functions and activities

There are many ways for members of the public to participate in the exercise of Council's functions and the development of local government policy. These are described in more detail under our Channels of engagement, below.

We encourage community members to participate and provide input about current issues being considered by Council, policy development, planning and the exercise of our functions, and to provide feedback about our services. You can read more about our aims and ideas in our Community Engagement Framework, but briefly:

We want to help create an engaged community that works together to achieve common goals, where thoughts and ideas are valued and where community members are empowered with knowledge and have an opportunity to participate. We think engagement is a two-way street.

We will be:	We encourage you to:
Transparent	Be informed
Proactive	Get involved
Available	Ask questions
Genuine	Be prepared to listen to other ideas
Consistent	Share your thoughts and feedback

6.2. Channels of engagement

We encourage members of the public to use our various channels to engage with Council and provide their input. Getting input from the community is an important way for Council to ensure our activities, planning and decision making reflects local needs.

Our [Community Engagement Framework](#) keeps residents up to date with local issues. We provide opportunities for face-to-face engagement as well as electronic channels to provide fast and easy ways for the public to approach us, seek our assistance or give us feedback.

Our Eurobodalla

Our community engagement website www.oureurobodalla.esc.nsw.gov.au provides a way for community members to provide feedback about different plans, projects and topics that impact the community.

There are currently no Artificial Intelligence (AI) chat or AI-assisted search functions enabled on ourEurobodalla.esc.nsw.gov.au.

Our website

Our website can be accessed at www.esc.nsw.gov.au. It provides the public with a wide range of resources and information about how to contact Council, our services, functions and activities, community engagement, activities and events, policies, latest news, and developments, and provides opportunities for the public to contact and engage with Council.

There are currently no AI chat or AI-assisted search functions enabled on our website.

Latest news, events, and media releases

There are many ways to find out what is happening at Eurobodalla Council. You can read our media releases and print newsletter, subscribe to our e-newsletter, and use our events calendar to discover what is happening in and around the local area. www.esc.nsw.gov.au/news-and-events

Newsletters

Living in Eurobodalla, our print newsletter for residents, is delivered quarterly to all households in the Eurobodalla shire.

Subscribe to our email newsletter, *Council News*, to stay up to date on our activities. We also distribute a range of other email newsletters focussed on areas of special interest. Opt-in to receive one or more of these when subscribing to *Council News*, or subscribe individually here: www.esc.nsw.gov.au/news-and-events/newsletters

Feedback form

Complaints, compliments, and requests can help Council improve its services. You can use our website Feedback Form to provide feedback, make a request, or to make a submission when draft plans, policies, projects, and proposals are on public exhibition.

www.esc.nsw.gov.au/council/forms/forms/feedback-form

Submissions can be a few sentences or a longer explanation. The subject and topic field should be used to state what submissions are made about. To lodge more detailed feedback, submissions, or requests, email: council@esc.nsw.gov.au or call 02 4474 1000.

Public exhibition and submissions

Input from the community is an important way for Council to ensure our plans reflect local needs. One way to let us know what you think is to make a submission when draft plans, policies, or development proposals are on public exhibition. We exhibit these items so interested community members can provide feedback to help Council in its decision-making.

Our website provides information about current matters on public exhibition when Council is seeking public comment and inviting submissions:

www.esc.nsw.gov.au/council/have-your-say/public-exhibition
www.ourEurobodalla.esc.nsw.gov.au
www.esc.nsw.gov.au/council/major-projects

Written submissions can be a few sentences or a longer explanation. Submissions should include the name of the item the feedback is about, and be lodged by the stated closing date:

- **online:** via our online feedback form or at www.ourEurobodalla.esc.nsw.gov.au
- **email:** council@esc.nsw.gov.au
- **for development proposals:** via our DA tracker
- **post:** Eurobodalla Shire Council, PO Box 99, Moruya NSW 2537

Social media

Join us on Facebook, Instagram, and You Tube. Our Facebook account is used to provide the public with information about our latest news, publications, consultations, campaigns, and other areas of interest relating to Council and our community. Our Facebook account is monitored by communications staff and responses are provided to questions and to correct misinformation.

We may also request that members of the public contact us via Council's other contact channels to make an enquiry or report a concern, particularly for urgent operational matters or hazards requiring our attention.

Council Meetings

Ordinary Council Meetings are usually held on the fourth Tuesday of each month in the Council Chambers in Moruya at 2:00pm, or as otherwise advertised. Meetings are open to the public, and community members are actively encouraged to attend. The agenda and business paper for each Meeting is published on the Wednesday prior to the scheduled meeting and promoted through local media and on Council's Facebook page. The Mayor provides a short video summary of the Meeting outcomes on Facebook.

www.esc.nsw.gov.au/council/meetings/agendas-and-minutes

We invite all members of the community to come along to Council meetings or watch them livestreamed online via our webcast service. Video recordings of meetings are available online for later viewing. Members of the public are also invited to participate in our Public Access and Public forum sessions.

Public Access is for members of the public to raise any Council-related issues with councillors, which have not been previously determined by Council. Public Access is held on the second Tuesday of the month and begins at 10:00am unless there are no speakers registered. Public Access is held in the Council Chambers and streamed live via our webcast service.

Public Forum is held from 12:30pm for one hour, on the day of each Council Meeting, for councillors to hear presentations from members of the public on items of business to be considered at the meeting. Speakers are allowed seven minutes to address the Council. If there are no registered speakers, Public Forum is not held. Public Forum may also be held on the day of any Extraordinary Meetings, unless there are no registered speakers. Public Forum is held in the Council Chambers and streamed live via our webcast service.

Visit our website at: www.esc.nsw.gov.au/council/meetings to download agendas and minutes, watch meetings online, or register to come and speak at Public Forum or Public Access.

Contact a councillor

Community members can raise issues with, and make representation to, the elected Mayor and councillors. The councillors may pursue the matter on their behalf, which allows members of the public to influence the exercise of Council's functions and policy development.

Mayor and councillors' contact details are available at: www.esc.nsw.gov.au/council/councillors

Advisory Committees

Advisory committees provide advice to Council on a range of issues and offer a valuable opportunity for information exchange with our community. Each committee has at least one councillor as a member and a range of other community representatives. Members of the public may be invited or apply to join an advisory committee to provide input.

www.esc.nsw.gov.au/council/committees

6.3.   Feedback and complaints about us

We welcome input and feedback from the public, community organisations and government agencies regarding our services and publications. We receive a range of diverse correspondence and complaints through a variety of channels including our website, emails, letters, phone calls and social media.

Members of the public are encouraged to provide feedback on our services and publications. This feedback is important to us and assists us to inform our policies and publications and improve our services. www.esc.nsw.gov.au/council/forms/forms/feedback-form

Feedback can also be provided by email to council@esc.nsw.gov.au, phone (02) 4474 1000 or post to PO Box 99 Moruya 2537.

We are committed to responding to feedback and complaints in accordance with our policies, Customer Service Charter, and Code of Conduct. Through the review of Council decisions and complaints received, the public play a key role in informing the Council on systemic issues, themes and developing trends. In addition, we welcome other feedback from the public on agency compliance, including concerns about accessing information under the GIPA Act.

All feedback and complaints are dealt with confidentially. Personal information is managed in accordance with the privacy protection principles in the *Privacy And Personal Information Protection Act 1998* (**PPIP Act**). Further information about how we manage privacy and personal information is available at our website and in our Privacy Management Plan (PMP).

7. Information we hold

We keep records associated with our functions and service delivery, providing advice and guidance to the public and other agencies, as well as other non-regulatory functions.
We hold a range of information including:

- Information resources for Council and the community
- Policy, strategy, and planning documents
- Financial information
- Records of decisions made by the Council
- Agendas, minutes, and business papers for Council and committee meetings
- Reports, plans and studies
- Property information
- Correspondence with the public, other stakeholders, and other agencies
- Information associated with development applications
- Documents prepared for submission to other agencies
- Environmental information
- Information about Council infrastructure and assets
- Contract information
- Register of public land
- Companion animal registration and management

Some of this information can be accessed on our website at:
www.esc.nsw.gov.au/council
www.esc.nsw.gov.au/council/plans-and-reporting
www.esc.nsw.gov.au/property/development
www.esc.nsw.gov.au/council/governance/contracts
www.esc.nsw.gov.au/council/governance/register-of-public-land-section-53-register
www.esc.nsw.gov.au/community/community-profile-and-population-forecasts

8. How to access our information

We make information publicly available under the GIPA Act in four ways:

1. "Open access" information (mandatory release)
2. Proactive release of information
3. Informal request
4. Formal access application

Find more details about these below, or on our website at:
www.esc.nsw.gov.au/council/governance/public-access-to-information

To access Council information:

1. Use the search function on Council's website, to check if it is already freely available.
   www.esc.nsw.gov.au/search

2. Check Council's current adopted Fees & Charges, to determine if the information you are seeking is available to purchase. Application forms to order some of our information available for purchase can be downloaded at: www.esc.nsw.gov.au/council/forms. Contact Council to arrange purchase by email to council@esc.nsw.gov.au or call 02 4474 1000.

3. Contact Customer Service or the relevant subject matter experts within Council directly to ask for information, by email to council@esc.nsw.gov.au or call 02 4474 1000. Check our organisational structure to find the relevant directorate or division responsible for Council's various services and functions, who can answer questions and provide information.

4. Visit Council's Public Access to Information webpage, for access to some of the information that Council is required to make publicly available or has authorised for proactive release under the GIPA Act. If some information is not published on Council's website, we may provide an explanation as to how that information can be accessed.

If after taking steps 1-4 you discover that you cannot find the information you are seeking on our website, if you have trouble accessing or reading our material online, or if the information you would like to access is not readily available, please email us at council@esc.nsw.gov.au or call (02) 4474 1000 so we can provide options for you.

Some information may be available via open access or proactive release pathways. If not, you can submit an informal request, or a formal access application to access Council information under the GIPA Act (see explanation of each below).

8.1. Open Access Information

Information which is designated as "open access information" under section 18 of the GIPA Act and Schedule 1 of the *Government Information (Public Access) Regulation 2018* (**GIPA Regulation**) is information which we are required to make available unless there is an overriding public interest against disclosure of the information.

Our open access information is made available free of charge via our website wherever possible, or on request by contacting us. This includes:

- policy documents that are related to our functions and are likely to affect members of the public such as rules, guidelines, codes of practice, and management plans
- a record of the open access information that is not made public due to an overriding public interest against disclosure
- our disclosure log of information that has been released under formal access applications that may be of public interest
- our register of contracts with private sector entities for $150,000 (inclusive of GST) or more
- this agency information guide (AIG), describing our structure and functions, how those functions affect the public, types of information held and how it is made publicly available.
- information about Council, such as annual reports (including for bodies exercising functions delegated by the local authority), EEO management plans and any codes referred to in the *Local Government Act 199*3
- information in returns of interests (pecuniary interests) or other returns filed by councillors and designated staff
- agendas and papers of council meetings
- public land registers, registers of delegations and current declarations of disclosures of political donations
- plans and policies, management of community land and planning guides and tools; and
- information about development applications (DAs) made on or after 1 July 2010.

We cannot currently publish some open access information on our website due to resourcing or technological limitations, however it is available on request free of charge, either via electronic access or viewing by appointment at Council's offices.

Open access information is also made publicly available by:

- inspection free of charge at our Customer Service Centre during ordinary office hours, or
- providing a copy of a record containing the information, or the facilities to make a copy of the record, to any person either free of charge or for a charge not exceeding the reasonable cost of photocopying. This does not include **copyright-protected** material (see below).

DA documentation (after 1 July 2010)

Under the GIPA Regulation, information about Development Applications (DA) made after 1 July 2010 is open access information. Council cannot currently publish all open access DA documentation on our website due to technological and resourcing limitations, and to protect any personal information contained in this documentation.

The NSW Information and Privacy Commission (**IPC**) GIPA Guideline 3: For local councils – personal information contained in development applications: What should not be put on council websites, assists councils with meeting their open access DA information requirements.

You can request access to our open access DA documentation free of charge, by submitting a request to council@esc.nsw.gov.au using the following form:

www.esc.nsw.gov.au/property/buying-or-selling/Request-to-view-a-property-file

Copyright-protected material

The GIPA Act does not require or permit Council to provide access to open access information in any way that would be an infringement of copyright. Under the *Copyright Act 1968*, Council may not be permitted to provide copies of information that is protected by copyright, without the written consent of the copyright owner.

We can provide the copyright owner's details for you to contact the copyright owner directly to seek their consent for Council to provide a copy to you. If their written consent cannot be obtained, then an appointment for "view only" access can be arranged by appointment at Council's offices to inspect any copyright-protected material.

More information about copyright and the GIPA Act can be found in the IPC fact sheet:

www.ipc.nsw.gov.au/resources/fact-sheet-gipa-act-and-copyright

Returns disclosing the pecuniary interests of councillors and designated persons

Part 4, clause 4.21 of the *Model Code of Conduct* requires Councillors and designated staff to lodge a "Disclosures by Councillors and Designated Persons Return" with their general managers by 30 September each year.

Certain information contained in these Returns is designated as open access information under the GIPA Act and Regulation which require the information to be made publicly available.

The IPC provides guidance to councils about how to implement this requirement in:

GIPA Guideline 1: For local councils on the disclosure of information contained in the returns disclosing the interests of councillors and designated persons developed under the GIPA Act.

This guideline supplements the GIPA Act and assists Council to identify public interest considerations when deciding whether to disclose information.

Council has determined that there is an overriding public interest against disclosure of certain personal information contained in the Returns. Specific information has been redacted from the versions of Returns published on our website to exclude personal information, signatures, and addresses, to protect the interests of councillors and senior staff.

Publicly accessible versions of the Returns are published on our website at: www.esc.nsw.gov.au/council/governance/register-of-annual-disclosures

8.2.   Proactive Release of Information

Proactive release of information by Council aims to assist the public with access to other information that is not designated open access information under the GIPA Act or Regulation.

We routinely identify information for proactive release and continue to look for opportunities to develop our proactive release program. We review the information that has been proactively released every year when preparing our annual GIPA Report. The Right to Information officer may recommend that information is proactively released on Council's website when multiple requests or applications have been made for the same information, or when there appears to be high public interest in access to specific information.

Information that is made available by proactive release is usually published on Council's website or made available free of charge on request. Some of the information that has been proactively released by Council is described below.

Information about our current major projects and works happening across our shire is published on our website. This includes documentation related to the projects which can be viewed and downloaded by the public.
www.esc.nsw.gov.au/council/major-projects

We proactively provide a wide range of information that is not open access information to assist community members who are buying, selling, building, or renovating properties:
www.esc.nsw.gov.au/property/buying-or-selling

Open Data released by Council

Council holds various types of data related to and collected in the exercise of its functions and services. We make some of this data available and accessible to the public as described below:

Tourism Research

Council's Tourism and Events service commissions and accesses tourism research from several reliable sources to inform destination marketing and development initiatives. Some of this research and data is available on our website:
www.esc.nsw.gov.au/community/for-businesses/eurobodalla-tourism/Research-and-data

Heritage and Aboriginal studies and projects

Heritage and Aboriginal studies investigate items and places of heritage or cultural significance that demonstrate an area's history. They explore and explain why items and places are significant and recommend ways to manage and conserve this significance. Heritage and Aboriginal studies and reports are available for download at:
www.esc.nsw.gov.au/community/Arts,-culture,-and-heritage/Heritage-studies-and-projects

Traffic studies

Traffic studies for local areas are prepared by or on behalf of Council to provide recommendations for implementable solutions to mitigate existing and future road infrastructure and traffic issues. Traffic studies are available for download at: www.esc.nsw.gov.au/residents/roads/Parking,-pathways,-and-traffic

Land mapping tool

Council's land mapping tool allows the public to search for and view relevant property data such as building restrictions and planning zones. www.esc.nsw.gov.au/property/land-mapping

Eurobodalla Beachwatch Program

We sample and test water from beaches across the Eurobodalla Shire, every year from the start of November to the end of March. We collect five samples a month from 11 popular beaches during November to March. The results are available for download on our website: www.esc.nsw.gov.au/residents/water/water-quality/eurobodalla-beachwatch-program

Drinking water quality

Council provides safe and reliable drinking water to around 35,000 customers every day. We regularly assess drinking water quality by checking the microbiological, physical, and chemical characteristics of our drinking water and taking part in the NSW Health verification monitoring program. If you would like a summary of the drinking water quality for your area, contact Council's Public and Environmental Health Team at council@esc.nsw.gov.au or 02 4474 1310.

Estuarine water quality

Our Estuary Ecosystem Health and Water Quality Monitoring Program focuses on the estuary health and recreational health of our six main estuaries. Estuary health is the ecological integrity of an estuary. Recreational health of an estuary is the safety of the water body for swimming, and fish or shellfish harvesting.

Council collects, compares, analyses, and evaluates data on complex estuary ecosystems, measuring and recording their physical characteristics and overall condition. The information we collect helps us to understand the health and condition of our estuaries so we can manage them effectively. Reports are available for download at: www.esc.nsw.gov.au/environment/coast-and-waterways/estuaries/estuary-health-and-water-quality-monitoring

Flood management and studies

Studies and/or plans which have been developed as a part of the Floodplain Risk Management Process, to determine flood affectation and its effects, over a defined study area. Flood studies and plans are available on our website at www.esc.nsw.gov.au/environment/coast-and-waterways/flood-studies. Our flood study data is also shared at the NSW Flood Data Portal and at Data.Gov.au: https://data.gov.au/search?organisation=Eurobodalla%20Shire%20Council

Sea level rise

Data about sea level rise that is relevant for local impact studies is available at: www.esc.nsw.gov.au/environment/coast-and-waterways/sea-level-rise/clarifying-data-on-sea-level-rise-clearing-the-confusion

Coastal studies and projects

The Eurobodalla Coastal Hazards Scoping Study, adopted in January 2011, identified areas that are most at risk from coastal hazards and in need of a management response in the Coastal Management Program. Identifying sites at risk from coastal hazards, including sea level rise, allows us to prioritise future strategies and plans. Reports, images and maps are available for download at: www.esc.nsw.gov.au/environment/coast-and-waterways/coastal-management-projects/coastal-hazards-scoping-study

EPA pollution monitoring data

Eurobodalla Council operates two waste management facilities and five sewage treatment plants under environmental licenses granted by the NSW Environmental Protection Authority.

The *Protection of the Environment Operations Act 1997* (**POEO Act**) requires the public display of environmental monitoring data within 14 days of the results being available. The POEO Act also requires the preparation and implementation of pollution incident response management plans for each licensed premises.

Environmental monitoring data reports of Eurobodalla's waste management facilities and sewage treatment plants for the last four years are available to download at: www.esc.nsw.gov.au/residents/Waste-management-facilities/landfill-epa-pollution-monitoring-data and www.esc.nsw.gov.au/residents/sewer/epa-data

8.3. Information available for purchase

Some information is available for purchase by payment of a statutory or reasonable fee, including (but not limited to):

- Building records search
- Building Certificate
- Drainage diagrams
- Dwelling entitlement search
- Certificates

We also provide informal access to property information that is not designated as open access information, such as DA documentation from prior to 1 July 2010, and impose a reasonable flat fee for the time spent dealing with these requests:

www.esc.nsw.gov.au/property/buying-or-selling/Request-to-view-a-property-file

Information about our current Fees and Charges for providing this information can be found at:

www.esc.nsw.gov.au/council/plans-and-reporting/current-fees-and-charges

Application forms to order information available for purchase can be downloaded at:

https://www.esc.nsw.gov.au/council/forms

For more information about accessing information that is available for purchase, please contact us at council@esc.nsw.gov.au or (02) 4474 1000.

8.4. Companion Animals Information

Members of the public sometimes seek access to information held by Council about companion animal matters, including information about animals and their owners that was collected by Council in the administration and enforcement of the *Companion Animals Act 1998*.

Section 89 of the *Companion Animals Act 1998* prohibits Council from disclosing the following confidential information: (a) any information contained in, or acquired from, the Companion Animals Register, or (b) any other information obtained in connection with the enforcement or administration of the Companion Animals Act or the Regulations.

This includes information about identification of companion animals and their owners collected by authorised identifiers (e.g. microchip and animal registration details), and any information gathered by authorised Council officers in their investigation and enforcement functions.

Confidential information about companion animals and owners that the Companion Animals Act prohibits for disclosure is unlikely to be released by Council, either via informal request or formal access application, due to an overriding public interest against disclosure.

However, section 89(7) of the Companion Animals Act permits disclosure of the name or address of the owner of a companion animal, to a person who seeks that information for the purpose of bringing legal proceedings against the owner about the animal's behaviour (for example, a dog attack), but only if:

(a) the person has requested the disclosure of that information in writing, and

(b) the animal's behaviour concerned has already been reported to a police officer or a council.

Individuals who require the name or address of the owner of a companion animal for the purpose of bringing legal proceedings against the owner should write to Council Rangers at council@esc.nsw.gov.au to request this information in writing and explain why it is required.

8.5. Informal Request

Members of the public can request access to information that is not available on our website or for purchase. We respond to these requests by informal request when possible.

An informal request to access information can be made by contacting the relevant area in Council directly, or by writing to our Customer Service team at council@esc.nsw.gov.au, who will refer the request to an appropriate subject matter expert for response.

In some cases, we may charge a reasonable fee (consistent with the fees applicable to formal access Applications, see below) to respond to informal requests for information, for example if considerable resources are required to provide access to the information.

Under section 8 of the GIPA Act, Council is not obliged to release information informally, and information cannot be released informally if there is an overriding public interest against its disclosure. Council may delete certain information from records released informally if there is a public interest against its disclosure, for example: confidential, commercially or financially sensitive, or personal information about a third party.

In some circumstances, particularly if third parties must be consulted or there are public interest considerations against disclosure to be balanced, Council may decide not to release information informally and require a formal access application to be lodged.

8.6. Formal Access Application

We encourage members of the public to access our information through the open access, proactive release, or informal request pathways when possible.

We will not require you to make a formal access information if the information is already available to you by the proactive release, open access, or informal request pathways. If you submit a formal access application and the information is already available by one of these pathways, we will contact you to advise how the information can be accessed and ask if you would like to proceed with the formal application or not.

A formal access application under the GIPA Act is usually considered a last resort where the information cannot be obtained any other way. This may happen when there are considerable resources involved in searching for and providing access to the information, or where there are public interest considerations to be balanced before deciding whether access can be provided.

We may require a formal access application to be submitted in certain circumstances. For example, if the information being sought:

- is not available via the proactive release, open access, or informal request pathways,
- contains personal, commercially sensitive, or confidential information about a third party which requires us to consult with them about releasing information that concerns them,
- will require substantial time and resources to provide access (for example, requests that require considerable hours of processing time, or retrieval of archived records),
- was provided to Council in confidence,
- is protected by legal professional privilege or secrecy laws.
- is of a nature that requires careful weighing of the public interest considerations in favour of and against disclosure.

The object of the GIPA Act is to open government information to the public to maintain and advance a system of responsible and representative democratic government. The GIPA Act does not, however, always allow public access to all information. Section 3(1)(c) of the GIPA Act provides that access to government information is restricted only when there is an overriding public interest consideration against its disclosure.

Section 54 of the GIPA Act recognises the need to balance the public right to access information in the possession of government agencies, against the need to protect third parties against unreasonable disclosure of information that may be sensitive to their interests.

This requires Council to consult third parties about the release of information that includes personal information about the person, or concerns the person's business, commercial, professional, or financial interests.

This requirement exists so that the sensitive information of third parties is not publicly released without proper consultation and careful consideration.

When dealing with formal access applications, we follow the guide provided by the NSW Information Commissioner: www.ipc.nsw.gov.au/resources/guide-managing-formal-gipa-applications-flowchart-updated-may-2022

Timeframes for formal access applications

Council has 20 working days to respond to a formal access application unless an extension of time is required as allowed by the GIPA Act. If Council must consult third parties about the release of information that concerns them, or records must be retrieved from an archive, a further extension of up to 15 working days may be applied to the decision period.

Information about timeframes and extensions of time under the GIPA Act can be found at: www.ipc.nsw.gov.au/fact-sheet-timeframes-and-extensions-deciding-access-applications-under-gipa-act

How to make a formal access application

To submit a formal access application, use the application form available at www.esc.nsw.gov.au/council/governance/public-access-to-information

Attach additional pages to the form to describe the specific information you seek access to.

A formal access application for access to information held by Council must:

- be in writing
- clearly indicate that it is a formal access application made under the GIPA Act
- include the full name of the applicant and a postal or email address as the address for communication and correspondence in connection with the application
- state if another application for substantially the same information has been made to another agency, and if so, to which agency
- provide such information as is reasonably necessary to enable the government information applied for to be identified
- be accompanied by payment of the $30 application fee.

If the access application does not meet the above criteria, it will be deemed invalid and we will write to you to tell you what needs to be done to validate the application.

If the information you seek is already available via alternative pathways, we will contact you to advise how you can access it and give you the opportunity to decide whether to withdraw or proceed with the formal access application.

Formal access applications must be accompanied by the $30 application fee and submitted:

- by email to council@esc.nsw.gov.au
- by post to PO Box Moruya NSW 2537
- in person at our Customer Service Centre, 89 Vulcan St Moruya NSW 2537.

The application fee can be only paid by the following methods:

- Submit a credit card authorisation form by email or post
- Post a cheque or money order
- Pay in person at our Customer Service Centre by cash, EFTPOS, credit card, cheque

Information about formal access applications can be found at our website: www.esc.nsw.gov.au/council/governance/public-access-to-information and the IPC website: www.ipc.nsw.gov.au/information-access/information-access-resources-citizens/how-do-i-access-nsw-government-information .

For more assistance, contact us at council@esc.nsw.gov.au or call (02) 4474 1000.

Fees and Charges

A mandatory application fee of $30 is required for each formal access application, which covers the first hour of processing time. After that, we may impose a processing charge of $30 per hour for additional time spent dealing with the application and providing access to information.

For eligible applicants, a 50% discount of the processing charge may be applied. This discount only applies to the processing charge, not the $30 application fee, but if the discount applies, the application fee covers the first 2 hours of processing time instead of the usual first hour.

GIPA application fees and processing charges can be paid as follows:

• Call our Customer Service team on (02) 4474 1000 to pay by credit card over the phone
• Submit a credit card authorisation form by email or post
• Post a cheque or money order (please do not post cash)
• Visit our Customer Service Centre to pay by cash, EFT, credit card, cheque or money order

We currently cannot accept payments for GIPA fees and charges online.

Information about formal access applications, fees and processing charges can be found on our website at: www.esc.nsw.gov.au/council/governance/public-access-to-information

Balancing the public interest

All access to information under the GIPA Act – whether via the open access, proactive release, informal request, or formal access application pathways - will be dealt with in accordance with the requirements of the GIPA Act. Information will be made publicly available unless there is an overriding public interest against its disclosure.

There is an "overriding" public interest against disclosure of information if there are public interest considerations against disclosure and, on balance, those considerations outweigh the public interest considerations in favour of disclosure. This is known as the public interest test.

To enable the release of as much information as possible, Council is authorised to redact (delete) content from a copy of information to be released, if the inclusion of the redacted information would otherwise result in the existence of an overriding public interest against disclosure of that information.

Copyright restrictions

Some information held by Council is protected by copyright under the *Copyright Act 1968* (Cth). The GIPA Act does not require or permit Council to provide access to information in any way that would infringe copyright, even in response to a formal access application.

Copyright restrictions do not affect the right to access information, but can affect the way and format in which access can be provided. We can only provide copies when the copyright owner provides consent, or in other limited circumstances as set out in the *Copyright Act 1968.*

We can provide the copyright owner's details for you to contact the copyright owner directly to seek their consent for Council to provide you with a copy. If their written consent cannot be obtained, or the copyright owner is not contactable, we can arrange "view only" access at Council's offices to inspect any copyright-protected material.

More information about how our obligations under the GIPA Act are affected by copyright law is available at: www.ipc.nsw.gov.au/resources/fact-sheet-gipa-act-and-copyright

9. Disclosure log

We maintain a disclosure log under section 25 of the GIPA Act which records details of information that was released in response to formal access applications, if we consider that the released information may also be of interest to other members of the public.
Our disclosure log can be found at: www.esc.nsw.gov.au/council/governance/public-access-to-information

Details about access applications are *not* included in the disclosure log if:

- information was not released in response to a formal access application,
- the application is under internal or external review, or while any review rights are pending,
- we decide released information would not be of interest to other members of the public.

Our disclosure log is routinely updated every 12 months after the submission of Council's annual GIPA report, usually in December each year, and may be updated from time to time throughout the year.

Access to information from our disclosure log allows community members greater opportunity to participate in our policy formulation and service delivery.

Annual review of our disclosure log provides an opportunity for us to analyse data about requests for information and provides a mechanism for us to release information by identifying trends and information that could be proactively released to the public.

10. GIPA team, Right to information Officer and Public Officer

Our GIPA team, Right to Information Officer and Public Officer can provide assistance nd information about how to access our information.

They can be contacted during business hours Monday to Friday 8.30am to 4.30pm (excluding public holidays and the Christmas Closedown)

Email: council@esc.nsw.gov.au
Post: Eurobodalla Shire Council, PO Box 99, MORUYA NSW 2537
Phone: (02) 4474 1000

11. Use of Artificial Intelligence (AI) technologies

While Council's current organisational use of Artificial Intelligence (AI) and Automated Decision-Making (ADM) technology is limited and emerging, we acknowledge that any use of this technology has the capacity to impact both information access and privacy rights of individuals.

Council is also mindful of the recent recommendations in the IPC *Desktop Review of Documented AI or ADM Use in AIGs and PMPs* (November 2025).

At the time of reviewing and updating this AIG (December 2025), Council is currently developing its AI Strategy and AI Use policy, to establish principles and requirements for procurement, oversight, and use of AI or ADM technologies in the exercise of its functions.

The AI Strategy and Policy will guide secure and responsible use of AI (or ADM) solutions to protect data confidentiality and privacy; comply with legislative obligations and ethical standards; maintain transparency, accountability, and human oversight in decision-making; and align with Council's governance and risk management framework.

To develop our AI Strategy and Policy, Council is considering best practice guidelines and resources developed for government (for example, the NSW AI Assessment Framework), recommendations by agencies such as the IPC and Digital NSW, and consultation with Council business units, to ensure that any AI and ADM technology adoption aligns with Council's values, risk management and compliance obligations, including information access and privacy.

The AI Strategy and Policy will apply to all Council directorates, employees, contractors, and vendors involved in acquiring, deploying, using, or managing AI technologies.

When the AI Strategy and Policy are implemented, this AIG will be updated with information about Council's short and longer-term AI use strategy; Council's current or planned use of AI or ADM technology in exercising its functions or decision-making; any ways in which Council's use of AI technologies may affect members of the public; and how this may evolve in the future.

Council's Privacy Management Plan, scheduled for review and update in early 2026, will also include information about the AI Strategy and Policy and details about how future use of AI or ADM will relate to the protection of individuals' privacy and data and the information protection principles under the PPIP Act.

In the interim, Council provides the following information to assist understanding of Council's current limited use of AI technologies in the exercise of its functions.

11.1. Use of AI in the exercise of functions (specifically or generally)

At the time of updating this AIG in December 2025, Council currently has limited use of emerging AI technology in the exercise of its functions and is not using ADM technology for significant decision-making that may affect the public.

Microsoft Copilot is integrated into licenced Microsoft Office applications used by Council staff, providing basic functionality such as searching, language generation, and assistance with document editing or preparation. During internal video meetings, some staff may use AI add-ins for internal notetaking or transcription purposes.

AI technology is not currently being used to record or prepare minutes of Council Meetings, or in other governance functions or decision-making.

AI technology is not currently used in responding to requests for access to information held by Council under the GIPA Act.

Council staff have been instructed to comply with AI best practice guidelines developed for government, including the Digital NSW guideline: Using-public-generative-artificial-intelligence-AI-tools-safely.pdf, and will be trained on the AI Use Policy when it is adopted.

Council staff have been reminded of privacy obligations; instructed not to enter any sensitive, confidential or personal data into AI tools; to fact-check any information sourced from any AI-assisted research against a verifiable source; to use judgment and knowledge to critically assess any information sourced using AI search technology; and to attribute any use of AI tools or research to generate documents or content by citing the source in footnotes, references, or watermarks.

11.2. Ways in which use of AI may affect members of the public

Council does not currently use AI technology to provide automated responses to members of the public, or ADM technology in significant decision-making that may affect the public.

There are currently no AI chat or AI-assisted search functions enabled on Council's main website www.esc.nsw.gov.au. From 2026, the current website platform software provider may offer an AI-assisted 'conversational search' tool. Council intends to assess and consider whether this tool will be enabled, in accordance with resourcing requirements, whether it delivers a useful experience to users, privacy compliance, and alignment with the AI Strategy and Policy in development.

There are currently no Artificial Intelligence (AI) chat or AI-assisted search functions enabled on our community engagement site: ourEurobodalla.esc.nsw.gov.au. The community engagement platform software provides an AI 'sentiment analysis' tool, which can assign a 'Positive, Neutral, Mixed, or Negative tone' to text responses received via the website, for staff reference when reviewing text responses in submitted feedback. However, all submissions received are currently reviewed, evaluated and responded to by staff.

If Council implements other AI-assisted or ADM technology in the future, this AIG and our Privacy Management Plan will be updated to clearly describe the impact of any future use of AI or ADM technology, if or when a decision that may significantly affect the public may be made using AI or ADM technology, and mechanisms for human review of any such decisions by staff.

12. Open Government

The three fundamental elements of Open Government enshrined under the GIPA Act are:

- a legislated right to access information proactively and reactively
- the right to hold government to account and to expect transparency
- public participation by citizens in government decision-making.

As the digital economy continues to grow in NSW, the government is opening the data it holds for use and application by industry, the community and research sector in line with exclusionary and de-identification guidelines.

A key priority of the NSW Digital Strategy is a commitment to Open Government. The Strategy outlines how data is open, collected and shared in a digital format wherever possible. Agencies should open their data in a format that can be readily used so that data can be made available to the people of NSW, while respecting the privacy and confidentiality of those to whom the data relates.

This AIG promotes Open Government by making Council's policies, information, and procedures proactively available and easily accessible through links found throughout the document.

12.1. Open Data held by Council

Council holds various types of data related to and collected in the exercise of its functions and services. We make some of this data available and accessible to the public on our website, as described above at Open Data released by Council.

Some of our Open Data is also shared at the NSW Flood Data Portal and at Data.Gov.au: https://data.gov.au/search?organisation=Eurobodalla%20Shire%20Council

12.2. Other government Open Data initiatives

Open Data is an important aspect of Open Government that provides the public with access to information in a variety of formats. Increasing the amount of government data that is shared and available improves transparency and accountability within government, supports evidence-based policy development and provides a platform for innovation. Some relevant government Open Data initiatives are linked below:

Data.NSW   https://data.nsw.gov.au/datansw

Every government agency collects data, but often does not share their data with other agencies. Data.NSW aims to increase the safe use of data across NSW government to support data-driven decision making and deliver better outcomes for the people of NSW.

Data.NSW encourages data collaboration and innovation across government, the NSW public and industry by providing a single search environment for NSW data assets. This will support better customer service, policy development, responsiveness, and innovation. Data.NSW provides a secure platform and resources to support NSW government agencies to share their data and provide better products and services to the community.

OpenGov NSW   www.opengov.nsw.gov.au

OpenGov NSW is where to find information published by NSW public sector agencies. It provides a searchable online repository for NSW Government publications, contains annual reports, strategic plans, guides, policy documents, and open access information published by NSW public sector agencies under the GIPA Act.

Please note that the OpenGov NSW site is not a comprehensive collection of all published NSW government information.

Other useful sources of information include the NSW Government Gazette, the NSW Spatial Data catalogue, the State Library of NSW, NSW Legislation, the Parliament of NSW and the State archives collection. Archival records can be browsed at the NSW State Archives website at www.records.nsw.gov.au.

Data.gov.au   https://data.gov.au

The federal Data.gov.au website is the central source of Australian open government data.

This data is a national resource that holds considerable value for growing the economy, improving service delivery, and transforming policy outcomes. In addition to government data, you can also find publicly-funded research data and datasets from private institutions that are in the public interest. Anyone can access the public data published by federal, state, and local government agencies. Some of this data is anonymised.

To find, understand and learn how to use Data.gov.au, visit https://toolkit.data.gov.au.