

Yass Valley Council

Government Information (Public Access) Act 2009

Annual Report

FY 2024-25

The Government Information (Public Access) Act 2009 (GIPA Act) replaced the Freedom of Information Act 1989 on 1 July 2010. The GIPA Act provides four ways for government information to be released:

1. Open access information

Yass Valley Council publishes certain categories of information on our website as a matter of course; this is known as Open Access Information. Open Access Information includes details of contracts, policies and many other categories of information.

2. Proactive release

Yass Valley Council releases as much other information as possible to the public free of charge and publishes as much as possible on our website.

3. Informal access request

Members of the public may contact Council and ask for information. This is known as an informal access request.

4. Formal access application for release of information

If information cannot be accessed through any of the above ways, members of the public may submit a formal access application.

This report provides an account of the work of Yass Valley Council for the period 1 July 2024 to 30 June 2025. During this time Council's aim was to meet the requirements of the GIPA Act with regard to Open Access Information and to establish simple processes for dealing with the informal and formal access applications.

During the reporting period the following categories of information have been published on Yass Valley Council's website:

- Policies
- Delegations
- Contracts
- Political donations
- Environmental Planning Instruments

During the reporting period the following documents relevant to the GIPA Act have been published on Yass Valley Council's website:

- Access to Information Policy
- How can I gain access to Council Information, Documents or Records?
- Delegations to Staff
- Informal Access Request Form
- Formal Access Application Form
- Publication Guide
- Disclosure Log
- Contracts Register

Council's focus for 2014-2025 is to continue to review the information held by Yass Valley Council and to work with internal stakeholders to encourage proactive publication of information and to develop procedures and guidance material.

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.

Reviews carried out by the agency	Information made publicly available by the agency
0	0

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

21

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
0	0	12	
% of Total	0%	57%	57%

Schedule 2 Statistical information about access applications to be included in annual report Table A: Number of applications by type of applicant and outcome*

Access Granted in Full	Access Granted in Part	Access Refused in Full	Information not Held	Information Already Available	Refuse to Deal with Application	Refuse to Confirm/Deny whether information is held	Application Withdrawn	Total	% of 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 sector business	0	0	0	0	0	0	0	0	0	0%
Not for profit organisations or community groups	0	0	0	0	0	0	0	0	0	0%
Members of the public (by legal representative)	5	0	0	0	0	0	0	0	5	23%

Members of the public (other)	12	1	2	1	0	0	0	0	16	77%
Total	17	1	2	0	10	0	0	0	21	
% of Total	80%	5%	10%	5%	0%	0%	0%	0%	100%	

* 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 application and outcome*

Access Granted in Full	Access Granted in Part	Access Refused in Full	Information not Held	Information Already Available	Refuse to Deal with Application	Refuse to Confirm/Deny whether information is held	Application Withdrawn	Total	% of Total	
Personal information applications*	0	0	0	0	0	0	0	0	0	0%
Access applications (other than personal information applications)	17	1	3	0	0	0	0	0	21	100%

Access applications that are partly personal information applications and partly other	0	0	0	0	0	0	0	0	0	0%
Total	17	1	3	0	0	0	0	0	21	
% of Total	80%	5%	15%	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%

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

Number of times 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.

Number of times consideration used*	% of Total	
Responsible and effective government	1	11%
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 legislation	0	0%
Total	1	11%

Table F: Timeliness

Number of applications*	% of Total	
Decided within the statutory timeframe (20 days plus any extensions)	0	0%
Decided after 35 days (by agreement with applicant)	0	0%
Not decided within time (deemed refusal)	21	100%
Total	21	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*	5	0	0	23%
Internal review following recommendation under section 93 of Act	5	0	0	23%

Review by NCAT	4	1	0	23%
Total	14	1	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 by the Information Commissioner. **Table H: Applications for review under Part 5 of the Act (by type of applicant)**

Number of applications for review	% of Total	
Applications by access applicants	10	52%
Applications by persons to whom information the subject of access application relates (see section 54 of the Act)	0	0%
Total	10	52%

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	0%