



Agency Information Guide

2023 – 2024



Tablelands meets the Apsley Gorge Photo: James Levingston

*Prepared in accordance with the requirements of the Government Information (Public Access) Act 2009
Adopted by Council – September 2023 – Resolution No.: 58/20232024
The Information Guide is available on Council's website: www.walcha.nsw.gov.au & Council's Administration Office*

Council’s Vision

To create a vibrant and sustainable environment in which people want to live, work and play.

Council’s L.A.W. Values & Organisational We Statements

Walcha Council’s corporate values defines what is important to us. Our Organisational We Statements support our values, defines our organisational expectations, and provides a clear set of standards in a transparent way of how we work at Walcha Council.

	Leadership	Accountability	Working Well At Walcha
Value Definition	To empower others with what you do and what you say	To be transparent, ethical, and consistent when we carry out our work. Owning what you say and do when things are good or when they could be better.	To work as one team
Organisational We Statements	We are clear, consistent, and open in our communication.	We do what we say we will do	We treat each other with respect, professionalism, and kindness.
	We have courageous conversations	We acknowledge and learn from our mistakes	We support each other to work safely.

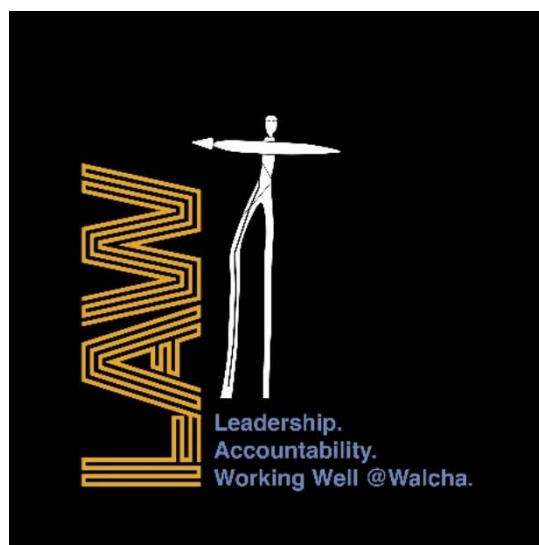


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Introduction

The Walcha Local Government Area (LGA) is located in beautiful and very productive New England Tablelands region of New South Wales. The LGA is some 640,858 ha in area and has a total population of 3,016 people (ABS 2021 Census). Within the LGA boundary lie the villages of Yarrowitch, Nowendoc, Walcha Road and Woolbrook. Walcha also services the village of Niangala.

The township of Walcha offers the residents the opportunity to enjoy a friendly country lifestyle, whilst still having access to a range of services including medical, education and shopping. Other services are available in the closest regional towns of Armidale (62km) and Tamworth (92km).

Walcha enjoys four definite seasons throughout the year with mild summers, colourful autumns, brisk winters and vibrant springs. The town of Walcha (pronounced Wolka) is 1,067 metres above seal level and can be reached by road, rail and air.

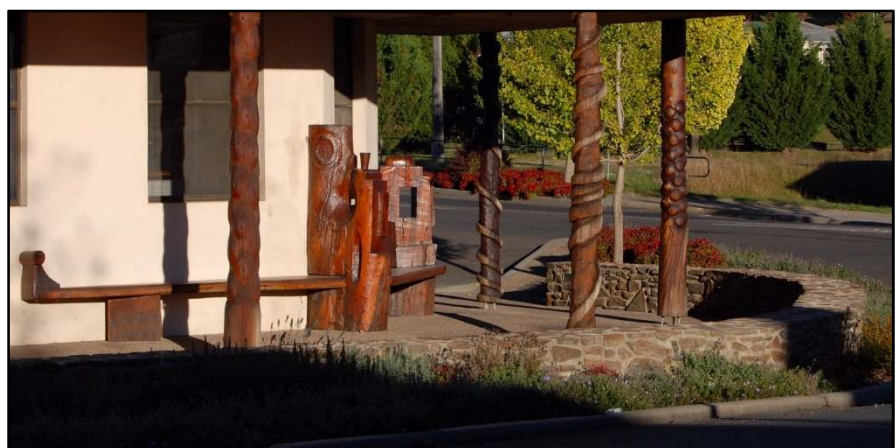
With some 146,000 ha of National Park and wilderness in the LGA, including parts of the world heritage listed central eastern rainforest reserves, a network of excellent trout waters, Walcha provides some of the most magnificent eco-experiences in Australia.



Apart from these wonderful eco-tourism destinations, Walcha has a lot to offer. It is one of the most productive agricultural areas in Australia. It is also a major hardwood timber supplier and is a significant supplier of softwood.

Walcha is home to a unique *Open Air Gallery*. There are currently 58 pieces

of art including verandah posts. The artwork is situated mainly around the central business area with pieces also along the levee banks of the Apsley River. The verandah posts were created by various artists and installed by Council in front of various shops in the central business area.

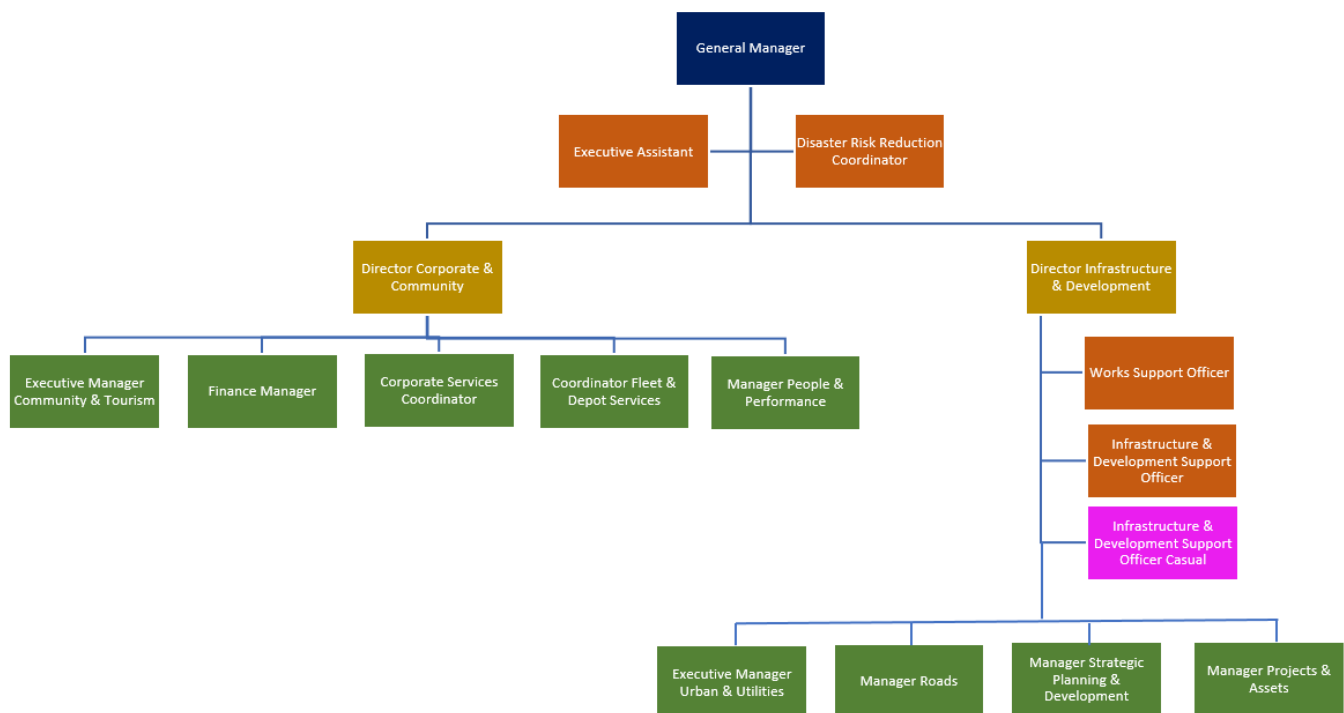


A major regional road link between Walcha and Gloucester known as Thunderbolts Way has added enormously to the economic opportunities available to the area. This road provides mountainous views along the way.

Visit the Walcha tourism website on www.walchansw.com.au or the Walcha Council website on www.walcha.nsw.gov.au

Structure and Functions of Council

The Walcha Council is a Local Government Authority constituted under the *Local Government Act, 1993*. Council's Offices are located at 2W Hamilton Street, Walcha. Our corporate goal focuses on effectiveness, efficiency and responsiveness. The very harmonious and cohesive relationship that exists between Councillors & Staff at all levels, particularly executive staff, provides a good basis for sound decision making and the achievement of our goal.



Walcha Council's Management Organisational Chart – August 2023

Functions of Council

Council performs the functions conferred on it by the *Local Government Act, 1993* and these are:

Service Functions

For example:

- Providing community health, community transport, library, recreation, education and information services
- Environmental protection
- Waste removal & disposal
- Land & Property, industry & tourism development & assistance
- Preschool and Early Intervention Services
- Community Care and NDIS services

Regulatory Functions

For example:

- Development and Building Approvals
- Orders
- Building certificates

Ancillary Functions

For example:

- Resumption of land
- Powers of entry and inspection

Administrative Functions

For example:

- Employment of staff
- Management Plans
- Financial Reporting
- Annual Reports

Revenue Functions

For example:

- Rates
- Charges
- Fees
- Borrowings
- Investments

Enforcement Functions

For example:

- Proceedings for breaches of the Act
- Prosecution of offences
- Recovery of rates and charges

The Council also has functions conferred or imposed upon it by the following Acts:

Rural Fires Act 1997	To form Rural Fire Brigades and provide facilities for the suppression of Bush Fires in the Local Area
Biosecurity Act 2015	Restrict the establishment and/or spread of, and manage significant weeds.
Community Land Development Act 1989	Planning functions as consent authority
Conveyancing Act 1919	Placing covenants on Council land
Companion Animals Act 1998	Dog registration and control
Environmental Planning & Assessment Act 1979	Planning legislation

Fire Brigades Act 1989	Payment of contributions to fire brigade costs and furnishing of returns
Fluoridation of Public Water Supplies Act 1957	Fluoridation of water supply by Council
Food Act 2003	Inspection of food and food premises
Government Information (Public Access) Act 2009	Public access to information held by Council
Impounding Act 1993	Impounding of animals and articles
Library Act 1939	Library services
Public Health Act 2010	Inspection of systems for purposes of microbial control
Protection of the Environment Operations Act 1997	Protection of the Environment
Recreation Vehicles Act 1983	Restricting use of recreation vehicles
Roads Act 1993	Roads
State Emergency Service Act 1989	Recommending appointment of local controller
Strata Schemes Development Act 2015	Approval of strata plans
Swimming Pools Act 1992	Ensuring restriction of access to swimming pools

The exercise by a Council of its functions under the Local Government Act, 1993 may also be modified by the provisions of another Act. Some of those Acts and some of the modifications they affect include:

Coastal Management Act 2016	Limitation on coastal development by Councils
Heritage Act 1977	Rating based on heritage valuation
State Emergency and Rescue Management Act 1989	Council required to prepare for emergencies
Unclaimed Money Act 1995	Unclaimed money to be paid to the Treasury

Other legislation that affects the way Council carries out its functions can be found at www.legislation.nsw.gov.au and www.comlaw.gov.au .

The Council comprises eight elected representatives inclusive of the Mayor. The Councillors are elected from four wards, two per ward. The Council exercises policy, management and review functions and is assisted in this role by a series of advisory Committees.

The Mayor is elected by the Council bi-annually. The Mayor has the following functions:

- To exercise, in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council
- To exercise such other functions of the Council as the Council determines
- To preside at meetings of the Council
- To carry out the civic and ceremonial functions of the mayoral office

The General Manager is the chief employee of the Council and has the following functions:

- To ensure Council's policies and decisions are carried into effect
- To control the day to day operations of the Council
- To control and direct all staff
- To ensure Council meets legislative requirements and deadlines
- To provide information and direction to Councillors to assist them with their duties.

Council has two directorates namely:

- Infrastructure & Development Services
- Corporate & Community Services

Corporate & Community

The Corporate & Community Department has a staff of twenty four (full time, part time and casual) and is responsible for the following functions:

- Rates & Valuation
- Administration
- Staff Records
- Insurances
- Investments
- Finance
- Data Processing
- Service NSW Agency
- Tourism
- Library
- Early Intervention
- Council Records
- Revenue Collection
- Freedom of Information
- Building and Amenity Maintenance
- Stores and Materials
- EEO/WH&S
- Human Resources
- Preschool
- Community Care
- Plant Fleet
- Social Welfare

Infrastructure & Development Services

The Infrastructure & Development Services Department has a staff of over fifty (full time, part time and casual) and is responsible for the following:

- Roads & Bridges
- Recreation Areas
- Water & Sewerage
- Stores & Materials
- Garbage/Recycling
- Cemeteries
- Project Management
- Building Surveying
- Animal Control
- Parks & Gardens
- Development Control
- Traffic Facilities
- Survey/Drafting
- Aerodrome
- Private works *
- Town Planning
- Health Surveying
- Environmental Management Control

* These works include works performed outside the Council boundaries.

Community Strategic Plan – Walcha 2032

Walcha 2032 is the blueprint for the future of Walcha Local Government Area. It represents the vision, aspirations, goals, priorities and challenges for our community. The purpose of Walcha 2032 is to:

- Describe the vision and goals the community has for this local government area.
- Outline the strategies to achieve the vision and goals.
- Provide a long term focus for decision making and resource allocation.
- Provide a basis for measuring our progress.
- Provide an opportunity for community participation in decision making.
- Address social, economic, environmental and civic leadership issues.

Walcha 2032 has been developed by the community and will be maintained and implemented by Walcha Council on behalf of the community. It is a plan for the future of the Local Government Area and will be a guide for other levels of government, private businesses and non-government agencies.

The Plan signifies a change in the way planning by Council and the community is developed and implemented. Developing Walcha 2032 has created an opportunity to work together to deliver outcomes that benefit everyone.

The goals and strategies identified fall into the following broad categories:

- Transport
- Business and Jobs
- Health
- Education and Training
- Stronger Community
- Local Environment & Liveable Communities
- Keeping People Safe
- Better Government

Further information can be obtained by reading the full version of the Community Strategic Plan - Walcha 2032 which is on Council's website www.walcha.nsw.gov.au.

A full review of the Strategic Plan was undertaken in 2022. Council consulted with the community to ensure that the strategic plan still aligns with the values and needs of the Walcha community.

Effect of Council's Functions on Members of the Public

The Council has a direct effect on the general public in carrying out its functions. In exercising its revenue function Council's decisions directly impact on public expenditure patterns.

It's regulatory and service functions also impact on the public by imposing controls on activities and by providing services and facilities. Controls are generally dictated by legislation or Council policy.

Services and facilities are provided generally in priority order determined by Council in response to public demand or by necessity.

Arrangements for Public Participation in Policy Formulation

The Council is an elected body constituted under the provisions of the *Local Government Act, 1993* which provides that certain classes of people may stand for office. These qualified people then have the opportunity to win election to Council and to determine policy. Conversely disaffected voters have the opportunity to remove a Council from Office.

The *Local Government Act, 1993* also provides for the public to have input into policy formulation in the following ways:

- Polls
- Referenda
- Public Meetings
- Public exhibition/notification of proposed policies and decisions
- Rights of Appeal

During the course of its Ordinary meetings Walcha Council may permit any person to address it personally on any relevant issue. Council is required to hold at least ten meetings each year. Currently Council meetings are held on the last Wednesday of each month, except January. Extra Ordinary meetings of Council are occasionally held.

Information held by Council

Council holds a large number of documents that may be categorised as follows:

Office of the General Manager

- Policy documents, codes and plans which form the guidelines within which decisions are made
- Minutes which are a record of Council decisions
- Records of disclosure which details disclosures made by Councillors and designated staff in accordance with legislative requirements

Corporate Services

- Miscellaneous files - which contain information relating to Council's day to day activities including personnel files
- Financial records both hard copy and computerised which provide a record of Council's financial dealings
- Valuation, rating and land transfer records
- Legal documents which, of their nature should be retained

Infrastructure Services

Council maintains an extensive range of maps, plans and diagrams. Most of these are prepared for internal use however some may be of assistance to Council's customers.

Environmental & Development Services

Documents under this category are principally applications seeking building or planning consent. These documents may include those where Council is not the consent authority such as Development Applicants where the State Government appointed Joint Regional Planning Panels are the consent authority.

Generally, copies of most of Council's documents are available to the public free of charge however reasonable photocopying charges may apply and processing fees may be imposed for access applications. A fee is imposed for the provision of maps, plans, diagrams and plans, rates and building certificates.

Community & Tourism Services

Documents under this category mostly are files containing information on clients and the services they receive. These documents are not accessible by members of the public as they contain the personal and private information of individuals.

Information that is publicly available

The Government Information (Public Access) Act 2009 states *"there is a presumption in favour of the disclosure of government information unless there is an overriding public interest against disclosure."*

The following list of information is taken from Government Information (Public Access) Regulation 2009.

Information about Walcha Council

1. Information contained in the current version and the most recent previous version of the following records is prescribed as open access information:
 - a. the model code prescribed under Section 440 (1) of the *Local Government Act 1993* (LGA) and the code of conduct adopted under section 440 (3) of the LGA
 - b. code of meeting practice
 - c. annual report
 - d. annual financial reports
 - e. auditor's report
 - f. Delivery Program 2022-2025
 - g. Operational Plan 2023-2024
 - h. EEO management plan
 - i. Council's Resolutions Register
 - j. policy concerning the payment of expenses incurred by, and the provision of facilities to, councillors and staff,
 - k. annual reports of bodies exercising functions delegated by the local authority,
 - l. any codes referred to in the LGA.

2. Information contained in the following records (whenever created) is prescribed as open access information:
 - a. returns of the interests of councillors, designated persons and delegates
 - b. agendas and business papers for any meeting of the local authority or any committee of the local authority (but not including business papers for matters considered when part of a meeting is closed to the public)
 - c. minutes of any meeting of the local authority or any committee of the local authority, but restricted (in the case of any part of a meeting that is closed to the public) to the resolutions and recommendations of the meeting
 - d. Departmental representative reports presented at a meeting of the local authority in accordance with section 433 of the LGA

3. Information contained in the current version of the following records is prescribed as open access information:
 - a. land register
 - b. register of investments
 - c. register of delegations
 - d. register of graffiti removal work kept in accordance with section 13 of the Graffiti Control Act 2008

- e. register of current declarations of disclosures of political donations kept in accordance with section 328A of the LGA
- f. the register of voting on planning matters kept in accordance with section 375A of the LGA

Plans and policies

Information contained in the current version and the most recent previous version of the following records is prescribed as open access information:

- a. local policies adopted by the local authority concerning approvals and orders
- b. plans of management for community land
- c. environmental planning instruments, development control plans and contributions plans made under the Environmental Planning and Assessment Act 1979 applying to land within the local authority's area

Information about development applications

1. Information contained in the following records (whenever created) is prescribed as open access information:
 - a. development applications (within the meaning of the Environmental Planning and Assessment Act 1979) and any associated documents received in relation to a proposed development including the following:
 - i. home warranty insurance documents
 - ii. construction certificates
 - iii. occupation certificates
 - iv. structural certification documents
 - v. town planner reports
 - vi. submissions received on development applications
 - vii. heritage consultant reports
 - viii. tree inspection consultant reports
 - ix. acoustics consultant reports
 - x. and contamination consultant reports
 - b. records of decisions on development applications (including decisions made on appeal)
 - c. a record that describes the general nature of the documents that the local authority decides are excluded from the operation of this clause by subclause (2)
2. This clause does not apply to so much of the information referred to in subclause (1) (a) as consists of:
 - a. the plans and specifications for any residential parts of a proposed building, other than plans that merely show its height and its external configuration in relation to the site on which it is proposed to be erected, or

- b. commercial information, if the information would be likely to prejudice the commercial position of the person who supplied it or to reveal a trade secret
3. A local authority must keep the record referred to in subclause 1. c.

Approvals, orders and other documents

Information contained in the following records (whenever created) is prescribed as open access information:

- a. applications for approvals under Part 1 of Chapter 7 of the LGA and any associated documents received in relation to such an application
- b. applications for approvals under any other Act and any associated documents received in relation to such an application
- c. records of approvals granted or refused, any variation from local policies with reasons for the variation, and decisions made on appeals concerning approvals
- d. orders given under Part 2 of Chapter 7 of the LGA, and any reasons given under section 136 of the LGA
- e. orders given under the authority of any other Act
- f. records of building certificates under the Environmental Planning and Assessment Act 1979
- g. plans of land proposed to be compulsorily acquired by the local authority
- h. compulsory acquisition notices
- i. leases and licences for use of public land classified as community land

How will information be made available to the public

Open Access Information

There is a range of information available on Councils website under the section titled *Open Access Information*.

There are many government-based open data initiatives in Australia.

- The Federal Government open data portal can be found here data.gov.au
- The NSW Government open data portal can be found here data.nsw.gov.au

Arrangements for inspection of council information

If you would like to view information that is not held in digital format on Council's website, you may make arrangements to view this information during the normal opening hours of 9:00am to 4:30pm. If you would like to receive a hard copy of information photocopying charges may apply, dependant on the circumstances.

Informal Access Application

An informal application to access information that is not held on the register of open access information may be made by phoning the Right to Information Officer during business hours or by email council@walcha.nsw.gov.au . The officer will determine if your request can be granted. The officer may require you to lodge a formal access application.

Formal Access Application

One reason you may not be able to receive information under an informal application, is if the information contains information about a third party. When this is the case, the third party will need to be consulted before we release it to you.

If you decide to proceed, you will need to complete a formal access application form. You will need to provide a description of the information that you require on the application form and pay the application fee of \$30.00. Deposits on processing must be paid upfront, as per section 68 of the GIPA Act "*an agency may require the applicant to make an advance payment of a processing charge.*"

Applicable Fees

Open Access Information	\$ 0.00
Informal Access Application	\$ 0.00
Formal Access Application	\$30.00
Hourly processing charge	\$30.00
Applicants Personal Information	\$30.00 + 20 hours free processing
Photocopying per page	As per Council's adopted fees and charges

Contact details

Walcha Council

Right to Information Officer
Walcha Council
2W Hamilton Street
PO Box 2
Walcha NSW 2354
council@walcha.nsw.gov.au
phone 02 6774 2500

Information and Privacy Commission

If you require further advice or assistance with your request for information, you may contact the Information and Privacy Commission on 1800 472 679. Alternatively, you may contact them via email ipcinfo@ipc.nsw.gov.au or visit their website at www.ipc.nsw.gov.au

Information and Privacy Commission
GPO Box 7011
Sydney NSW 2001



Thunderbolts Way – Photo: Susie Crawford



Apsley Falls