

APPLYING TO ACCESS INFORMATION

At any time, members of the public may apply to City of Palmerston (Council) to access information held by Council. There are two ways to access information held by Council, which are based on the type of information the member of the public is seeking.

Under the *Information Act 2002* (NT) (Information Act), members of the public may apply to access certain Council information. This is known as a **Freedom of Information** request.

Under the *Local Government Act 2019* (NT) (Local Government Act), certain people that have a sufficient interest in a property may be able to access the information about a particular properties assessment record such as the name and postal address or an owner or ratepayer. This is also known as a **Sufficient Interest** request. Historically, the information may have been viewed in a physical rates book held by Council, however the Local Government Act was amended in 2019 no longer requiring Council to maintain a physical book.

FREEDOM OF INFORMATION

The Information Act gives the public a general right of access to information held by Council, also known as a Freedom of Information request, and the right to apply to have personal information changed if it is inaccurate, incomplete or out of date.

TYPES OF INFORMATION HELD BY COUNCIL

There are broadly two categories of information held by Council:

- Information relating to its management and administration (internal).
- Information relating to the services which it provides to the community (external).

Internal Information

The internal information which Council holds is information which is created to support the management and administration of the Council. For example, there is information related to:

- Strategic planning, management & reporting
- recruitment and management of staff
- staff development & training
- occupational health & safety
- financial management
- legal services
- management of assets
- business relationships and communication with individuals, the community and other agencies
- records management; and
- publications including electronic publications and websites.

External Information

The external information which Council holds relates directly to the services which it delivers. Most of these services are provided to the community. Examples of the kind of information held are:

- Complaints about animals
- legal issues related to Council property
- investigations related to Council
- services
- contracts to deliver services
- rates; and
- complaints about Council services.

HOW TO APPLY?

You can request to access Council's information by completing the Freedom of Information Form available at www.palmerston.nt.gov.au or in person at Customer Experience desk at Council's Civic Centre. You do not have to give a reason for your request, although sometimes knowing the reason may help staff to provide you with access in a form which is the most helpful to you. Also, the information you require may be available without making a request under the Information Act, eg. the information is in a publication.

The following information is available free of charge on Council's website:

- Council By-Laws
- Council Policies
- Elected Members' Code of Conduct
- Terms of Office Register
- Members' Interest Register
- Municipal Plan for the current year and last three years
- Budget and amendments to the Budget for the current year and the last three years
- Long Term Financial Plan
- Schedule of Fees and Charges for the current year and last three years
- Declaration of Rates for the current year and last three years
- Annual Report for the current year and last three years
- Council and Committee Meeting Agendas and Minutes
- Tender Register
- Current Tenders
- Council Strategies
- Results of the last election
- List of categories of reviewable decisions
- Constitutions of local government subsidiaries of Council (if any)
- Public notices as required from time to time, such as notices related to elections, notices of proposed by-laws, notices of intention to sell land for non-payment of rates, notices of assumption of the care, control and management of land and notices of applications to the Supreme Court for variation of trusts.

It is recommended that, before you make an application under the Information Act, you approach staff at the Council and ask whether the information is available.

IDENTIFICATION

Council requires proof of your identity before it accepts your application. Council will accept the following forms of identification:

- Current driver's licence; and/or
- Current passport.

APPLICATION AND ASSESSMENT FEES

A **\$30.00** application fee applies if your request is for Council information, other than personal information about you. Where an application fee is payable, you must pay this before your application will be accepted. The application fee can be paid at the Customer Service desk located at City of Palmerston, Civic Plaza. There is no application fee if you are applying for access to, or for correction of, information about yourself.

Fees also apply for processing your application. After receipt of your application, and before it is processed, a statement may be provided to you, giving an estimate of the processing fee. This gives you the opportunity to decide if you wish to go ahead with your application or amend it.

A deposit for the processing fee may be required. Please note that if you request photocopies, charges may apply to cover the reasonable cost incurred in providing these.

Fees may be waived or reduced in limited circumstances where you can prove financial hardship. Supporting evidence of financial hardship must be provided.

REQUESTS TO CORRECT PERSONAL INFORMATION

If, after accessing your personal information, you consider that the information is wrong, incomplete or out-of-date, you are able to complete the form Application to Correct Personal Information asking that records containing information about you be changed.

This form is available at www.palmerston.nt.gov.au or the Customer Service Desk located at City of Palmerston, Civic Plaza. Correction of personal information may be agreed to, refused or a different correction to the one that you requested may occur. If you and the Council do not reach agreement on what changes should be made, you may provide a statement to be placed with your personal information.

DECISION PROCESS

After receiving an application, Council will:

- Provide you with a decision within 30 calendar days
- if necessary, Council will request additional details from you to clarify the information that you are seeking, to process your request; and
- advise you if more time is required to make the decision, e.g. if the information you have requested includes information about others and the Council needs to consult with those other people or organisations before it can release the information.

A decision on your application may be to:

- Provide access to information in whole or in part
- defer access
- refuse access on the grounds that:
 - the information is exempt under the Act;
 - access would unreasonably interfere with the operations of Council;
 - the information cannot be identified, found or does not exist; or
 - the information is not held by Council;
- delay a decision because more time is required to deal with your application.

You can apply for a Review of a Decision if you are not happy with the outcome. This application form is available at www.palmerston.nt.gov.au or at the Customer Service Desk located at City of Palmerston, Civic Plaza.

SUFFICIENT INTEREST IN THE ASSESSMENT RECORD

Section 230 of the *Local Government Act 2019* (NT) provides that a person with sufficient interest in an assessment record, for a particular property, may be able to inspect or seek a copy of the assessment record held by Council. This form of accessing information is different to a Freedom of Information Request.

To access information relating to an assessment record held by Council, you are required to make a request in writing by completing a Sufficient Interest Form which is available at www.palmerston.nt.gov.au.

DECISION PROCESS

After receiving a sufficient interest application, Council will:

- Review the sufficient interest form in line with Council's Sufficient Interest in the Assessment Record policy
- if necessary, Council will request additional details from you to clarify the information that you are seeking, to process your request
- if necessary, Council reserves the right to seek approval from the owner/ratepayer of the assessment record prior to releasing access to the assessment record; and
- provide you with a decision which may be to provide access to the information or deny access to the information.

There is no fee to view assessment records, however, please note that if you request photocopies, charges may apply to cover the reasonable cost incurred in providing these.

APPLICATION FORMS

The following forms are available on Council's website www.palmerston.nt.gov.au or at the Customer Service Desk, Civic Plaza:

- Request for Information
- Request for Personal Information
- Sufficient Interest in the Assessment Record
- Application to Correct Personal Information
- Application to Waive or Reduce Fees
- Application for a Review of a Decision

FOR FURTHER INFORMATION

Please contact us by either visiting Council buildings, email or calling us directly:

In person:

Civic Plaza
1 Chung Wah Terrace,
Palmerston, NT 0830

By post:

PO Box 1 Palmerston NT 0831

Direct Phone and Email:

- 08 8935 9922 (24 hour service)
- 08 8935 9900
- palmerston@palmerston.nt.gov.au
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