

Agency Information Guide

2015-2016

A GUIDE TO ACCESSING COUNCIL INFORMATION



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This Publication Guide has been developed in accordance with Section 21 of the Government Information (Public Access) Act 2009 (NSW) and was adopted by Council at the meeting of Tuesday 24 February 2015.



CITY PROFILE

Scenic beauty and heritage buildings, unique villages and welcoming people, an attractive lifestyle and convenient location are just some of the factors that have led to Maitland being one of the fastest growing inland cities in Australia.

The local government area covers 396km² from Woodberry in the east to Lochinvar in the west, Tocal to the north, and Gillieston Heights to the south. Our over 70,000 residents are settled in town centres, new and growing suburbs and quiet rural areas. Our residents come from a broad cross-section of society, and this range will continue to expand as our city grows, adding to our deep-rooted spirit and identity. By 2021, we expect up to 90,000 people to call our city home.

The original inhabitants of this area are the people of the Wonnarua Nation, 'people of the mountains and the plains'. Bordering Nations and Clans include Worimi, Darkinjung, Kamilaroi, Geawegal, Gringai, Awabakal and Wiradjuri.

At the heart of our city is Central Maitland, with its full range of shopping, business and civic functions as well as education, cultural and recreational services. It is one of the oldest regional centres in Australia, built on the banks of the Hunter River, and it continues to be a key centre in the Hunter Region.

If Central Maitland is its heart, the Hunter River is the artery of our city as it meanders through rural and urban areas, providing a scenic backdrop to our everyday lives. Whilst the river's serenity sometimes becomes more turbulent, the flood prone nature of parts of the city has led to a distinctive land use pattern and built form, with urban areas having clear limits that overlook idyllic pastoral areas.

We are a busy and productive community, and we have a prosperous local economy diversified across construction, service and knowledge industries. We are recognised as being rich in a range of natural resources such as coal and extractive mineral deposits as well as fertile agricultural land. Our role in primary industries and the economy it creates will be challenged in coming years, and may provide new opportunities for Maitland to return to its origins as the food bowl of the Region.

While once transportation in Maitland was dominated by punts along the river, development of rail and road corridors has created an abundance of transport options. All routes lead to Maitland and this grants access to employment opportunities, recreational experiences and lifestyle choices within our city.

It is this complex identity which creates the sought after character of Maitland.





AUTHORITY

Maitland City Council was formed in 1945 following the amalgamation of the previously existing areas of East Maitland, West Maitland, Bolwarra, Morpeth, Tarro and Kearsley.

Maitland City Council draws its primary authority from the NSW Local Government Act of 1993.

However it has additional responsibilities in the administration of other related legislation such as the Companion Animals Act 1998, the Roads Act 1993, the Noxious Weeds Act 1993, the Heritage Act 1977 and a range of environmental planning laws including the Environmental Planning and Assessment Act 1979.

The General Manager is responsible for the efficient operation of the organisation and for ensuring the implementation of Council decisions. The General Manager is also responsible for the day to day management of the Council, the exercise of any functions delegated by Council, the appointment, direction and where necessary, the dismissal of staff.



ELECTED COUNCIL

Twelve [Councillors](#), under the leadership of a popularly elected Mayor, represent the people of Maitland.

Council elections are held every four years, with the most recent local government election held in September 2012.

The [Mayor](#) is elected by a popular vote, while the appointment of a Deputy Mayor is by Councillor vote.

Our Councillors put forward the many views held by our community – representing the overall best interests of our community.

As the governing body, the role of our Councillors is to:

- Actively review and debate matters that come before them for decision
- Participate on the allocation of Council’s resources to optimise benefits to the community – now and into the future
- Assist in the creation and undertake reviews of Council’s policies, strategies, plans and programs

- Review the management performance of Council and our delivery of services
- Facilitate communication between residents and the Council
- Provide leadership to the community.

In addition to the roles listed above, our Mayor is tasked with carrying out civic and ceremonial functions, and presiding over the meetings of Council.

Our Councillors played an active role in the development of our four year [Delivery Program](#), seeing it as their statement of intent for the next four years.

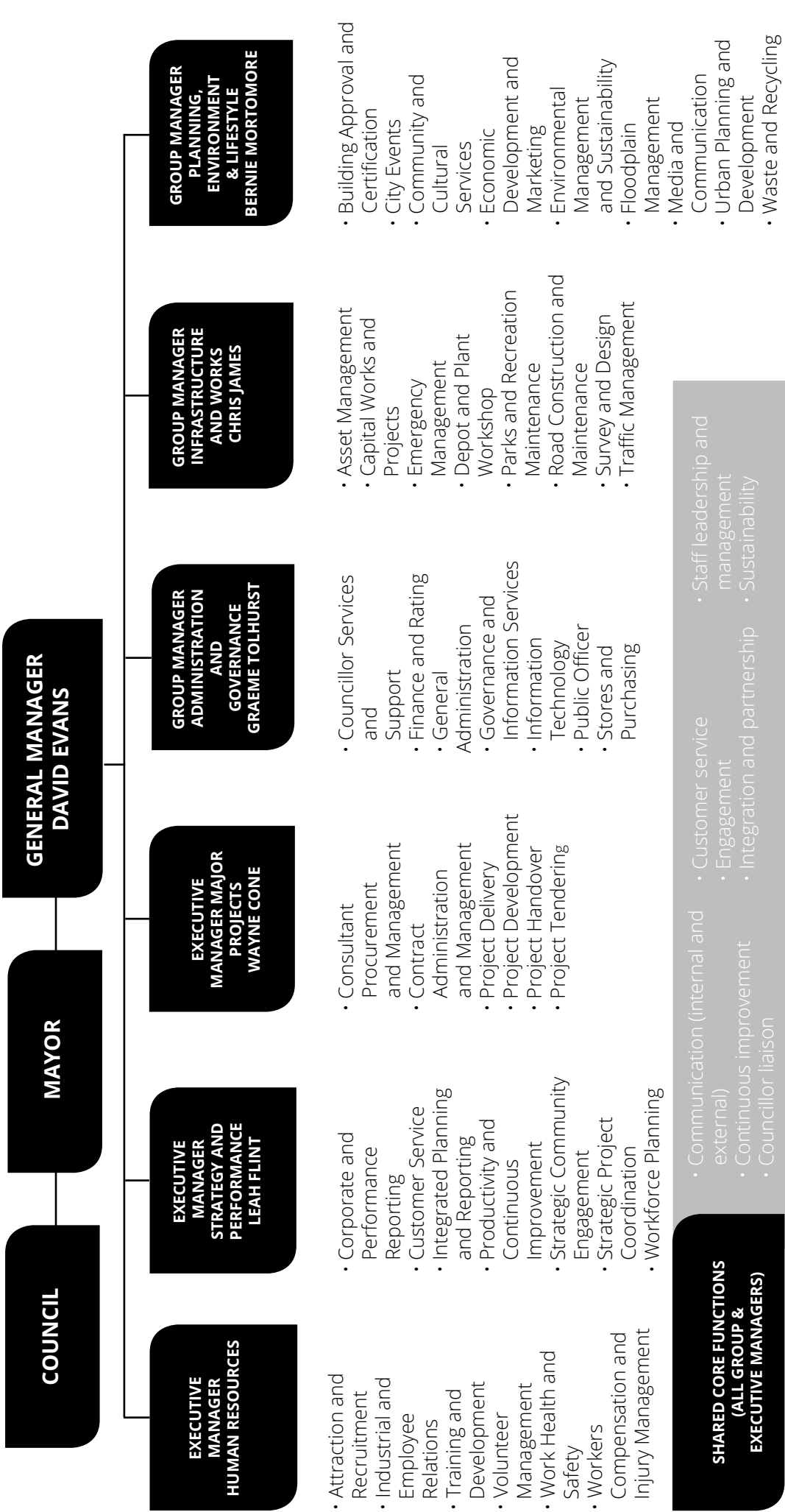
The [Delivery Program](#) provides the framework for the management of Council and service delivery decisions, ensuring our actions are in step with identified community priorities.

maitland

city council

Organisation Structure

Maitland City Council consists of six groups that are responsible for the delivery of our four year program and annual operational plan.



FUNCTIONS

The functions of Council are set out in the Local Government Act 1993, these functions can be grouped into the following categories.

SERVICE FUNCTIONS	
Including:	
• Provision of community, health, recreation, education and information services	
• Environmental protection	
• Waste removal and disposal	
• Land, industry and tourism development and assistance	
• Civil construction and maintenance	
• Infrastructure Planning.	
REGULATORY FUNCTIONS	ANCILLARY FUNCTIONS
Including:	Including:
• Approvals	• Resumption of land
• Orders	• Powers of entry & inspection
• Building certificates.	• Community Planning & Development.
REVENUE FUNCTIONS	ADMIN FUNCTIONS
Including:	Including:
• Rates	• Employment of staff
• Charges	• Management Plans
• Fees	• Financial Reporting
• Borrowing	• Annual Reports.
• Investments.	
ENFORCEMENT FUNCTIONS	
Including:	
• Proceedings for breaches of Local Gov. Act & other legislation	
• Prosecution of Offences	
• Recovery of Rates & charges.	

COUNCIL'S GROUPS

Council's six (6) groups are made up of 18 departments each having the responsibility for implementing policies and programs to achieve the city's vision.

INFRASTRUCTURE AND WORKS

This group is responsible for all Council assets, ranging from the planning, construction and maintenance of roads, footpaths and bridges through to parks, sportsgrounds and community buildings.

The group is also focused on city appearance (including litter collection and graffiti removal), as well as roads and transport planning.

PLANNING, ENVIRONMENT AND LIFESTYLE

This group is responsible for the management of the city's libraries, Art Gallery, pools and recreation facilities. The group is also responsible for land use planning, development planning and approvals, environmental and sustainability programs, waste and recycling services, and health and safety activities. Tourism, events and economic development are also within this group.

MAJOR PROJECTS

This group lead and develop major projects for Council through formation of cross-organisational teams and specialist consultants. The refurbishment of the Heritage Mall is a current area of focus as well as works to realign and upgrade Athel D'Ombra Drive.

CORPORATE PLANNING AND ENGAGEMENT

This group is focused on business performance and continuous improvement initiatives, as well as Council's community engagement, Integrated Planning and Reporting, workforce planning and customer service areas.

ADMINISTRATION AND GOVERNANCE

This group provide support to the organisation through the management of IT infrastructure, finance strategy and financial administration, property management, as well as purchasing, information systems, records management and governance.

HUMAN RESOURCES

This group deliver a range of functions, including recruitment, industrial relations, staff engagement, training and development, work health and safety and organisation development.



THE ROLE OF COUNCIL IN THE COMMUNITY

Effect of Council's functions on members of the public

Council provides a range of services to the community. Broadly, Council's services are:

- Asset Construction and Maintenance
- City Appearance
- City Leadership
- Community Services
- Cultural and Educational Services
- Economic Development and Marketing
- Environmental Management
- Health and Safety
- Planning and Development
- Recitation and Leisure
- Roads and Transport
- Waste Management and Recycling.

More specifically Council plays a role in regulatory functions for the city which directly affect the community. These functions have a wide public effect and include, but are not limited to the following:

- The Council has the power to propose zonings for individual properties.
- The Council can develop land controlled by the Council.
- The Council will classify the way in which public land is used.
- The Council may cause works to be constructed in the community. Such works could include public buildings, recreation facilities, roads, car parks, footpaths and drainage works.
- The Council may make orders concerning certain public nuisances and other matters.
- In certain circumstances the Council may enter onto private land and/or cause certain works to be done.
- The Council levies rates and charges and adopts fees for the supply of goods and services.
- The Council may regulate behaviour in certain public places.
- The Council may regulate certain matters relating to public health.
- In certain circumstances, the Council may seek to acquire private property.
- The Council may regulate traffic and parking within its area of control.



THE ROLE OF COUNCIL IN THE COMMUNITY

ARRANGEMENTS FOR PUBLIC PARTICIPATION IN POLICY FORMULATION

All issues relating to policy and its development are considered by Council at a Council meeting. These meetings are open to members of the community for their interest and attendance.

Council's [Code of Meeting Practice](#) allows for public participation through the provision of a framework prescribing how community members can address a Council meeting. A notice will be published in both the Post Newspaper and also on Council's website advising of when and where the meeting will be held. A copy of the Council agenda can be viewed on the Council website maitland.nsw.gov.au or at Council's Administration Building from the Friday prior to the meeting.

Prior to policy decisions and discussion in the Council Chamber, efforts are made to engage the community and impacted stakeholders on the policy issues under consideration. [Council's Community Engagement Strategy](#) establishes a framework to ensure meaningful, informed and genuine community participation is active in Council decision making.

The community can expect to be informed and consulted on policy issues, as well as contentious and pertinent matters, through a range of methods including face to face and online. Techniques such as information sessions, public meetings, workshops, focus groups, online surveys, online forums and quick polls will be used.

Additionally, public exhibitions of documents, occurs on-line and in hard copy at Council facilities. Details are advertised in the Post Newspaper as required.



Residents are also able to raise issues with, and make representations to the elected Councillors. The Councillors may pursue the matter on the resident's behalf thereby allowing members of the public to influence the development of policy.

Members of the public may also be involved in Council Committees and reference panels, working alongside staff to address a range of policy matters.





ACCESSING COUNCIL INFORMATION

Maitland City Council provides access to information under the Government Information (Public Access) Act 2009.

Council will proactively strive to enable the public release of government information held by the Council. However, statutory responsibilities and legal obligations may restrict or prohibit the inspection of certain documents/files etc and, in some cases, may prevent us from providing a copy of the information.

The 'Examples of Open Access Information' table on the following page identifies various types of information held by the Council which is available as 'Open Access'. The table explains the manner in which Council will make certain information available to the public.

The public may obtain access to information as follows:

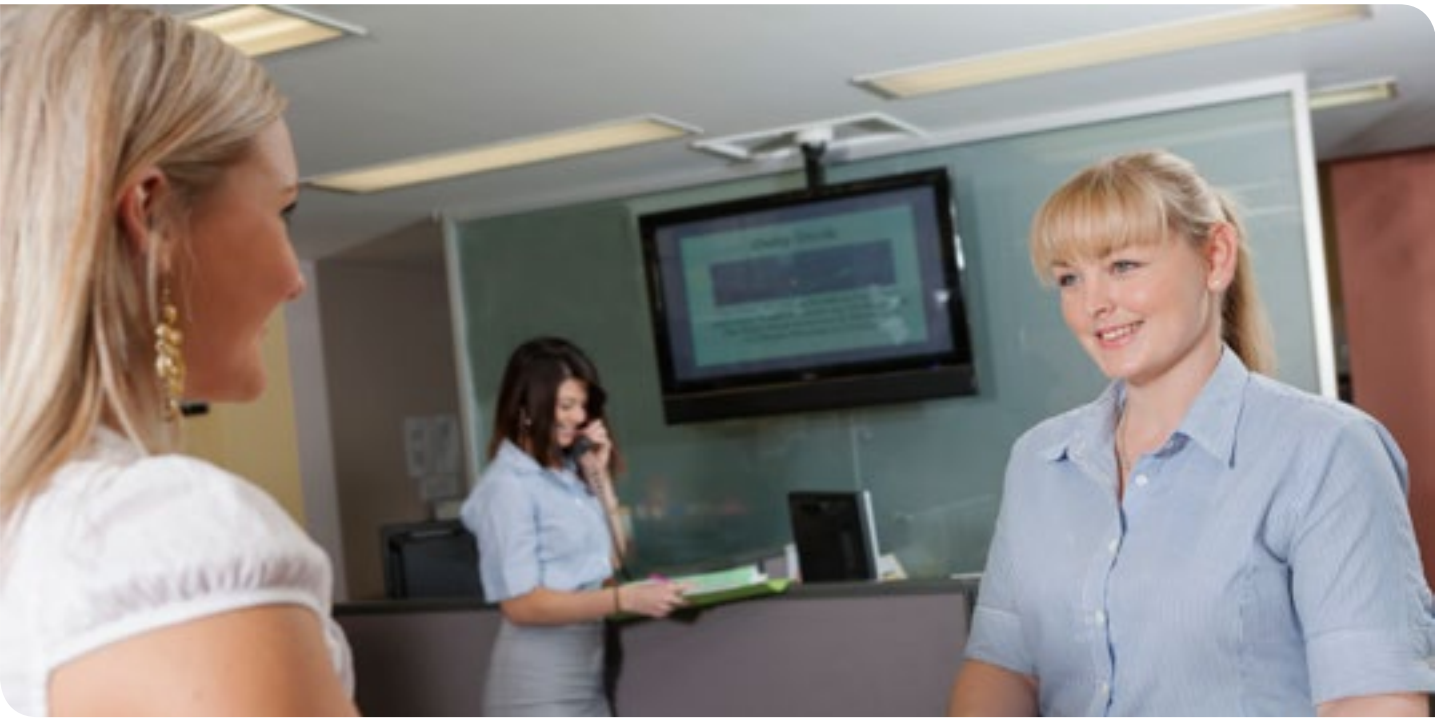
- By searching the Council's website to see if it is already available.
- By contacting Council and requesting the information, Council will advise whether the information is:
 - a. Open access or mandatory release – that is readily available
 - b. Can be made available as part of a proactive release of information
 - c. Will require an [informal access application](#)
 - d. Will require a [formal access application](#)

Council publishes open access, or mandatory release, information in accordance with Section 18 of the Government Information (Public Access) Act 2009 and Schedule 1 of the Government Information (Public Access) Regulation 2009 on its website (free of charge) unless there is an overriding public interest against disclosure or to do so would impose an unreasonable additional cost on Council. In respect of the latter the Council will make the information available for access at the Council Administration Building. Copies of information may be requested subject to a photocopying charge outlined in Council's current [Schedule of Fees and Charges](#).

Copies of documents provided are given for information purposes only and are provided by Council to meet its requirements under relevant legislation.

Copyright laws still apply to each document. The copyright owner's consent is required if any part of the document is used for any other purpose.

Requests for amendments / corrections to our records should be addressed to the Privacy Officer and outline the basis of any objections to the information currently held by the Council. Statutory requirements may prevent amendments without submission of satisfactory documentation.



EXAMPLES OF OPEN ACCESS INFORMATION **

TYPE OF GOVERNMENT INFORMATION	OPEN ACCESS INFORMATION	PUBLICLY AVAILABLE FREE OF CHARGE *	MANNER IN WHICH THE COUNCIL WILL MAKE INFORMATION PUBLICLY AVAILABLE
Policy Documents (including Code of Conduct, Code of Meeting Practice and Payment of Expenses Policy)	✓	✓	Website
Disclosure Log	✓	✓	Website
Development control Plans	✓	✓	Website
Council registers	✓	✓	Some available on website , others available from Council Administration Building
Integrated Planning and Reporting (Corporate Reports, Plans and Strategies)	✓	✓	Website
Annual Report	✓	✓	Website
Development Applications	✓	✓	Available at Council Administration Building
Agenda and Minutes from Council meetings	✓	✓	Website
Pecuniary Interest Disclosures	✓	✓	Available at Council Administration Building
Approvals and Orders	✓	✓	Available at Council Administration Building

* if copies of information are requested, Council will impose a photocopying fee in accordance with the current [Schedule of Fees and Charges](#).

** **Note:** Information listed in this table is only an example of the information provided by Council under Open Access Information, for a detailed list of information available please see [Section 18 of the Government Information \(Public Access\) Act 2009](#) and [Schedule 1 of the Government Information \(Public Access\) Regulation 2009](#).

Any requests for information which is not classified as 'Open Access' will be determined in accordance with the public interest test on a case by case basis.





CONTACT INFORMATION

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The Information and Privacy Commissioner (IPC)

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