

# Formal GIPA Applications

Under the Government Information (Public Access) Act 2009 or GIPA Act, you are able to request access to information and documents held by Council. This fact sheet provides answers to our most frequently asked questions relating to formal GIPA applications.

You will need to lodge a formal application if:

- You are requesting another person's **personal information** (e.g. complainant's details)
- You are requesting information relating to an **insurance claim**
- Your request will involve retrieval of a **large number of documents or files** (five files or more).
- You are requesting information relating to **Companion Animals**.

## How do I lodge a formal application?

Complete Council's formal GIPA application form. The application must comply with the following to be considered valid:

- The application must be **in writing**
- The **\$30 application** fee must be paid upon lodgement
- The application must include a postal address within Australia
- The application must contain enough detail to allow the required information to be identified.

## You may also need to include the following:

- If you are requesting **personal information**, you must provide a copy of your **proof of identity** (e.g. driver's license).

- If you are applying for a **financial hardship discount**, you must provide a copy of either your **Pension Card, Student Card** or proof that you are applying on behalf of a **non-profit organisation**.
- Any **personal factors** relevant to the application, such as **why you are requesting the information**.

## What is the definition of 'personal information'?

Personal information is defined as **any information which can be used to identify a person**. This includes, but is not limited to, the following:

- A person's name
- Postal or residential address
- Addresses of other properties owned by the person
- Phone number
- Email address
- Car license plate number
- Photographs or video footage of the person

If you are requesting someone else's personal information, Council is required by Section 54 of the GIPA Act to **consult with that person** before deciding whether or not to release the information.

## What are the processing fees?

The **\$30 application fee** will cover the first hour of processing. Subsequent time spent processing the application will incur a charge of **\$30 per hour**, charged at 15 minute intervals. You will be informed of the estimated total cost of your application within five days of the application being received.

If your request is likely to total more than **\$120 (four hours)**, Council will request that you pay an **advance deposit of 50%** of the total cost. The processing time of your application will be **paused** until the advance deposit is paid.

You may be able to apply for a 50% discount to your processing fees on **financial hardship** grounds, if you hold a **Pensioner Concession Card**, you are a **full-time student**, or you are applying on behalf of a **non-profit organisation**, in accordance with Section 65 of the GIPA Act and Clause 9 of the GIPA regulations. You will need to provide evidence with your application form. This 50% discount does not apply to the \$30 application fee. However, the \$30 application fee will cover the first two hours of processing time.

### How do I pay the processing fees?

The following payment options are available:

- **Credit card over the phone (preferred):** Once the information is ready to be released, Council's Customer Service department can contact you to take payment over the phone. The documents and receipt will be posted or emailed to you as soon as possible once payment is received.
- **Pay in person at Council offices:** You can pay with cash or card at Council's Customer Service Counter. If you are paying by this method, please contact the Governance Officer to ensure that the documents are available to be collected.

### How long will my application take to process?

Most formal applications will be processed within **20 working days**. However, if your application requires **retrieval of a large number of files**, or extensive **third party consultation**, Council may need to **extend** the processing time by **10 working days**. If further extension is required, we will negotiate with you.

Applications for another person's **personal information** will usually take **20 working days** to process, as Council is required to undertake the **third party consultation process** before determining whether to release the information.

### What if the information I requested could not be located?

If Council is unable to locate the information you have requested, you will be informed in writing. If the information is likely to be held by **another government agency or organisation**, we will **provide contact information** for that agency.

### What if I am unhappy with the outcome of my application?

If you are unhappy with the determination of your application, you are able to request an internal or external review of your application. An internal review is conducted by a different Council officer, and requires payment of a \$40 application fee. Alternatively, you may request a review by the Information & Privacy Commissioner (free of charge), or the NSW Civil & Administrative Tribunal, which incurs a \$102 application fee.

Your rights of review are outlined in Part 5 of the GIPA Act. A fact sheet regarding your review rights will be included with the letter determining your application.

### Further information

[Hawkesbury City Council website Access to Information page](#)

Information and Privacy Commissioner website:  
<http://www.ipc.nsw.gov.au/>

*Government Information (Public Access) Act 2009:*  
[http://www.austlii.edu.au/au/legis/nsw/consol\\_act/giaa2009368/](http://www.austlii.edu.au/au/legis/nsw/consol_act/giaa2009368/)

Contact Council's Governance Officer on **4560 4444** or email [council@hawkesbury.nsw.gov.au](mailto:council@hawkesbury.nsw.gov.au)



This document contains important information. If you do not understand it, contact the Telephone Interpreter Service on 131 450.



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