

INFORMAL GIPA REQUEST – FACT SHEET

Objective

The purpose of this fact sheet is to provide information about Informal GIPA Requests and offer guidance to customers seeking access to Council records.

What is a GIPA?

The term GIPA is an abbreviation for the *Government Information (Public Access) Act 2009* (the GIPA Act).

The GIPA Act provides, how the public can access a Government agencies records, rights of access, limitations to these rights, and obligations on Council in relation to making information available to the public. When we speak about making a GIPA application, this simply means that a customer seeks access to Council records as per the rights set out in the GIPA Act.

What is an Informal GIPA Request?

An Informal GIPA Request is a way to seek access to Council records informally as provided in section 8 of the GIPA Act. This permits Council the option to give you access to information in response to your informal request without requiring you to make a Formal GIPA Application under Part 4 of the GIPA Act.

However, section 8 of the GIPA Act creates no legislative obligation on Council to grant access informally.

This means that:

- Council can impose conditions on the release of information to you including how you can access the information,
- you do not need to pay an application fee, or other costs such as processing charges,
- there is no legislative timeframe imposed on the Council to make a decision, and
- you do not have the right to have the Council's decision reviewed.

How do I make an Informal GIPA Request?

In the first instance you should check on Council's website to see if the information you are seeking is freely available to the public.

If you're not be able to find the information you are looking for on Council's website then we recommend using one of Council's Informal GIPA Request forms. We have created two forms to assist our customers in making an informal request for information.

- **Informal GIPA Request**
Use this form to make a general request for information
- **Informal GIPA Request – Plans Only**
Use this form if you are seeking access to residential building plans, drawings, blue prints

You can access these forms electronically by using the e-forms, which are available on our website. You can also access paper forms by downloading a PDF version from Council's website or request the forms at Council's Civic Centre.

Asking for information

In making a request for information you should be as clear as possible, so the Council understands what information you are seeking. Avoid asking questions seeking advice, opinion or guidance, rather your request should be limited to seeking access to information, records or data that may be held by Council. Where possible you should identify time periods for the information you are seeking.

Avoid using vague, broad and undefined terms that create an open ended or an indefinite scope of information. Some examples of these terms are, *etc...*, *but not limited to* and, *any and all*. Council will not take these terms into consideration when processing your request.

If you cannot clearly identify the information you need access to, then we recommend that you make reasonable enquiries to determine what you need prior to making an Informal GIPA Request.

How long will it take to process an Informal GIPA Request?

The request process will take a **minimum of 20 working days (4 weeks)**, from the date your request is received by Council. Should there be a high level of demand for our services and/or the information being sought is not easily accessible, a request can take up to **6 weeks** to be processed.

Requests are placed in a queue and processed in order of receipt. Due to the volume of requests received by Council we do not accept requests for priority processing.

The accessibility of records and the level of demand on our services can affect the time it takes for us to provide a response. As such, this process cannot be expedited, even if you contact Council.

Will Council charge me for information released informally?

The GIPA Act does not provide for agencies to charge for information released informally.

However Council may advise you that the information you are seeking is extensive, and may invite you to view the information.

Alternatively, Council may suggest that you lodge a Formal GIPA Application which would require you to pay an application fee of \$30 and any additional processing charges required to cover the time and resources needed to deal with your application.

Responses to Informal GIPA Requests

In response to an informal GIPA request Council may:

- **Decide to grant you access to the information sought.**
Council may decide how information can be accessed. Documents such as plans, structural drawings, blue prints, and technical reports may be subject to Copyright. Should copyright apply to a record you are seeking access to, Council may be unable to provide you with a copy of the record without the express written permission of the copyright owner. In this situation you will be granted view only access and Council will provide you with the copyright owner information should you wish to contact them to seek consent to obtain a copy of the record.
- **Decide it does not hold the information you are seeking.**
Depending on the age of the information you are seeking there may be a lack of documentation.
- **Decide to decline access to the information sought, decline to process the request informally, or refuse to deal with the request.**
As every request is different, we will access each request on its own merits. As such when we reply we will provide explanations for our response and advise you of any alternative options available.