



**INFORMATION GUIDE –
GOVERNMENT INFORMATION
(PUBLIC ACCESS) ACT 2009**

August 2019

1. INTRODUCTION

The Orana Joint Organisation (OJO) has produced this Information Guide in accordance with section 20 of the Government Information (Public Access) Act 2009 (GIPA). The information guide will be reviewed annually.

2. PURPOSE

OJO's Information Guide ensures that citizens have knowledge of and access to government information that is both current and significant in relation to formulation of policy and service delivery.

In accordance with Section 20(1) of the GIPA OJO has included the following information in this guide:

- A description of the structure and functions of OJO
- A description of the ways in which the functions (including in particular the decision-making functions) of OJO affect members of the public
- Any arrangements that exist to enable members of the public to participate in the formulation of OJO's policies and the exercise of OJO's functions.
- The various kinds of government information held by OJO
- The kinds of government information held by OJO that makes (or will make) publicly available
- The manner in which OJO makes (or will make) government information publicly available
- The kinds of information that are (or will be) made publicly available free of charge and those kinds for which a charge is (or will be) imposed.

3. ABOUT OJO

3.1 Description of Structure and Functions of OJO

The NSW Government established joint organisations under the Local Government Act 1993 in 2018. Joint Organisations are new local government entities with legal powers to support councils to work together for better rural and regional outcomes.

The OJO was proclaimed by Government on 9 May 2018, with membership consisting of six member councils being:

- [Mid-Western Regional Council](#)
- [Narromine Shire Council](#)
- [Gilgandra Shire Council](#)
- [Warren Shire Council](#)
- [Warrumbungle Shire Council](#)
- [Bogan Shire Council](#)

The operation and priorities of the OJO are determined by the OJO Board, which comprises of voting and non-voting representatives.

The voting members of the OJO are the Mayors of the member councils:-

- Cr Doug Batten, Mayor Gilgandra Shire Council
- Cr Craig Davies, Mayor Narromine Shire Council (OJO Chair)
- Cr Des Kennedy, Mayor Mid-Western Regional Council
- Cr Milton Quigley, Mayor Warren Shire Council (OJO Dep Chair)
- Cr Denis Todd, Mayor Warrumbungle Shire Council
- Cr Ray Donald OAM, Mayor Bogan Shire Council

The Director of Department of Premier and Cabinet Central sits on the board as a non-voting representative, as do the General Managers of the member councils.

The day to day management of the OJO is supported by the Executive Officer.

The OJO elevates the shared priorities of member councils' strategic plans, programs, priorities and policies to perform the three principle functions in the region:-

- strategic planning and priority setting
- intergovernmental collaboration
- shared leadership and advocacy

Priorities are defined in the Statement of Regional Strategic Priorities.

Annual progress reports will be provided on these priorities.

The key operational and governance structure of the OJO is outlined in its Charter, which includes provisions for non-voting representation, requirements for decision making and financial contributions from member councils.

4. HOW THE OJO ENGAGES WITH THE PUBLIC

4.1 Community and Engagement Plan

The Community and Engagement Plan provides key messages about the role of the OJO and its commitment to achieving strategic priorities. It shows how the joint organisation will communicate effectively with members councils and stakeholders on progress in implementing the priorities, including celebrating the achievement of key milestones and successes.

4.2 Voting Members

Voting members are the representatives of the community. Members of the public are able to contact and meet with Voting Members to discuss and contribute their views and ideas.

Contact details of OJO's current voting members are available on the OJO website at www.oranajointorganisation.nsw.gov.au

4.3 Non-voting members

The Executive Officer and General Manager of each member council are non-voting representatives of the OJO and attend meetings of the board in an advisory capacity.

Contact details for non-voting members are available on the OJO website at www.oranajointorganisation.nsw.gov.au

4.4 Executive Officer

The Executive Officer conducts the day to day management of the joint organisation in accordance with the strategic regional priorities and other plans, programs, strategies and policies of the OJO.

Contact details for the Executive Officer are available on the OJO website at www.oranajointorganisation.nsw.gov.au

4.5 Personal Participation

Members of the public are encouraged to actively participate in engagement activities. The OJO engages with the community by:-

- **Board Meetings** – members of the public are able to attend Board Meetings which are conducted every quarter. Meeting dates are available via the OJO website.
- **OJO website** – The OJO's website is regularly updated with information on OJO activities, meetings, public notices, and other information.
- **Correspondence** – members of the public are able to write to the OJO on various matters. All correspondence should be addressed to The Executive Officer, PO Box 115, Narromine, NSW, 2821. Similarly correspondence can be submitted to the OJO via email at eo@oranajointorganisation.nsw.gov.au
- **Public Submissions** – significant policies, strategies and plans will be placed on public exhibition on the OJO website www.oranajointorganisation.nsw.gov.au
- **Complaints** – members of the public are able to submit complaints to the OJO. These should be addressed to the Executive Officer, PO Box 115, Narromine, NSW, 2821. Similarly correspondence can be submitted to the OJO via email at eo@oranajointorganisation.nsw.gov.au

5. HOW TO ACCESS OJO INFORMATION

The OJO is committed to providing an open and transparent environment enabling members of the public to access government information held by the OJO.

The GIPA Act provides for the right of access to certain information held by the OJO, unless there is an overriding public interest against its disclosure.

There are four main ways in which the OJO may provide access to information:-

- Open Access Information
- Proactive Release
- Informal Release
- Formal Access Application

5.1 Open Access Information

The following documents are defined as open access information under Section 18 of the GIPA Act and will be released without the need for a Formal Access Application:-

- OJO's current Information Guide (available on OJO website)
- Information about OJO contained in any document tabled in Parliament or by or on behalf of OJO other than any document tabled by order of either House of Parliament (available on request)
- OJO's policy documents (available on OJO website)
- OJO's disclosure log of Formal Access Applications (available on OJO's website)
- OJO's register of government contracts (if any) (available on OJO website)
- OJO's record of the open access information (if any) that it does not make publicly available on the basis of an overriding public interest against disclosure (available on OJO's website) and
- Such other government information as may be prescribed by the GIPA regulations as open access information (available on request)

The following additional documents are to be provided as open access information by OJO:-

INFORMATION ABOUT OJO

Information contained in the current version and the most recent previous version of the following records (whenever created)

- OJO's Code of Conduct and Procedures adopted under section 440(3) of the *Local Government Act* (available on OJO website)
- OJO's Code of Meeting Practice (available on OJO website)
- Annual Performance Statement (available on OJO website)
- Annual Financial Reports (available on OJO website)
- Auditor's Report (available on OJO website)
- OJO Charter (available on OJO website)
- Communication and Engagement Plan (available on OJO website)
- OJO's Expenses and Facilities Policy (available on OJO website)
- OJO Statement of Revenue Policy (available on OJO website)
- OJO Statement of Regional Strategic Priorities (available on OJO website)
- Annual reports of bodies exercising functions delegated by the local authority (available on request)
- Any codes referred to in the *Local Government Act* (available on request)

Information contained in the following records (whenever created)

- Returns of the Interests of Voting Representatives and Delegates (this document is available for inspection at the OJO office)
- Agendas and Business Papers for OJO Board Meetings (but not including business papers for matters considered when part of a meeting is closed to the public) (available on OJO website)
- Minutes of OJO Board Meetings, 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 (available on OJO website)
- Reports by the Chief Executive of the Office of Local Government presented at a meeting of the OJO Board in accordance with section 433 of the *Local Government Act* (available on request)

Information contained in the current version of the following records (whenever created)

- Register of investments (available on OJO website)
- Register of delegations (available on OJO website)
- Register of current declarations of disclosures of political donations kept in accordance with Section 328A of the *Local Government Act* (available on request)
- Performance improvement orders issued to OJO under part 6 of Chapter 13 of the *Local Government Act 1993* (available on request)

5.2 Proactive Release

Under section 7(3) of the GIPA Act, OJO must review its proactive release program at intervals of not more than 12 months.

OJO will make as much other information as possible publically available, unless there is an overriding public interest against disclosure. Such information may include frequently requested information, or information of public interest that has been released as a result of other requests.

5.3 Informal Release

Access to information which is not available as Open Access Information or Proactive Release Information may be provided through informal release.

OJO is able to release government information held by it in response to an informal request unless there is an overriding public interest against disclosure of the information.

OJO is able to release the information subject to any reasonable conditions it decides fit to impose and by any means it decides.

Applications for informal release should be made in writing addressed to the Executive Officer, Orana Joint Organisation, PO Box 115, Narromine, NSW, 2821 or by contacting OJO on 02 6889 9999.

5.4 Formal Access Application

When information is not available on the OJO website and is not otherwise routinely provided by OJO, information can be applied through a Formal Access Application. This form is available on the OJO website at www.oranajointorganisation.nsw.gov.au or by requesting a form direct from the Executive Officer.

The application form must be accompanied by the prescribed application fee of \$30. Additional \$30 hourly processing charges may be applied.

Please note that an application will be invalid if it does not meet the requirements for a Formal Access Application. It must:-

- Be in writing sent to or lodged at OJO office
- Clearly indicate that it is an access application made under the GIPA Act
- Be accompanied by the \$30.00 fee
- State the name of the applicant and a postal or email address as the address for correspondence in connection with the application
- Include such information as is reasonably necessary to enable the government information applied for to be identified.

5.5 Fees and Charges

The GIPA Act requires that Open Access Information held by OJO is to be made publicly available for inspection free of charge. The public is entitled to inspect these documents on OJO's website (unless there is an unreasonable additional cost to OJO to publish these documents on the website) and at the offices of OJO during ordinary office hours or at any other place as determined by OJO. Copies can be supplied for reasonable copying charges as set out in the OJO's Fees and Charges.

Formal Access Applications require a payment of the \$30.00 application fee and \$30.00 hourly processing charges may apply.

Internal reviews by OJO require a payment of \$40, however a fee will not apply for an internal review of the decision is a 'deemed refusal' because OJO did not process the application in time or the internal review is conducted because the Information Commissioner has recommended OJO reconsider its decision.

A 50% discount on processing charges may be available to holders of a pensioner concession card issued by the Commonwealth, a non-profit organisation and full time students. A 50 % discount may also be applicable on financial hardship grounds, or where the information applied for is of special benefit.

5.6 Copyright

Nothing in the GIPA Act or Regulations requires or permits OJO to make open access information available that in any way would constitute an infringement of copyright (section 6.6 GIPA Act).

6. FEEDBACK AND QUESTIONS

For further information on this Information Guide or if you experience difficulty in obtaining access to OJO documents, please contact the Executive Officer on 02 6889 9999.

7. RIGHTS AND RESPONSIBILITIES UNDER THE GIPA ACT

7.1 Public's Rights

Members of the public have a right to request a review of certain decisions made by OJO about the release of information under the GIPA Act.

There are three review options being an internal review; an external review by the Information Commissioner or an external review by the NSW Civil and Administrative Tribunal.

Further information can be found at the Information and Privacy Commission website on www.ipc.nsw.gov.au

7.2 Orana Joint Organisation's Responsibilities

Under the GIPA Act OJO is required to have an Information Guide. OJO must make government information publicly available as provided by its Information Guide.

OJO must adopt its Information Guide review the guide at intervals of not more than 12 months. OJO can update and amend its Information Guide at any time.

7.3 Role of the Information Commissioner

OJO must notify the Information Commissioner before adopting or amending its Information Guide and if requested to do so by the Information Commissioner, consult with the Information Commissioner on the proposed Information Guide or amendment.

The Information Commissioner can issue guidelines and model agency information guidelines in connection with OJO's Information Guide.

Complaints about OJO's conduct (including action or inaction) in the exercise of its functions under an Information Act can be made to the Information Commissioner in the following ways:-

Post - GPO Box 7011, SYDNEY, NSW, 2001

Phone - 1800 472 679

Email - ipcinfo@ipc.nsw.gov.au

In person - Level 17, 201 Elizabeth Street, Sydney, NSW, 2000

The Information Commission may decide to investigate, not to continue to investigate, or not investigate a complaint.

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