

EXTRACT FROM LOCAL GOVERNMENT ACT

5.94 Public can inspect certain local government information. Any person can attend the office of a local government during office hours and free of charge inspect, subject to section 5.95, any of the following in relation to the local government, whether or not current at the time of inspection-

- (a) code of conduct;
- (b) register of financial interests;
- (c) annual report;
- (d) annual budget;
- (e) schedule of fees and charges;
- (f) plan for principal activities (in the proposed or final form);
- (g) proposed local law of which the local government has given Statewide public notice under section 3.12(3);
- (h) local law made by the local government in accordance with section 3.12;
 - (i) regulations made by the Governor under section 9.60 that operate as if they were local laws of the local government;
- (j) text that -
 - (i) is adopted (whether directly or indirectly) by a local law of the local government or by a regulation that is to operate as if it were a local law of the local government; or
 - (ii) would be adopted by a proposed local law of which the local government has given Statewide public notice under section 3.12(3);
- (k) subsidiary legislation made or adopted by the local government under any written law other than under this Act;
- (l) any written law having a provision in respect of which the local government has a power or duty to enforce;
- (m) rates record;
- (n) confirmed minutes of council or committee meetings;
- (o) minutes of electors' meetings;
- (p) notice papers and agenda relating to any council or committee meeting and reports and other documents that have been-
 - (i) tabled at a council or committee meeting; or
 - (ii) produced by the local government or a committee for presentation at a council or committee meeting and which have been presented at the meeting;
- (q) report of a review of a local law prepared under section 3.16(3);
- (r) business plan prepared under section 3.59;
- (s) register of owners and occupiers under section 4.32(6) and electoral rolls;
- (t) contract under section 5.39 and variation of such contract;
- (u) such other information relating to the local government -
 - (i) required by a provision of this Act to be available for public inspection; or
 - (ii) as may be prescribed, in the form or medium in which it may for the time being be held by the local government.

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5.95. Limits on right to inspect local government information

- (1) A person's right to inspect information referred to in section 5.94 does not extend to the inspection of information-
 - (a) which is not current at the time of inspection; and
 - (b) which, in the CEO's opinion, would divert a substantial and unreasonable portion of the local government's resources away from its other functions.
- (2) A person's right to inspect information referred to in section 5.94 does not extend to the inspection of information referred to in paragraph (m), (n), (p) or (u) of that section if the information relates to any debt owed to the local government by a person other than the first-mentioned person.
- (3) Subject to subsection (4), a person's right to inspect information referred to in section 5.94 does not extend to the inspection of information referred to in paragraph (n) or (p) of that section if the meeting or that part of the meeting to which the information refers -
 - (a) was closed to members of the public; or
 - (b) in the CEO's opinion, could have been closed to members of the public but was not closed.
- (4) Subsection (3) does not apply in relation to information-
 - (a) that is a record of the decisions made at a meeting of a council, a committee or electors; or
 - (b) of a kind prescribed as being information that can be inspected by members of the public despite subsection (3).
- (5) A person's right to inspect information referred to in section 5.94 does not extend to the inspection of information referred to in paragraph (t) of that section if -
 - (a) the information relates to a matter other than the salary or the remuneration or benefits payable under the contract; and
 - (b) in the CEO's opinion, the information should not be available for inspection by members of the public because of the private nature of the information.

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5.96. Copies of information to be available

If a person can inspect certain information under this Division, the person may request a copy of the information and the local government is to ensure that copies are available and that the price at which it sells copies does not exceed the cost of providing the copies.

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5.97. Freedom of Information Act 1992 not affected

Nothing in this Division affects the operation of the Freedom of Information Act 1992.

