

## **Record of open access information not publicly available due to overriding public interest against disclosure**

Section 6 of the Government Information (Public Access) Act 2009 – *Mandatory proactive release of certain government information* states that:

- (1) An agency must make the government information that is its open access information publicly available unless there is an overriding public interest against disclosure.
- (2) Open access information is to be made publicly available free of charge on a website maintained by the agency (unless to do so would impose unreasonable additional costs on the agency) and can be made publicly available in any other way that the agency considers appropriate.
- (3) At least one of the ways in which an agency makes open access information publicly available must be free of charge. Access provided in any other way can be charged for.
- (4) An agency must facilitate public access to open access information contained in a record by deleting matter from a copy of the record to be made publicly available if inclusion of the matter would otherwise result in there being an overriding public interest against disclosure of the record and it is practicable to delete the matter.
- (5) An agency must keep a 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. The record is to indicate only the general nature of the information concerned.

In accordance with Section 6(5) of the Act, the following documents are not available on Council's website:

- Councillors' return of interests
- Return of interests of designated persons
- Leases and Licenses
- Submissions
- Notices and Orders

Council does not publish the above information to its website due to the personal information contained with each document. However, the documents may be available for viewing upon informal request or submission of a formal access application.

Please note that each request or application in relation to the provision of this information will be considered by Council by applying the public interest test. Access may be refused where there is an overriding public interest against disclosure due to personal information contained within the document, or for any other relevant consideration against disclosure contained in the GIPA Act.