

15 April 2024

Dr Albert Strickland

Via Email: foi+request-11250-dc85b9cf@righttoknow.org.au

Dear Dr Strickland

Request for internal review Freedom of Information request.

I refer to your email of 8 April 2024 requesting an internal review into Council's response to your Freedom of Information request.

Bega Valley Shire Council is legislated under the *NSW Government Information Public Access (GIPA) Act 2009* and our response to you was provided informally under that Act. I have consulted with the Information Privacy Commission who have advised the advice provided to you is not a reviewable decision under the GIPA Act.

More information about accessing information under the GIPA Act is available on Bega Valley Shire Council's website: <https://begavalley.nsw.gov.au/council/access-to-information-gipa>

This page includes information about what Council can refuse to disclose:

Is there any information that cannot be given out?

Sometimes there is an overriding public interest against disclosing certain information. Generally, Council must not publish and must refuse requests to disclose information in the 12 categories listed. Formal applications for 'excluded information' are invalid under the Act.

- *Information subject to an overriding secrecy law (26 specifically names Acts)*
- *Cabinet information*
- *Executive Council information*
- *Information subject to the direction or order of a court or other body with the power to receive evidence on oath, or to Parliamentary privilege*
- *Information subject to legal professional privilege*
- *'Excluded information' (judicial and prosecutorial information, information about complaints handling and investigative functions, competitive and market sensitive information, information in relation to specific functions about ranking and assessment of students completing the HSC)*
- *Documents affecting law enforcement and public safety*
- *Specific information relating to transport safety*
- *Specific information in relation to adoption procedures and records*
- *Specific reports concerning the care and protection of children*
- *Information contained in the Register of Interests kept in relation to the Ministerial Code of Conduct*
- *Specific information relating to Aboriginal and environmental heritage.*

Alternatively, the NSW Information Privacy Commission website also provides information and resources:

[Information and Privacy Commission New South Wales \(nsw.gov.au\)](https://www.ipc.nsw.gov.au)

If you have questions about how the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021* applies to a specific mobile dwelling you can submit an enquiry to Bega Valley Shire Council by emailing council@begavalley.nsw.gov.au and it will be directed to our Planning Services area for response.

Yours sincerely

Iliada Bolton

Ms Iliada Bolton
Public Officer