

RIGHT TO INFORMATION

- Intent** To support the community’s right to access information held by Cairns Regional Council (Council) in accordance with the *Right to Information Act 2009* and the *Information Privacy Act 2009*. This policy ensures that access to information is facilitated in a timely, fair and responsible manner, while maintaining appropriate protections for confidential and personal information as required under legislation.
- Scope** Applies to Councillors and Council staff and contracted service providers handling Council information under service arrangements. For the purpose of this policy, Council staff includes employees, contractors, consultants, volunteers and any other individuals engaged to perform work on behalf of Council. It covers all Council information and “documents of an agency”, regardless of format, location or storage medium.

DEFINITIONS

Term	Definition
Agency	Cairns Regional Council
Councillors	All elected representatives who hold (current) office with council, including the mayor.
Disclosure Log	A disclosure log is a part of an agency’s website that publishes documents, or information about how to obtain them, after they have been released under a Right to Information (RTI) application. Its purpose is to improve public access to information and reduce duplicate applications. [oic.qld.gov.au]
Document of an Agency	A document in the possession or under the control of an agency, or the agency concerned, whether created or received in the agency, and includes— <ul style="list-style-type: none"> (a) a document to which the agency is entitled to access; and (b) a document in the possession or under the control of an officer of the agency in the officer's official capacity.
Processing charge	in relation to an application for access to a document, means the charge prescribed under a regulation for searching for or retrieving the document, or making, or doing things related to making, a decision on the application.
Relevant Third Parties	A third party is any government, agency or person whose information is contained in a document and who may reasonably be expected to be concerned about its release.

PROVISIONS

These provisions are to be read in accordance with the *Right to Information Act 2009* (RTI Act) and the *Information Privacy Act 2009* (IP Act). These Acts establish the community's right to obtain information held by Council while ensuring personal information and other confidential material is appropriately protected.

Principles

Council is committed to supporting community access to information, maximising the amount of corporate information that is publicly available, and fostering a culture of openness and transparency. Council will apply the pro-disclosure principle, releasing information administratively where appropriate and using formal RTI processes as a last resort. Privacy will be protected through compliance with the Queensland Privacy Principles (QPPs) and sound records governance.

The RTI Act establishes a public right of access to documents in Council's possession or under Council's control. In establishing this right of access, the RTI Act sets out specific processes that must be followed in seeking access to Council documents as well as the grounds of exemption which can apply to prevent the disclosure of certain Council information and documents.

Responsibilities

Role	Responsibilities
Chief Executive Officer	<ul style="list-style-type: none">• The Principal Officer under the RTI Act.• Delegates RTI decision making authority to the Right to Information Officer.
Right to Information Officer	<ul style="list-style-type: none">• Is the decision maker for RTI access applications.• Receives, assesses and processes RTI applications, including determining scope, ensuring compliance, coordinating searches and making (or preparing) decisions on access.• Advises the public on how to access information, including whether it is available administratively, through the publication scheme or via a formal RTI application.• Manages proactive disclosure obligations, such as maintaining the publication scheme and disclosure log, and ensuring released information is published appropriately.• Liaises with Office of the Information Commissioner (OIC)
Team Leader Information Governance	<ul style="list-style-type: none">• Oversees RTI and privacy programs, publication scheme and disclosure log.• Undertakes internal reviews of RTI decisions.• Approves procedures, templates and staff training.
Councillors and Council Staff	<ul style="list-style-type: none">• Comply with RTI Act, IP Act and QPPs to ensure Council meets its legislative obligations.• Comply with all RTI and IP requirements, including correct handling, storage and disclosure of information, and contributing to lawful, timely processing of RTI requests.

Role	Responsibilities
	<ul style="list-style-type: none"> • Create and maintain accurate records to enable effective searches and ensure complete, reliable information is available for RTI decision-making and public access. • Support openness and transparency by ensuring information is managed and disclosed in line with the RTI Act's pro-disclosure principles, while protecting confidential or exempt information where required.
Contractors and contracted service providers handling Council information under service arrangements.	<ul style="list-style-type: none"> • Comply with IP Act and QPPs. • Protect Council information and support secure information handling.

Publication scheme

Council will publish and maintain a publication scheme on its website. The scheme will describe Council's functions, the information it holds and releases, how the public can access it, and any applicable fees.

Disclosure Log

A disclosure log is a public record that shows what information Council has released under the RTI Act. Council will publish on its disclosure log documents released to applicants under RTI, after the applicant has accessed them or after the access period lapses, except where publication is not permitted or appropriate. Council will remove any information that is unlawful to publish, defamatory, an unreasonable invasion of privacy, confidential or commercially sensitive. Council will never publish an applicant's personal information.

Administrative Access

Administrative access applications are ad hoc requests for a Council document or part of a document. The administrative release of information is to be in accordance with open and transparent governance and can reduce the need for a formal RTI access application. An administrative access request must be referred to the Right to Information Officer for consideration. The Right to Information Officer will assess the request to determine whether information can be released informally in line with the RTI Act's pro-disclosure principles and relevant legislative requirements.

RIGHT TO INFORMATION PROCESS

Making an Application

Applications are to be made in writing and must contain sufficient information to identify the documents that the applicant is seeking access to. When an applicant makes an access application that is not valid, the Council must make reasonable efforts to contact the application to provide the applicant with a reasonable opportunity to make the application a valid application. Once the application becomes a valid application, the statutory processing period commences.

Timeframes and Processing Charges

Council will process applications within the statutory processing period, issue charge estimate notices where relevant and explain any extensions. The RTI Act provides Council with a 25 business day processing period from Council's receipt of a valid application to provide a written decision. Day one of the processing period starts on the next business day after the application is deemed valid. Decision notices will set out findings, reasons and review rights.

Searching for Documents

The RTI decision maker must make and document reasonable searches across all business systems, network drives, devices, email and off-site storage. Council will keep written search records to support decisions and any reviews.

Third-Party Consultation

Where disclosure may reasonably be expected to affect the interests of relevant third parties, Council will consult and consider their views before making a decision regarding access.

Grounds for Refusal or Redaction

Council may refuse access if information is exempt or contrary to the public interest, or if processing would unreasonably divert resources, consistent with the RTI Act. Where practicable, Council will provide redacted copies that remove exempt information.

Providing Access

Access will be provided in the form requested where reasonable and lawful, including via secure download links that remain available for at least the statutory access period.

Review Rights

Applicants will be advised of their internal review and external review rights through the Office of the Information Commissioner (OIC). It is not necessary to have an internal review before applying for an external review.

RELATED DOCUMENTS

Information Privacy General Policy



This policy is to remain in force until otherwise determined by Council.

Director responsible for Review:

Director People and Organisational Performance

- ORIGINALLY ADOPTED:** 27/05/2026
- CURRENT ADOPTION:** 27/05/2026
- DUE FOR REVISION:** 27/05/2030
- REVOKED/SUPERSEDED:**

Ken Gouldthorp.

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Ken Gouldthorp
CHIEF EXECUTIVE OFFICER