



Policy document

Access to information

This Policy sets out the Commission's approach to the public release of information it holds.

Our role as the Commission

The Independent Planning Commission of NSW was established by the NSW Government on 1 March 2018 as an independent statutory body operating separately to the Department of Planning and Environment.

The Commission plays an important role in strengthening transparency and independence in the decision-making processes for major development and land use planning in NSW.

The key functions of the Commission include to:

- determine state significant development applications
- conduct public hearings for development applications and other matters
- provide independent expert advice on any other planning and development matter, when requested by the Minister for Planning or Planning Secretary

The Commission is the consent authority for state significant development applications when there are:

- more than 50 'unique' public objections
- reportable political donations
- objections by the relevant local Council and Council has not rescinded that objection following exhibition

For more information on our functions, please visit the About Us section on our website:

www.ipcn.nsw.gov.au.

What information do we hold?

Our Commission holds the following information:

- correspondence
- external stakeholder meeting records
- community member meeting records
- internal administrative information
- development applications and associated documents
- development assessment reports and associated documents
- submissions and representations
- Commission reports
- decision-related information
- Commission member meeting minutes
- contracts and related information
- hard copy
- web-based publications
- audio records and written transcripts of public meetings and hearings

What information do we make public?

We make much of the above information publicly available on our website. Additional examples include our:

- Annual Report
- Code of Conduct
- procedural guidelines
- media releases
- ministerial directions

- public hearing and meeting notes and transcripts
- submissions and representations
- Commission reports including advice and determination

Similar information not listed on the website may be made available upon request, either free of charge, at the lowest reasonable cost, or at the published cost.

Where can information be accessed?

On our website

Most of the information made available on our website informs the public of Commission activities, and assists their understanding of our roles, functions and decisions. Our website also holds information which legislation requires us to make public. All this information is free to download.

Information disclosure under the GIPA Act

Proactive Disclosure

OIPC may release information proactively under the Government Information (Public Access) Act (GIPA Act, 2009) if we believe doing so would serve an identified public interest.

Informal Disclosure

You can make an informal request for access to information held by our Commission at any time. Requests can be made by email or letter and is free of charge. The Commission encourages informal disclosure requests and is particularly able to assist when:

1. There is minimal work involved in searching, retrieving, compiling or deciding to release information
2. The requested information does not contain information that might impact third parties
3. The requested information:
 - is not in draft form
 - is not in pending final form
 - does not contain confidential information including commercial information, defamatory material, internal staff matters, and matters concerning legal proceedings

As an example, information that would not raise potential public interest concerns may be disclosed informally under the GIPA Act. Depending on the nature and extent of information requested, we reserve the right to require a formal access application.

Formal Disclosure

Information like draft Commission reports, internal administrative documents, documents concerning third parties, material given and received in confidence, and information that is difficult to find may require a formal application for disclosure.

Formal applications must be in writing and should provide enough detail for the information subject to be identified. Please note that a \$30 application fee applies.

Please direct formal applications to:

Executive Director
Office of the Independent Planning Commission
Level 15, 135 King Street
SYDNEY NSW 2000

Email: ipcn@ipcn.nsw.gov.au

Our 'Request for Access to Information' form can be downloaded from our website www.ipcn.nsw.gov.au, or be obtained by calling our office on (02) 9383 2100.

Processing a formal request for access to information

The Executive Director of the OIPC will acknowledge the request within five (5) working days. Decisions concerning access are normally made within 20 working days. If the processing time is extended or suspended, the OIPC will advise the applicant appropriately. Sometimes an applicant will be asked to clarify the request or be referred to another agency if the request relates more to their functions.

Access to information can be refused if there is an overriding public interest against disclosure. The OIPC will explain the refusal in a notice of decision. If a request for access is refused, the applicant has the right to an internal review, a review by the Office of the Information Commissioner (OIC), and review by the Administrative Decisions Tribunal (ADT).

Office of the Information Commissioner:
www.oic.nsw.gov.au/oic_home.html

Administrative Decisions Tribunal:
www.lawlink.nsw.gov.au/adt

More on accessing information

If you'd like to learn more about accessing information, please contact the Office of the Information Commissioner on 1800 463 626 (1800 INFOCOM), email oinfo@oic.nsw.gov.au, or visit the OIC website.

Access Charges

The following table lists the formal GIPA application charges. A fifty percent discount applies to charges if the applicant can provide evidence that he/she:

- Holds a Commonwealth Pensioner Concession Card
- Is a full-time student
- Represents a non-profit organisation, and can provide evidence the organisation is non-profit

A 50% discount also applies if it is demonstrated that information requested will be of special benefit to the public.

We also have the discretion to waive fees and charges and do so in appropriate circumstances.

NATURE OF APPLICATION	FEE	PROCESSING
Access to information on personal affairs <i>First 20 hours</i>	\$30	\$30 per hour, after 20 hours
All other requests	\$30	\$30 per hour
Internal review	\$40	Nil



For more information

Office of the Independent Planning Commission NSW

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SYDNEY NSW 2000

Phone: (02) 9383 2100

Email: ipcn@ipcn.nsw.gov.au

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