



## Policy document

# Access to Information

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

## 1. 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.

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- objections by the relevant local Council and Council has not rescinded that objection following exhibition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:

<https://www.ipcn.nsw.gov.au/about-us>

## 2. 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
- contracts and related information
- web-based publications
- audio records and written transcripts of public meetings and hearings

## 3. WHAT INFORMATION DO WE MAKE PUBLIC?

We make most of our information publicly available on our website. See the Commission's *Transparency Policy* for more information on what we proactively publish on our website.

## 4. 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 GIPA ACT

#### Proactive disclosure

OIPC may release information proactively under the *Government Information (Public Access) Act 2019* (GIPA Act) 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 the Commission at any time. Requests can be made by email or letter and are 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 or commercial information, defamatory material, internal staff matters, and matters concerning legal proceedings

Depending on the nature and extent of information requested, we reserve the right to require a formal access application.

### Formal disclosure

Information such as internal administrative documents, documents concerning third parties and material given and received in confidence 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, which can be paid via a cheque made out to the Office of the Independent Planning Commission (OIPC), or by other arrangement with the OIPC.

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](mailto:ipcn@ipcn.nsw.gov.au)

### Processing a formal request for access to information

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 or external review.

### More on accessing information

If you'd like to learn more about accessing information, please contact the Information and Privacy Commission:

<https://www.ipc.nsw.gov.au/about-us/contact-us>

### 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, or
- is a full-time student, or
- 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

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### For more information

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