

Agency Information Guide

Government Information (Public Access) Act 2009

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1. Introduction

Under the *Government Information (Public Access) Act 2009 (GIPA Act)* Landcom must publish an Agency Information Guide each year to be reviewed every twelve months. This is Landcom's Agency Information Guide for 2018.

The GIPA Act encourages government agencies to release more information, to ensure an open, accountable, fair and effective system of government in NSW. A copy of Landcom's Agency Information Guide can be obtained free of charge on its website or by contacting the Right to Information Officer whose contact details are provided under section 7 below.

2. About Landcom

(a) Context and objectives

Landcom is a state-owned corporation established under the *State Owned Corporations Act 1989* and the *Landcom Corporation Act 2001*.

Our principal objectives under the *Landcom Corporation Act 2001* are:

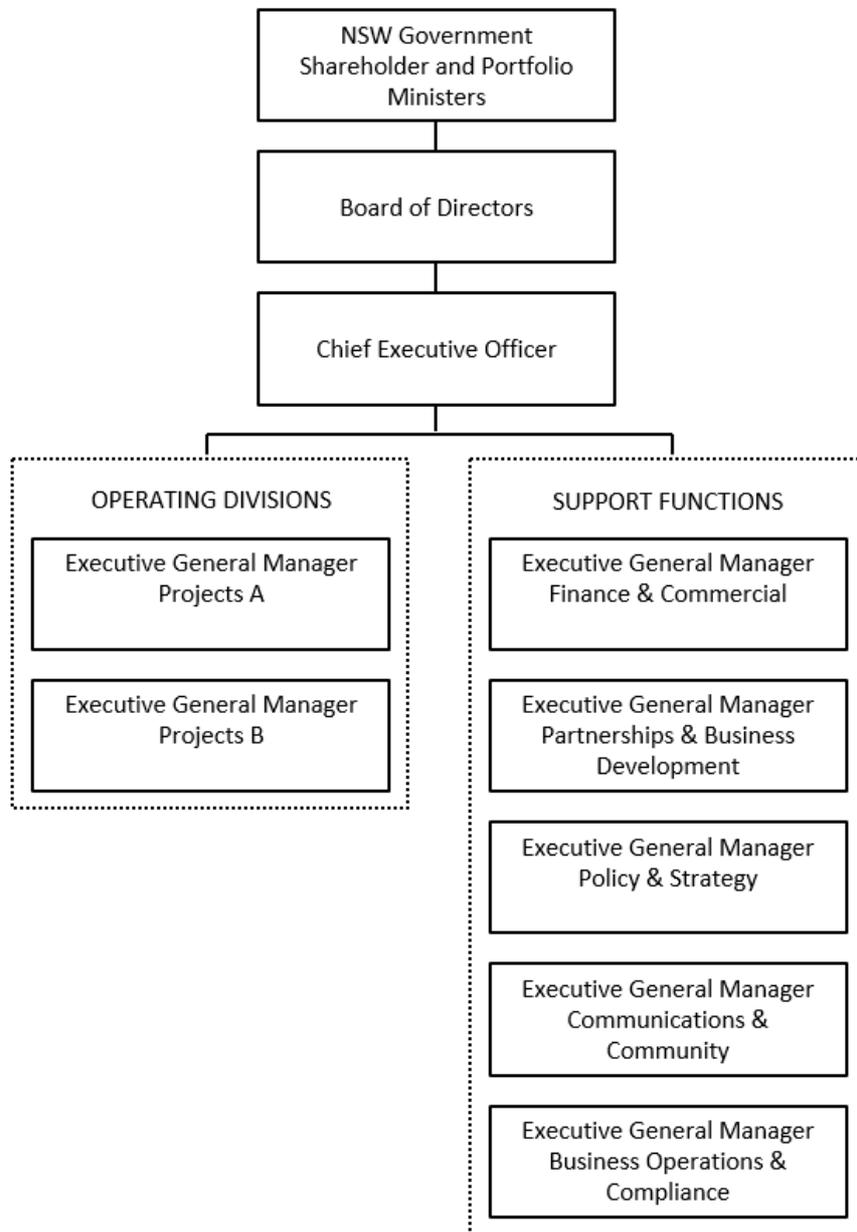
- to be a successful business and, to this end:
 - to operate at least as efficiently as any comparable business, and
 - to maximise the net worth of the State's investment in it,
- to exhibit a sense of social responsibility by having regard to the interests of the community in which it operates;
- to protect the environment by conducting its operations in compliance with the principles of ecologically sustainable development contained in section 6(2) of the *Protection of the Environment Administration Act 1991*;
- to exhibit a sense of responsibility towards regional development and decentralisation in the way in which it operates;
- to undertake, or assist the Government in undertaking, strategic or complex urban development projects;
- to assist the Government in achieving its urban management objectives; and

- to be a responsible developer of residential, commercial and industrial land.
- Each of the above principal objectives is of equal importance.

(b) Our business

Landcom is the NSW Government’s land and property development organisation. We are a state owned corporation working in conjunction with the private sector to produce quality housing and communities that also delivers social and economic benefits to the people of New South Wales. Our role is to deliver on the NSW Government’s housing agenda, which is currently focused on housing supply, affordability and diversity. We aim to achieve this on strategic and complex residential projects on both vacant land and established sites. We use Government owned sites and our close working relationships with the private sector to deliver quality residential communities that demonstrate industry-leading sustainable urban development. This is directly aligned with our Sustainability Strategy and its four goals focused on social, environmental, accountable and economic sustainability.

3. Organisational structure



4. Ways in which our objectives and functions affect the public

Landcom is the NSW Government's land and property development organisation. Our activities include master planning and partnering with the private sector to deliver strategic and complex residential projects on vacant or established sites. We also focus on delivering the local infrastructure that new communities need to grow and thrive. Our operations span across Greater Sydney or regional areas as directed by the NSW Government

To succeed in this work, we need meaningful participation of the many people and groups who have a stake in the evolution of our cities and the new places that we are tasked to deliver. This includes seeking participation from the public and the local communities who know these places the best.

5. Arrangements that enable the public to participate in the exercise of Landcom's functions and the formulation of policy

Landcom is committed to excellence in stakeholder engagement. We recognise that engagement enables us to identify common or shared goals with stakeholders and identify potential issues early. It also enables us to demonstrate accountability and transparency, facilitates a shared understanding of constraints and opportunities, provides greater legitimacy for decision-making, and contributes to better outcomes.

We have in place an overarching engagement framework called *Join In*, which provides a charter and protocol to guide our engagement activities. We also prepare and implement stakeholder engagement and communications strategies for individual projects. Information about projects is on our websites: www.landcom.com.au and project-specific websites accessible through the main website. Interested stakeholders can sign up for newsletter updates on Landcom's activities via the website. We will also contact identified stakeholders throughout the planning process on each project. Please contact us if you would like further information.

We also deliver community development programs which help establish a sense of place and community cohesion in a number of our greenfield residential projects. Information about these is also available on our website: www.landcom.com.au.

6. Information held by Landcom

Landcom holds a significant amount of information about its operations. Much of this information is available free of charge on our website or can be obtained by contacting the Right to Information Officer whose contact details are provided under Section 7 below.

This information includes the following:

(a) Our policies

There are official policies for many of Landcom's activities, some of which are referred to in our Annual Reports available on our website (www.landcom.com.au/newsroom/publications). Our policies are regularly reviewed and updated as required.

The Right to Information Officer can advise if there is a policy covering any of Landcom's activities which may be of interest. Subject to the provisions of the GIPA Act, this information will be provided free of charge.

(b) Other Information

Landcom makes available free of charge information relating to quality urban design and environmental practices, stakeholder engagement, and the organisation's activities. We regularly review whether any additional information can be proactively released through our different communication channels.

Also available free of charge, are other publications including our Annual Reports, Sustainability Reports, newsletters, news releases and organisational updates, as well as updates via social media. Most publications are available on our website: www.landcom.com.au or can be obtained by contacting the Right to Information Officer whose contact details are provided under Section 7 below.

(c) Contracts Register

Landcom's Contracts Register provides information about contracts classified as class 1, 2, & 3 under the GIPA Act. Landcom will assess any request for information about particular contracts on its merits and will be as open as possible, while taking care to safeguard any legitimate claims to confidentiality.

Please also note that Landcom is excepted from publishing contracts on its Contracts Register if those contracts:

- (i) are contracts for the sale of land, or
- (ii) are contracts relating to activities in a market where we are in competition with any other person.

7. Enquiries under Government Information (Public Access) Act

We welcome enquiries from members of the public via any of the following means:

Telephone:	Landcom Reception: (02) 9841 8600 during business hours 8.00 am – 6.00 pm Monday – Friday Right to Information Officer: (02) 9841 8626
In person	Level 14 60 Station Street Parramatta NSW 2150
Correspondence	PO Box 237 Parramatta NSW 2124 Fax: (02) 9841 8688 Email: right2info@landcom.nsw.gov.au
Websites	www.landcom.nsw.gov.au

(a) Informal requests

A person can make an informal request by any means for access to information, including in writing, by email or by making an oral request for access. Upon receipt of an informal request, the Right to Information Officer will undertake the necessary steps in accordance with the GIPA Act to determine whether it is appropriate to release the requested information in response to an informal access application. Depending on the size of the request, a processing fee may apply, particularly if processing your request

would take longer than two hours. You will be advised of any cost and how to pay prior to it being incurred.

(b) Formal Access Applications

Although Landcom is committed to releasing information without the need for a formal access application, in certain circumstances we may require a formal access application, particularly if:

- the information requested contains the personal information of another person;
- the information requested affects the business, commercial professional or financial interests of another person;
- there are significant public interest considerations that need to be taken into account in deciding whether to release the information to you; or
- your request is large and may be time consuming.

If you are unsure whether to make an informal or formal access application for information, please contact the Right to Information Officer.

(c) Lodging a Formal Access Application

A formal access application under the GIPA Act must be in writing and accompanied by an application fee of \$30. You can make an access application using an application form which is available on our website or by letter.

The GIPA Act requires that an access application must be a request for information, rather than for documents and must also include such information as is reasonably necessary to enable the government information applied for to be identified. This enables the application to be processed by applying the principles underpinning the GIPA Act, which are to provide prompt access to information at the lowest possible cost. As a result, please describe as clearly as possible the information to which you are seeking access.

Please send Formal Access Applications, including the application fee to:

The Right to Information Officer
Landcom
PO Box 237
PARRAMATTA NSW 2124

(d) Information that may not be available in response to a Formal Access Application

Although an access application may be made for any information, we may be unable to release information if there is an overriding public interest against the disclosure of the information.

Confidential, commercially sensitive and commercial-in-confidence information may not be available where its disclosure could affect Landcom's ability to fulfill its legislative objectives and functions as a state-owned corporation. These objectives include to operate on a commercially astute basis and to be a responsible developer of residential, commercial, and industrial land. There may therefore be an overriding public interest against the disclosure of information in documents such as contracts, board papers, reports and feasibility studies if their disclosure could impact detrimentally on Landcom's ability to operate as efficiently as any comparable business and maximise the net worth of the State's investment or which could undermine Landcom's competitive neutrality.

Some examples of the information that we will be unable to release in response to an access application include:

- Cabinet information (as defined in item 2 of Schedule 1 of the GIPA Act);
- Executive Council information (as defined in item 3 of Schedule 1 of the GIPA Act);
- Documents that are subject to Parliamentary or Legal Professional privilege;
- Documents relating to section 146 of the Threatened Species Conservation Act (item 12 of Schedule 1 of the GIPA Act); or
- Personal information of third parties.

(e) Formal Access Applications processing

Landcom must respond to all formal access applications within 20 business days, unless that date is extended under a number of possible relevant sections in the GIPA Act, by an additional 10-15 days, or by agreement between us if additional time is required due to the nature and volume of the information which is being sought. You will be advised as soon as possible of our response to your application.

In addition to the application fee, you may be required to pay additional charges to cover processing costs. If so, we will give you a statement of charges prior to proceeding with the processing. If we estimate that processing your application could take more than one hour you may be asked to pay a deposit in advance. A 50% reduction may apply in certain cases, such as if you are a pensioner, in financial hardship, or under 18 years of age, or on grounds of public interest.

When processing an application, we will endeavour to minimise the cost to you, and we may contact you to discuss ways to limit the cost of processing your application. You may appeal against the processing fees if you feel that they are unreasonable, and your right to challenge is not waived if the charges are paid. This allows you to proceed with your application, pending the outcome of the appeal.

Brochures explaining your rights under the GIPA Act are available from us (contact our Right to Information Officer).

The brochures are also available from the NSW Information & Privacy Commission as follows: -

Email	ipcinfo@ipc.nsw.gov.au
Phone	1800 472 679
Fax	(02) 8114 3756
Post	GPO Box 7011, Sydney NSW 2001
In-person	Level 17, 201 Elizabeth Street, Sydney