



## **Access to Information**

The Planning Assessment Commission is a statutory body established under the *Environmental Planning and Assessment Act 1979*. Its key functions include the provision of independent expert advice to the Minister for Planning and Infrastructure on a range of planning and development matters and determination of major development applications when those matters are delegated to it by the Minister.

Further information about the Commission's functions can be found under "Function and Delegation" of the Commission's website at [www.pac.nsw.gov.au](http://www.pac.nsw.gov.au).

### **The types of information which the Commission holds**

The Commission holds the following categories of information:

- correspondences
- records of meetings with external stakeholders and community members
- internal administrative information
- development applications and associated documents
- development assessment reports and associated documents
- submissions/representations
- Commission reports
- other decision-related information
- Commission members meeting minutes
- contracts and related information
- hard-copy and web-based publications.

### **The types of information the Commission makes publicly available**

The Commission makes much of the information in the above categories available on its website, including the following:

- annual report
- Code of Conduct
- Procedural Guidelines
- Media releases
- Directions from the Minister
- Notices of public hearings/public meetings
- Submissions/representations
- Commission reports including advices, review and determination

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

## **Where to access the information?**

### Website

Most of the information made available on the Commission's website is to inform the public of the Commission's activities and to assist their understanding of the Commission's roles, functions and decisions.

The website also holds information which legislation requires the Commission to make public. All this information is free to download.

### The Planning Assessment Commission Office (PAC Office)

The PAC Office provides information on the Commission's functions and procedures. The Commission reports and declaration of interest register in hard copy form are also available for inspection at the Office which is located at Level 3, 201 Elizabeth Street Sydney. The Office is open between 9am and 5pm, Monday to Friday. You can ring the PAC Office on 02 9383 2100 during business hours or fax on 02 9383 2133 or email to [pac@pac.nsw.gov.au](mailto:pac@pac.nsw.gov.au).

Photocopies of excerpts of publications cost 25c per black and white A3 or A4 sheet, \$1.50 per colour A4 sheet and \$2.20 per colour A3.

## **Information Disclosure Under The GIPA Act**

### Proactive disclosure

The Commission may release information proactively under the *Government Information (Public Access) Act 2009* (GIPA Act) if it considers to do so would serve an identified public interest.

### Informal disclosure

You may make an informal request for access to information held by the Commission at any time. Such request can be made by email or letter to the address provided above and is free of charge.

The Commission will generally view informal disclosure positively where the following criteria apply:

1. there is minimal work involved in searching for, retrieving or compiling and deciding on the release of the information
2. the information does not contain information relating to third parties which might cause them concern if the information was released
3. the information:
  - is not in draft form, or in final form but not yet approved; or
  - does not contain confidential information (including commercial information or defamatory material, internal staff disciplinary or grievance matters, or information concerning legal proceedings); or
  - is not prohibited from disclosure by legislation or copyrighted by a third party other than the State of NSW.

For example information which would not raise any potential public interest concerns against disclosure may be disclosed informally under the GIPA Act.

Depending on the nature and extent of the information requested, the Commission reserves the right to require a formal access application to be made,

### Formal disclosure

A range of information such as draft Commission reports, internal administrative documents, information concerning third parties, information given and received in confidence, and information that is difficult to locate, may require a formal application for the Commission to consider disclosure.

Formal applications must be in writing, and provide sufficient details to enable the information subject of the application to be identified. A \$30 application fee applies.

Formal applications should be directed to:

Director, Commission Secretariat  
Planning Assessment Commission  
Level 3, 201 Elizabeth Street  
Sydney NSW 2000  
Phone (02) 9383 2100  
Fax (02) 9383 2133

Request for Access to Information Form may be obtained by contacting the PAC Office or from the Commission's website [www.pac.nsw.gov.au](http://www.pac.nsw.gov.au).

### Processing a formal Request for Access to Information

The Director of the Commission Secretariat will acknowledge the request within 5 working days. A decision concerning access will normally be made within 20 working days. If the processing time has to be extended or suspended, the Commission Secretariat will advise the applicant accordingly. The applicant may be required to clarify the request. Sometimes a request may be referred to another agency if the request is more closely connected to the functions of that agency.

Access to information may be refused if there is an overriding public interest against disclosure. The Commission Secretariat will provide reasons why the information is refused in a notice of decision. If a request for access is refused, the applicant has rights both of internal review and review by the Office of the Information Commissioner (OIC) and the Administrative Decisions Tribunal (ADT). The links to the websites of the OIC and the ADT are:

OIC - [http://www.oic.nsw.gov.au/oic\\_home.html](http://www.oic.nsw.gov.au/oic_home.html)

ADT - <http://www.lawlink.nsw.gov.au/adt>

### Additional information about accessing information

If you require more information about accessing information, you should contact the Office of the Information Commissioner by calling free call 1800 INFOCOM (1800 463 626), email [OICinfo@oic.nsw.gov.au](mailto:OICinfo@oic.nsw.gov.au), or visit the OIC website above.

## Charges for Access

Table 1 below sets out the charges for processing a formal GIPA application. A 50 percent discount on charges applies if the applicant can provide evidence that he/she:

1. holds a Commonwealth Pensioner Concession Card; or
2. is a full-time student; or
3. represents a non-profit organisation and can provide evidence the organisation is non-profit.

There is also a 50 percent discount on charges if it can be demonstrated that the information requested is of special benefit to the public generally.

The Commission also has the discretion to waive fees and charges, and will consider doing so in appropriate circumstances.

**Table 1 GIPA application fees and charges**

Nature of Application	Application Fee	Processing
Access to information about your personal affairs, the first 20 hours	\$30	\$30 an hour after the first 20 hours
All other requests	\$30	\$30 per hour
Internal review	\$40	Nil

Endorsed by



Gabrielle Kibble AO  
Chairperson  
Planning Assessment Commission

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