



# Agency Information Guide Government Information (Public Access) Act 2009

## Contents

1. Introduction
2. About UrbanGrowth NSW Development Corporation
3. Ways in which UrbanGrowth NSW Development Corporation's objectives and functions affect the public
4. Information held by UrbanGrowth NSW Development Corporation
5. Enquiries under the *Government Information (Public Access) Act 2009*

## 1. Introduction

The *Government Information (Public Access) Act 2009* (GIPA Act) came into effect on 1 July 2010. Under the terms of the GIPA Act, UrbanGrowth NSW Development Corporation must publish an Agency Information Guide each year to be reviewed every twelve months. This is UrbanGrowth NSW Development Corporation's Agency Information Guide for 2017.

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 UrbanGrowth NSW Development Corporation'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 5 below.

## 2. About UrbanGrowth NSW Development Corporation

The UrbanGrowth NSW Development Corporation (Development Corporation) came into effect on 1 January 2013 under the *Growth Centres (Development Corporations) Act 1974* (Growth Centres Act). The Growth Centres Act is the primary legislation under which the Development Corporation operates. The Development Corporation has a Chief Executive Officer reporting directly to the Premier.

The UrbanGrowth NSW Development Corporation is the NSW Government's urban transformation agency. We work with our government, private sector and community partners to facilitate the delivery of complex, large-scale urban transformation projects to help meet the NSW Government's priorities of job creation, housing supply, and economic growth. We also champion sustainability leadership across our projects through our Sustainability Strategy, focused on social, environmental, accountable and economic sustainability. We are responsible for planning, coordinating and delivering major urban transformation programs including The Bays Precinct, Redfern to Eveleigh, Waterloo and Parramatta North, in association with our partners.

The Development Corporation was previously known as the Sydney Metropolitan Development Authority (SMDA) and the Redfern Waterloo Authority. There are five growth centres currently under the responsibility of the Development Corporation: Redfern – Waterloo, The Bays, Parramatta North, Cooks Cove and Granville.

### Objectives and Functions

The role of the UrbanGrowth NSW Development Corporation is to promote, co-ordinate, manage and secure the orderly and economic development of the growth centres under its responsibility.

The role of the Development Corporation includes:

- Working with transport and planning departments to identify precincts for renewal;
- Undertaking land use planning investigations and feasibility analyses;
- Delivering an overarching precinct plan;
- Coordinating transport and infrastructure planning;
- Planning for open space in identified precincts;
- Levying infrastructure contributions and entering into planning agreements;
- Dealing with land where appropriate;
- Borrowing and managing funds; and
- Partnering with public agencies and private entities when necessary.

### **3. Ways in which our Objectives and Functions affect the Public**

The functions of the UrbanGrowth NSW Development Corporation positively impact the public through the management of government and non government stakeholders to benefit the local community within the area of operation.

The Development Corporation presently collects development contributions and affordable housing contributions, levied from developments in the Redfern-Waterloo Growth Centre.

The Development Corporation is required to spend these contributions in the Redfern-Waterloo Growth Centre and has allocated funds to projects identified in the *Redfern Waterloo Contributions Plan 2006*.

The Development Corporation is also involved in a range of community initiatives supporting local organisations, businesses and schools.

### **4. Information held by UrbanGrowth NSW Development Corporation**

UrbanGrowth NSW Development Corporation 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 5 below.

This information includes the following:

#### **(a) Our Policies**

Those official policies which apply to UrbanGrowth NSW Development Corporation's activities and are likely to affect the public, are available on our website ([ugdc.nsw.gov.au](http://ugdc.nsw.gov.au)). These are regularly reviewed and updated as required.

The Right to Information Officer can advise if there is a policy covering any of UrbanGrowth NSW Development Corporation'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**

UrbanGrowth NSW Development Corporation makes available free of charge information relating to quality urban design and environmental practices. Also available free of charge are other publications and newsletters including our Annual Reports. Most publications are available on our website ([ugdc.nsw.gov.au](http://ugdc.nsw.gov.au)). They can also be obtained by contacting the Right to Information Officer whose contact details are provided under Section 5 below.

#### **(c) Contracts Register**

UrbanGrowth NSW Development Corporation's Contracts Register provides information about contracts classified as class 1, 2, & 3 under the GIPA Act. UrbanGrowth NSW Development Corporation 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.

## 5. Enquiries under Government Information (Public Access) Act

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

Telephone: UrbanGrowth NSW Development Corporation  
Monday – Friday during business hours 9.00 am– 5.00 pm  
Right to Information Officer: (02) 9841 8600

Website: [www.ugdc.nsw.gov.au](http://www.ugdc.nsw.gov.au)

Email: [righttoinformation@ugdc.nsw.gov.au](mailto:righttoinformation@ugdc.nsw.gov.au)

### (a) Informal requests

A person can make an informal request for access to information by any means, 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. No fee applies to the making of an informal request for access to government information.

### (b) Formal access applications

Although UrbanGrowth NSW Development Corporation 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 or business affairs 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;
- the 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 access applications, including the application fee to:

The Right to Information Officer  
UrbanGrowth NSW Development Corporation  
Level 12, 19 Martin Place, Sydney, NSW 2000

#### **(d) Information that may not be not 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 the UrbanGrowth NSW Development Corporation's ability to fulfill its objectives and functions.

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

- 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).

#### **Access Applications Processing**

The UrbanGrowth NSW Development Corporation 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 Government Information (Public Access) Act are available from us (contact our Right to Information Officer).

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

<b>Email</b>	<a href="mailto:ipcinfo@ipc.nsw.gov.au">ipcinfo@ipc.nsw.gov.au</a>
<b>Phone</b>	1800 472 679
<b>Fax</b>	(02) 8114 3756
<b>Post</b>	GPO Box 7011, Sydney NSW 2001
<b>In-person</b>	Level 17, 201 Elizabeth Street, Sydney