

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 2023-2024.

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.

This Agency Information Guide is reviewed regularly and at least every 12 months. It was last reviewed in October 2023 and is available on our website at [Agency Information Guide – Government Information \(Public Access\) Act 2009 \(landcom.com.au\)](https://www.landcom.com.au/Agency-Information-Guide-GIPA-Act-2009).

We value your feedback on this Agency Information Guide to ensure that we achieve the highest levels of accessibility. You can provide feedback to us on the Agency Information Guide by phone to 9841 8600 or email to right2info@landcom.nsw.gov.au.

2 About Landcom

2.1 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,
- Exhibit a sense of social responsibility by having regard to the interests of the community in which it operates;

- 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*;
- Exhibit a sense of responsibility towards regional development and decentralisation in the way in which it operates;
- Undertake, or assist the Government in undertaking, strategic or complex urban development projects;
- Assist the Government in achieving its urban management objectives; and
- Be a responsible developer of residential, commercial and industrial land.

Each of the above principal objectives is of equal importance.

2.2 Our business

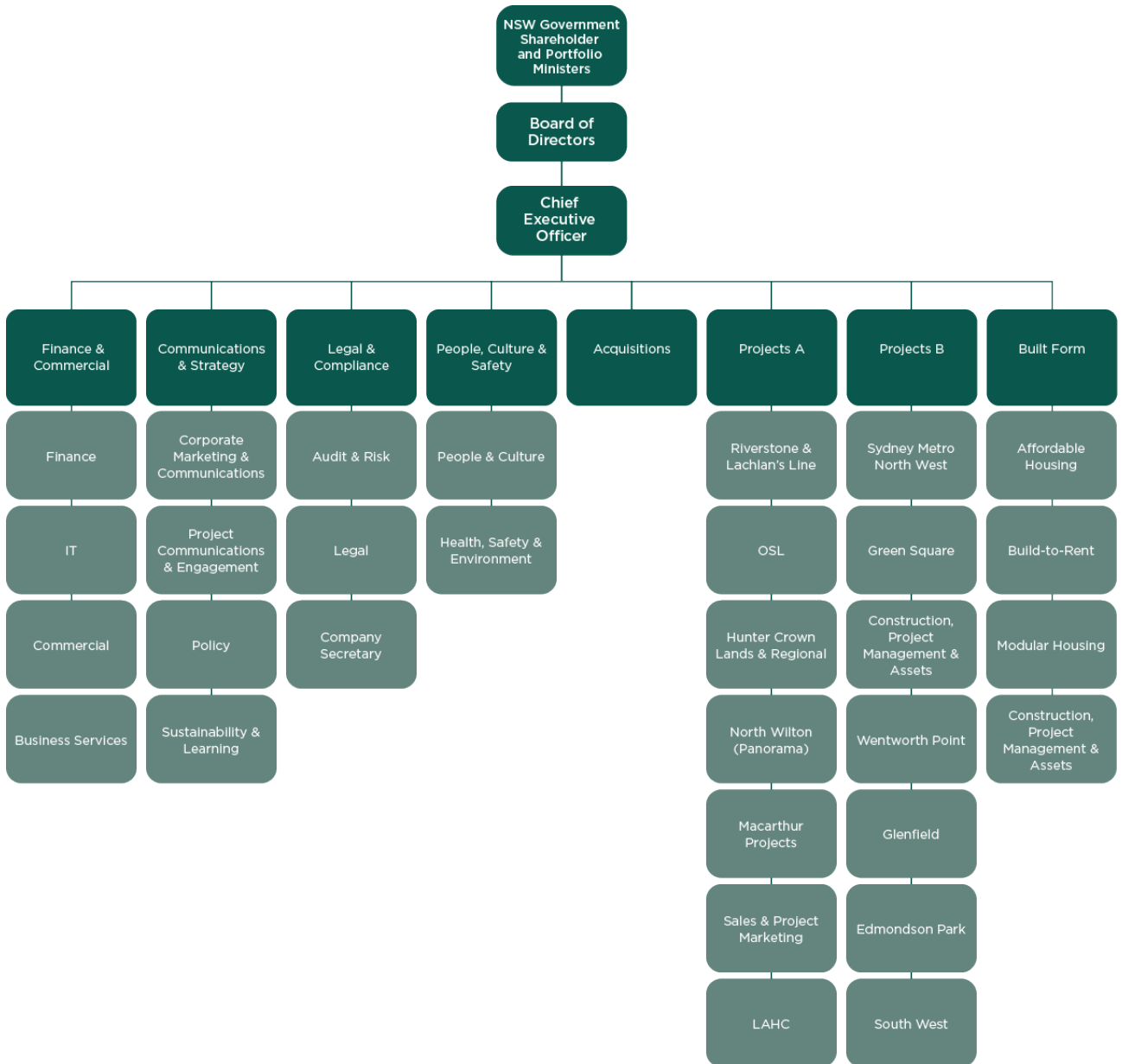
Landcom is a NSW Government owned land and property development organisation. We are a commercial business that develops land to achieve both public outcomes and financial benefits for the people of NSW.

We enable development by de-risking and unlocking strategic and complex sites in collaboration with landowners and the market.

We supply home sites through the delivery of masterplanned communities and development projects, with a focus on expanding the stock of affordable and diverse housing.

Landcom's ambition is to make a positive difference to people's lives in NSW by increasing the supply, affordability and diversity of housing and creating sustainable communities.

3 Organisational Structure



4 How Landcom Engages with the Public

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

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 regions and the new places that we are tasked to deliver. This includes seeking meaningful input and participation from the public and the local communities who know these places the best.

Because Landcom aims to create innovative and productive places that demonstrate global standards of liveability, resilience, inclusion, affordability and environmental quality, we collect information and data about our existing projects to guide the way we deliver new projects. Each year, we publish a [Sustainability Report](#) which includes a discussion of our material sustainability issues. It is also an account of our sustainability performance during the relevant reporting period against our [Sustainable Places Strategy](#).

Landcom is committed to stakeholder engagement and to continued learning and improvement in our engagement practice, to help achieve our ambition. 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 place outcomes.

We have in place an overarching engagement framework called [Join In](#), which provides a charter and protocol to guide our engagement activities. We 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 project updates on Landcom’s activities via the website. We endeavour to engage with identified stakeholders early in the planning process on each project to help us understand and consider their views when developing project plans. In making project decisions we seek to balance community and stakeholder interests and aspirations alongside site constraints, planning controls, Landcom’s housing affordability, diversity and sustainability targets, and development feasibility considerations. Please contact us if you would like further information.

In a number of our projects, we also deliver community development programs which help establish a sense of place and community cohesion.

5 Feedback and Questions

Landcom communicates with the public regularly through a number of electronic channels and provides fast and easy ways for the public to approach us or provide us with feedback.

We use our website, www.landcom.com.au, social media (including LinkedIn, Facebook and Twitter), email groups, and digital newsletters to communicate with the public. Interested stakeholders can subscribe to project updates and Landcom’s corporate newsletter via our website. When we are engaging on particular projects, we use different engagement methods suitable for the particular community and purpose of engagement. These may include community information sessions, online consultation, workshops, surveys and focus groups, for example.

We also welcome input and feedback from the public and our customers and stakeholders regarding our, services and publications. We receive a range of diverse correspondence, compliments and complaints through a variety of channels including our website, emails, letters, phone calls and social media.

Members of the public are encouraged to provide feedback on our services and publications. This feedback is important to us and assists us to inform our policies and publications and improve our services.

All feedback, compliments and complaints are dealt with confidentially and personal information is managed in accordance with Landcom's [Privacy Policy](#).

In addition, members of the public, our stakeholders and staff are encouraged to report issues or conduct that concerns them using Landcom's externally managed [Speak Up Integrity Hotline](#), available on the Landcom website, with all reports confidentially referred to the appropriate area within Landcom for review and action.

6 How to access Landcom's Information

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:

6.1 Our policies

There are official policies for many of Landcom's activities, some of which are available on Landcom's website ([Landcom Policies - Landcom or Publications - Landcom](#)) or referred to in our Annual Reports which is also available on our website. 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.

6.2 Other information

Landcom makes available free of charge information relating to the organisation's activities including research publications, stakeholder engagement information and reports, and project studies. 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, Reconciliation Action Plan, Modern Slavery Statement, 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.

Landcom's program for the proactive release of information involves regularly updating the Landcom website and individual project websites to provide information regarding our policies, projects and initiatives. In addition, we regularly build on our industry knowledge and expertise through the work we do. Where we can, we share our knowledge freely within government, throughout the development industry and among interested members of the general public. We have adopted this practice as an effective way to build and maintain credibility. Our decision to share our intellectual property is also an effective way for us to demonstrate and influence change.

In most cases, there are no set fees for the provision of specific types or categories of information and Landcom will provide most information free of charge. However a processing fee may apply if processing the request and providing the information would take longer than two hours (except for requests for personal information where the first 20 hours of processing time are free, in accordance with section 67 of the GIPA Act). If fees apply, a nominal processing fee of \$15 per hour, may be charged. You will be advised of any cost and how to pay prior to it being incurred.

Landcom recognises the value of sharing data with other parts of government, industry and other stakeholders to support better decision-making. This includes publishing information on the [NSW Planning Portal](#) relating to the development of land or other relevant NSW government open data portals via data.nsw.gov.au. While other data sets are not normally the type of large sets that might made available on the NSW Government open data portal, we regularly share data as required and appropriate to share knowledge and improve decisions. Examples include:

- Sharing stakeholder engagement outcomes data with project partners including state government agencies and industry partners;
- Sharing research data with research collaborators including universities, state and local government and industry; and
- Sharing project plans with government to assist with state housing forecasts.

6.3 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 8.30 am – 5.30 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
Website	www.landcom.com.au

7.1 Informal requests

A person can make an informal request by any means for access to information, including in writing, by email or by making a verbal 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.

7.2 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 see the [Right to Information page](#) on the Landcom website or contact the Right to Information Officer. A [GIPA access application form](#) is available which can be used to formally request information from us.

7.3 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

Applications can also be emailed, and arrangements made to transfer the \$30 electronically. Please contact Landcom's Right to information Officer if you wish to make an application in this way.

7.4 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.

7.5 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.

8 The Role of the NSW Information Commissioner Under the GIPA Act

The Information and Privacy Commission NSW (**IPC NSW**) promotes and protects privacy and information access rights in NSW and provides information, advice, assistance and training for agencies and individuals on privacy and access matters.

The role of the NSW Information Commissioner is to promote public awareness and understanding of the right to access government information in NSW, as well as providing

information, support, advice, assistance and training to agencies and the general public. The Commissioner also **has the** power to review decisions made by other NSW government agencies and deal with complaints about information access, monitor agency functions and report to the Attorney General about proposals for legislative or administrative change.

Brochures and information explaining your rights under the GIPA Act are available from Landcom’s Right to Information Officer. These brochures and information are also available from the IPC NSW as follows:

Email	ipcinfo@ipc.nsw.gov.au
Phone	1800 472 679
Post	GPO Box 7011, Sydney NSW 2001
Address	Level 15, McKell Building, 2-4 Rawson Place, Haymarket NSW 2000