



Office of
Environment
& Heritage

Government Information (Public Access) Act 2009

OEH Information Guide



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Published by:

Office of Environment and Heritage

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Phone: (02) 9995 5000 (switchboard)

Phone: 131 555 (environment information and publications requests)

Phone: 1300 361 967 (national parks, general environmental enquiries, and publications requests)

Fax: (02) 9995 5999

TTY users: phone 133 677, then ask for 131 555

Speak and listen users: phone 1300 555 727, then ask for 131 555

Email: info@environment.nsw.gov.au

Website: www.environment.nsw.gov.au

Report pollution and environmental incidents

Environment Line: 131 555 (NSW only) or info@environment.nsw.gov.au

See also www.environment.nsw.gov.au

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Contents

| | | |
|-----|---|---|
| 1. | What is an agency information guide? | 1 |
| 2. | OEH structure and functions..... | 1 |
| 3. | Effect of functions on members of the public | 2 |
| 4. | Public participation in OEH policy formulation | 2 |
| 5. | Information held by OEH..... | 3 |
| 6. | Accessing information..... | 3 |
| 6.1 | Open access information | 4 |
| 6.2 | Proactively released information | 4 |
| 6.3 | Informally released information | 4 |
| 6.4 | Formally released information | 4 |
| 6.5 | Personal information | 5 |
| 6.6 | Information required by legislation to be made publicly available | 5 |
| 7. | Help in accessing information | 5 |
| 8. | Charges for accessing information | 6 |
| 9. | More information about the GIPA Act and the privacy legislation | 6 |

1. What is an agency information guide?

Section 20 of the [Government Information \(Public Access\) Act 2009](#) (GIPA Act) requires agencies to develop and adopt an agency information guide as part of their mandatory open access information which describes:

- the structure and functions of the agency
- how the agency's functions (in particular, its decision-making functions) affect members of the public
- how members of the public can participate in policy formulation and the exercise of the agency's functions
- the various kinds of government information held by the agency and how information is made publicly available
- how people can access information
- the information that is (or will be) made public and whether or not a fee is imposed.

The Office of Environment and Heritage (OEH) is a separate office within the NSW Department of Premier and Cabinet.

This OEH information guide (which also incorporates the NSW Environmental Trust) sets out the information identified above. It will be reviewed within 12 months of adoption in accordance with section 21 of the GIPA Act.

2. OEH structure and functions

OEH is vested with statutory, policy and administrative responsibility to deliver services in regional and metropolitan NSW to achieve five key results:

- our heritage is shared and celebrated
- increased tourism and visitation in our national parks and reserves
- healthy and protected landscapes
- thriving local communities and environments
- excellence in customer service and business reform.

The agency supports the Premier, the Minister for the Environment and Minister for Heritage in performing their executive and statutory functions.

In carrying out its responsibilities, OEH operates under the Government's 10-year plan – [NSW 2021: A plan to make NSW number one](#) – and has powers under a range of [NSW environmental legislation](#).

OEH administers programs on behalf of the [NSW Environmental Trust](#) and provides support for the [Heritage Council of NSW](#), the [National Parks and Wildlife Advisory Council](#) and the [Aboriginal Cultural Heritage Advisory Committee](#).

OEH has over 3000 staff in locations across NSW.

The agency manages more than 7 million hectares of national parks and reserves, and helps conserve and protect over 70,000 Aboriginal sites, objects and places identified and recorded in NSW.

Other OEH services include education, community engagement, energy efficiency, historic heritage, volunteering, environmental water management and conservation of private land.

The [Interim OEH Corporate Plan](#) sets out the agency's corporate goals and priorities.

OEH has the following [functional areas](#):

- Policy
- National Parks and Wildlife Service
- Regional Operations (including Heritage)
- Strategy, Performance and Services
- Science
- Legal.

More information about the [OEH structure](#) can be found on the agency's website (www.environment.nsw.gov.au) and in its [annual reports](#).

Details on how to access information about other entities within the environment and heritage portfolio can be found at:

- [Centennial Park and Moore Park Trust](#)
- [Environment Protection Authority](#)
- [Sydney Living Museums](#) (Historic Houses Trust)
- [Lord Howe Island Board](#)
- [Parramatta Park Trust](#)
- [Royal Botanic Gardens and Domain Trust](#)
- [Western Sydney Parklands Trust](#)
- [Taronga Conservation Society Australia](#).

The [NSW Scientific Committee](#) also maintains its own agency information guide.

3. Effect of functions on members of the public

OEH functions have a broad effect on members of the public through, for example:

- delivering policies to support [conservation](#), [public reserves](#), [Aboriginal cultural heritage](#) and [corporate services and governance](#) functions
- licensing and enforcement regimes for a range of issues
- specifying what recreation and other activities can take place on OEH-managed land and waters while maintaining important conservation values
- monitoring and reporting on [air quality](#) and [water quality](#)
- encouraging [sustainable environments](#)
- working with communities to identify and preserve important [heritage places and objects](#).

4. Public participation in OEH policy formulation

The health and conservation of the environment and heritage depends on community commitment and its involvement at all levels from policy development to everyday business, recreational and domestic activities. This includes all sectors: business, industry, environment groups, Aboriginal communities, individuals, landholders, and state, local and federal government bodies. OEH works with all these groups to implement an integrated environment protection framework for NSW and protect our natural resources and cultural and built heritage.

The community participates in policy formulation through OEH's various consultative bodies. Public comment is also sought on:

- the development of [legislation, policies, plans, programs and guidelines](#), including park plans of management, wilderness declarations and conservation agreements
- strategies to promote [sustainable living](#) and participate in environmental activities, including [volunteering](#) in, and [visiting](#), national parks and reserves
- the development of [heritage](#) projects, funding and advice.

The OEH website (www.environment.nsw.gov.au) regularly features calls for public comment and describes how to make submissions. OEH is also making greater use of [social media](#) networking, mobile phone apps and online [consultation portals](#) to increase public engagement. If unsure whether public comment is being sought on a particular issue or where to send your comments, contact the [Information Centre](#) for help.

5. Information held by OEH

OEH holds a wide variety of information about its operations, procedures and policies, along with data and other information relating to its functions. Major categories of information are:

- documents such as [policies](#) (e.g. [corporate policy documents](#)); scientific, technical and research reports; environmental guidelines, procedures and manuals; [publications, reports and brochures](#); maps and plans; and documents on internal administration of the agency (briefing papers, submissions, correspondence, delegations, memorandums and minutes)
- documents provided to OEH by members of the public, agencies, businesses, community organisations and other third parties
- information held in electronic, digital, visual and audio form on our websites, in emails and databases, and as CDs, DVDs and audio recordings.

Much of the information is publicly available free of charge on the [OEH website](#), through our [Information Centre](#), [OEH offices and visitor centres](#) and [public registers](#). Information is available for inspection or purchase at the lowest reasonable cost.

OEH has a vision that, through its flagship *Open OEH* program, the agency's services, information and data will be open, available, accessible and useful to the community anywhere and any time.

6. Accessing information

You can access:

- [open access information](#) (that which is required to be made publicly available under the GIPA Act, including information that OEH formally releases under the GIPA Act)
- proactively released information
- informally released information
- other information that is required by legislation to be made publicly available.

If the information you seek is not already available, you can:

- ask OEH to proactively release more information
- ask OEH to informally release information
- formally ask OEH for information if you cannot access it any other way.

6.1 Open access information

You can access information that OEH is obliged to make publicly available under the GIPA Act (including this guide) such as:

- [policy documents](#)
- information formally released under the GIPA Act (see [disclosure log](#))
- the [register of contracts](#) with the private sector valued at \$150,000 or more
- documents [tabled in Parliament](#)
- information concerning [major assets and the disposal of properties](#)
- [Guarantee of Service](#)
- [Code of Ethical Conduct](#)
- [Ministerial media releases](#)
- [Ministerial overseas travel](#).

6.2 Proactively released information

Information OEH has proactively made available may be downloaded from the OEH website, including from:

- databases, such as the [Atlas of NSW Wildlife](#)
- the [air quality monitoring network](#)
- the [State Heritage Register](#).

The [Beachwatch and Harbourwatch](#) information line (phone 1800 036 677) provides a daily summary of water quality at ocean and harbour beaches in Sydney and beaches in the Hunter and Illawarra regions, including whether there is any risk of bacterial contamination from contact with the water.

Ask to access information such as public submissions on proposals that may be made available at [OEH offices](#) or request OEH to proactively release more information.

6.3 Informally released information

Contact an [OEH office](#) when making an [informal request](#) for information that is not currently publicly available or that you think may have already been informally released. If you don't know which office may have released the information or which office may hold the information you seek, see Section 7: [Help in accessing information](#).

OEH will try to meet your request whenever possible, but sometimes a [formal application](#) under the GIPA Act will be required, such as where the information relates to someone else's personal or business information or the information is confidential in nature.

6.4 Formally released information

Refer to the [disclosure log](#), which sets out details of information that is formally released under the GIPA Act and may be accessed by members of the public.

If you want information that is not already available or access has been refused to an informal request, you can lodge a [formal application](#) under the GIPA Act. Try to use this as a last resort as costs are involved. OEH will give you as much information as possible, but there may be times when there is an [overriding public interest against disclosure](#) of some information. This can apply to information that:

- is confidential
- would breach a person's privacy

- would prejudice someone's business, commercial, professional or financial interests
- would affect law enforcement
- relates to any system or procedure for protecting the environment or the life, health or safety of any animal or other living thing, or threaten the existence of any species
- if disclosed, would prejudice the conservation of any place or object of natural, cultural or heritage value, or reveal any information relating to Aboriginal or Torres Strait Islander traditional knowledge.

There is a conclusive [overriding public interest against disclosure](#) of:

- Cabinet information
- information that is subject to legal professional privilege
- information relating to sensitive threatened species or Aboriginal cultural heritage issues contained in a document that is the subject of a declaration made under section 161 of the [National Parks and Wildlife Act 1974](#)
- information concerning the location of critical habitat that has been determined under section 146 of the [Threatened Species Conservation Act 1995](#) should not be disclosed to the public.

You will be advised of your [review rights](#) if you are not happy with decisions made formally under the GIPA Act

6.5 Personal information

Ask for your personal information that may be held by OEH either [informally](#) or by way of [formal application](#) under the GIPA Act, [Privacy and Personal Information Protection Act 1998](#) or [Health Records and Information Privacy Act 2002](#). Refer to the website page [Your privacy](#).

6.6 Information required by legislation to be made publicly available

Almost all information that is required by legislation is on the OEH website, for example:

- information in our various environmental and conservation [public registers](#) and [heritage registers](#)
- [determinations](#) by the [NSW Scientific Committee](#) concerning threatened and endangered species
- results of the five-year [review of the status of state conservation area lands](#)
- the register of items and land subject to [heritage orders, notices and agreements](#).

7. Help in accessing information

OEH Information Centre

Contact details for the [OEH Information Centre](#)

Phone:

- 131 555 (environment information and publications requests) for the cost of a local call within NSW (mobiles excluded)
- 1300 361 967 (national parks information and publications requests) for the cost of a local call within Australia (mobiles excluded)
- (02) 9995 5000

Fax: (02) 9995 5999

Email: info@environment.nsw.gov.au

Street address:

Level 14, 59 Goulburn Street
Sydney

Publications may be obtained over the counter between 8:30 am and 5:00 pm Monday to Friday.

Postal address: PO Box A290, Sydney South NSW 1232

OEH offices

Contact details for OEH offices are available on the [OEH website](#) or phone the Information Centre on 131 555 or (02) 9995 5000. You can contact an OEH office directly to make an informal request for information.

Right to Information/Privacy Officer

For help with making a formal request for personal or non-personal information held by OEH, contact a [Right to Information/Privacy Officer](#) by calling (02) 9995 6080 or 9995 6497.

8. Charges for accessing information

OEH provides information free of charge whenever possible where it is requested informally. Otherwise, a charge will be at the lowest reasonable cost. The cost of publications is available from the [Information Centre](#) or [Government Online Shop](#).

There are charges for lodging a [formal application](#) for information under the GIPA Act – a \$30 application fee and \$30-per-hour processing charge after the first hour. A 50% reduction may be given in cases of proven financial hardship, for full-time students or non-profit organisations, or where there is a proven public benefit in the information.

Requests for personal information are free if sought under the [Privacy and Personal Information Protection Act 1998](#) or [Health Records and Information Privacy Act 2002](#). However requests for [personal information](#) under the GIPA Act involve a \$30 application fee and a \$30-per-hour processing charge after the first 20 hours.

9. More information about the GIPA Act and privacy legislation

- Contact an OEH [Right to Information/Privacy Officer](#) by calling (02) 9995 6080 or 9995 6497.
- Refer to the [GIPA Act webpage](#) and the [privacy webpage](#) on the OEH website.
- Contact the Information and Privacy Commission:
Phone: 1800 472 679
Email: ipcinfo@ipc.nsw.gov.au
Postal address: GPO Box 7011, Sydney NSW 2001
Street address: Level 11, 1 Castlereagh Street, Sydney
Website: www.ipc.nsw.gov.au