



Office of
Environment
& Heritage

Government Information (Public Access) Act 2009

OEH Information Guide

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Published by:

Office of Environment and Heritage
59 Goulburn Street, Sydney NSW 2000
PO Box A290, Sydney South NSW 1232
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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1. What is an agency information guide?

Sections 6 and 18-22 of the [Government Information \(Public Access\) Act 2009](#) (GIPA Act) require 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
- the various kinds of government information that the agency makes (or will make) publicly available and how this is done
- the information that is (or will be) made publicly available free of charge and those kinds for which a charge is (or will be) imposed.

Under the *Government Sector Employment Act*, the Office of Environment and Heritage (OEH) is an Executive Agency related to the NSW Department of Planning and Environment.

This OEH information guide sets out the information identified above. It is reviewed every 12 months 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 the following seven goals:

- Ensure vibrant natural assets for the health and prosperity of NSW
- Protect, celebrate and share our heritage
- Support economic development without devaluing the environment
- Help save the environment and money through efficient use of resources
- Encourage communities to enjoy their national parks and value their local environment
- Build resilience to climate change and environmental hazards and risks
- Become a more agile, effective, innovative and customer-focussed organisation

In carrying out its responsibilities, OEH operates under the Government's State Priorities – [NSW Making it happen](#) – and has powers under a range of [NSW environmental legislation](#).

OEH provides services that support the administrative functions for the following statutory entities:

- Centennial Parklands and Moore Park Trust
- Environment Protection Authority
- Historic Houses Trust
- Jenolan Caves Reserve Trust
- NSW Scientific Committee

- Parramatta Park and Western Sydney Parklands Trusts
- Royal Botanic Gardens and Domain Trust
- Sydney Living Museums
- Taronga Conservation Society Australia

OEH also administers programs on behalf of the [NSW Environmental Trust](#) and provides administrative support to:

- Aboriginal Cultural Heritage Advisory Committee
- [Heritage Council of NSW](#)
- National Parks and Wildlife Advisory Council

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

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

- Business Information Services
- Finance, Procurement, Performance and Services
- Legal Services
- National Parks and Wildlife Service
- Office of the Chief Executive
- People and Culture
- Policy
- Regional Operations and Heritage
- Science

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

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 [energy savings and resource efficiency](#)
- 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, 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 regularly sought on:

- the development of [legislation, policies, plans, programs and guidelines](#), including park plans of management, wilderness declarations and conservation agreements
- strategies to promote [energy savings and resource efficiency](#) 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) 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](#) 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.

OEH has responded to the Premiers memorandum M2012-10 by having an open government program, called Open OEH. This program facilitates public participation in the policy development process and open access to information.

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](#). Otherwise, information is available for inspection or purchase at the lowest reasonable cost.

6. Accessing information

If the information you seek is not already publicly 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](#) valued at \$150,000 or more
- documents [tabled in Parliament](#)
- information concerning [major assets and the disposal of properties](#)
- [Guarantee of service](#)
- [Code of ethics and conduct](#)
- [Ministerial media releases](#)
- [Ministerial overseas travel](#).

6.2. Proactively released information

OEH proactively releases a variety of information relating to environmental issues; climate change; sustaining our environment ([‘action matters’](#)); nature conservation; culture and heritage; visiting a park; knowledge centre and more. This can be found on our website: www.environment.nsw.gov.au/ and www.nationalparks.nsw.gov.au.

Information can also be obtained by phoning the information line (131 555) or by requesting the information online at: www.environment.nsw.gov.au/askenvironmentlineapp/.

Members of the public can connect with OEH through social media, such as Twitter, Facebook, You Tube, Flickr, Instagram, Snapchat, and can subscribe to [OEH newsletters](#).

6.3. Informal release of information

If the information you seek is not already available you can contact an [OEH office](#) to make an [informal request](#). If you don't know 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, for example, when 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.

If you are not happy with a decision made formally under the GIPA Act, you will have rights of review, both internally and externally. You will be advised of these in the notice of decision provided in response to your formal application under the GIPA Act.

6.5. Personal information

You can 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 to be made publicly available 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

7.1. 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)
- Phone 1300 361 967 or (02) 9995 5555 (national parks information and publications requests) for the cost of a local call within Australia (mobiles excluded)
- OEH Switchboard: (02) 9995 5000
- National relay service for hearing impaired customers: 133 677
- 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

7.2. 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.

7.3. 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 (02) 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 percent 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 (02) 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 17, 201 Elizabeth Street, Sydney 2000
 - Website: www.ipc.nsw.gov.au