



PUBLICATION GUIDE 2011 / 2012

Government Information (Public Access) Act 2009 (NSW)

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Introduction

On July 1 2010, the *Government Information (Public Access) Act 2009* (NSW) (**GIPA Act**) replaced the *Freedom of Information Act 1989* (NSW).

The new law establishes a more open and transparent approach to gaining access to government information in NSW. The GIPA Act applies to Delta Electricity.

The objectives of the GIPA Act are to maintain and advance a system of responsible and representative democratic Government that is open, accountable, fair and effective, by:

- authorising and encouraging the proactive public release of government information by agencies,
- giving members of the public an enforceable right to access government information; and
- providing that access to government information is restricted only when there is an overriding public interest against disclosure.

The guiding principle of the GIPA Act is the public interest. This is based on the general presumption that disclosure of information is in the public interest, unless a strong case to the contrary can be demonstrated.

This publication guide has been prepared and adopted in accordance with sections 20 and 22 of the GIPA Act.

More information about new ways to access NSW Government information is available on the Office of Information Commissioner (OIC) website www.oic.nsw.gov.au.

About us

Structure and Functions

Delta Electricity (**Delta**) was constituted as a State Owned Corporation in 1996 and operates under the *Energy Services Corporations Act 1995* (NSW) and the *State Owned Corporations Act 1989* (NSW).

Delta's principal functions are to establish, maintain and operate facilities for the generation and supply of electricity and other forms of energy.

Delta produces electricity from coal, gas, water, and biomass. Formed in 1996, our generators produce around 12% of the electricity needed by consumers in the National Electricity Market, comprising all states and territories except WA and NT.

Delta Electricity also participates in the National Electricity Market trading output from the power stations on the Central Coast. The output from Delta Electricity's western power stations is traded by TRUenergy. Delta does not sell any electricity to retail customers.

Most of Delta's generation occurs at five power stations located in NSW. These are Mt Piper and Wallerawang power stations located near Lithgow in the Blue Mountains, and Vales Point, Colongra and Munmorah power stations on the NSW Central Coast.

Other functions performed by Delta in support of this generation portfolio include maintenance, human resources, marketing, finance, fuel, environment, contract administration, information technology and secretariat functions.

Delta's corporate governance is vested to the Board of Directors appointed by Delta's shareholding Ministers pursuant to the *Energy Services Corporations Act 1995* (NSW) and *State Owned Corporations Act 1989* (NSW). As a Government Trading Enterprise, Delta prepares a Statement of Corporate Intent each year.

Objectives

Guiding Delta in carrying out these functions are the following statutory objectives:

1. To be a successful business and to this end to:
 - operate at least as efficiently as any other comparable businesses;
 - to maximise the net worth of the state's investment in Delta; and
 - to exhibit a sense of social responsibility by having regard to the interests of the community in which it operates.
2. To 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* (NSW).

3. To exhibit a sense of responsibility towards regional development and decentralisation in the way in which it operates.
4. To operate efficient, safe and reliable facilities for the generation of electricity.
5. To be an efficient and responsible supplier of electricity.
6. To be a successful participant in the wholesale market for electricity.

Vision Statement

Delta's vision is generating performance through innovation.

Mission and Values Statement

Delta's mission statement incorporates values developed through staff consultation and the recognition that a sustainable energy business must balance the community need for energy against our operational impacts.

Our mission is to generate electricity safely, reliably and competitively while respecting our workmates, our customers, our community and the environment.

Community

Delta's power stations are in regional areas surrounded by smaller communities.

Delta is committed to engaging with the local community and it regularly consults with local community members about its ongoing operations and proposed developments. This consultation includes two community reference groups and periodic research such as telephone surveys and focus groups to gain an understanding of the stakeholder's knowledge and attitudes towards Delta's business.

Delta can be contacted using the Contact Us section on the website. Click here for [Contact Us - Delta Electricity](#)

Sustainability

As a major supplier of energy to the Australian national electricity market, Delta's primary objective is to operate facilities for the efficient, safe and reliable production of energy for industry and the community. However, Delta recognises the environmental impacts from using natural resources, including fossil fuels and water in power production and is focusing considerable investment into improving our sustainability.

Delta's aim is to continue to support the community with reliable power while demonstrating responsible environmental performance.

Information about Delta's Sustainability report is available from Delta's website [Annual Sustainability Reports - Delta Electricity](#)

Open Access Information

Under the *Government Information (Public Access) Act 2009* (GIPA Act), Delta is required to publish a range of open access information. This information includes Delta's disclosure log, details of information not disclosed, details of documents tabled in Parliament, policy documents, this Publication Guide and a Register of Government Contracts.

Disclosure Log

Access applications under the GIPA Act are disclosed on Delta's website www.de.com.au under the "Home" tab.

[Direct link: <http://www.de.com.au/Home/Information-Access/default.aspx>.]

Information not Disclosed

Open access information not released by Delta due to overriding public interest considerations are disclosed in Delta's disclosure log which is available on Delta's website www.de.com.au under the "Home" tab.

[Direct link: <http://www.de.com.au/Home/Information-Access/default.aspx>.]

Parliamentary Documents

Documents submitted by Delta to the NSW Parliament (including Delta's Statement of Corporate Intent) are disclosed on Delta's website www.de.com.au under the "Home" tab.

[Direct link: <http://www.de.com.au/Home/Information-Access/default.aspx>.]

Policy Documents

Under the GIPA Act, a number of Delta's policies and standards are disclosed for the public's information. These include:

- Alcohol and Drugs in the Workplace
- Business visits to Delta Electricity sites
- Community Leave
- Delta Electricity Code of Conduct
- Distracting Devices Policy
- Emergency Response Plan
- Environmental Management System
- Equal Employment Opportunity
- Eye Protection
- Fraud and Corruption Prevention Standard

- Health Privacy
- Induction
- Influenza Pandemic Planning
- Management of Contractor OHS
- Media Liaison Policy
- Policy statement on Alcohol and Drugs
- Policy on Fatigue
- Prevention of Bullying, Harassment and Discrimination
- Protective Clothing and Footwear
- Recruitment
- Smoking Policy
- Sponsorship and Donations
- Sustainability Policy

These documents are disclosed on Delta’s website at www.de.com.au under the “Home” tab.

[Direct link: <http://www.de.com.au/Home/Information-Access/default.aspx>.]

Contracts Register

The *GIPA Act* requires Delta to publish certain information about the contracts it enters into with the private sector in a Government Contracts Register.

A number of Delta’s contracts are covered by an exemption in the *GIPA Act* (Section 39). The exemption relieves Delta of the obligation to include any information in its Contracts Register if the contract relates to activities it is engaged in, in a market it is in competition with any other person.

As and when Delta enters into such Government Contracts that are not covered by this exemption, certain summary information about the contract as prescribed by the Act will be placed in a Contracts Register.

The Contracts Register is accessible from Delta’s website at www.de.com.au under the “Tenders and Quotations” tab.

[Direct link: <http://www.de.com.au/Tenders-and-Quotations/Contracts-register/Contracts-Register/default.aspx>.]

Informal Release of Information

Members of the public may contact Delta and ask for information. This is known as an informal request. Delta may release information informally, subject to any reasonable conditions.

Delta’s contact details for requesting such informal disclosures are provided at the end of this Guide.

Formal Access Application for Release of Information

If information cannot be accessed through any of the above ways, a formal access application may be necessary. This should be the last resort under the *GIPA Act*, and only necessary if, for example, a large volume of information is being requested and it would involve an extensive search.

Applications must be in writing, and accompanied by a \$30 fee. Processing charges of \$30 per hour may also be levied, depending on the type and amount of information sought.

An applicant who disagrees with the outcome of its formal access application with Delta may request an internal review within 20 working days after the notice of a decision has been posted to the applicant. There is a \$40 fee for an internal review application. Alternatively, the applicant has an option to have a decision reviewed externally by the Information Commissioner or by the Administrative Decisions Tribunal.

Review of Publication Guide

Delta will be reviewing this Publication Guide and the information it releases proactively at least every 12 months.

Contact Us

Delta welcomes feedback from members of the public, community organisations and government agencies on this Publication Guide.

Delta's Right to Information Officer can be contacted as follows:

Right to Information Officer
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PO Box Q863
QVB NSW 1230

Telephone: 02 92852438
Facsimile: 02 9285 2700
Email: Beverly.Magpayo@de.com.au

Delta Electricity website: www.de.com.au

Further Information

For more information about right to information, please contact the Office of the Information Commissioner on:

Website: www.oic.nsw.gov.au
Email: oiinfo@oic.nsw.gov.au
Mail: GPO Box 7011, Sydney NSW 2001
Address: Level 11, 1 Castlereagh Street Sydney NSW 2000
Telephone: 1800 INFOCOM (1800 463 626) between 9am to 5pm, Monday to Friday (excluding public holidays).