



ACT
Government

Environment, Planning and
Sustainable Development

Phone: 6207 1923
Reference: 18/03678

Dear [REDACTED]

Freedom of information request: DA201732654

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Environment, Planning and Sustainable Development Directorate (EPSDD) on 22 January 2018, in which you sought access to DA201732654.

Specifically, you are seeking:

- "1. The mandatory Pre-DA lodgement SITE INSPECTION Report.*
- 2. Notes and/or Minutes of all 'follow-up' pre-DA lodgement meetings (after the Pre-Application meeting) EPD/ACTPLA/LDA had with owners/developers/builders/proponent of DA201732654.*
- 3. The further ACTEWAGL consultation minutes EPD required or recommended before the DA lodgement."*

I am an Information Officer appointed by the Director-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

EPSDD was required to provide a decision on your access application by 20 February 2018.

Decision on access

A search of records has failed to identify any documentation in relation to your request.

I am satisfied that appropriate searches were completed and that no documents relevant to your request are held by EPSDD.

Further Information

A number of the documents you requested do not exist because they are not a requirement for Development Application assessment.

Pre-application meetings are optional for developers during the design process to help resolve issues that may arise during the development of the proposal. Early discussions with EPSDD and other relevant government agencies and service providers can avoid delays by reducing the possibility of the application not complying with relevant regulations or failing to address any requirements.

Site inspection is not a requirement during pre-application.

To assist the developer to prepare a compliant application for submission or to amend a proposal to ensure it is approvable without conditions ACTEWAGL consultation may be recommended but is not compulsory.

During development assessment the DA documentation is provided to a number of agencies including ACTEWAGL, to review and provide comments.

Online publishing – disclosure log

Under section 28 of the Act, EPSDD maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents released to you in response to your access application will be published in the disclosure log from three days after the date of this letter. Your personal contact details will not be published.

You may view the disclosure log at:

<https://www.environment.act.gov.au/about/access-government-information/disclosure-log>

Under section 28 of the Act, EPSDD maintains an online record of access applications called a disclosure log. As your request sought your own personal information, section 28(6) of the Act provides that your access application will not be published in EPSDD's disclosure log.

Ombudsman review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in the disclosure log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Via email: ombudsman@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision.

Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore St
GPO Box 370
Canberra City ACT 2601

Telephone: (02) 6207 1740

<http://www.acat.act.gov.au/>

If you have any queries concerning the Directorate's processing of your request, or would like further information, please contact EPSDD customer service on 6207 1923 and ask for the Freedom of Information team or email to EPSDFOI@act.gov.au

Yours sincerely


Brett Phillips
Information Officer
Environment, Planning and Sustainable Development Directorate

19 February 2018