



**ACT**  
Government

Environment, Planning and  
Sustainable Development

Phone: (02) 6207 1923  
Reference: 21/03418

Dear [REDACTED]

### **Freedom of Information 21/03418**

I refer to your application made under section 30 of the *Freedom of Information Act 2016* (the Act) received by the Environment, Planning and Sustainable Development Directorate (EPSDD) on 12 January 2021, in which you sought access to documents relating to incidents where damage to property has been caused by fallen branches or trees, in the area surrounding Griffith shops.

Specifically, you requested:

*"I am looking to submit a request for information, relating to incidents where damage to property has been caused by fallen branches / trees in the area surrounding Griffith Shops, ACT 2603.*

*I have recently had my car damaged by fallen branches on Throsby Lane, behind Griffith shops, and have lodged a claim with TCCSD for repairs to the vehicle.*

*Unfortunately TCCSD have been unable to verify previous incidents in the area, and have rejected the claim, stating no knowledge of previous incidents.*

*As such, I am hoping to provide to them the evidence they require, and am requesting information relating to incidents in the area."*

On 3 February 2021, you provided additional information to clarify your request:

*"I am seeking records within the last 3 years, so from December 2017 until now. The records may have originated from Access Canberra.*

*Regarding the area surrounding Griffith shops, I refer to:*

- *Throsby Lane;*
- *Barker Street; and*
- *the area adjacent to the buildings 16 Barker Street & 26 Throsby Lane."*

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

As your application was suspended for five working days, EPSDD must make a decision on your application on or by 17 February 2021.

### **Searches Conducted**

Comprehensive searches of EPSDD recordkeeping systems were undertaken, using the information you provided. However, no documentation relevant to your application was identified.

EPSDD consulted with Chief Minister, Treasury and Economic Development Directorate (CMTEDD) to determine if they held any information within scope of your application.

As CMTEDD did not identify any information within scope of your application, your application was not transferred.

### **Charges**

No charges are applicable to this application, as no documents were identified within scope of the application.

### **Online Publication**

Under section 28 of the Act, EPSDD maintains an online record of access applications called a disclosure log. Your original access application and this decision will be published in the EPSDD disclosure log no earlier than three days after you receive this decision. Your personal contact details will not be published.

You may view the EPSDD disclosure log at

<https://www.environment.act.gov.au/about/access-government-information/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. For more information and the application form for Ombudsman review, please visit:

[https://www.ombudsman.act.gov.au/data/assets/pdf\\_file/0026/79190/Apply-for-Ombudsman-review.pdf](https://www.ombudsman.act.gov.au/data/assets/pdf_file/0026/79190/Apply-for-Ombudsman-review.pdf)

Alternatively, you may write to the Ombudsman at:

The ACT Ombudsman  
GPO Box 442  
CANBERRA ACT 2601

Via email: [actfoi@ombudsman.gov.au](mailto:actfoi@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/>

### **Further Information**

If you have any queries concerning the Directorate's processing of your request, or would like further information, please contact EPSDD Customer Service on (02) 6207 1923 and ask for the FOI team, or email to [EPSDFOI@act.gov.au](mailto:EPSDFOI@act.gov.au).

Yours sincerely



Craig Simmons

Information Officer

Chief Operating Officer

Environment, Planning and Sustainable Development Directorate

16<sup>th</sup> of February 2021