

From: [REDACTED]
To: [EPSDFOI](#)
Cc: [REDACTED]
Subject: FoI request for documents relating to DA 201935278
Date: Friday, 4 December 2020 2:35:43 PM

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Hello

As the owners of Block 6, Section 17, Macquarie, we would like to lodge an FoI request to view representations made against our amended DA plans:
DA 201935278. We have been informed that these representations have been granted an exemption from being made available for public inspection under section 411(5) of the *Planning and Development Act 2007*.

Reason for request: We assume these representations were made by the same parties who lodged submissions against our original plans in March 2019. We were given access, via other sources, to the original representations (which had no bearing on the final approval) and strongly believe there were no grounds for granting the exemption from the public register under the relevant Act. We have good reason to believe these latest representations against our amended plans are of a similar nature and would not stand up to scrutiny under the Act. According to the planning department's own explanation for exemptions under the Act: "For an application to be approved, we must be satisfied that the part of the relevant document to which the exclusion application relates contains information that upon publication would disclose a trade secret or would or could reasonably be expected to endanger the life or physical safety of any person or lead to damage to, or theft of, property ... We must also exclude from public availability any parts of a relevant document where a justice minister has certified that publication of those parts might jeopardise national security, expose the public or staff of a security organisation to risk of injury or property to risk of damage." Nothing about the original representations (which were simply a garden-variety list of things they didn't like about our plans) appeared to satisfy any of these requirements, and we believe these most recent representations would be the same. We feel the decision to grant an exemption in this case is serving no purpose other than to prolong the DA process, cause us undue anxiety and deprive us of the opportunity to possibly address any legitimate concerns as early as possible.

Thank you for considering our request.

Kind regards

[REDACTED]

