

Brougham-Pratt, Charlotte

From: [REDACTED]
Sent: Wednesday, 19 June 2024 4:23 PM
To: EPSDFOI
Subject: FOI request regarding DA 202342470

Follow Up Flag: Follow up
Flag Status: Flagged

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To whom it may concern,

I am requesting from EPSDD under the *Freedom of Information Act 2014* access (electronically if possible) to the following information:

- Anything pertaining to notification of the decision on DA 202342470 to submitters of public representation.
- Anything pertaining to the assessment of DA 202342470; this for both formal assessment templates, and information (excluding the text of public representations) that may have been passed around, to, or from EPSDD that would influence the assessment.
- Anything pertaining to the addressing of public representations concerning 202342470
- This includes how those representations were presented to the applicant, and how the applicant responded to them.
- This does NOT include the text of the representations themselves, which was supplied in FOI 24/009432.
- Anything (apart from a representation itself) pertaining to the recreational value of the site of 202342470.
- Anything (apart from a representation itself) pertaining to comparison of the development proposal to an industrial development.
- Any response from the applicant regarding public representations.
- Anything pertaining to reason why public representations were not addressed properly and are not portrayed accurately in the Notice of Decision for DA 202342470.
- Anything pertaining to the release of information that would publicly demonstrate how representations were addressed.
- Whether representation WVPS7XY4 (submitted 29 January 2024, within the notification period) was received, whether it was passed to the applicant or JACS and how it was considered.
- Anything not able to be released before the issue of the notice of decision that could be released after that notice was released for FOI 24/009432.
- Anything pertaining to consideration of alternative locations as suggested in public representations.
- Anything not released about signage, noting that EPSDD once again failed to sign the development in an appropriate manner by placing one sign well away from the site near the path going north from the Dixon Drive bus stop, and the other between the path and the Cotter Road where no-one on the path could read it.
- Anything pertaining to the location on a prominent hill, how that affects the integrity of the zoning, and why this feature should be destroyed to develop the site.

- Anything pertaining to EPSDD's characterisation and enumeration public representations and the number of favourable and unfavourable submissions.

— The date range of this application is from the date of the latest information occurring in FOI 24/009432, namely the 23rd of January 2024 to the date of this submission.

I am also requesting a fee waiver under Section 107(2)(b) of the *Freedom of Information Act 2014* on the basis that the release of this information is of special benefit to the public. The selection of block 2 section 58 to develop a natural open space buffer for the Emergency Services Station was made without any public input. Furthermore, I note that the application has been decided but notification to representers has not occurred, and that the NOD does not contain any details on either the content of those representations was considered or addressed. Furthermore, the NOD does not portray *how* the zoning requirements were supposed to have been met.

Kind regards,

Brougham-Pratt, Charlotte

From: [REDACTED]
Sent: Thursday, 27 June 2024 5:39 PM
To: EPSDFOI
Subject: Fwd: FOI 24/064951 – Acknowledgement of Freedom of Information Application
Attachments: Mail Attachment.eml; FOI 24_064951 – Acknowledgement of Freedom of Information Application.eml

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Charlotte,

If I may, I would like to amend my FOI request as I realise that the list of requested information I have sent through may not be as clear as it could be and could result in unnecessary workloads. The revised points are as follows: I request:

- Internal discussion regarding timing of notification of the decision on DA 202342470 to submitters of public representation.
- Anything pertaining to the assessment of and decision on DA 202342470.
- This is for both formal assessment templates and statements against codes, criteria, etc as judged by ESPDD, and information (excluding the text of public representations) that may have been passed around, to, or from EPSDD that would influence the assessment.
- This is for information on how the application was judged to meet whatever criteria and submissions it was assessed against.
- Information pertaining to the addressing of public representations concerning 202342470, noting that the original texts / messages as they were received by EPSDD are NOT required:
 - Responses from the applicant and JACS about the public representations and addressing of these representations.
 - IF the full text of submissions including attachments was not passed to the applicant or JACS, the consolidated form in which they were passed on.
 - Anything pertaining to the recreational value of the site of 202342470, apart from an original submission message.
 - Anything pertaining to comparison of the development proposal to an industrial development, apart from an original submission message.
 - Anything pertaining to the public release of information that would demonstrate how representations were addressed.
 - Anything pertaining to reason why public representations were not addressed properly and are not portrayed accurately in the Notice of Decision for DA 202342470.
 - Anything pertaining to the location on a prominent hill, how that affects the integrity of the zoning, and why this feature should be destroyed to develop the site, apart from an original submission message.
 - Anything pertaining to EPSDD's characterisation and enumeration public representations and the number of favourable and unfavourable submissions.
 - Anything pertaining to consideration of alternative locations as suggested in public representations, apart from an original submission message.
- Information, apart from the original submission message and attachments, on representation WVPS7XY4 (submitted 29 January 2024, within the notification period) and whether it was received, whether it was passed to the applicant or JACS and how it was considered.

- Anything not able to be released before the issue of the notice of decision that could be released after that notice was released for FOI 24/009432.

— The date range of this application is from the date of the latest information occurring in FOI 24/009432, namely the 23rd of January 2024 to the date of this submission.

Kind regards,
[REDACTED]

Begin forwarded message:

From: EPSDFOI <EPSDFOI@act.gov.au>

Subject: FOI 24/064951 – Acknowledgement of Freedom of Information Application

Date: 24 June 2024 at 11:41:01 am AEST

To: [REDACTED]

OFFICIAL

Good morning,

FOI 24/064951 – Acknowledgement of Freedom of Information Application

I refer to your application received by the Environment, Planning and Sustainable Development Directorate (EPSDD) on 19 June 2024, in which you sought access to information under the [Freedom of Information Act 2016](#) (the Act).

Application: Specifically you are seeking information as outlined in your application as attached.

Decision

In accordance with section 40(1) of the FOI Act, the standard processing time requires that a decision on access to documents must be made no later than 30 working days after the day of receipt, being on or by **31 July 2024**.

Third Party Consultation

In processing your application, consultation with relevant third parties may be required. In line with the Act, if third party consultation is required, the due date may be extended by 15 working days. If this is the case, you will be notified and advised of a revised decision due date.

Charges

Please be aware that processing charges may be payable in relation to your request. Should you be liable to pay a processing charge, you will be notified in writing of the preliminary assessment and given an opportunity to make an application that the charge should be remitted in whole or in part.

Open Access Information

The Act requires that details regarding your request such as your application, decision notices, and information released to you, must be recorded in the agency disclosure log and made publicly available; the disclosure log is published on <https://www.environment.act.gov.au/about-us/access-government-information/disclosure-log>. The identity of applicants is not disclosed. If you have any concerns about the information released to you being published, please let us know.

Should you have any queries in relation to the processing of your request please contact me at EPSDFOI@act.gov.au

Kind regards,

Charlotte Brougham-Pratt | Administrative Service Officer | Information Governance

Email: Charlotte.Brougham-Pratt@act.gov.au

Environment, Planning and Sustainable Development Directorate | ACT Government

Scarlet Robin or Powerful Owl, L5 480 Northbourne Avenue Dickson ACT 2602

www.act.gov.au | www.environment.act.gov.au | www.planning.act.gov.au

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