



ACT
Government

Environment, Planning and
Sustainable Development

Phone: 6207 1923
Reference: 18/00889

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 11 January 2018, in which you sought access to DA201732654.

Specifically, you requested:

“minutes and records of all the meetings EPD/ACTPLA/ACT Government has had with Mr Robert Jukic, Lu Wanping or Qi Zhang, (the Builder and the Lessee) prior to and after the lodgement of DA 201732654, up until today 11 January 2018.

We also request by FOI the report of EPD's site visit to Belbin Place prior to the lodgement of DA 201732654, or any subsequent Site visits that have taken place in relation to this DA”

On 14 January 2018, you lodged a second request for:

“All Correspondence between EPSD/ACTPLA/ACT Government has had with Mr Robert Jukic, Lu Wanping or Qi Zhang, (the Builder and the Lessee) prior to and after the lodgement of DA 201732654, up until today 11 January 2018.

I have submitted a similar FOI on the above matter, however that request was for minutes of meetings / phone conversations - however this request takes it a step further in that I would also like to see records of ALL correspondence that has been exchanged between the above parties”

Following scoping discussions, on 7 February 2018 you agreed to change the scope of the request to:

“seeking all correspondence between the Environment, Planning and Sustainable Development Directorate and Mr Robert Jukic, Lu Wanping or Qi Zhang, (the Builder and the Lessee) relating to DA 201732654 Block 6, Division 9, Belbin Place, Macquarie. This includes any file notes and records of conversations by phone or meeting. The timeframe applying to this application is for all relevant information identified up until today (7 February 2018).”

On 23 February 2018 you advised the FOI Team that the representations to DA201732654 were not required. These documents are therefore excluded from the scope of your request.

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 is required to make a decision on your access application by 27 February 2018.

Decision on access

Searches were completed for relevant documents and ten documents were identified that fall within the scope of your request.

I have included as Attachment A to this decision the schedule of relevant documents. This provides a description of each document that falls within the scope of your request and the access decision for each of those documents.

I have decided to grant full access to all relevant documents. The documents released to you are provided as Attachment B to this letter.

Charges

Processing charges are not applicable for this request because the documents released are 50 pages or less.

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 my decision. Your personal contact details will not be published.

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 FOI team, or email to EPSDFOI@act.gov.au

Yours sincerely



Brett Phillips
Information Officer
Environment Planning and Sustainable Development Directorate

26 February 2018

