



ACT
Government

Environment, Planning and
Sustainable Development

Phone: (02) 6207 1923

Reference: 23/128151

[REDACTED]

By Email: [REDACTED]

Dear [REDACTED]

Decision on Freedom of Information Access Application 23/128151

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 13 December 2023, on behalf of [REDACTED].

Specifically, you are seeking:

“A list of the name of all tenders for the last two years (1/1/2022 – 31/12/22 and 1/1/23 – 13/12/23) where the final decision maker was the Director-General.”

On 10 January 2024, you confirmed the interpretation of the scope of the application as:

the “final decision maker” is the person who executed the contract and contracts captured in scope are those executed over \$200K where the DG signed the contract.

I am an Information Officer appointed under section 18 of the Act to deal with access applications made under Part 5 of the Act. In accordance with section 40(1) of the Act, a decision on your access application must be made on or by 2 February 2024.

Information Searches

Comprehensive searches were conducted for information within scope of your application. Records relating to the 35 tenders (those identified as over \$200K and within the timeframe requested) were examined to confirm the executing officer. The Director-General was not identified as executing any of these contracts.

Decision

I am satisfied that a thorough process was completed to locate the information you are seeking. I have therefore decided, under section 35(1)(b) of the Act, that no information is held by EPSDD relevant to your 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 Your personal contact details will not be published.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-us/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/accountability-and-oversight/freedom-of-information/foi-complaints-and-reviews>

Alternatively, you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Via email: 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
15 Constitution Avenue
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 EPSDFOI@act.gov.au or call (02) 6207 1923 and ask for the Information Governance team.

Yours sincerely



Melissa Tetley

Information Officer

A/g Chief Financial Officer, Finance, Information and Assets
Environment, Planning and Sustainable Development Directorate

23 January 2024