



ACT
Government

Environment, Planning and
Sustainable Development



Dear 

Freedom of information request: 18/33060

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 7 November 2018, in which you sought access to information relating to 41 Livingston Avenue, Kambah.

Specifically, you are seeking:

"I write to request documents and any information held in the last five years, by Environment, Planning and Sustainable Development Directorate and the Office of the Minister for Planning and Land Management relating to construction at 41 Livingston Ave Kambah.

My request covers, but is not limited to development applications, records of correspondence, meetings, telephone conversations, letters, file notes, minutes, briefings, constituent letters as well as letters from any MLAs and members of the public..."

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. The EPSDD was required to provide a decision on your access application by 5 December 2018.

Decision on access

A search of EPSDD records has failed to identify any documents in relation to the timeframe of your request. The search was conducted using the information you provided, including additional Directorate searches including Block 25 Section 483 Kambah. I am satisfied that appropriate searches were completed and that no documents relevant to your request are held by the EPSDD.

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 and my decision will be published in the EPSDD disclosure log after 24 August 2018. Your personal contact details will not be published.

You may view the EPSDD's disclosure log at:

<http://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:

http://www.ombudsman.act.gov.au/data/assets/pdf_file/0026/79190/40A-Reviews-Factsheet-and-Application-Form-final-A1569634.pdf

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: 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/>

If you have any queries concerning the Directorate's processing of your request, or would like further information, please contact EPSDD Customer Service on 62071923 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

29 November 2018

