



ACT
Government

Environment, Planning and
Sustainable Development

Phone: (02) 6207 1923
Reference: 24/111173

Dear [REDACTED]

Decision on Freedom of Information Access Application 24/111173

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 October 2024.

Specifically, you are seeking:

A copy of the records that the chair of the Invasive Plants Working Group sends out after each meeting.

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 of the Act, a decision on your access application must be made on or by 22 November 2024.

Searches Conducted

Comprehensive searches were conducted and 11 documents containing information within the scope of your application were identified.

Decision on Access

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

I have decided to grant full access to 11 documents relevant to your application. My access decisions are detailed further in the following statement of reasons and the documents released to you are provided as **Attachment B** to this letter.

Material Considered

In reaching my access decision, I have taken the following into account:

- the FOI Act, particularly sections 6, 17, and Schedule 2
- the content of the documents that fall within the scope of your request
- information released to you previously.

Public Interest Considerations

Information Disclosure – Schedule 2 of the Act

The Act recognises the right of every person to obtain access, under its provisions, to government information (see section 7, the Act). As an Information Officer, I am required to allow access to information subject to the Act, unless, on balance, disclosure would be contrary to the public interest.

In assessing the public interest, I must apply the test outlined under section 17 of the Act which requires consideration of factors favouring disclosure, any favouring nondisclosure and the balance of those factors when considered cumulatively.

In applying the public interest test, I have determined that disclosure of the information could reasonably be expected to do the following:

- Schedule 2, 2.1(a)(i) – promote open discussion of public affairs and enhance the government’s accountability.
- Schedule 2, 2.1(a)(ii) – contribute to positive and informed debate on important issues or matters of public interest.
- Schedule 2, 2.1(a)(iii) – inform the community of the government’s operations, including the policies, guidelines and codes of conduct follow by the government in its dealings with members of the community.
- Schedule 2, 2.1(a)(x) – contribute to the protection of the environment.

Upon weighing the factors favouring the disclosure and nondisclosure of the relevant information, I have considered how the release of this information could advance the public interest. As the information provided to you is largely circulated amongst the Invasive Plants Working Group (IPWG) [REDACTED], I consider the publication of this information, under the FOI Act, to be in the broader public’s best interest. The release of information regarding the IPWG meeting notes and corresponding presentations would promote open discussion of public affairs and enhance the government’s accountability.

This information contains highly valuable insight and provides awareness of the invasive plants within Canberra’s region which would contribute to positive and informed debate on these important issues and matters, while also contributing to the protection of the environment. Furthermore, some of the information relates to the operation of the IPWG, including the drafted Terms of Reference document. This information presents as highly beneficial to the public interest as it informs the community of the government’s operations, including the policies, guidelines and codes of conduct followed by the government in its dealings with members of the community. I have given the factors favouring disclosure significant weight, and as I have not identified any factors favouring nondisclosure the information is released to you in full.

I have, however decided to apply some redactions to personal information within the documents to be published on the EPSDD disclosure log. The redactions of this personal information are minor and do not diminish the value of the information released.

Charges

In accordance with the *Freedom of Information (Fees) Determination 2018* no charges are applicable to this application, the number of pages to be released is below the minimum 50 page threshold.

Online Publication

Under section 28 of the Act, EPSDD maintains an online record of access applications called a disclosure log. Your original access application, this decision and documents released 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

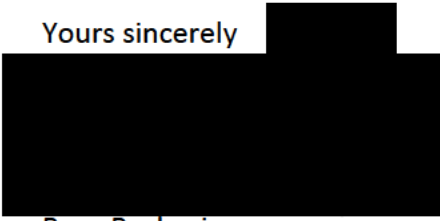
Telephone: (02) 6207 1740

<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 (02) 6207 1923 and ask for the Information Governance team.

Yours sincerely



Bren Burkevics
Information Officer
Executive Group Manager, Environment, Heritage and Parks

12 November 2024