



ACT
Government

Environment, Planning and
Sustainable Development

Phone: 02 6207 1923
Reference: 20/100814



Dear [REDACTED]

Freedom of information request: 20/100814

I refer to your access application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Environment, Planning and Sustainable Development Directorate (EPSDD) on 17 December 2020, in which you sought access to information relating to Crown Lease conditions for Block 2, Section 62, Yarralumla.

Specifically, you are seeking:

1. A copy of the Crown Lease in relation to the parcel of land Section 62, Block 2 in Yarralumla (also known as 1 Hill Corner, Yarralumla);
2. Any requests made to vary the Crown Lease (described in point 1 above); and
3. Any approved variations to the Crown Lease (described in point 1 above).

I am an Information Officer appointed under section 18 of the Act to deal with access applications made under Part 5 of the Act.

The EPSDD is required to make a decision on your access application on or by 10 February 2021.

Decision on access

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

I have included as **Attachment A** to this decision the schedule relating to the relevant documents.

As indicated in the schedule, I have decided to grant access in full to both documents.

The currently registered lease and variation thereto are publicly available from Access Canberra Land Titles Office upon payment of a fee for the service. The search function is available 24 hrs a day at <https://actlis.act.gov.au/> where there is also an instruction video for public access. A search of the title and all related instruments is recommended to provide the documents requested at points 1 and 3.

My decision on access is provided to you as **Attachment B** to this letter.

Material Considered

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

- the *Freedom of Information Act 2016* with consideration to Schedule 2;
- the content of the documents that falls within the scope of your request;
- publicly notified information contained within the documents.

The EPSDD recognises the importance of public access to government held information and disclosure of the documents serves to further open discussion and support the spirit of the Act.

Charges

Processing charges are not applicable to this application, as the number of pages released is below the minimum threshold.

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 released documents will be published in the EPSDD disclosure log. 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/>

Further Information

If you have any queries concerning the Directorate's processing of your request, or would like further information, please contact EPSDD Customer Service on 02 6207 1923 and ask for the FOI team, or email to EPSDFOI@act.gov.au

Yours sincerely



Brett Phillips
Information Officer
Executive Group Manager, Statutory Planning (E00700)
Environment, Planning and Sustainable Development Directorate

3 February 2021

