



ACT
Government

Environment, Planning and
Sustainable Development

Phone: (02) 6207 1923
Reference: 23/092942

Dear [REDACTED]

Decision on Freedom of Information Access Application 23/092942

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 6 September 2023, in which you sought access to documents relating to Block 4 Section 41 Lyneham.

Specifically, you are seeking:

"...information and correspondence about construction on Block 4. Section 41, Lyneham.

Specifically, please share:

- *Building Approvals*
- *Certificates of Occupancy*
- *Certificates of Use*
- *Exemption declarations*
- *Correspondence or advice regarding exemptions or exempt work*
- *Stop Work Orders*

For all construction on block 4, section 41 Lyneham, from the period of 2017 till September 2023 (to date)."

Your application was partially transferred to Chief Minister, Treasury and Economic Development as information within scope of points 1 to 3, and 6 relate to functions managed by Access Canberra.

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

As agreed by you, EPSDD must decide your application on or by 26 October 2023.

Searches Conducted

Comprehensive searches were conducted by EPSDD officers for information relevant to your application. The searches were conducted using the information you provided including additional searches of the Electronic Document Records Management System used by EPSDD. Broad searches of key terms yielded over 10,000 results which were checked for relevancy to your application.

Section 34(1) of the Act requires an agency to take reasonable steps to identify information that falls within scope of the access application.

I am satisfied that reasonable steps were taken to identify any records within scope of the application.

Information which may be of interest to you relating to Development Application (DA) 201629628 for construction of school building comprising of 15 classroom and assembly area is currently available on the EPSDD Disclosure Log and can be accessed via <https://www.environment.act.gov.au/about-us/access-government-information/disclosure-log/disclosure-logs/epsdd-1928355>

Decision on Access

Searches conducted have not identified any information specific to the scope of your application. I am satisfied a thorough process was completed in an effort to locate the information you are seeking. I have therefore decided, under section 35(1)(b) of the Act that the information you are seeking is not held by EPSDD.

Charges

In accordance with the *Freedom of Information (Fees) Determination 2018* no charges are applicable to this 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, 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 EPSDD Customer Service on (02) 6207 1923 and ask for the FOI team, or email to EPSDFOI@act.gov.au.

Yours sincerely

(signed electronically)

Craig Weller
Information Officer
Executive Branch Manager, Statutory Planning
Environment, Planning and Sustainable Development Directorate

26 October 2023