



ACT
Government

Environment, Planning and
Sustainable Development

Phone: (02) 6207 1923
Reference: 23/120161



Dear 

Decision on Freedom of Information Access Application 23/120161

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 20 November 2023.

Specifically, you are seeking:

Documents relating to “minimum coverage standards”, “interim minimum coverage standards” or “final coverage standards” for public transport which were generated between September 2014 and the end of 2016.

As agreed by your office, EPSDD is required to decide your application on or by 7 February 2024.

I am an Information Officer appointed under section 18 of the Act to deal with access applications made under part 5 and now write to provide notice of my decision in relation to your application.

Decision on access

In considering your application, 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 publicly available.

Eleven documents have been identified that contain information within the scope of your application. I have included as **Attachment A** the schedule of these documents, which provides a description of each document and the respective access decision.

I have decided to grant full access to all 11 documents relevant to your application.

The documents are released to you at **Attachment B**.

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 the Act, section 7). 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 in 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 contained within documents could reasonably be expected to:

- promote open discussion of public affairs and enhance the government's accountability (schedule 2, 2.1(a)(i)) and
- contribute to positive and informed debate on important issues or matters of public interest (schedule 2, 2.1(a)(ii)).

I have not identified any factors favouring nondisclosure of the information.

Charges

Charges applicable to this application are waived under section 107(2) of the Act.

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 EPSDD's processing of your application, please contact EPSDFOI@act.gov.au or call (02) 6207 1923 and ask for the Information Governance team.

Yours sincerely



Ben Green
Information Officer
Executive Group Manager, Planning and Urban Policy
Environment, Planning and Sustainable Development Directorate
5 February 2024