



ACT
Government

Environment, Planning and
Sustainable Development

Phone: (02) 6207 1923
Reference: 24/042368

Dear [REDACTED]

Decision on Freedom of Information Access Application 24/042368

I refer to your application made under section 30 of the *Freedom of Information Act 2016* (the FOI Act) received by the Environment, Planning and Sustainable Development Directorate (EPSDD) on 19 April 2024.

Specifically, you are seeking:

"...documents held or created by the directorate relating to the results of the directorate's Eastern Grey Kangaroo population estimates/counts for all nature reserves where population estimates have been made in preparation for killing of Eastern Grey Kangaroos in 2024."

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 4 June 2024.

Decision on Access

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

I have decided to grant **full** access to one document containing the information requested in your application. However, I have decided to defer access to the information requested under section 49 of the FOI Act.

Section 49 of the FOI Act states:

- (1) *The respondent to an access application may defer giving access to government information for a reasonable period (not longer than 3 months) if –*
 - a. *the information was prepared with the intention that it be formally published within a stated time; and*
 - b. *the information has not been published as intended.*

The *Eastern Grey Kangaroo Conservation Management Advice 2024* report was prepared with the intention of being published on the EPSDD website, it has already been determined it is in the public interest to disclose the information.

Publication of the report is planned for July or August, the exact date of publication has not yet been confirmed. Publication will occur within three months of this access decision.

I am satisfied the requirements of section 49(1)(a) and (b) have been met.

Online Publication

Under section 28 of the Act, EPSDD maintains an online record of access applications called a disclosure log. Your original access application and this decision will be published in the EPSDD disclosure log no earlier than three days after you receive this decision.

The document within scope of your application will be added to the disclosure log following the end of the deferral period.

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.

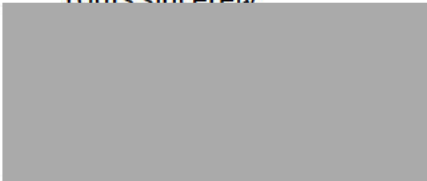
Further information may be obtained from the ACAT at:

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 call (02) 6207 1923 and request to speak to the EPSDD Information Governance team.

Yours sincerely



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

4 June 2024