



ACT
Government

Environment, Planning and
Sustainable Development

Phone: (02) 6207 1923
Reference: 24/073314

Dear [REDACTED]

Decision on Freedom of Information Access Application 24/073314

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 9 July 2024.

Specifically, you are seeking:

- *...how much of the money budgeted for 2023/24 was actually spent on weed control for each of the areas listed* [as per FOI 24/034573]. *Given that the hectares controlled was about the same as the previous year, but the budget was increased significantly, it seems unlikely that the budgeted amount was fully expended.*
- *...I would like to know the number of staff who were actually part of the Invasive Plants Programme for the years listed* [as per FOI 24/034573].

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

On 20 August 2024, I wrote to you granting full access to one document containing information in scope of your application. Following receipt of this decision, you contacted EPSDD to advise the information provided did not satisfy your application, as you were seeking a breakdown of expenditure across areas. Additional information within scope of your application was identified.

In accordance with section 36 of the Act, EPSDD may make a further decision under section 35 of the Act in relation to this additional government information.

Decision on Access

I have included as **Attachment A** to this decision the relevant information. For the reasons set out below, I have decided to grant full access to this additional information.

My access decisions are detailed further in the following statement of reasons.

Material Considered

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

- the FOI Act, particularly sections 6, 17, 36, 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.

Factors Favouring Disclosure

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)(iv) – ensure effective oversight of expenditure of public funds.

Factors favouring Nondisclosure

No factors favouring nondisclosure of the information were identified.

Charges

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 document 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

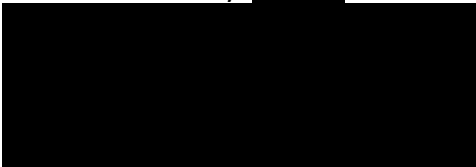
Telephone: (02) 6207 1740

<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



September 2024