



ACT
Government

Environment, Planning and
Sustainable Development



Dear 

Freedom of information request: 18/32282

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Environment, Planning and Sustainable Development Directorate (EPSDD) on 29 October 2018, in which you sought access to information relating to 13 Bellbird Loop, Lawson ACT.

Specifically, you are seeking:

"...all the Development Approval (DA) and Building Approval (BA) documents for the residential construction at 13 Bellbird Loop, Lawson, ACT."

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

The EPSDD was required to provide a decision on your access application by 24 December 2018.

Decision on access

A search of EPSDD records has failed to identify any development application (DA) documents specific to the scope of your request. The search was conducted using the information you provided, including additional Directorate searches. As advised, the EPSDD partially transferred the part of your request relating to building application files of 13 Bellbird Loop, Lawson to the Chief Minister Treasury and Economic Development Directorate (CMTEDD) on the 12 November 2018.

Applications lodged relating to 13 Bellbird Loop, Lawson were submitted to the EPSDD under an Exempt Declaration Form 1N, which are exempt under Schedule 1 of the *Planning and Development Regulation Act 2008* to development application approval as requirements are met. There has been a DA lodged in relation to the removal of a privacy screen that the Directorate deemed to be outside the scope of your request. More information relating to this process can be located on the EPSDD

- Planning site:

https://www.planning.act.gov.au/topics/design_build/da_assessment/exempt_work

I am satisfied that appropriate searches were completed and therefore no documents are held by EPSDD relevant to the scope of your request.

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 and my decision will be published in the EPSDD disclosure log after 24 August 2018. Your personal contact details will not be published.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/>

If you have any queries concerning the Directorate's processing of your request, or would like further information, please contact EPSDD Customer Service on 62071923 and ask for the FOI team, or email to EPSDFOI@act.gov.au

Yours sincerely



Brett Phillips
Information Officer
Environment, Planning and Sustainable Development Directorate

24 December 2018

