



**ACT**  
Government

Environment, Planning and  
Sustainable Development

Phone: 6207 1923  
Reference: 19/31652

Dear Mr [REDACTED]

### **Freedom of Information Request 19/31652**

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 3 October 2019, in which you sought access to documents relating to the Mugga Lane Materials Recovery Facility and the further processing of recovered material at Tumut or outside Australia.

Specifically, you are seeking:

- ".. 1. All briefings to the Environment Minister regarding Mugga Lane Materials Recovery Facility created between 1 July 2018 and now.*
- 2. All briefings to the Environment Minister regarding the Visy paper mill in Tumut created between 1 July 2018 and now.*
- 3. Any documents created between 1 July 2018 and now regarding ACT waste being sent overseas held by the executive team of the Environment branch of EPSDD or the Minister's Office.*
- 4. Any documents detailing the ACT's international waste arrangements, that is, arrangements for where waste is sent, and the companies contracted to process that waste.*
- 5. Any communications sent or received by the executive team of the Environment branch of EPSDD regarding the Visy paper mill at Tumut between 1 July 2018 and now regarding processing of ACT waste."*

On the 16<sup>th</sup> October 2019 you confirmed that that you did not require any of the documents mentioned in the refinement of scope, which included:

- 1. Draft documents when a final document is available*
- 2. Administrative emails and automated email replies to such matters as meeting invites*
- 3. Duplicate documents*

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

EPSDD is required to decide on your access application by 1 November 2019.

## **Searches Undertaken**

Searches were conducted by the Environment, Climate Change and Sustainability and the Planning Policy Branches of EPSDD, and no documents relevant to your request were identified. The Information and Knowledge Management team conducted additional searches of the whole Electronic Data and Records Management System which confirms that EPSDD do not have custody of any records relevant to the scope of your request.

## **Online Publication**

Under section 28 of the Act, the 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 no earlier than five days after you receive this decision, as requested in your application. Your personal contact details will not be published.

You may view the EPSDD's disclosure log at

<https://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](http://www.ombudsman.act.gov.au/_data/assets/pdf_file/0026/79190/40A-Reviews-Factsheet-and-Application-Form-final-A1569634.pdf)

Alternatively, you may write to the Ombudsman at:

The ACT Ombudsman  
GPO Box 442  
CANBERRA ACT 2601

Via email: [actfoi@ombudsman.gov.au](mailto: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/>

## **Further Information**

If you have any queries concerning the EPSDD's processing of your request, or would like further information, please contact EPSDD Customer Service on 02 6207 1923 and ask for the Information and Knowledge Management team, or email to [EPSDFOI@act.gov.au](mailto:EPSDFOI@act.gov.au)

Craig Simmons

Information Officer

Environment, Planning and Sustainable Development Directorate

22 October 2019