



**ACT**  
Government

Environment, Planning and  
Sustainable Development

Phone: (02) 6207 1923  
Reference: 21/74417



Dear 

### **Freedom of Information 21/74417**

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 13 August 2021, in which you sought access to documents relating to your pergola application at Block 7 Section 24 CHAPMAN.

Specifically, you are seeking:

*“All the papers, correspondence (including e-mails) and records of phone conversations dealing with my application for the construction of a pergola/deck to the rear of my property at 10 Doyle Terrace, Chapman.*

*Details are:*

*Application No: 193018 Suburb: Chapman Block/Section 7 / 24*

*Application Type: Single residential/New Construction Inclusions: Pergola/Deck or Patio”*

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

Third party consultation was undertaken, which extended the due date. As such, EPSDD must make a decision on your application on or by 1 October 2021.

### **Searches Conducted**

Comprehensive searches were conducted and 10 documents within the scope of your application were located.

### **Decision on Access**

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

I have decided to grant full access to all 10 documents relevant to your application.

My access decision is detailed further in the following statement of reasons and the documents released to you are provided as **Attachment B** to this letter.

## **Material Considered**

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

- the FOI Act, particularly sections 6 and 17.
- the content of the documents that fall within the scope of your request
- the views of third parties consulted

## **Charges**

No charges are applicable to this application, the number of pages to be released is below the minimum threshold.

## **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/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/\\_data/assets/pdf\\_file/0026/79190/Apply-for-Ombudsman-review.pdf](https://www.ombudsman.act.gov.au/_data/assets/pdf_file/0026/79190/Apply-for-Ombudsman-review.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 Directorate's processing of your request, or would like further information, please contact EPSDD Customer Service on (02) 6207 1923 and ask for the FOI team, or email to [EPSDFOI@act.gov.au](mailto:EPSDFOI@act.gov.au).

Yours sincerely



George Cilliers

Information Officer

a/g Executive Group Manager, Statutory Planning

Environment, Planning and Sustainable Development Directorate

01 October 2021