



**ACT**  
Government

Environment, Planning and  
Sustainable Development

Phone: (02) 6207 1923  
Reference: 21/114398

Dear [REDACTED]

### **Decision on Freedom of Information Access Application 21/114398**

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 5 November 2021, in which you sought access to documents relating to Development Application forms that include a declared conflict of interest.

Specifically, you are seeking:

1. *copies of all Development Application lodgement forms (or electronic equivalent) that include a declared conflict of interest for the period 2011 -2021 inclusive*
2. *any document that tabulates/summarises the number of Development Applications lodged with a conflict of interest for each year 2011-2021 (or if not available any document that otherwise summarises this number over any other time period).*

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

With an extension to the original due date, EPSDD must make a decision on your application on or by 17 December 2021.

### **Searches Conducted**

Comprehensive searches of EPSDD recordkeeping systems were undertaken.

In relation to the first part of your request, 30 Development Application forms were identified within scope of your request. Development Application forms are public register associated documents. As such they are public documents and can be released informally under Section 8 of the Act. These documents will be made available to you through our online system Objective Connect. You will shortly receive additional information about accessing this system.

In relation to the second part of your request, no documents containing information within the scope of your application were identified.

### **Decision on Access**

I am satisfied that a thorough process was completed in an effort to locate the information you are seeking. I have therefore decided, under section 35(1)(b) of the Act, that no documents are held by EPSDD that are relevant to your application.

## **Online Publication**

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

[signed electronically]

Craig Weller

Information Officer

A/g Executive Branch Manager, Statutory Planning

Environment, Planning and Sustainable Development Directorate

17 December 2021