



ACT
Government

Environment, Planning and
Sustainable Development

Phone: 6207 1923
Reference: 20/05924



Freedom of Information 20/05924

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 2 March 2020, in which you sought access to information relating to Block 31 Section 12, Waramanga.

Specifically, you are seeking the following documents:

- *DA201936351- Notice of Decision*
- *DA201936351 - Assessment Checklist*
- *DA 201936351 - Peer Review Emails*

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 make a decision on your access application on or by 31 March 2020.

Decision on Access

Comprehensive searches were conducted and five documents were identified as relevant to your application.

I have decided to grant access, in full, to all five relevant documents. A Schedule of the documents is provided as **Attachment A** to this letter.

The documents released to you are provided at **Attachment B**.

Material Considered

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

- The Act, particularly sections 6, 8, 17, 35 and Schedule 2, and
- The content of the documents that have been found within the scope of your request.

Public Interest Considerations

My reasons for deciding to grant access to the identified documents are set out in this letter.

Information Disclosure

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

- Schedule 2.1 (a)(viii) – reveal the reason for a government decision and any background or contextual information that informed the decision

As no factors favouring nondisclosure were identified, I have concluded that the information is in the public interest to release.

Charges

Pursuant to the *Freedom of Information (Fees) Determination 2018*, I have concluded that processing charges are not 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, my decision and documents released to you in response to your access application will be published in the EPSDD disclosure log three to ten days after you have received this decision. 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:

https://www.ombudsman.act.gov.au/data/assets/pdf_file/0026/79190/Apply-for-Ombudsman-review.pdf

Alternately, 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/>

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

Yours sincerely



George Cilliers
Information Officer
Environment, Planning and Sustainable Development Directorate

23 March 2020