

FOI – Information Management Team  
Environment, Planning and Sustainable Development Directorate  
GPO Box 158  
Canberra City ACT 2601  
email [epsdfoi@act.gov.au](mailto:epsdfoi@act.gov.au).

The FOI Coordinator  
Environment, Planning and Sustainable Development

Dear Sir/Madam,

## **FREEDOM OF INFORMATION REQUEST**

This is a request by the [REDACTED] for the purposes of the *Freedom of Information Act 1989*.

This FOI request relates to the recent decision by Planning and Land Authority (the Authority) to grant approval to the applicant for development approval DA 202139308 (the applicant) at Block 15 Section 37 Griffith, otherwise known as 18 Lockyer St Griffith.

I note from p.5 of the decision that approval was only granted following the provision of additional information by the applicant under s.144 of the Planning and Development Act 2007 (the Act), apparently following one or more requests for additional information from the Authority, presumably under s.141 of the Act. The decision further notes on p.8 that an amendment to the proposal was lodged on 7 April 2022, and that this was not publicly notified because it was considered that “no-one other than the applicant will be adversely affected by the amendments”, pursuant to s.146(3) of the Act.

I request copies of the following documents:

1. All written communications from the Authority to the applicant in relation to DA 202139308, whether by letter, email, SMS, file notes, diary entries or records of telephone conversations, together with any attachments or enclosures, including any drafts, revisions and final versions and all electronic exchanges in whatever form, together with attachments and other related material;
2. Any briefs, file notes, reports, minutes, summaries, diary entries or other records, together with any attachments or enclosures, including any drafts, revisions, and final versions, relating to any meetings between the Authority and the applicant in relation to DA 202139308;

3. All communications from the applicant to the Authority in relation to DA 202139308, irrespective of whether or not the communication was in response to a communication from the Authority, and whether by letter, email, SMS, or file notes, diary entries or records of telephone conversations, together with any attachments or enclosures, including any drafts, revisions and final versions, and all electronic exchanges in whatever form, together with attachments and other related material;
4. The amendment or amendments to DA 202139308 lodged on 7 April 2022;
5. The name and position of decision maker who decided that no-one other than the applicant will be adversely affected by the amendments to DA 202139308;
6. A list of the matters taken into account by the decision maker, and any briefs, advice, assessments, or other documents used by the decision maker, in making the decision in 5 above.

It is not clear from your website what application or other fees may be charged for this request. However, the [REDACTED] having more than [REDACTED] in the Inner South of Canberra. The objects and purposes of the [REDACTED] are to protect the amenity and interests of the [REDACTED]. The [REDACTED] [REDACTED] Given the public interest involved and the [REDACTED] [REDACTED] I request that you waive any fees for providing this information.

Yours faithfully,

[REDACTED]

20 June 2022

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The decision is signed by Chris Gell as “Delegate of the Planning and Land Authority”. Page 5 of the decision advises that the proposed development was referred to an Assessment Advisory Panel (the Panel).

I request copies of the following documents:

1. A copy of the delegation held by Mr Gell when making the decision;
2. Mr Gell’s position within the Authority when making the decision;
3. The names and positions of all members of the Panel between 14 October 2021 and 23 May 2022;
4. The names and positions of all employees of the Authority not members of the panel who were present at any meetings of the Panel between 14 October 2021 and 23 May 2022;
5. All written documents pertaining to the Authority’s policy or policies relating to the operations of the Panel, and in particular any criteria used to determine which development applications are to be referred to the Panel;
6. The notice, minute, determination or document referring DA 202139308 to the Panel;
7. Any briefings, background papers, minutes, advice, assessments, or correspondence, together with any attachments or enclosures, including any drafts, revisions, and final versions, relating to DA 202139308, or to the site at Block 15 Section 37 Griffith, otherwise known as 18 Lockyer St Griffith, prepared for, or given to, any member of the Panel;

8. Any minutes, records, notes, comments, memoranda, phone records, SMS messages, or diary entries together with any attachments or enclosures, including any drafts, revisions and final versions relating to any meeting of the Panel considering in whole or in part matters relating to DA 202139308, or to the site at Block 15 Section 37 Griffith;
9. Any decisions, determinations, conclusions, assessments, made, reached, or arrived at by the Panel at or after any meeting in 6 above;
10. Any instructions, advice, opinion, view, guidance, or perspective, in any form written or otherwise, given by the Panel as a whole or by any member of the Panel to Mr Gell in relation to any matter under consideration, or that should have been under consideration, in relation to DA 202139308, or to the site at Block 15 Section 37 Griffith;
11. Any written evidence of any kind considered by a member of the Panel or by Mr Gell arguing for or against the proposition that the proposed development was consistent with the definition of Supportive Housing under ACT legislation.

It is not clear from your website what application or other fees may be charged for this request. However, the [REDACTED] having more than [REDACTED] in the Inner South of Canberra. The objects and purposes of the [REDACTED] are to protect the amenity and interests of the [REDACTED]. The [REDACTED] [REDACTED]. Given the public interest involved and the [REDACTED] [REDACTED] I request that you waive any fees for providing this information.

Yours faithfully

[REDACTED]

20 June 2022