



**ACT**  
Government

Environment, Planning and  
Sustainable Development

Phone: 6207 1923  
Reference: 18/00219

Dear [REDACTED]

Freedom of Information Request: DA 201733174

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 January 2018, in which you sought access to DA 201733174.

Specifically, you are seeking the application form and supporting documents.

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

EPSDD is required to provide a decision on your access application by 30 January 2018.

#### Decision on access

Searches were completed for relevant documents and two documents were identified that fall within the scope of your request.

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

Documents identified as relevant to your request contain information that I consider to be contrary to the public interest information under schedule 1 of the Act.

I have decided to grant access, under section 50 of the Act, to copies of documents with deletions applied to information that I consider would be contrary to the public interest to disclose.

My access decisions are 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;
- the content of the documents that fall within the scope of your request;
- the *Information Privacy Act 2014*



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## Exemptions claimed

My reasons for deciding not to grant access to the identified documents and components of these documents are as follows:

### Contrary to the public interest information under schedule 1 of the Act

Folio two of the identified documents contains information that is considered to be contrary to the public interest under schedule 1 of the Act.

This document contains sensitive information about an individual. Section 1.4 details sensitive information as:

*Information the disclosure of which would involve the unreasonable disclosure of sensitive information about any individual (including a deceased person).*

For this information there are no factors favouring disclosure in the public interest.

### Online publishing – disclosure log

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 from 3 days after the date of this decision. Your personal contact details will not be published.

### 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 EPSDD's disclosure log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision you may write to the Ombudsman at:

The ACT Ombudsman  
GPO Box 442  
CANBERRA ACT 2601

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



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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/>

If you have any queries concerning the Directorate's processing of your request, or would like further information, please contact EPSDD Customer Service on 62071923 and ask for the Freedom of Information Team, or email to [EPSDFOI@act.gov.au](mailto:EPSDFOI@act.gov.au)

Yours sincerely



Brett Phillips  
Information Officer  
Environment, Planning and Sustainable Development Directorate

22 January 2018

