



**ACT**  
Government

Environment, Planning and  
Sustainable Development

Phone: 6207 1923  
Reference: 16/17512

Dear [REDACTED]

### **Freedom of Information Request – 2 Fitzroy Street Forrest**

I refer to your application under section 14 of the *Freedom of Information Act 1989* (the Act), received by the Environment, Planning and Sustainable Development Directorate (EPSDD) on 12 September 2016, in which you requested the following documents:

*“All requests below relate to 2 Fitzroy Street Forrest, Block 8 Section 35 Forrest: Can I please have a copy of all material (including emails, letters, reports, ministerials, records of conversation) relating to: DA201425608 DA201528116 DA201630153 (all preliminary material and discussions with the owner and builder) And all material relating to any minor approvals including but not limited to: \* windows being raised by five courses \* approval to expand driveway in a heritage precinct \* approval to allow car port to the front of the dwelling \* decisions supporting the car port noting DA DA201528116 specified the driveway was to sit 0.5m back from the nearest wall \* any approvals or reviews into the air condition unit being located on a boundary \* any discussions outside of DA201528116 in relation to the unapproved roof top garden including metal grates, BBQ, and the umbrella \* any records in relation to the amendment of the lease as approved under DA201425608 to allow the addition of a second business to the property thank you”*

I am an officer authorised to make a decision in respect of a request for information, under section 22 of the Act.

#### **Schedule detailing decisions**

Please refer to the attached schedules that list decisions regarding access to all documents, which have been identified as relevant to your request. The terms used on the schedule are either ‘Release’ or ‘Partial release’. Where an exemption is made, a reference will be made on the schedule to the relevant section or combinations of sections of legislation that apply to the decision.

Duplicate documents are listed on the schedules, however where possible I have included only one copy with the released documents.

#### **Decision**

The Directorate has identified a large amount of documents in its possession that meet the scope of your request. The documents have been identified and divided into 10 schedules as attached to this letter.

Under the Act, documents may be partially exempt or provided to applicants with deletions and I have decided to exempt parts of some documents under section 41 (Documents relating to personal privacy).

## **Personal Privacy**

Section 41 of the Act provides:

1. *a document is an exempt document if its disclosure under this Act would involve the unreasonable disclosure of personal information about any person (including a deceased person).*

## **Review rights**

My decision is appealable under the Act. This means that if you are dissatisfied with this outcome you have a right to seek a review under section 59 of the Act. This right of review extends to a review of the adequacy of the search for documents undertaken by EPD. If you wish to seek a review you should write to:

The Director-General  
Environment, Planning and Sustainable Development Directorate  
GPO Box 1908  
CANBERRA ACT 2601

Email: [EPDFOI@act.gov.au](mailto:EPDFOI@act.gov.au)

You have 28 days from the date of this letter to seek a review of the outcome or such other period as the Director-General permits.

Under section 54 of the Act, if you are concerned about the processing of your request or related administrative matters, you may complain to the Ombudsman, who may conduct an independent investigation into your complaint. There is no fee for this, and the contact details are as follows:

The Ombudsman  
GPO Box 442  
CANBERRA ACT 2601

Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)

## **Online FOI Publication Policy**

Please be aware that under the ACT Government's "Online FOI Publication Policy" (the Policy), information released to you under this Freedom of Information Application may be released on the internet.

Personal information or business affairs information will not be made available under the policy. If you think the content of your request would contain such information, please inform our contact officer immediately.

A copy of the policy, with details about what information may be published on the internet, is available online at:

[http://www.cmd.act.gov.au/open\\_government/report/freedom\\_of\\_information\\_online](http://www.cmd.act.gov.au/open_government/report/freedom_of_information_online)

If you have any queries in relation to this matter please contact EPSDD's Customer Service Centre on 6207 1923 and ask for the Information Management Team.

Yours sincerely



Brett Phillips  
Executive Director  
Planning Delivery  
6 February 2017

