



ACT
Government

Chief Minister, Treasury and
Economic Development

Freedom of Information Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI Reference: CMTEDDFOI 2019-243

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	N/A
4. Additional information identified	No
5. Fees	N/A
6. Processing time (in working days)	14
7. Decision made by Ombudsman	N/A
8. Additional information identified by Ombudsman	N/A
9. Decision made by ACAT	N/A
10. Additional information identified by ACAT	N/A

From: [REDACTED]
To: [CMTEDD FOI](#)
Subject: Freedom of Information request
Date: Monday, 28 October 2019 1:35:19 PM

Please find online enquiry details below. Please ensure this enquiry is responded to within fourteen working days.

Your details

All fields are optional, however an email address OR full postal address must be provided for us to process your request. An email address and telephone contact number will assist us to contact you quickly if we need to discuss your request.

Title:
First Name:
Last Name:
Business/Organisation:
Address:
Suburb:
Postcode:
State/Territory:
Phone/mobile:
Email address:

A large grey rectangular box redacting the contact details provided in the form.

Request for information

(Please provide as much detail as possible, for example subject matter and relevant dates, and also provide details of documents that you are not interested in.)

Under the Freedom of Information Act 2016 I want to access the following document/s (*required field): We wish to be provided with the disposal details relating to asbestos and asbestos-contaminated waste removed from the construction site at the Red Hill Precinct during the demolition phase. This would include records relating to the end location of this waste and the volume (in tonnes) disposed of at this location.

I do not want to access the following documents in relation to my request::

Thank you.
Freedom of Information Coordinator



ACT
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Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI2019-243



FREEDOM OF INFORMATION REQUEST

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 28 October 2019, in which you sought access to the disposal details relating to asbestos and asbestos-contaminated waste removed from the construction site at the Red Hill Precinct during the demolition phase including records relating to the end location of this waste and the volume (in tonnes) disposed of at this location.

Authority

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.

Timeframes

In accordance with section 40 of the Act, CMTEDD is required to provide a decision on your access application by 25 November 2019.

Conclusion of Consultation

In the notice of third party consultation letter to you dated 13 November 2019 you were advised that information identified relevant to your request involved two third parties. You were also advised that the revised deadline for a response to your request was 16 December 2019.

On 14 November 2019 I was advised that the documents initially provided to the Information Access Team (IAT) in response to your request were not documents related to the demolition phase of the Red Hill Precinct. Clarification was sought with the EPA and subsequently confirmed. The documents provided were approvals for asbestos contaminated soil removed from the site post demolition.

Decision on access

Noting the above a search of CMTEDD records has failed to identify any documentation in relation to your request. The search was conducted using the information you provided and the advice provided by the EPA. I am advised that the ACT Government does not get not involved in the demolition phase of building sites. The only involvement the ACT Government would have would be if there was an issue with the demolition (eg. a Worksafe incident).

I am satisfied that appropriate searches were completed and that no documents relevant to your request are held by CMTEDD.

Charges

Pursuant to *Freedom of Information (Fees) Determination 2017 (No 2)* processing charges are not applicable for this request as no information is being released to you.

Online publishing – Disclosure Log

CMTEDD is required to maintain a disclosure log that must be made publicly available under section 23 of the Act, and which contains information released to an applicant - excluding access applications for personal information. The disclosure log is available online at <http://www.cmd.act.gov.au/functions/foi/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 CMTEDD 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: actfoi@ombudsman.gov.au

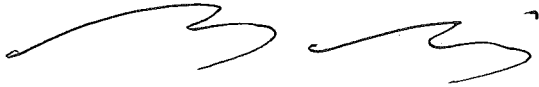
ACT Civil and Administrative Tribunal (ACAT) Review

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/>

Should you have any queries in relation to your request please contact me by telephone on 6207 7754 or email CMTEDDFOI@act.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Daniel Riley', written in a cursive style.

Daniel Riley
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate

15 November 2019

