



## Freedom of Information Request – Block 17 Section 17 Macquarie

I refer to your application under section 14 of the *Freedom of Information Act 1989* (FOI Act), received by the Environment and Sustainable Development Directorate (ESDD) on 25 February 2013, in which you requested the following documents:

*“Block 17 Section 17 Macquarie, relating to roof inspection done by Simon and Brendan O’Neill.”*

Please accept my sincere apology for the delay in responding to your request. The delay was a result of a secondary search for documents which was conducted to ensure all relevant records were provided to you. In processing this request the Directorate wanted to ensure that all documents related to your request were provided to you. This, unfortunately, resulted in an extensive delay.

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

### **Schedule detailing decisions**

Please refer to the attached schedule that lists 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.

### **Decision**

The Directorate has identified 9 documents in its possession that meet the scope of your request, as identified in the schedule attached to this letter.

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

### Personal Privacy

Section 41 of the FOI 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).”*

A number of documents contain the personal information relating to community members and I believe that to release the information contained in these documents to you would constitute an unwarranted invasion of privacy on the people concerned.

### **Review rights**

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

The Director-General  
Environment and Sustainable Development Directorate  
GPO Box 1908  
CANBERRA ACT 2601  
Email: [ESDDFOI@act.gov.au](mailto:ESDDFOI@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 FOI 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 Heather Johnston on 6207 1941.

Yours sincerely



Craig Simmons  
Director  
Construction Occupations

*10* May 2013