



ACT
Government

Environment and
Sustainable Development

OFFICER :Heather Johnston
EMAIL :ESDDFOI@act.gov.au
PHONE :6207 1941
REF :FOI 13/06531

Freedom of Information Request – Braddon Commercial Area Study (2007)

I refer to your application under section 14 of the *Freedom of Information Act 1989* (the Act), received by the Environment and Sustainable Development Directorate (ESDD) on 15 April 2013, in which you requested the following documents:

“Documents relating to the public consultation of the draft Braddon Commercial Area Study (2007) incl. The ACTPLA webpage and info. About the study; a copy of the generic letter sent to stakeholders eg. NCCC; a copy of the notice in the Canb. Times or chronicle informing them of this study and the 22 submissions made in relation to this study.”

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

Under the Act, documents may be partially exempt/exempt or provided to applicants with deletions and I have decided to exempt some 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).*

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 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 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

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

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

If you have any queries in relation to this matter, please contact Heather Johnston.

Yours sincerely



Erin Brady
Executive Director
City Planning

15 May 2013