



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 2020-164

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)	15
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: [EPSDFOI](#)
To: [CMTEDD FOI](#)
Subject: Partial Transfer - Number of BA Approvals
Date: Monday, 31 August 2020 8:52:01 AM

OFFICIAL

Good morning Team

As discussed with Matt this morning please see the below application, point 3 is proposed for partial transfer.

Please feel free to give me a call if you have any questions.

Kind Regards

Angelina Aloisi | Freedom of Information and Records Officer

Information and Knowledge Management

Environment, Planning and Sustainable Development Directorate | ACT Government

Phone: 02 6207 7912 | Email: Angelina.Aloisi@act.gov.au

Level 5, 480 Northbourne Avenue, Dickson | GPO Box 158 Canberra ACT 2601 |

www.environment.act.gov.au | www.planning.act.gov.au

Please consider the environment before printing this email

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From: [REDACTED]
Sent: Wednesday, 26 August 2020 8:02 PM
To: EPSDFOI <EPSDFOI@act.gov.au>
Subject: FOI request

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear EPSDD Information Management Team,

Under the Freedom of Information Act 2016, I am seeking the following:

- A copy of the EPSDD internal procedures for dealing with conflict of interests in cases of employees, ex-employees and family members of EPSDD submitting a DA, and the fair assessment processes put in place.
- Inform me of what processes have been put in place to ensure fair assessment of DA 202037392
- Let me know how many building applications have been submitted, awarded or denied to any members of the [REDACTED] family [REDACTED]
[REDACTED]

Thank you





ACT
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Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI 2020-164

[REDACTED]

via email: [REDACTED]

Dear [REDACTED]

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 31 August 2020, in which you sought access to:

How many building applications have been submitted, awarded or denied to any members of the [REDACTED] family?

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 of section 40 of the Act, CMTEDD was required to provide a decision on your access application by 28 September 2020.

Decision on access

I have decided to refuse to deal with your application under section 43(1)(d) and section 45(g) of the Act because the information you are seeking is publicly available for a fee at:

https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/2108/kw/land%20titles#!tabs-3

Section 43(1)(d) states:

- (1) A respondent may refuse to deal with an access application wholly or in part only if—
(d) the government information is already available to the applicant (see section 45).

Section 45(a) states:

For section 43(1)(g), government information is already available to the applicant only if the information—

- (g) is usually available for purchase.

Charges

Processing charges are not applicable for this request because no pages are being released to you.

Online publishing – Disclosure Log

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. A description of the access application and my decision will be published in the CMTEDD disclosure log after 24 September 2020. Your personal contact details will not be published. You may view CMTEDD disclosure log at <https://www.cmtedd.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.

We recommend using this form [Applying for an Ombudsman Review](#) to ensure you provide all of the required information. Alternatively, 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,



Philip Dachs
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate

21 September 2020