



Freedom of Information Request – Sound level measurements at units [REDACTED] e

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 6 February 2013, in which you requested the following documents:

~~“Records of the sound level measurements performed by officers of the EPA in units 22 & 28, Eldridge Crescent Garran in relation to loud piano music.”~~

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 the decision regarding access to the document, which has been identified as relevant to your request. The term used on the schedule is ‘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 one document in its possession that meets the scope of your request, as identified in the schedule attached to this letter.

Under the FOI Act, documents may be partially exempt or provided to applicants with deletions. I have decided to exempt some parts of the document 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).”

One document contains personal information relating to community members and I believe that to release the information contained in this document 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

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

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 on 6207 1941.

Yours sincerely



 Daniel Walters
Director
Environment Protection and Water Regulation

 17 February 2013