



ACT
Government

Chief Minister, Treasury and
Economic Development

Our Reference: FOI-ORS: 15-0119



FREEDOM OF INFORMATION REQUEST

I write in response to your request for Access Canberra documents under the *Freedom of Information Act 1989* (the Act). In your application, you sought access to documents regarding the building located at 17 Canberra Avenue, Forrest ACT, in particular, you sought access to:

“Planning permits issued for the building located at 17 Canberra Avenue, Forrest ACT 2603 (now the Rydges Hotel) including any planning permits issued for any refurbishment works and also copies of any Certificate of occupancy issued”.

I am the officer authorised under section 22 of the Act to make a decision in relation to your request.

Although the Act facilitates the objective of public access to documents, access is subject to a number of exemption provisions as set out by the Act. Documents in your request are subject to exemptions as set out by section 41(1) and section 43(1) of the Act.

Section 41(1) of the Act details that information may be exempt from release if disclosure under the Act would unreasonably release personal information.

Section 43(1) of the Act details that information may be exempt from release if disclosure under the Act would unreasonably release information that may affect business affairs.

I have decided that some documents are to be partially released in accordance with the above mentioned exemption provisions. Whilst the remaining documents will be released in full per the provision rights of the *Territory Records Act 2002 Part 3* (Access).

The *Territory Records Act 2002* provides a broader range of access to archival material (older than 20 years) than outlined in the *Freedom of Information Act 1989*. Please see the attached schedule detailing what will be released to you.

I have also assessed your request for information under the ACT Government's Online Freedom of Information Publication Policy and have determined that the documents relevant to your request, not including your original application **will** be published online. For more information about the ACT Government's Online Freedom of Information Publication Policy, visit the link below.

http://www.cmd.act.gov.au/open_government/report/freedom_of_information_online

You have the right to seek a review of the outcome under section 59 of the Act within 28 days from the date of this letter, or such other period as the Director-General permits. This right of review extends to a review of the adequacy of the search for documents undertaken by the Directorate. Requests for review should be submitted to the following address:

The Director-General
Chief Minister, Treasury, and Economic Development Directorate
C/- Freedom of Information Officer
GPO Box 158
CANBERRA ACT 2601

You also have the right to contact the Ombudsman regarding the processing of your request and you may contact the Ombudsman's Office at the following address:

The Ombudsman
GPO Box 442
CANBERRA ACT 2601

Yours sincerely



David Middlemiss
Decision Maker
Access Canberra

16 December 2015