



ACT
Government

Chief Minister, Treasury and
Economic Development

Freedom of Information Disclosure Log Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

Application Details	
Ref. No.	CMTEDDFOI 2024-030
Date of Application	30 January 2024
Date of Decision	13 February 2024
Processing time (in working days)	11
Fees	N/A
Decision on Access	No Documents Found
Information Requested (summary)	Building files on three properties in the ACT.
Publication Details	
Original application	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Decision notice	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Documents and schedule	<input type="checkbox"/> Published <input checked="" type="checkbox"/> N/A
Decision made by Ombudsman	N/A
Additional information identified by Ombudsman	N/A
Decision made by ACAT	N/A
Additional information identified by ACAT	N/A

From: [EPSDFOI](#)
To: [CMTEDD.FOI](#)
Subject: RE: URGENT FREEDOM OF INFORMATION REQUEST - Our Client: [REDACTED]
Date: Monday, 29 January 2024 4:32:47 PM
Attachments: [20240129 Letter to Access Canberra\(82481501.1\).pdf](#)
[Signed General Authority \[REDACTED\].pdf](#)

OFFICIAL: Sensitive - Personal Privacy

Good afternoon team

Please see the attached access application seeking information likely to be held by Access Canberra (Building Files).
I have checked the [list of affected properties](#) for the addresses mentioned, as none appear on the list no information is likely to be held by EPSDD.

Please confirm if transfer is accepted.

Thank you

Angelina Aloisi (she/her) | A/g Assistant Director Information Governance (FOI and Information Access)
Phone: 02 6207 7912 | Email: epsdfoi@act.gov.au
Legal Policy and Information Access | Environment, Planning and Sustainable Development Directorate | ACT Government
480 Northbourne Avenue, Dickson | GPO Box 158, Canberra ACT 2601 | www.act.gov.au

I acknowledge the Ngunnawal people as traditional custodians of the ACT and recognise any other people or families with connection to the lands of the ACT and region. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

From: [REDACTED]
Sent: Monday, January 29, 2024 2:48 PM
To: EPSDFOI <EPSDFOI@act.gov.au>
Cc: [REDACTED]
Subject: URGENT FREEDOM OF INFORMATION REQUEST - Our Client: [REDACTED]
[REDACTED]

You don't often get email from [REDACTED] [Learn why this is important](#)

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. [Learn why this is important](#)

Good Afternoon Sir/Madam,

Please refer to the **attached** correspondence.

Kind Regards,

[REDACTED] [REDACTED]



[REDACTED]

29 January 2024

The FOI Coordinator
Environment, Planning and Sustainable Development Directorate
GPO Box 158
CANBERRA ACT 2601

By Email: epsdfoi@act.gov.au

URGENT Freedom of Information Request

Dear Sir/Madam,

Our Client:
Properties:

[REDACTED]

We advise we act on behalf of the abovenamed in relation to [REDACTED]
regarding [REDACTED].

Please find **enclosed** the following:

1. Certified copy of [REDACTED] driver license (the solicitor acting for [REDACTED] and [REDACTED])
2. Authority to release information and documents signed by [REDACTED].

By way of background, our client was a [REDACTED] who also [REDACTED]
[REDACTED] at the above three addresses in part from asbestos containing materials.

During the abovementioned renovation our client was exposed to asbestos dust and debris.
As a result, our client has developed [REDACTED].

Given our client's [REDACTED]
[REDACTED] we ask that you treat this request as a matter of urgency and respond as quickly as possible.

Liability limited by a scheme approved under Professional Standards Legislation.

[REDACTED]

[REDACTED]

We kindly request copies of the following documents relating to the abovementioned properties:

1. Entire building files, including but not limited to, all building applications, plans, photographs, building consents, asbestos repairs (if any) and any document which refers to "asbestos", "limpet asbestos", "sprayed asbestos", "A/C", "fibro", "corrugated AC", "Super Six", "Deep Six", "Hardiflex", "Duraflex", "Hardiplank", "Wunderplank", "compressed A/C", "fibro pipes" and/or "A/C pipes".

The relevant time period for the request is 1960 to the current date.

If you require further information in order to facilitate this request, please contact the writer.

Yours faithfully



Encl





ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDDFOI 2024-030

Your ref: [REDACTED]



FREEDOM OF INFORMATION REQUEST – NOTICE OF DECISION

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by Environment, Planning and Sustainable Development Directorate and transferred to the Chief Minister, Treasury and Economic Development Directorate (CMTEDD). This transfer was accepted by CMTEDD on 30 January 2024. Specifically, you have sought access to the following information:

documents relating to the properties: [REDACTED]

[REDACTED] *Entire building files, including but not limited to, all building applications, plans, photographs, building consents, asbestos repairs (if any) and any document which refers to "asbestos", "limpet asbestos", "sprayed asbestos", "A/C", "fibro", "corrugated AC", "Super Six", "Deep Six", "Hardiflex", "Duraflex", "Hardiplank", "Wunderplank", "compressed A/C", "fibro pipes" and/or "A/C pipes". The relevant time period for the request is 1960 to the current date.*

On 9 February 2024 you agreed to rescope the request to:

any document which refers to "asbestos", "limpet asbestos", "sprayed asbestos", "A/C", "fibro", "corrugated AC", "Super Six", "Deep Six", "Hardiflex", "Duraflex", "Hardiplank", "Wunderplank", "compressed A/C", "fibro pipes" and/or "A/C pipes".

Authority

I am an Information Officer appointed by the CMTEDD Director-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

Timeframes

In accordance with section 40 of the Act, CMTEDD is required to provide a decision on your access application within 30 days. Therefore, a decision is due by **13 March 2024**.

Decision on access

A search of CMTEDD records has failed to identify any documentation that falls within the scope of your access application. I am satisfied that appropriate searches were completed and that no documents relevant to your request are held by CMTEDD.

Please note, that under section 13, this Act does not apply to records that a person is entitled to access under the *Territory Records Act 2002*, part 3, including those that are over 20 years old.

Charges

Pursuant to *Freedom of Information (Fees) Determination 2017 (No 2)* processing charges are not applicable for this request as no documents 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](#).

Your original access application and my decision will be published on the CMTEDD disclosure log. Your personal contact details will not be published.

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 provided to you, 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:

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:

ACT Civil and Administrative Tribunal
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

A handwritten signature in black ink, appearing to read 'K Stuart', written in a cursive style.

Katharine Stuart
Information Officer
Chief Minister, Treasury and Economic Development Directorate
13 February 2024