



ACT
Government

Environment and
Sustainable Development

Phone: 6207 1923
Reference: 14/07198

Dear [REDACTED]

Freedom of Information Request – SUBJECT

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 4 April 2014, in which you requested the following documents:

"I seek access to information that the Environment and Sustainable Development Directorate has regarding the former Koppers Wood Products timber treatment plant on Tralee Street, Hume. Specifically, I seek access to all documents and correspondence dating from 14 August 2013 to 04 April 2014 relating to the contamination of the Koppers site held by the Directorate, the office of the Minister for the Environment, Simon Corbell, or the office of the Chief Minister, Katy Gallagher."

You were contacted by ESDD's Records Manager, Ruth Fiona, in regard to refining the scope to enable easier processing of this application. It was agreed that multiple copies of single documents, for example email records retained by all recipients, could be excluded. You also indicated communication between yourself and the ESDD Media Team could be excluded, unless additional information was added.

The result of this refinement was that some email records were entirely excluded as they were replicated at another point in the response. For example, you will notice there are no emails from my mailbox directly. These emails were copied to, and retained by, Mr Daniel Walters or Mr Mark Heckenberg and provided to you in this application. Similarly records held by Ms Dorte Ekelund and Mr Ben Ponton were excluded on this basis.

In some cases you will notice that an attachment is listed within an email, but not included with that email. During processing it was found that many attachments were duplicated or provided elsewhere and have been scheduled separately, or are entirely exempt. Where an attachment has been removed as exempt, or included elsewhere, this is indicated in the schedule.

In a small number of documents some pages have been removed as the end of the email thread is duplicated throughout the response. This has only occurred where the email chain is direct communication between yourself and the Media Team, and has been marked in the response provided.

If you would like to discuss what duplicate material was removed and how the application was assessed you are welcome to contact Ms Fiona on 02 6207 5587.

Authorisation

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 schedules that list decisions regarding access to all documents, which have been identified as relevant to your request. Due to the volume of documents three schedules have been

provided. Fully exempt documents have been listed in a specific schedule to assist in making documents easier to review.

The terms used on the schedule are either 'Release', 'Partial release' or 'Exempt'. 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.

Duplicate documents are listed on the schedules, however where possible I have included only one copy with the released documents.

Decision

The Directorate has identified 188 documents (excluding duplicate material) 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 documents under sections 35 (Executive documents), 36 (Internal working documents), 41 (Documents relating to personal privacy) and 43 (Documents relating to business affairs) and Section 11 (documents that are publically available).

Detail of exemption categories can be found at the end of each schedule.

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 Ms Ruth Fiona, Records Manager on [REDACTED]:

[REDACTED]
Yours sincerely

[REDACTED]
✓ Christopher Collier

Director

Environment Protection and Water Regulation

15 May 2014