



### Freedom of Information Request – Block 14 Section 22 Torrens

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 March 2013, in which you requested the following documents:

*“1/ Development applications approved for [redacted] (this is block 14, section 22) from January 1, 2006 to December 31, 2008.*

*2/ Development applications or other building applications lodged for [redacted] (this is block 14, section 22) from January 1, 2006 to December 31, 2008.”*

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 decisions regarding access to all documents, which have been identified as relevant to your request. The terms used on the schedule are either ‘Release’ or ‘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 five documents in its possession that meet 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 and I have decided to exempt some documents 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).”*

A number of documents contain the personal information relating to community members and I believe that to release the information contained in these documents 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](mailto: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](mailto: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](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



Jim Corrigan  
Executive Director  
Planning Delivery

*A April* ~~March~~ 2013

### Freedom of Information Request Schedule – Block 14 Section 22 Torrens

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Ref No.	Number of Pages	Description	Date	Status	Reason for Exemption	Online release status
1	2	DA 200700317 – Pre application meeting notes	29/01/07	Partial Release – Section 41 Section 41 of the Act states that a document is exempt if its disclosure would involve the unreasonable disclosure of information relating to the personal affairs of any person	To release some of the information contained in this document would constitute an unreasonable invasion of the privacy of the person concerned	Partial
2	11	DA 200704286 – Lodgement sheet and application	10/09/07	Partial Release – Section 41	To release some of the information contained in this document would constitute an unreasonable invasion of the privacy of the person concerned	Partial
3	10	DA 200704286 – notice of decision	23/10/07	Release	This document is considered relevant to the matters raised in the request and therefore may be released in full	Release
4	8	Approved plans	23/10/07	Release	This document is considered relevant to the matters raised in the request and therefore may be released in full	Release

5	10	Building file: TORENS, SECTION 22, BLOCK 14 – Documents from period 1/1/06 – 31/12/08	Various	Partial release – Section 41	To release some of the information contained in this document would constitute an unreasonable invasion of the privacy of the person concerned	Partial
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