



**Freedom of Information Request – Harrison Blocks 11 and 12 Section 4**

I refer to your application under section 14 of the *Freedom of Information Act 1989* (the Act), received by the Environment and Planning Directorate (EPD) on 16 March 2015, in which you requested the following documents:

“RE: [REDACTED] - FOI Request

[REDACTED]  
We request the following in relation to Harrison Block 11, Section 4 in deposited plan 10654 and Harrison Block 12 Section 4 in Deposited Plan 10654:

- any copies of the crown lease
  - any copies of deposited plans or unit plans
  - any copies of development applications
  - any copies of building records
  - any copies of lease conveyancing enquiry documents and/or building conveyancing inquiry documents
  - any copies of building and compliance inspection reports
  - any copies of section 75 certificates
- please note, we require information in relation to the plumbing, or gas of the premises at this stage.”

This was clarified with EPD’s FOI Officer to exclude building and leasing file records that did not contain records relevant to the scope of your request, as well as development application records that related to comments from representors and documents that did not relate to [REDACTED]

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 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’, ‘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.

**Decision**

The Directorate has identified 36 documents 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 41 (Documents relating to personal privacy) and 43 (Documents relating to business affairs).

Access to documents not to apply to certain documents:

### **Personal Privacy**

Section 41 of the 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).*

### **Business affairs**

Section 43 of the Act provides:

1. *a document is an exempt document if its disclosure under this Act would disclose—*
  - (a) trade secrets; or*
  - (b) any other information having a commercial value that would be, or could reasonably be expected to be, destroyed or diminished if the information were disclosed; or*
  - (c) information (other than trade secrets or information to which paragraph (b) applies) concerning a person in respect of his or her business or professional affairs or concerning the business, commercial or financial affairs of an organisation or undertaking, being information—*
    - (i) the disclosure of which would, or could reasonably be expected to, unreasonably affect that person adversely in respect of his or her lawful business or professional affairs or that organisation or undertaking in respect of its lawful business, commercial or financial affairs; or*
    - (ii) the disclosure of which under this Act could reasonably be expected to prejudice the future supply of information to the Territory or an agency for the purpose of the administration of a law or the administration of matters administered by an agency.*

Some documents contain the financial information of an organisation and the organisation has requested that these documents are exempt from release.

### **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 EPD. If you wish to seek a review you should write to:

The Director-General  
Environment and Planning Directorate  
GPO Box 1908  
CANBERRA ACT 2601

Email: [EPDFOI@act.gov.au](mailto:EPDFOI@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](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 EPD's Customer Service Centre on 6207 1923 and ask for the Information Management Team.

Yours sincerely



Jim Corrigan  
Executive Director  
Planning Delivery

 April 2015

