



ACT
Government

Environment, Planning and
Sustainable Development

Reference: 17/31845



Dear 

I refer to your request of 22 May 2018 for an internal review on a decision made in response to your request under the *Freedom of Information Act 1989* (the Act) of 9 November 2017 for documents related to the Dickson Master Plan. Specifically, you have requested an internal review of the decision to redact Document 19: Email Seagrott to Mundy – Dickson Tradies Decision dated 16 November 2011.

In accordance with section 22 of the Act, I am an officer authorised to make a decision in respect of a request for a review of decisions made for access to information.

Section 59 of the Act provides the right for an internal review of the decision to refuse to grant access to a document. The Act states:

(1) Where a decision has been made in relation to a request to an agency otherwise than by the responsible Minister or principal officer of the agency, being—

a) a decision refusing to grant access to a document in accordance with a request or deferring the provision of access to a document; (...)

the applicant may, within 28 days after the day on which that decision is notified to the applicant or within such further period as the principal officer of the agency allows, by application in writing to the principal officer of the agency, request a review of the decision in accordance with this section.

A decision was made by Ms Fleur Flannery, Executive Director, Planning Policy on 19 April 2018 in response to your request for access to the following documents (original request):

“copies of documents from 2008 to 2012 relating to the Dickson Masterplan that reference Dickson Block 30, Section 34.”

I have considered Document 19, for which exemptions were claimed under section 35 of the Act (Executive documents). This document contains information which would, if released, disclose the deliberation of Cabinet and is therefore subject to the Executive documents exemption. The document contains information that differs to the information publicly

released, and thus it would make information in an Executive document public. This exemption is not subject to a public interest test. I therefore confirm the original decision.

Review

In accordance with section 60 of the Act, you may seek a review of my decision under internal review in the ACT Civil and Administrative Tribunal.

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: actfoi@ombudsman.gov.au

Online FOI Publication Policy

Please be aware that under the ACT Government's "*Online FOI Publication Policy*" (the Policy), the decision of an internal review under the Act 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

Yours sincerely



Dr Erin Brady
Deputy Director-General, Land Strategy & Environment
Environment, Planning and Sustainable Development Directorate

2/ June 2018