



Dear 

**Freedom of Information Request – 17/21460 – Lake Burley Griffin  
reclamation**

I refer to your application under section 14 of the *Freedom of Information Act* 1989 (the Act), received by the Environment, Planning and Sustainable Development Directorate (EPSDD) on 31 July 2017, in which you requested:

*“A copy of the actual deed, licence or transfer arrangement between the Commonwealth and the ACT for the lakebed associated with what is known as Work Package 1 and Work Package 2 of the City to the Lake project in West Basin.*

*Any correspondence with on behalf of the ACT Government, its Economic Development and Planning Directorate or the Land Development Agency, regarding transfer of title, licence or use of the lakebed for the West Basin foreshore reclamation project.*

*Any submissions, recommendations or presentations by the Land Development Agency to the National Capital Authority Board regarding the proposed use of lake bed in West Basin. This request is limited to the period between 1 April 2016 and today.*

*Any survey data, drawings or charts in the ACT Government's possession, which illustrate any area to be reclaimed in West Basin.*

*Copies of any requirements in the ACT Government's possession with regard to protection of the environment during the proposed West Basin developments, especially with regard to protection of water quality.”*

I apologise for the delay in providing you a response. Your patience and understanding throughout this process has been greatly appreciated.

I am an officer authorised to make a decision in respect of a request for information, under section 22 of the Act.



## **Decision**

The Directorate has identified 68 items in its possession that meet the scope of your request, as indicated in the schedule attached to this letter. No submissions, recommendations or presentations to the National Capital Authority Board were identified.

The attached schedule outlines my decision regarding access to each of the documents identified as relevant to your request and the relevant exemptions applied. Documents are identified as either 'full release', 'partial release' or 'exempt'.

Exemptions have been applied under Section 34 (relations with Commonwealth and States), section 41 (documents affecting personal privacy), Section 42 (documents subject to legal professional privilege) and section 43 (business affairs). Some of the documents contain personal information and it is my determination that the release of this information would constitute an unreasonable disclosure of personal information. Some of the documents contain information and discussion about the negotiations about the lake bed reclamation. The release of this information could reasonably be expected to damage relations with the Commonwealth by revealing information that formed negotiations or was about them. This information is therefore exempt under section 34. Some of the documents contain names, contact details and other information about persons, which is exempt under section 41. Some of the documents contain communication with and advice from the ACT Government Solicitor, and are thus exempt under section 42. Some of the documents are property or land valuations, or contain information relating to such valuations, or are reports related to environmental management. The release of these documents could have a negative impact on the professional or commercial affairs of the businesses involved by revealing business information, and they are thus exempt under section 43.

## **Review rights**

My decision is reviewable under section 59 of the Act. If you wish to seek a review you may write to:

The Director-General  
Environment, Planning and Sustainable Development Directorate  
GPO Box 158  
CANBERRA ACT 2601  
Email: [EPSDFOI@act.gov.au](mailto:EPSDFOI@act.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 is to be published 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 EPSDD's Customer Service Centre on (02) 6207 1923 and ask for the Information Management Team.

Regards



Nicholas Holt  
Director, Programs  
City Renewal Authority

23 November 2018

