



Freedom of Information Request – Phillip B004 S079 – Pitch and Putt

I refer to your application under the *ACT Freedom of Information Act 1989* (the Act), received by the Directorate on 16 May 2013, in which you sought access to documents relating to:

“A copy of the original lease of Block 4 Section 79 Woden.

It was leased to the Canberra Southern Cross Club as a site for a Pitch and Putt course.

A copy of the subsequent valuation of that land by the Australian Valuation Office.

A copy of the direct grant of the land including the purpose of that direct grant to the Canberra Southern Cross Club.

N.B. I have already applied to the Australian Valuation Office for the valuation and that request has been refused by the ACT Government.”

Documents that related to your request were emailed to you on 11 July 2013.

Following the receipt of those documents you contacted the ESDD FOI Officer to advise that you had not received documents that you considered within the scope of your request, specifically the Direct Sale Grant.

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 term used on the schedule is ‘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 one additional document in its possession that meets 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. The scheduled document attached would generally have some parts of the documents deleted under section 43 (Documents that could potentially impact business affairs). In this case, given your correspondence with the Government, and the likelihood that the direct sale would have been tabled before the Legislative Assembly, including the land values, I have made the decision to fully release this document.

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 Heather Johnston.

Yours sincerely



Ben Ponton
Deputy Director-General
Planning

25 July 2013