



**ACT**  
Government

Environment, Planning and  
Sustainable Development

Phone: 6207 1923  
Reference: 18/12049

Mr Shane Townsend

By email:

[foi+request-4560-9d5365f3@righttoknow.org.au](mailto:foi+request-4560-9d5365f3@righttoknow.org.au)

Dear Mr Townsend

**Freedom of information request: Impact on threatened species through building new suburbs**

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Environment, Planning and Sustainable Development Directorate (EPSDD) on 4 May 2018, in which you sought access to government information.

Specifically, you are seeking:

*“Any government information from 1 January 2008 that mentions the impact on listed threatened species because of the building or creation of new suburbs in the ACT.”*

I am an Information Officer appointed under section 18 of the Act to deal with access applications made under Part 5 of the Act.

EPSDD is required to make a decision on your access application by 1 June 2018.

I note that staff of my office contacted you on 25 May 2018 to discuss the scope of your application and did not receive a response.

**Intention to refuse**

I write to inform you that I intend to refuse to deal with your application in its current form under sections 43 (1)(a) and 44 of the Act because to do so would require an unreasonable and substantial diversion of resources.

Your application requires consideration of all government information which mentions the impact on listed threatened species due to building or creation of new suburbs. As it is stated, the scope of your application is significantly broad and would require identification all relevant information through the manual assessment of potentially tens of thousands of documents. This activity would entail a number full-time staff dedicated to this process over multiple months.

Furthermore, as the scope of your application mentions “listed species” a search of records would need to be conducted for each listed species. To identify and compile this information would be a lengthy process as the ACT and Commonwealth Governments maintain separate lists of threatened species.

While the impact on threatened species is a matter of public interest, the scope of the application is so broad that a large percentage of the documents captured within the scope would not contribute to factors favouring disclosure in the public interest. For example, the

time that would be required to identify all relevant information would not necessarily reflect the amount of information that is of interest to you or the public generally.

I have deliberated on the benefit and detriment reasonably expected to result by the diversion of resources required to respond to this request. It is my view that the public benefit in EPSDD identifying, locating, collating and examining documents captured by the broad scope of your application does not outweigh the detriment caused to the public by impeding the ability of EPSDD to perform particular functions.

Section 46 of the Act provides you with a consultation period of 10 working days from the issue of this notice. If no response is received by 18 June 2018, your application will be refused.

You may consult with the FOI team during this period to negotiate a suitably revised scope. If, following consultation, you submit an amended application, the original application is taken to have been made on the date the application is received.

If you have any queries concerning the Directorate's processing of your request, or would like further information, please contact EPSDD Customer Service on 62071923 and ask for the FOI team, or email to [EPSDFOI@act.gov.au](mailto:EPSDFOI@act.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Carolyn O'Neill', written in a cursive style.

Carolyn O'Neill  
Information Officer  
Environment, Planning and Sustainable Development Directorate

1 June 2018