

[REDACTED]

By email: [REDACTED]

Dear [REDACTED]

### Freedom of Information – Notice of Decision

I refer to your application under section 30 of the Freedom of Information Act 2016 (the FOI Act), received by the City and Environment Directorate (CED) on 28 January 2026. It is my understanding you sought access to the following information:

- Any correspondence, submissions, or assessments relating the rezoning, redevelopment, and transfer of planning authority to the National Capital Authority for the Hume Circle residential area designated as Griffith Zone 25.

I thank you for engaging with our office on 9 April 2026 to clarify the scope of your application, in which you amended the scope of your application as follows:

- Any correspondence, submissions, or assessments relating to the rezoning, redevelopment, and transfer of planning authority to the National Capital Authority (NCA) for the Hume Circle residential area designated as Griffith Zone 25 between the period 1 April 2025 to 24 December 2025. Specifically, you are seeking access to information relating to the consultation between the ACT Government and NCA and the indicative timeline associated with the redevelopment.
- Submissions provided by the ACT Government in response to the Draft Amendment 102 (Hume Circle Precinct), which is available on the NCA website, is excluded.

I thank you for providing the following statement on the public interest in your application. Your views have been considered in reaching my decision on your application:

- This request is to inform submission response for NCA Draft Amendment 102, proposing transfer or planning authority to the NCA and the redesignation of Griffith Zone 25 to a High Density zone up to 15 storeys. This request is to establish what, if any, assessments have been conducted in relation to infrastructure, transport, parking, and community impacts.

### Timeframes

In accordance with section 40 of the FOI Act, CED was initially required to provide a decision on your access application within 30 working days. Under section 41 of the FOI Act, you agreed an additional amount of time to decide your application. Therefore, a decision is due on or by **13 May 2026**.

## Authority

I am an Information Officer appointed by the Director-General of the City and Environment Directorate under section 18 of the FOI Act to deal with access applications made under Part 5 of the FOI Act.

## Decision on access

Following receipt of your application, a search for relevant records held by CED. Through this process it was identified that the Suburban Land Agency (SLA) also held information relevant to your application. Under section 58 of the FOI Act, relevant records held by SLA have been transferred to CED. Together, 13 records within the scope of your application have been identified. The records are listed in the schedule at **Attachment A**.

I have decided to:

- grant **full** access to seven records.
- grant **partial** access to six records.

The reasons for my decision are detailed in the *statement of reasons* section below. The records being released to you are provided at **Attachment B** with redactions applied to any information contrary to the public interest to release.

## Statement of reasons

The FOI Act has a pro-disclosure bias, which requires information to be disclosed unless doing so would be contrary to the public interest. As an Information Officer, I am responsible for determining whether disclosure of the information within the scope of your application would be contrary to the public interest.

My assessment begins with Schedule 1 of the FOI Act, which outlines categories of information that are taken to be contrary to the public interest to disclose. If the information does not fall within any of these categories, I must then apply the public interest test under section 17 of the FOI Act. This test involves weighing the factors favouring disclosure against those favouring nondisclosure, as set out in Schedule 2.

In reaching my access decisions, I have taken the following into account:

- the FOI Act
- the information that falls within the scope of your application
- your views regarding the public interest
- the views of the third party consulted
- the *Human Rights Act 2004*

I confirm that I have not considered any of the factors listed in section 17(2) of the FOI Act, which outlines a list of considerations that must not be taken into account when applying the public interest test.

### Schedule 1 – Information taken to be contrary to the public interest

- *No relevant sections identified.*

## Schedule 2 – Public interest test

### *Factors favouring disclosure (Schedule 2.1)*

- *Section 2.1(a)(i) - promote open discussion of public affairs and enhance the government's accountability.*
- *Section 2.1(a)(ii) - contribute to positive and informed debate on important issues or matters of public interest.*
- *Section 2.1(a)(viii) - reveal the reason for a government decision and any background or contextual information that informed the decision.*

In reviewing the information within the scope of your application, I consider that disclosure promotes open discussion of public affairs, specifically in relation to considerations of impacts to public infrastructure, traffic and community needs. I also consider that disclosure enhances government's accountability generally, as disclosure provides context to processes followed by government and contextual information relating to government decisions. I have placed significant weight on these factors.

### *Factors favouring nondisclosure (Schedule 2.2)*

- *Section 2.2(a)(ii) - prejudice the protection of an individual's right to privacy or any other right under the Human Rights Act 2004.*

In my consideration of factors favouring non-disclosure, I have identified the personal information of parties who are not employees of the ACT Government, namely employees of the National Capital Authority (NCA). I have considered that the information has been provided to CED with the expectation that it is handled in accordance with published privacy statements and policies. I consider that this information is not readily available to the public and has not otherwise been disclosed by CED. I further consider that this information has come to be held by CED with the expectation that it is handled in accordance with the *Information Privacy Act 2014*.

I have extended this consideration to the mobile numbers of CED employees, which are either personal phone numbers or provided by CED to staff for a specific reason. Where the number is provided by CED, the use of the phone is for agreed purposes with limitations on calls outside of business hours and disclosure of these contact numbers is likely to prejudice the personal privacy of employees and their right to disconnect. As such, I find that the disclosure of this information would prejudice their right to privacy under the *Humans Rights Act 2004*.

I have given this factor favouring nondisclosure significant weight. However, this consideration does not apply to the personal information of third parties where the information is already publicly available.

### *Balancing the factors*

While I have attributed significant weight to the factors favouring disclosure, I also view the advancement to the public interest in disclosing the personal information of NCA and CED employees is minimal. Conversely, there are legislative and pre-establish expectations in how personal information is handle, as well as released, by CED. I find releasing this information could reasonably be expected to compromise their privacy and is likely to negatively impact affected parties. On balance, I find that the disclosure of personal information is contrary to the public interest.

Having applied the public interest test outlined in section 17 of the FOI Act, I have concluded that some information contained in the records is not in the public interest to disclose.

Accordingly, I have redacted this specific information under section 50(2) of the FOI Act. These redactions are minor in nature and do not diminish the value of the information disclosed to you. Consistent with the pro-disclosure intent of the FOI Act, I am satisfied that redacting only the information that is contrary to the public interest ensures compliance with the FOI Act while still providing access to the majority of the information within the scope of your application.

### **Charges**

Processing charges are not applicable for this application because the fee has been waived in accordance with section 107 of the FOI Act.

### **Online publishing – Disclosure Log**

Under section 28 of the FOI Act, CED maintains a disclosure log, which is a public record of access applications and decisions. Your original access application and my decision will be published on the CED disclosure log. Your personal contact details will not be published.

### **ACT Ombudsman Review**

My decision on your access application is a reviewable decision as identified in Schedule 3 of the FOI Act. You have the right to seek ACT Ombudsman review of this outcome under section 73 of the FOI Act within 20 working days from the day that my decision is provided to you, or a longer period allowed by the ACT Ombudsman. If you wish to request a review of my decision, you may write to the ACT Ombudsman at:

The ACT Ombudsman  
GPO Box 442  
CANBERRA ACT 2601  
Via email: [actfoi@ombudsman.gov.au](mailto:actfoi@ombudsman.gov.au)

### **ACT Civil and Administrative Tribunal (ACAT) Review**

Under section 84 of the FOI Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal  
GPO Box 370  
Canberra City ACT 2601  
Telephone: (02) 6207 1740  
<https://www.acat.act.gov.au/>

Please contact the CED Information Access team if you have any queries in relation to your application via 6207 2987 or [CEDFOI@act.gov.au](mailto:CEDFOI@act.gov.au).

Yours sincerely,

Craig Weller  
Information Officer  
City and Environment Directorate

13 May 2026