



ACT
Government

City and Environment

OFFICIAL

Our ref: CED FOI 26-007

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 7 January 2026. Your application was received by full transfer from the Chief Minister, Treasury and Economic Development Directorate.

Specifically, you are seeking access to the following information:

- *All correspondence held between ACT residents and or landholders and the ACT Government that relates to wombat management, wombat impacts, or complaints about wombats, where that correspondence refers to the use, consideration, trialling, or feasibility of non-lethal management methods. This request is limited to correspondence received which relates to the ACT Government's draft report into wombat-related matters. I do not seek any personal identifying information about individual residents or landholders. Where necessary, personal information may be redacted. The purpose of this request is to determine whether non-lethal methods were trialled or considered by landholders before requests were made for lethal control to be permitted.*

I thank you for engaging with our office on 28 January to clarify the correspondence you are seeking is correspondence which informed the draft technical report dated October 2025 - [Managing Wombats, A review of current practice, issues and challenges to inform wombat management in the ACT.](#)

Timeframes

In accordance with section 40 of the FOI Act, CED is required to provide a decision on your access application within 30 working days. As third-party consultation was required, and with your agreement, a decision is due to you on or by **14 April 2026**.

Authority

I am an Information Officer appointed by the Director-General of CED under section 18 of the FOI Act to deal with access applications made under part 5 of the FOI Act.

Decision on access

A search for records held by CED has been completed and seven 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 partial access to five records.
- refuse access to two records, as I consider the disclosure of the information to be contrary to the public interest.

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 that I have decided is 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
- the views of third parties consulted
- the *Human Rights Act 2004* and *Information Privacy Act 2014*
- the ACT Ombudsman FOI Guidelines.

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

- Section 1.14 - Law enforcement or public safety information.

Records 1, 6 and 7 contain information which falls within the scope of schedule 1, section 1.14(d) of the FOI Act, being information the disclosure of which would or could reasonably be expected to result in a person being subject to a serious act of harassment or intimidation. The records contain information which would identify commenting stakeholders and CED staff engaged in preparing the body of work related to the review of wombat management in the ACT. Due to previous instances of harassment of CED staff working in animal management related fields and the property trespass experienced by a third party, I am satisfied that disclosure of this information is not in the public interest.

Schedule 2 – Public interest test

Factors favouring disclosure (Schedule 2.1)

- *Section 2.1(a)(ii) - contribute to positive and informed debate on important issues or matters of public interest.*
- *Section 2.1(a)(i) - promote open discussion of public affairs and enhance the government's accountability.*

In relation to information to which schedule 1 does not apply, I consider that disclosure would promote open discussion and inform debate about the future of the review of wombat management in the ACT, noting the considerable public interest in this subject as evidenced by the petition lodged with the Legislative Assembly. 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.*

Some of the records relevant to your application contain the personal information of individuals, including names and contact details. I have considered 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 am satisfied that disclosure of this information could reasonably be expected to prejudice the protection of an individual's right to privacy under section 12 of the *Human Rights Act 2004*. I have placed substantial weight on this factor.

Balancing the factors

In balancing the factors favouring disclosure against those favouring nondisclosure, I acknowledge the important role of transparency and informed public debate in relation to matters of public interest. However, I also consider there is a strong public interest in protecting personal privacy. I am of the view that individuals are entitled to expect that the personal information they provide to government agencies will be managed in a way that safeguards their privacy.

On balance, while I consider that there is a public interest in disclosure of this information, I also consider that the risk and severity of the harm that could result from releasing the personal information outweigh the benefits of disclosure in this case.

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.

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 held by CED within the scope of your application.

Charges

Processing charges are not applicable for this application because the number of pages released to you is below the charging threshold of 50 pages.

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 the ACT Ombudsman's 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 Ombudsman. If you wish to request a review of my decision, you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601
Via email: 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's 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.

Yours sincerely

Adam Roach
Information Officer
City and Environment Directorate
14 April 2026