



Dear [REDACTED]

Decision on Freedom of Information Access Application 25/0203274

I refer to your application made under Section 30 of the *Freedom of Information Act 2016* (the FOI Act) received by the Environment, Planning and Sustainable Development Directorate (EPSDD) on 25 May 2025.

Specifically, you are seeking:

- *“ The information provided by Housing ACT to support the request that seven developments be identified as TPPs*
- *The assessment of the request/s by EPSDD of Housing ACT’s request that seven developments be granted TPP status*
 - *This includes advice (including legal advice) provided from other agencies*
- *Which explain how the assessment of TPP for ‘the public housing element is that it needs to be done on a development basis, not on a program basis (p111)’.*
 - *This includes advice (including legal advice) that is provided from other agencies*
- *Briefs to the Minister for Planning and Sustainable Development and/or the Minister for Homes and New Suburbs on*
 - *The outcome of the request by Housing ACT for TPP status for seven developments*
 - *The need to amend the TPP provisions of the Planning Act 2023 to allow public housing to be declared a TPP”*

On 1 July 2025, the City and Environment Directorate (CED) was established, bringing together services previously delivered by Access Canberra, the Environment, Planning and Sustainable Development Directorate (EPSDD), Transport Canberra and City Services (TCCS), and the Better Regulation Taskforce.

Section 101 of the FOI Act provides that an access application made to an abolished agency is taken to have been made to the agency that acquired the abolished agency’s functions.

I am an Information Officer appointed under section 18 of the Act to deal with access applications made under Part 5 of the Act. On 31 July 2025, I wrote to you regarding access to 208 documents identified as in scope of your application.

Following this decision, seven additional documents have been subsequently identified as having been in scope of your application. In accordance with section 36 of the Act, EPSDD may make a further decision under section 35 of the Act in relation to this additional government information.

Decision On Access

I have included as **Attachment A** to this decision the document schedule. The schedule provides a description of each document that falls within the scope of your application and the access decision.

I have decided to grant full access to all seven documents relevant to your application.

The documents released to you are provided at **Attachment B** to this letter.

Charges

No charges are applicable for this application.

Online Publication

Under section 28 of the Act, your original access application, this decision and documents released will be published in the disclosure log no earlier than three days after you receive this decision. Your personal contact details will not be published.

You may view the disclosure log at

<https://www.environment.act.gov.au/about-us/access-government-information/disclosure-log>

Ombudsman Review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is provided to you, or a longer period allowed by the Ombudsman. For more information and the application form for Ombudsman review, please visit:

<https://www.ombudsman.act.gov.au/accountability-and-oversight/freedom-of-information/foi-complaints-and-reviews>

Alternatively, 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 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
15 Constitution Avenue
GPO Box 370
CANBERRA CITY ACT 2601

Telephone: (02) 6207 1740

<http://www.acat.act.gov.au/>

Further Information

If you have any queries concerning the processing of your request, or would like further information, please email EPSDFOI@act.gov.au or call 13 22 81 and ask for the Information Governance team.

Yours sincerely



Freya O'Brien

Information Officer

Executive Branch Manager, Strategic Planning and Policy Branch
City and Environment Directorate

12 August 2025