FREEDOM OF INFORMATION COVERSHEET

The following information is provided pursuant to section 28 of the Freedom of Information Act 2016.

FOI reference: TCCSFOI 2018-060

<table>
<thead>
<tr>
<th>Information to be published</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Access application</td>
<td>Published</td>
</tr>
<tr>
<td>2. Decision notice</td>
<td>Published</td>
</tr>
<tr>
<td>3. Documents</td>
<td>n/a</td>
</tr>
<tr>
<td>4. Additional information identified</td>
<td>No</td>
</tr>
<tr>
<td>5. Fees</td>
<td>n/a</td>
</tr>
<tr>
<td>6. Processing time (in working days)</td>
<td>25 days (extension granted)</td>
</tr>
<tr>
<td>7. Decision made by Ombudsman</td>
<td>n/a</td>
</tr>
<tr>
<td>8. Additional information identified by Ombudsman</td>
<td>n/a</td>
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<tr>
<td>9. Decision made by ACAT</td>
<td>n/a</td>
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<tr>
<td>10. Additional information identified by ACAT</td>
<td>n/a</td>
</tr>
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</table>
From: 
Sent: Thursday, 12 July 2018 10:49 AM 
To: EPSDFOI 
Subject: BEAUFORT HOUSE AINSLIE 

Hi

I am seeking a copy of an ACT Heritage decision to remove a large claret ash tree from the rear of the heritage listed property known as Beaufort House which is at [redacted] Ainslie within the Wakefield Gardens heritage precinct.

The tree had dieback and was removed several years ago but I assume the removal required a decision to allow its removal. I am seeking a copy of that decision/authority.

Thanks
Dear [Name]

Freedom of Information request: Reference 18-060

I refer to your application under section 30 of the Freedom of Information Act 2016 (the Act), transferred from Environment, Planning and Sustainability Development Directorate to the Transport Canberra and City Services Directorate (TCCS) on 13 July 2018, in which you sought access to:

- a copy of an ACT Heritage decision to remove a large claret ash tree from the rear of the heritage listed property known as Beaufort House at [Address] in Ainslie within the Wakefield Gardens heritage precinct.

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

TCCS was required to provide a decision on your access application by 10 August 2018. On 7 August 2018, your agreement was sought to an extension of time until 17 August 2018.

Decision on access

Urban Treescapes has undertaken a search of its database and confirmed that an application to remove a claret ash from this location was received in 2004. It was approved for removal and was to occur between 30 July 2004 and 30 July 2005. The file that held the record of the assessment or notice of decision was destroyed in 2011 in accordance with the Territory Records Act 2002. Therefore, a search of TCCS records has failed to identify any documentation in relation to your request. The search was conducted using the information you provided and was conducted by the Urban Treescapes section of TCCS.

I am satisfied that appropriate searches were completed and that no documents relevant to your request are held by TCCS.

Charges

Processing charges are not applicable for this request because no documents are being released to you.
Online publishing – disclosure log

Under section 28 of the Act, TCCS maintains an online record of access applications called a disclosure log. Your original access application and my decision will be published in the TCCS disclosure log from 3 days after the date of this decision. Your personal details will not be published.


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 published in TCCS’ disclosure log, 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: ombudsman@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
Level 4, 1 Moore Street
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740

www.acat.act.gov.au

If you have any queries concerning the directorate’s processing of your request, or would like further information, please contact the TCCS FOI Coordinator on telephone 6205 5408 or email tccs.foi@act.gov.au.

Yours sincerely

Cherie Hughes
Information Officer

17 August 2018