

28 October 2020
Miss B Webber
Waterside West
(07) 5581 7501

20201189 IM1154/322/833(P1)

Mr Tony Potter
49 Brittany Dve
OXENFORD QLD 4210

Dear Mr Potter

I refer to your application dated 13 July 2020 pursuant to the Right to Information Act 2009, wherein you request a copy of:

“...the full subdivision files, schedule of docs, for ‘Lot 463 on Registered Plan 228373’ (became Lot 467 on RP845775) and ‘Lot 467 on RP845775’ and ‘Lot 906 on SP108985’ and any other information available about these three Lots and their staged development re their purchase and subsequent history.”

The Right to Information Act 2009 gives you a right of access to documents held by the Council, subject only to certain exemptions.

The Council holds 666 documents (pages) that relate to your application. The documents have been examined and the following decision is offered.

I have, on 28 October 2020, decided to refuse you access to 169 of the 666 documents.

I have made my decision in relation to the 169 documents on the basis of the following fact:

- ❖ The documents contain information provided to and received from Council's legal representatives for the dominant purpose of obtaining legal advice.

I have considered this fact in conjunction with Schedule 3 s.7 of the Right to Information Act 2009.

Schedule 3 Exempt information

- 7** Information is exempt information if it would be privileged from production in a legal proceeding on the ground of legal professional privilege.

If you are not satisfied with this decision, you are entitled to seek either an internal review of the decision by a more senior officer here at the Council, or an external review, by the Office of the Information Commissioner, under the Right to Information Act 2009.

You should make an application for review of the decision within 20 business days from the date of this letter. Further details of your rights of review and the procedures to be followed are enclosed.

Pursuant to section 80.(1) Notes 2 of the Right to Information Act, it is not necessary to have an internal review before applying for an external review.

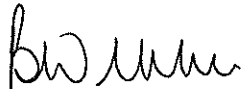
Please note in accordance with Regulation 5.(1) of the Right to Information Regulation 2009, no charge is payable on this occasion for the time spent processing your application.

I wish to confirm that the documents have been provided to you undercover of (8) emails. The first (3) emails were sent on Monday 26 October 2020 and related to the creation of Lot 906 on SP 108985 and another (5) emails were sent today, and related to the creation of Lot 467 on RP 845775.

Please accept my sincere thanks for providing this agency with a very generous extension of time in which to provide this decision. Your patience has been greatly appreciated.

Please do not hesitate to contact the writer on the number above should you have any further enquiries regarding your application.

Yours faithfully



Brenda Webber

RIGHT TO INFORMATION & INFORMATION PRIVACY DECISION MAKER

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RIGHT TO INFORMATION ACT 2009

82 Applying for internal review

An application for internal review of a decision must –

- (a) be in writing; and
- (b) state an address to which notices under the Act may be sent to the applicant for internal review; and
- (c) be made within 20 business days after the date of the written notice of the decision or within the further time the agency or the Minister allows (whether before or after the end of the 20 business days); and
- (d) be lodged at an office of the agency or Minister.

88 Applying for external review

(1) An application for external review must –

- (a) be in writing; and
- (b) specify an address of the applicant to which notices may be sent under this Act; and
- (c) give details of the decision for review; and
- (d) be made within 20 business days from the date of the written notice of the decision, or within the longer period the information commissioner allows; and
- (e) be lodged at an office of the OIC.

Note –

Section 190 clarifies the powers of those acting for others.

- (2) The application may contain details of the basis on which the applicant disputes the decision under review.

Address for the Office of the Information Commissioner:

Office of the Information Commissioner
PO Box 10143
Adelaide Street
BRISBANE QLD 4000
www.oic.qld.gov.au