

Freedom of Information Request Schedule – Kangaroo culls ACT nature park reserves 2013-2016 monitoring outcomes

Please be aware that under the ACT Government's Online FOI Publication Policy, information released to you under this Freedom of Information Application is to be released on the internet.

Personal information or business affairs information will not be made available under this policy. If you think the content of your request would contain such information, please inform the contact officer immediately.

Ref No.	Number of Pages	Description	Date	Status	Reason for Exemption	Online release status
1.	N/A	Count and cull graphs	Undated	Exempt – Sections 36 and 37 Section 36 of the Act states that a document may be exempt if it is an internal working document and the release of which would be contrary to the public interest. Section 37 of the Act states that a document may be exempt if the release of the document could endanger the physical safety of any person.	This document is an internal working document. The release of this document would be contrary to the public interest because it contains information that has the potential to facilitate interference with the cull by providing information about the location of culling, which has operational and public safety implications. The release of this document could endanger the physical safety of persons by facilitating interference with the cull.	No

2.	N/A	Kangaroo count Masterfile	Undated	Partial release – Sections 36 and 37 Section 36 of the Act states that a document may be exempt if it is an internal working document and the release of which would be contrary to the public interest. Section 37 of the Act states that a document may be exempt if the release of the document could endanger the physical safety of any person.	This document is an internal working document. The full release of this document would be contrary to the public interest because it contains information that has the potential to facilitate interference with the cull by providing information about the location of culling, which has operational and public safety implications. The release of this document could endanger the physical safety of persons by facilitating interference with the cull.	Yes
3.		Documents referred to in the Kangaroo count Masterfile	Undated	Not released – duplicate	These documents are duplicated in the Kangaroo count Masterfile and are therefore not required to be released separately.	No

Exempt documents

36 Internal working documents

- (1) Subject to this section, a document is an exempt document if its disclosure under this Act—
 - (a) would disclose matter in the nature of, or relating to, opinion, advice or recommendation obtained, prepared or recorded, or consultation or deliberation that has taken place, in the course of, or for the purposes of, the deliberative processes involved in the functions of an agency or Minister or of the Territory; and
 - (b) would be contrary to the public interest.
- (2) In the case of a document of the kind referred to in section 8 (1), the matter referred to in subsection (1) (a) of this section does not include matter that is used or to be used for the purpose of the making of decisions or recommendations referred to in section 8 (1).
- (3) This section does not apply to a document only because of purely factual material contained in the document.

- (4) This section does not apply to—
- (a) reports (including reports concerning the results of studies, surveys or tests) of scientific or technical experts, whether employed within an agency or not, including reports expressing the opinions of such experts on scientific or technical matters; or
 - (b) reports of a prescribed body or organisation established within an agency; or
 - (c) the record of, or a formal statement of the reasons for, a final decision given in the exercise of a power or of an adjudicative function.
- (5) Where a decision is made under part 3 that an applicant is not entitled to access to a document because of this section, the notice under section 25 shall state the ground of public interest on which the decision is based.

37 Documents affecting enforcement of the law and protection of public safety

- (1) A document is an exempt document if its disclosure under this Act would, or could reasonably be expected to—
- (a) prejudice the conduct of an investigation of a breach, or possible breach, of the law, or a failure, or possible failure, to comply with a law relating to taxation or prejudice the enforcement or proper administration of the law in a particular instance; or
 - (b) disclose, or enable a person to ascertain, the existence or identity of a confidential source of information in relation to the enforcement or administration of the law; or
 - (c) endanger the life or physical safety of any person.
- (2) A document is an exempt document if its disclosure under this Act would, or could reasonably be expected to—
- (a) prejudice the fair trial of a person or the impartial adjudication of a particular case; or
 - (b) disclose lawful methods or procedures for preventing, detecting, investigating, or dealing with matters arising out of, breaches or evasions of the law the disclosure of which would, or could reasonably be expected to, prejudice the effectiveness of those methods or procedures; or
 - (c) prejudice the maintenance or enforcement of lawful methods for the protection of public safety.
- (3) In subsections (1) and (2):
- law*** means a law in force in Australia.