

Freedom of Information Request Schedule – 17/33651 - Rural Leases – Business Cases and Plans

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.

NOTE: All email attachments have been included as separate documents and may not be scheduled directly with the email they were sent with. For context the reference to attachments within the email has been retained. Where the same attachment was sent multiple times, every effort has been made to avoid duplication by only including the original source document.

Ref No.	Number of Pages	Description	Date	Status	Reason for Exemption	Online release status
1.	6	LDA Board Paper 142.3.2 Decision Item: Lands End Acquisition of Land	undated	Partial release	Section 39 – financial or property interests of the Territory. Section 41 personal information.	Partial
2.	8	Business Case Signed - Milapuru Rural Block 19 Stromlo	14/05/15	Partial release	Section 39 – financial or property interests of the Territory. Section 41 – personal information 43 documents related to business affairs.	Partial
3.	9	LDA Board Paper 146.2.3 Land Acquisitions Stromlo Block 491	Undated	Partial release Information that is outside of the scope of the request has been redacted.	Section 41 personal information. Section 39 – financial or property interests of the Territory. Section 43 documents related to business affairs.	Partial
4.	19	LDA Land Acquisition – Rural Property known as Huntly – Business Case	01/10/15	Partial release	Section 35 – Executive documents Section 39 – financial or property interests of the Territory. Section 41 –personal information.	Partial

5.	13	LDA Board Paper 165.2.2 Proposed rural land acquisition Pine Ridge – Block 1600 Belconnen	Undated	Partial release	Section 39 – financial or property interests of the Territory	Partial
6.	39	Business Case – Acquisition of Rural property known as Winslade	Undated	Partial release	Section 35 Executive documents Section 39 – financial or property interests of the Territory Section 41 personal information.	Partial

Exempt documents

Note For the exemption of documents in the possession of the housing commissioner containing protected information within the meaning of the [Housing Assistance Act 2007](#), pt 5, see that Act, s 29.

32 Exemptions do not limit each other

A provision of this part under which documents referred to in the provision are exempt documents—

- (a) shall not be construed as limited in its scope or operation in any way by any other provision of this part under which documents are exempt documents; and
- (b) shall not be construed as not applying to a particular document because another provision of this part of a kind mentioned in paragraph (a) also applies to that document.

35 Executive documents

- (1) A document is an exempt document if it is—
 - (a) a document that has been submitted to the Executive for its consideration or is proposed by a Minister to be so submitted, being a document that was brought into existence for the purpose of submission for consideration by the Executive; or
 - (b) an official record of the Executive; or
 - (c) a document that is a copy of, or of a part of, or contains an extract from, a document referred to in paragraph (a) or (b); or

- (d) a document the disclosure of which would involve the disclosure of any deliberation or decision of the Executive, other than a document by which a decision of the Executive was officially published.

Note Access to the Cabinet notebook is excluded under s 11 (2).

- (2) This section does not apply to a document (a *relevant document*)—
 - (a) that is referred to in subsection (1) (a); or
 - (b) that is referred to in subsection (1) (b) or (c) and is a copy of, or of part of, or contains an extract from, a document that is referred to in subsection (1) (a);to the extent that the relevant document contains purely factual material unless—
 - (c) the disclosure under this Act of that document would involve the disclosure of any deliberation or decision of the Executive; and
 - (d) the fact of that deliberation or decision has not been officially published.
- (3) A reference in this section to the Executive includes a reference to a committee of the Executive.

39 Documents affecting financial or property interests of the Territory

- (1) Subject to subsection (2), a document is an exempt document if its disclosure under this Act would have a substantial adverse effect on the financial or property interests of the Territory or of an agency.
- (2) This section does not apply to a document the disclosure of matter in which under this Act would, on balance, be in the public interest.

41 Documents affecting personal privacy

- (1) A document is an exempt document if its disclosure under this Act would involve the unreasonable disclosure of personal information about any person (including a deceased person).
- (2) Subject to subsection (3), subsection (1) does not apply to a request by a person for access to a document only because of the inclusion in the document of matter relating to that person.
- (3) Where—
 - (a) a request is made to an agency or Minister for access to a document of the agency, or an official document of the Minister, that contains information of a medical or psychiatric nature concerning the person making the request; and

- (b) it appears to the principal officer of the agency, or to the Minister, as the case may be, that the disclosure of the information to that person might be prejudicial to the physical or mental health or wellbeing of that person;

the principal officer or Minister may direct that access to the document, so far as it contains that information, that would otherwise be given to that person is not to be given to that person but is to be given instead to a doctor to be nominated by that person.

43 Documents relating to business affairs etc

- (1) A document is an exempt document if its disclosure under this Act would disclose—
 - (a) trade secrets; or
 - (b) any other information having a commercial value that would be, or could reasonably be expected to be, destroyed or diminished if the information were disclosed; or
 - (c) information (other than trade secrets or information to which paragraph (b) applies) concerning a person in respect of his or her business or professional affairs or concerning the business, commercial or financial affairs of an organisation or undertaking, being information—
 - (i) the disclosure of which would, or could reasonably be expected to, unreasonably affect that person adversely in respect of his or her lawful business or professional affairs or that organisation or undertaking in respect of its lawful business, commercial or financial affairs; or
 - (ii) the disclosure of which under this Act could reasonably be expected to prejudice the future supply of information to the Territory or an agency for the purpose of the administration of a law or the administration of matters administered by an agency.
- (2) Subsection (1) does not apply to a request by a person for access to a document—
 - (a) only because of the inclusion in the document of information concerning that person in respect of his or her business or professional affairs; or
 - (b) only because of the inclusion in the document of information concerning the business, commercial or financial affairs of an undertaking where the person making the request is the proprietor of the undertaking or a person acting on behalf of the proprietor; or
 - (c) only because of the inclusion in the document of information concerning the business, commercial or financial affairs of an organisation where the person making the request is the organisation or a person acting on behalf of the organisation.

- (3) A reference in this section to an undertaking includes a reference to an undertaking that is carried on by, or by an authority of, the Territory, the Commonwealth, a State or by a local government authority.