



ACT
Government

Chief Minister, Treasury and
Economic Development

Freedom of Information Publication Coversheet

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

FOI Reference: CMTEDDFOI 2018-0213

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	Published
4. Additional information identified	No
5. Fees	N/A
6. Processing time (in working days)	2
7. Decision made by Ombudsman	N/A
8. Additional information identified by Ombudsman	N/A
9. Decision made by ACAT	N/A
10. Additional information identified by ACAT	N/A

From: [REDACTED]
To: [CMTEDD FOI](#)
Subject: FOI request for the Valuation of Section 206 Block 10 Ngunnawal
Date: Sunday, 19 August 2018 1:23:02 PM
Attachments: [Valuation.pdf](#)

Dear FOI Coordinator, CMTEDD,

I hereby apply for access to government information under section 30 of the *Freedom of Information Act 2016* (the **FOI Act**) in relation to the valuation of [REDACTED] in Ngunnawal (also known as [REDACTED] Ngunnawal).

Specifically, I am requesting all information which formed the basis of, and which was used, directly or indirectly, in relation to the calculation/valuation of the Unimproved Value as at 1 January 2018 of [REDACTED], Ngunnawal, [REDACTED] (valued at \$206,000).

Pursuant to subsection 30(3)(a), I produce here evidence of my identity. Please see *attached* scanned colour copy each of my ACT driver licence and my Medicare card.

Please take note that all information must be given to me by email sent to [REDACTED] this is requested under subsection 47(4) of the FOI Act.

I look forward to receiving the requested information.

Thank you.

Kind regards,




ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI2018-0213





via email: 

Dear 

FREEDOM OF INFORMATION REQUEST

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the FOI Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 19 August 2018, in which you sought access to information about the unimproved value of Section 206, Block 10, Ngunnawal, ACT ('the property').

Specifically, you are seeking access to:

"all information which formed the basis of, and which was used, directly or indirectly, in relation to the calculation/valuation of the Unimproved Value as at 1 January 2018 of  Ngunnawal,  (valued at \$206,000)."

Authority

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

Timeframes

In accordance with section 40 of the FOI Act, CMTEDD is required to provide a decision on your access application by 14 September 2018.

Decision on access

Searches were completed for relevant documents and 14 documents were identified.

I have decided to grant partial access to one document and not release the remaining 13 documents, which all relate to sales of individual properties in Ngunnawal. I consider the information redacted and not released is contrary to the public interest to disclose under the FOI Act Schedule 1 section 1.3 (6) as it is information prohibited by a secrecy provision of a law.

My access decisions are detailed further in the following statement of reasons and the document released to you is provided as Attachment A to this letter.

In accordance with section 54(1) of the FOI Act a statement of reasons outlining my decision is below.

Statement of Reasons

In reaching my access decision, I have taken the following into account:

- the FOI Act; and
- the secrecy provisions contained in Division 9.4 of the *Taxation Administration Act 1999*.

Exemption claimed

My reasons for deciding not to grant full access are as follows:

Information disclosure is prohibited by law.

Division 9.4 of the *Taxation Administration Act 1999* contains a secrecy provision as defined in schedule 1.3(6) and schedule 1.3(7) of the FOI Act.

Any information that falls within the meaning of 'information obtained under or in relation to the administration of a tax law' ("taxpayer information") in section 95(2) of the *Taxation Administration Act 1999* is prohibited by law from disclosure. Sections 96 and 97 allow for disclosure of taxpayer information in certain circumstances, however, I am satisfied that none of these circumstances apply in this instance. Having considered the documents, I am satisfied they are subject to the secrecy provision in Division 9.4 of the *Taxation Administration Act 1999* as they contain taxpayer information relating to other taxpayers. Therefore this information has been redacted and withheld from release.

Charges

Pursuant to *Freedom of Information (Fees) Determination 2017 (No 2)* processing charges are not applicable for this request because the total number of folios to be released to you is below the charging threshold of 50 pages.

Online publishing – Disclosure Log

Under section 28 of the FOI Act, CMTEDD maintains an online record of access applications called a disclosure log. Your original application and my decision in response to your access application will be published in the CMTEDD disclosure log after 23 August 2018. Your personal contact details and the address of your property will not be published. You may view the CMTEDD disclosure log at:
www.cmtedd.act.gov.au/functions/foi/disclosure-log.

Ombudsman Review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the FOI Act. You have the right to seek Ombudsman review of this outcome under section 73 of the FOI Act within 20 working days, 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: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) Review

Under section 84 of the FOI 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 St
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact me by telephone on 6205 4811 or email david.ellis@act.gov.au.

Yours sincerely,



David Ellis
Information Officer
ACT Revenue Office
Chief Minister, Treasury and Economic Development Directorate
22 August 2018

