



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 2018-0333

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	N/A
4. Additional information identified	No
5. Fees	N/A
6. Processing time (in working days)	5
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: Freedom of Information request
Date: Monday, 26 November 2018 11:02:49 AM

Please find online enquiry details below. Please ensure this enquiry is responded to within fourteen working days.

Your details

All fields are optional, however an email address OR full postal address must be provided for us to process your request. An email address and telephone contact number will assist us to contact you quickly if we need to discuss your request.

Title:
First Name:
Last Name:
Business/Organisation:
Address:
Suburb:
Postcode:
State/Territory:
Phone/mobile:
Email address:



Request for information

(Please provide as much detail as possible, for example subject matter and relevant dates, and also provide details of documents that you are not interested in.)

Under the Freedom of Information Act 2016 I want to access the following document/s (*required field):

I would like to get some FOI regarding the ACT Govt/Stromlo Forest Park and the company who builds Mountain Bike Trails at Stromlo – Makin Trax? I would like to view the all contracts/financial arrangements and any proposed business plans between these two parties over the last 5 years - current date please. Thanks [REDACTED]

I do not want to access the following documents in relation to my request::

Thank you.
Freedom of Information Coordinator



ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI2018-0333

[REDACTED]

via email: [REDACTED]

via email: [REDACTED]

Dear [REDACTED]

FREEDOM OF INFORMATION REQUEST

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 26 November 2018, in which you sought access to maintenance services contracts and proposed business plans between the ACT Government and Makin Trax, regarding the trail maintenance services for Stromlo Forest Park.

Specifically, you are seeking: *financial arrangements and any proposed business plans between these two parties over the last 5 years.*

Authority

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.

Timeframes

In accordance of section 40 of the Act, CMTEDD was required to provide a decision on your access application by 24 December 2018.

Decision on access

A search of documents was conducted and the relevant business area has confirmed that the information you have requested in relation to the financial arrangements between the ACT Government and Makin Trax regarding trail maintenance services for Stromlo Forest Park are available on the tenders ACT website - <https://tenders.act.gov.au>.

Noting that the information requested is already publically available, I have decided to refuse to deal with this part of your access application in accordance with section 43(1)(d) of the Act. In making this decision I note the operation of section 45 of the Act, which prescribes the circumstances which government information is already considered available. In this instance, I note that the information you have sought has been made publically available by CMTEDD and meets the requirements of section 45(a) of the Act.

In relation to the second part of your request, you have sought a copy of any business plans in relation to Stromlo Forest Park between the ACT Government and Makin Trax. I am advised by the relevant business area that there are no business plans held by CMTEDD which fall within the scope of your request.

Charges

Processing charges are not applicable for this request because no documents are to be released.

Online publishing – Disclosure Log

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. A description of the access application and my decision will be published in the CMTEDD disclosure log after 6 December 2018. Your personal contact details will not be published. You may view CMTEDD disclosure log at <https://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 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 CMTEDD 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: actfoi@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 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 (02) 6207 7754 or email CMTEDDFOI@act.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Daniel Riley', with a stylized, cursive style.

Daniel Riley
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate

3 December 2018