



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 2022-308

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	Published
4. Additional information identified	Yes
5. Fees	Waived
6. Processing time (in working days)	12
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](#)
Cc: [REDACTED]
Subject: FOI Request | Titles of Briefs June 2022
Date: Tuesday, 4 October 2022 3:16:52 PM

Good afternoon,

Please find amended below:

RE: FOI REQUEST – TITLES OF BRIEFS TO MINISTERS (11 June – 10 July)

I write to request under the *Freedom of Information Act 2016* the subject line of all final ministerial briefs from **10th of June 2022 to 10th of July 2022** generated for or directed to any ACT Government Minister.

This request includes, wherever possible, the date of the brief, the internal reference, position of authority it was written by, and which Minister it was addressed to.

This request includes briefs prepared for Question Time, but not for Estimates or Annual Reports.

Should you require any further information or clarification about my request, please contact my office on [REDACTED]

Best,





ACT
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Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI 2022-308



Dear 

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 4 October 2022, in which you sought access to:

The subject line of all final ministerial briefs from 10th of June 2022 to 10th of July 2022 generated for or directed to any ACT Government Minister.

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 with section 40 of the Act, CMTEDD was required to provide a decision on your access application by 5 September 2022. However, on 17 October 2022 a 20-working day extension was requested from your office in accordance with section 41 of the Act. This resulted in a revised due date of 29 November 2022.

Decision on access

Searches were completed for relevant information and 115 subject lines were identified that fall within the scope of your request.

I have decided to grant access in full to 85 subject lines and grant partial access to two subject lines. I have decided to refuse access to 28 subject lines as I consider the information to be contrary to the public interest under Schedule 1 of the Act.

My access decisions are detailed further in the following statement of reasons, in accordance with section 54(2) of the Act, and the documents released to you are provided as an attachment to this letter.

Statement of Reasons

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

- the Act
- the information that falls within the scope of your request.

Exemption claimed

My reasons for deciding not to grant access to the identified documents and components of these documents are as follows:

Contrary to the public interest information under schedule 1 of the Act

Twenty-eight of the subject lines have been identified as information the disclosure of which would reveal deliberations of Cabinet. Under section 1.6(1)(a) information *that has been submitted, or that a Minister proposes to submit, to Cabinet for its consideration and that was brought into existence for that purpose* and section 1.6(1)(d) information *the disclosure of which would reveal any deliberation of Cabinet (other than through the official publication of a Cabinet decision)* of Schedule 1 of the Act, is considered Cabinet information and is exempt from release. The purpose of this exemption is to maintain the confidentiality of the Cabinet process and to uphold the principle of collective ministerial responsibility.

This exemption was discussed in *The Commonwealth v Northern Land Council* [1993] HCA 24; (1993) 176 CLR 604 (21 April 1993). Paragraph 6 of the decision, states that:

... it has never been doubted that it is in the public interest that the deliberations of Cabinet should remain confidential in order that the members of Cabinet may exchange differing views and at the same time maintain the principle of collective responsibility for any decision which may be made.

The information that you have requested falls within Schedule 1, section 1.6 of the Act as it is information which has been brought into existence to guide Cabinet in its decision making and assist it in its deliberations, and the disclosure of which would reveal those deliberations. These twenty-eight titles are exempt from release under the Act and are not subject to the public interest test.

Contrary to the public interest information under schedule 2 of the Act

While the majority of subject lines are to be released in full, 87 subject lines have been assessed for factors favouring disclosure and nondisclosure, and therefore are required to be subject to the public interest test as set out in section 17 of the Act.

Taking into consideration the information contained in the subject lines, I have identified that the following public interest factors are relevant to determine if release of the information contained within these subject lines is within the 'public interest':

- *Promote open discussion of public affairs and enhance the government's accountability (s 2.1(a)(i) of Schedule 2)*
- *Contribute to the positive and informed debate on important issues or matters of public interest (s 2.1(a)(ii) of Schedule 2)*

I consider that disclosing the contents of the information sought could contribute to open discussion and informed debate on the matters contained in the subject lines. I am

satisfied there may be a public interest, however, I weigh these factors lightly as release of single subject lines may not reasonably contribute to informed debate.

In relation to two subject lines, I note that the following factor favouring non-disclosure is relevant:

- *(ii) Prejudice the protection of an individual's right to privacy or other rights under the Human Rights Act 2004.*

Two subject line titles list the names of members of the public and it is reasonable that this type of information is not released. I note that one is in relation to correspondence regarding a letter to the Chief Minister; the other is relation to an act of grace request. The release their names could prejudice their right to privacy under the *Human Rights Act 2004*. I note that these redactions are minor in nature.

Charges

Processing charges are not applicable for this request.

Online publishing – Disclosure Log

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents released to you in response to your access application will be published on the CMTEDD disclosure log 3-10 days after the date of this decision. Your personal contact details will not be published.

You may view CMTEDD's disclosure log at <https://www.cmtedd.act.gov.au/functions/foi>.

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.

We recommend using this form [Applying for an Ombudsman Review](#) to ensure you provide all of the required information. Alternatively, you may write to the Ombudsman:

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 6207 7754 or email CMTEDDFOI@act.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be the initials 'EH' with a stylized flourish.

Emma Hotham
Information Officer
Chief Minister, Treasury and Economic Development Directorate

29 November 2022



ACT
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Chief Minister, Treasury and
Economic Development

FREEDOM OF INFORMATION REQUEST SCHEDULE

WHAT ARE THE PARAMETERS OF THE REQUEST	Reference NO.
The subject line of all final ministerial briefs from 10 th of June 2022 to 10 th of July 2022 generated for or directed to any ACT Government Minister.	CMTEDDFOI 2022-308

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1-4	Brief subject lines	Various	Partial	Sch 1 s1.6 Sch 2(a)(ii)	Yes
Total No of Docs						
1						

Record Number	Brief Name
Sch 1 1.6	
CMTEDD2022/2866	ACT Insurance Authority 2022-23 Statement of Intent
CMTEDD2022/2973	ACT Insurance Authority Capital Management Plan for the 2022-23 Budget
CMTEDD2022/1854	Cleaning, security and waste management service provision
CMTEDD2022/2596	Blue Gum School complaint regarding their request to extend their lease
CMTEDD2022/2609	Gungahlin Leisure Centre 50-metre pool rectification works – Program of works
CMTEDD2022/2625	Canberra Olympic pool closure for boiler installation
CMTEDD2022/1290	Minister’s Creative Council meeting summaries 24 June 2021 14 October 2021 and 17 March 2022

CMTEDD2022/2130	Kingston Arts Precinct Public Art Plan
CMTEDD2022/2400	Australia Council for the Arts National Digital Culture Program Partnership
CMTEDD2022/2530	Amp it Up! Round 2 funding recommendations
CMTEDD2022/2870	Letters for Ministers Creative Council (MCC) Appointments
CMTEDD2022/3048	Report No.15 on COVID-19 Measures
CMTEDD2022/2304	Canberra Business Advice and Support Service Program
CMTEDD2022/2430	Referral to the Independent Reviewer for the YourSay Community Panel – Returning to life as normal survey
CMTEDD2022/2529	2023 ACT Australian of the Year Awards selection panel
CMTEDD2022/2851	Referral to the Independent Reviewer for the YourSay Community Panel –ACT Major Events Survey
CMTEDD2022/2905	ACT Australian of the Year Awards - Letters to MLAs
CMTEDD2022/2996	Protocol Letters - July 2022
CMTEDD2022/3028	ACT Emerging Scientist of the Year – 2022 Recipient
CMTEDD2022/2916	Changes to strategic objectives and indicators and accountability indicators in the 2022-23 Chief Minister, Treasury and Economic Development Directorate Budget Statement
CMTEDD2022/2917	Changes to strategic objectives and indicators and accountability indicators in the 2022-23 Chief Minister, Treasury and Economic Development Directorate Budget Statement
CMTEDD2022/2918	Changes to strategic objectives and indicators and accountability indicators in the 2022-23 Chief Minister, Treasury and Economic Development Directorate Budget Statement
CMTEDD2022/2919	Changes to strategic objectives and indicators and accountability indicators in the 2022-23 Chief Minister, Treasury and Economic Development Directorate Budget Statement
CMTEDD2022/2920	Changes to strategic objectives and indicators and accountability indicators in the 2022-23 Chief Minister, Treasury and Economic Development Directorate Budget Statement
CMTEDD2022/2687	CMTEDD Staff Survey Results
CMTEDD2022/2845	Human Resource Information Management Solution (HRIMS) Program Update – June 2022
CMTEDD2022/2936	2022-23 Budget Initiative Descriptions for Publication
CMTEDD2022/2394	Electricity determination two -reference price for 2022-23
CMTEDD2022/2853	Meeting with Aware Super – Wednesday, 6 July 2022
CMTEDD2022/2893	2022-23 Budget: Utilities Concession and Build-to-Rent LVC remission
CMTEDD2022/1528	Tabling of Shareholder Consent to the AGL Demerger – Icon Water
CMTEDD2022/2290	Letters to incoming Commonwealth Treasurer and Finance Minister
CMTEDD2022/2428	ACT Audit Office Performance Report - ACT Taxi Subsidy Scheme - Final Proposed Report (Final Report)
CMTEDD2022/2476	New GIO Motor Accident Injuries Scheme premiums effective 10 August 2022
CMTEDD2022/2608	Motor Accident Injuries Commission: 2022-23 Statement of Intent
CMTEDD2022/2614	Board of Treasurers Correspondence – Welcome to New Commonwealth Treasurer
CMTEDD2022/2172	Icon Water SCI 2022-23 to 2025-26
CMTEDD2022/2420	CHC Transfer of Properties - Location of Assets
CMTEDD2022/2761	Builder Warranty Insurance – Renewal of Agreement
CMTEDD2022/2102	Sch 2.2(a)(ii) – Act of Grace Request
CMTEDD2022/1918	Lease Variation Charge (LVC) waiver request – Block 6 Section 79 Giralang (the site)
CMTEDD2022/2758	Inquiry into housing and rental affordability - vacant residential dwellings
CMTEDD2022/2874	Census 2021 results
CMTEDD2022/2912	Independent Competition and Regulatory Commission's Statement of Intent for 2022-23

CMTEDD2021/4811	Adopt a Tree donor program update – NAC
CMTEDD2022/2644	Government Response to Recommendations from Standing Committees - Inquiry into Annual and Financial Reports 2020-21
CMTEDD2022/2645	Government Response to Recommendations from Standing Committees - Inquiry into Annual and Financial Reports 2020-21
CMTEDD2022/2104	Travel Request for Singapore – August 2022
CMTEDD2022/2309	Floriade and Enlighten Strategic Plans 2023 - 2027
CMTEDD2022/2403	Opportunity to host National and World Cycling events in Canberra
CMTEDD2022/2712	National and International Visitor Survey (NVS and IVS) results for the year ending March 2022
CMTEDD2022/2752	Major Event Fund: Multi-year proposal – National Gallery of Australia (NGA)
CMTEDD2022/2777	Revised framework for ACT Event Fund 2022 Round
CMTEDD2022/2814	NightFest 2022 Concept and Program
CMTEDD2022/2841	Funding Recommendations – Tourism Product Development Fund
CMTEDD2022/2532	2022-23 Appropriation Arrangements under the Supply Period
CMTEDD2022/2820	2022-23 ACT Long Service Leave Authority (the Authority) Statement of Intent (SOI)
CMTEDD2022/2747	Ministerial Arrangements Brief - SMOS - Stromlo Forest Park - Criterium Track Extension
CMTEDD2022/2972	National Arboretum Canberra (NAC) Second Access Road - Update
CMTEDD2022/2970	Travel Request for Singapore Trade Mission – August 2022
CMTEDD2022/2253	Canberra Economic Advisory Group Consideration Group Report
CMTEDD2022/2318	Travel Request for Singapore – August 2022
CMTEDD2022/2942	Letter of Support for the M2M Demonstrator Mission Project (ANU)
CMTEDD2022/2421	Letter to Federal Minister for Climate Change and Energy
CMTEDD2022/2913	Ministerial Meeting Brief - Meeting with Paul Illmer Volvo Group Australia
CMTEDD2022/2714	Ministerial Correspondence - Barr - Sch 2.2(a)(ii) - Suggestion to expand the ACT Sustainable Household Scheme
CMTEDD2022/2447	Ministerial Meeting Brief - CM - Net Zero Emissions Policy Forum Inaugural Ministerial Leadership Group Meeting
CMTEDD2022/2906	Ministerial Meeting and Arrangements brief - CM - CCCLM - Annual General Meeting: Perth 7-8 July 2022
CMTEDD2022/2548	Automatic Mutual Recognition of Occupation Registrations: Significant Risk Exemption Declaration for Casino Employees
CMTEDD2022/2546	Automatic Mutual Recognition of Occupation Registrations: Significant Risk Exemption Declaration for Conveyancers
CMTEDD2022/2692	Automatic Mutual Recognition of Occupation Registrations: Significant Risk Exemption Declaration for Firearms Dealers
CMTEDD2022/2694	Automatic Mutual Recognition of Occupation Registrations: Significant Risk Exemption Declaration for Labour Hire/Dangerous Substances
CMTEDD2022/2817	Automatic Mutual Recognition of Occupation Registrations: Significant Risk Exemption Declaration for Construction Occupations
CMTEDD2022/2685	Automatic Mutual Recognition of Occupation Registrations: Significant Risk Exemption Declaration for Teachers
CMTEDD2022/2686	Northern Territory and Tasmanian Governments' requests for permanent exemption from the Mutual Recognition Act 1992 (Cth) and the Trans-Tasman Mutual Recognition Act 1997 (Cth)
CMTEDD2022/2794	2022 Capital of Equality LGBTQ+ Grants Program – Funding Outcomes
CMTEDD2022/2878	Parkwood Performance Audit – Final Report
CMTEDD2022/2601	Procurement for Provision of CIT Futures 2025 and Preceding Contracts – Detailed Background
CMTEDD2022/1870	Approval to lodge the Appointment Paper Government Procurement Board – Re-appointment of Non-Public Employee Members with Cabinet Office
CMTEDD2022/2525	Ministerial Information Brief - Steel - Procurement for Provision of CIT Futures 2025 and Preceding Contracts
CMTEDD2022/2925	Ministerial Brief - Steel - Cabinet Number Request – Government Response to Standing Committee on Public Accounts – Inquiry into Auditor-General's Report 7/2021 Procurement Exemptions and Value for Money
CMTEDD2022/2846	Procurement Reform Program – Public Release
CMTEDD2022/2661	May 2022 Tax and Lease Variation Charge Revenue
CMTEDD2022/2307	ACT Critical Occupations List - effective July 2022
CMTEDD2022/2524	Event Proposal - Steel - Launch of ACS Supporting Women Transitioning to an ICT Career Project (21-22 FSJ Project)
CMTEDD2022/2558	Ministerial Information Brief - STEEL - 2022 Australian Training Awards - Event Proposal
CMTEDD2022/2693	Letter to incoming Canberra Institute of Technology (CIT) Board Chair
CMTEDD2022/2725	Review of User Choice Subsidies for 2022-23 Australian Apprenticeships
CMTEDD2022/2900	Addition of health occupations to ACT Critical Skills List
CMTEDD2022/1748	Controlled Sports 42J declaration under the Automatic Mutual Recognition Act 1992
CMTEDD2022/2154	Participation statistics for the ACT - AusPlay

CMTEDD2022/2629	CBR Brave – 2021-22 Performance Sponsorship Program (PSP) funding
CMTEDD2022/2683	Belconnen Basketball Stadium Proposa
CMTEDD2022/2031	Revenue – 2022-23 Tax Setting Disallowable Instruments
CMTEDD2022/2981	Correspondence with the ACT Heritage Council
CMTEDD2022/2334	Strategy and Transformation Office Insourcing Projects Proposal
CMTEDD2022/2340	Provision of Government Response to Auditor-General Report on Fraud Prevention to the Speaker for distribution.
CMTEDD2022/2710	Ministerial Arrangements brief - CM - ACT Government Graduate Program L&D Events
CMTEDD2022/2787	Salary Allocations for 2022-2023 - Non-Executive MLAs and The Speaker
CMTEDD2022/1693	Work Health and Safety Codes of Practice: adoption of updated model codes of practice
CMTEDD2022/1804	Tranche One Silica Reforms: Silica Dust Awareness Mandatory Training Declaration
CMTEDD2022/2374	Ministerial correspondence: Ms Joanne Farrell, Chair, Safe Work Australia – implementation of Boland Review recommendations
CMTEDD2022/2376	Automatic Mutual Recognition: agreement to recommend declaration for significant risk exemptions
CMTEDD2022/2545	Report 15: Portable long service leave COVID-19 amendments – ACT Legislative Assembly reporting for April to June 2022
CMTEDD2022/2742	Respect@Work: Data Sharing Agreement – Workplace sexual harassment
N/A	Approval to attend the Asian Network of Occupational Hygiene (ANOH) Conference in Bali, Indonesia as Keynote speaker
22/58292	22/58292 - Ministerial Brief - Vassarotti - Air Quality Report 2021
22/64904	22/64904 - Meeting Brief - Cheyne - Australian Hotels Association - 20 June 2022
22/71868	22/71868 - Ministerial - Brief - Berry - Muscle-Up Charity Fight Night
22/73721	22/73721 - Meeting Brief - Cheyne - Canberra Community Clubs, Canberra Labor Club and ClubsACT - 27 June 22
22/81383	22/81383 - Brief - Cheyne - Letters to WWVP registrants about two year extension
22/83157	22/83157 - Caveat Brief and Talking Points - Cheyne - 'Online' transfers charges
22/73640	Week Ending 20220617
22/76632	Week Ending 20220624
22/81318	Week Ending 20220701