



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## Freedom of Information Disclosure Log Publication Coversheet

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

Application Details	
Ref. No.	2023-358
Date of Application	30 November 2023
Date of Decision	17 January 2024
Processing time (in working days)	28
Fees	N/A
Decision on Access	Refusal
<b>Information Requested (summary)</b>	All correspondence in related to Brindabella Christian College or Brindabella Christian Education Limited in any form between the FOI sections of the ACT Government and ReformBCC
Publication Details	
Original application	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Decision notice	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Documents and schedule	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Decision made by Ombudsman	N/A
Additional information identified by Ombudsman	N/A
Decision made by ACAT	N/A
Additional information identified by ACAT	N/A

**From:** [CMTEDD FOI](#)  
**To:** [JACS FOI](#)  
**Cc:** [CMTEDD FOI](#)  
**Subject:** RE: Four Seperate FOI Requests  
**Date:** Tuesday, 17 October 2023 3:53:50 PM  
**Attachments:** [image001.png](#)

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OFFICIAL

Hi Angelique

Thank you for your email.

CMTEDD accepts partial transfer of point 4 listed below.

Kind regards  
Emma

**Emma Hotham (she/her) | Director, Freedom of Information**

Phone: 02 6207 0811 | [emma.hotham@act.gov.au](mailto:emma.hotham@act.gov.au)

Chief Minister, Treasury and Economic Development Directorate | **ACT Government**

Level 1, 220 London Circuit, Canberra City | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

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**From:** JACS FOI <JACSFOI@act.gov.au>

**Sent:** Monday, October 16, 2023 11:02 AM

**To:** CMTEDD FOI <CMTEDDFOI@act.gov.au>; EDU, FOI <EducationFOI@act.gov.au>;  
TCCS\_FreedomOfInformation <TCCS.FOI@act.gov.au>; EPSDFOI <EPSDFOI@act.gov.au>

**Cc:** Hotham, Emma <Emma.Hotham@act.gov.au>; Murray, Paula <Paula.Murray@act.gov.au>;  
Irons, Samantha <Samantha.Irons@act.gov.au>; Kelly, Jedda <Jedda.Kelly@act.gov.au>

**Subject:** FW: Four Seperate FOI Requests

OFFICIAL

Good morning all

As discussed, please see below for transfer/partial transfer.

Please feel free to contact me should you have any queries.

Kind regards

Angelique Delahaye | Assistant Director – Freedom of Information

Governance, Coordination and Reporting | Justice and Community Safety Directorate

☎ 6205 9975 | ✉ [angelique.delahaye@act.gov.au](mailto:angelique.delahaye@act.gov.au) | 📮 GPO Box 158, Canberra ACT 2601

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**Sent:** Monday, October 16, 2023 1:08 AM

**To:** JACS FOI <JACSFOI@act.gov.au>

**Cc:** BCC Board [REDACTED]

**Subject:** Four Seperate FOI Requests

**Caution:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe. [Learn why this is important](#)

Hi Nikki,

Given the senseless ongoing FOI Requests relating Brindabella over the last 3-years, it is time to understand the origins of this, we will now commence a series of individual FOI Requests please. The first four are as follows.

1. All correspondence in related to Brindabella Christian College or Brindabella Christian Education Limited in any form between the ACT Registrar Non-Government Schools Mr Sean Moysey **and** ReformBCC, [REDACTED] The Canberra Times and the RiotACT.
2. All correspondence in related to Brindabella Christian College or Brindabella Christian Education Limited in any form between the Minister for Education Ms Yvette Berry **and** ReformBCC, [REDACTED] The Canberra Times and the RiotACT.
3. All correspondence in related to Brindabella Christian College or Brindabella Christian Education Limited in any form between Joshua Ceramidas, Senior Adviser, Minister for Education Ms Yvette Berry's Chief of Staff **and** ReformBCC, [REDACTED] The Canberra Times and the RiotACT.
4. All correspondence in related to Brindabella Christian College or Brindabella Christian Education Limited in any form between the FOI sections of the ACT Government **and** ReformBCC, [REDACTED] The Canberra Times and the RiotACT.

Your assistance on these requests would be much appreciated.

Regards & God Bless, [REDACTED]

[REDACTED]

[REDACTED]





**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

Our ref: CMTEDDFOI 2023-358



## **FREEDOM OF INFORMATION REQUEST**

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), partially transferred to the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 30 November 2023.

Specifically, you have sought access to the following information:

*All correspondence in related to Brindabella Christian College or Brindabella Christian Education Limited in any form between the FOI sections of the ACT Government and ReformBCC, [REDACTED] The Canberra Times and the RiotACT.*

### **Authority**

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

### **Timeframes**

CMTEDD is required to provide a decision on your access application by 19 January 2024. This decision is for CMTEDD records only.

### **Decision on access**

I have decided to refuse to confirm or deny the existence of the requested government information under section 35(1)(e) of the Act. I have decided that the information, if it did exist, would be contrary to the public interest information and would, or could reasonably be expected to be an unreasonable limitation on a person's rights under the *Human Rights Act 2004*.

Section 12 of the Human Rights Act provides –

*Everyone has the right—*

*(a) not to have his or her privacy, family, home, or correspondence interfered with unlawfully or arbitrarily...*

Should the information exist, release could be expected to prejudice a person's right to privacy by disclosing contents of correspondence arbitrarily.

In preparing this response to your access application, I have considered the purpose for which the information has been collected, assurances provided to FOI applicants that their personal information will not be disclosed, which includes applicant identity remaining anonymous when conducting third party consultation. When an applicant is advised that their FOI application and associated decision will be published, they are given the following assurances:

*Your original access application and my decision will be published on the CMTEDD disclosure log. Your personal contact details will not be published.*

The release of this type of information has the potential to have a 'cooling' effect and could reasonably discourage members of the public from seeking access to government information due to concerns of their identity being disclosed.

However, I can provide you with a list of all CMTEDD FOIs that have been published on the CMTEDD disclosure log in relation to Brindabella Christian College or Brindabella Christian Education Limited. The information gathered is irrespective of the applicant who applied for the information. This has been provided as a table attachment to this letter.

### **Charges**

Processing charges are not applicable for this request because no information is being released to you.

### **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 and my decision will be published on the CMTEDD disclosure log. Your personal contact details will not be published.

### **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 on the 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 at:

The ACT Ombudsman  
GPO Box 442  
CANBERRA ACT 2601  
Via email: [actfoi@ombudsman.gov.au](mailto:actfoi@ombudsman.gov.au)

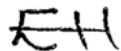
### **ACT Civil and Administrative Tribunal (ACAT) Review**

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  
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 the CMTEDD FOI team by telephone on 6207 7754 or email [CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au).

Yours sincerely,



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

17 January 2024

CASE ID	SCOPE	Disclosure log link
2022-204	Any documents held by ACT WorkSafe in regards to Brindabella Christian Education Limited trading as Brindabella Christian College (collectively referred to as 'the school') between the period of 1 January 2021 and 5 July 2022. Documents which relate to any action taken by Work Safe under the WH&S Act including any investigation, enquiry, directive, notices, report or correspondence AND including the schools response(s) to these actions, in whatever shape or form that may be.	<a href="https://www.cmtedd.act.gov.au/_data/assets/pdf_file/0018/2163042/2022-204.pdf">https://www.cmtedd.act.gov.au/_data/assets/pdf_file/0018/2163042/2022-204.pdf</a>
2022-337	Supporting material for RRRT response about car park services and Lyneham Oval	<a href="https://www.cmtedd.act.gov.au/_data/assets/pdf_file/0016/2163040/2022-337.pdf">https://www.cmtedd.act.gov.au/_data/assets/pdf_file/0016/2163040/2022-337.pdf</a>
2022-340	Seeking information on any agreement between Sports and Recreation and the Brindabella Christian College (BCC) that allows the BCC to park on the Lyneham Neighbourhood Oval	<a href="https://www.cmtedd.act.gov.au/_data/assets/pdf_file/0006/2163039/2022-340.pdf">https://www.cmtedd.act.gov.au/_data/assets/pdf_file/0006/2163039/2022-340.pdf</a>
2023-004	Documents regarding the development of the car park - Lyneham Oval / Brindabella Christian College	<a href="https://www.cmtedd.act.gov.au/_data/assets/pdf_file/0010/2175958/2023-004.pdf">https://www.cmtedd.act.gov.au/_data/assets/pdf_file/0010/2175958/2023-004.pdf</a>
2023-015	Please share any documents regarding the development and existence of the car park between the dates of June 2016 till December 2018.	<a href="https://www.cmtedd.act.gov.au/_data/assets/pdf_file/0007/2179078/2023-015.pdf">https://www.cmtedd.act.gov.au/_data/assets/pdf_file/0007/2179078/2023-015.pdf</a>
2023-326	Information relating to regulatory action at Brindabella Christian College.	<a href="https://www.cmtedd.act.gov.au/_data/assets/pdf_file/0008/2333249/2023-326.pdf">https://www.cmtedd.act.gov.au/_data/assets/pdf_file/0008/2333249/2023-326.pdf</a>
2023-327	Information relating to building works completed at Brindabella Christian College from 2017 to present.	<a href="https://www.cmtedd.act.gov.au/_data/assets/pdf_file/0006/2334327/2023-327-Part-1.pdf">https://www.cmtedd.act.gov.au/_data/assets/pdf_file/0006/2334327/2023-327-Part-1.pdf</a> ; <a href="https://www.cmtedd.act.gov.au/_data/assets/pdf_file/0019/2334331/2023-327-Part-2.pdf">https://www.cmtedd.act.gov.au/_data/assets/pdf_file/0019/2334331/2023-327-Part-2.pdf</a> ; <a href="https://www.cmtedd.act.gov.au/_data/assets/pdf_file/0020/2334332/2023-327-Part-3.pdf">https://www.cmtedd.act.gov.au/_data/assets/pdf_file/0020/2334332/2023-327-Part-3.pdf</a>