



**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 2018-0300

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)	29
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:** Re: CMTEDDFOI2018-0300 RE: ministerial briefs - Scope too large [SEC=UNCLASSIFIED]  
**Date:** Friday, 26 October 2018 11:18:23 AM

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Hi Kelly,

I am happy to revise the scope to (still the 12 month period) for all Treasury briefs to the minister related to the following areas:

ACT budget, Suburban Land Agency, City Renewal Authority, Canberra Institute of Technology, all unsolicited bids to government, ACT Property Group, public housing taskforce, asbestos response taskforce, Planning matters.

Thanks,

[REDACTED]




**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

Our ref: CMTEDDFOI 2018-0300



via email: 

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 19 October 2018, in which you sought access to all ministerial briefs produced by the Chief Minister's, Treasury and Economic Development Directorate, provided to all relevant ministers, in the period from July 1, 2017 to October 18, 2018.

Between 19 October 2018 and 26 October 2018 you refined the scope of your request to *all Treasury briefs to the minister related to the following areas: ACT budget, Suburban Land Agency, City Renewal Authority, Canberra Institute of Technology, all unsolicited bids to government, ACT Property Group, public housing taskforce, asbestos response taskforce, Planning matters within the last 12 months.*

### **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 is required to provide a decision on your access application by 16 November 2018.

### **Outcome of Documents Search**

Multiple document searches have been conducted with relevant business areas in CMTEDD. This has resulted in the identification of 80 documents that fall within the scope of your request. Further searching is being conducted, however it is expected this number will increase significantly once other areas of Treasury, particularly the Commercial Services and Infrastructure Group have completed their document searches.

Based on a sample of 17 of the 80 documents identified as being within the scope of your request each document found has an average page size of 24. Noting that further documents are expected to be identified, I anticipate that your request will be at least

1924 pages in size. Based on an average processing time of 4 minutes per page, I anticipate it would take approximately 128 hours to complete.

### **Proposed Decision on Access**

Based on the size of your request, I am proposing to refuse to deal with this access application under section 43(1)(a) of the Act.

I am satisfied that dealing with this request in its current form would require an unreasonable and substantial diversion of CMTEDD resources pursuant to section 44(1)(a) of the Act, as the time taken to identify, collate, examine and potentially consult with relevant third parties on the information held by CMTEDD would substantially inhibit the ability of the CMTEDD to exercise its functions.

### **Consultation Period**

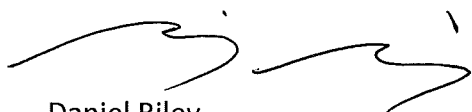
Section 46(1) of the Act requires me to provide you with the opportunity to amend your application before I can make a decision to refuse to deal with your request. The time allowed to allow you to amend your request under section 46(4)(a) is 10 working days.

You are required to amend the scope of your request by **28 November 2018**.

If no response is received from by **28 November 2018**, I will make a decision to refuse to deal with your application under section 43(1)(a) of the Act.

Should you have any queries in relation to your request please contact me by telephone on 6207 7754 or email [CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au).

Yours sincerely,



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

14 November 2018




**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

Our ref: CMTEDDFOI 2018-0300



via email: 

Dear 

### **FREEDOM OF INFORMATION REQUEST**

I refer to my letter dated 14 November 2018 in which I proposed to refuse to deal with your access application *all Treasury briefs to the minister related to the following areas: ACT budget, Suburban Land Agency, City Renewal Authority, Canberra Institute of Technology, all unsolicited bids to government, ACT Property Group, public housing taskforce, asbestos response taskforce, Planning matters within the last 12 months.*

#### **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.

#### **Decision on Access**

As stated in my letter dated 14 November 2018, I am satisfied that dealing with this request in its current form would require an unreasonable and substantial diversion of CMTEDD resources pursuant to section 44(1)(a) of the Act, as the time taken to identify, collate and examine the information held by CMTEDD would substantially inhibit the ability of the CMTEDD to exercise its functions. Based on a sample of 17 of the 80 documents identified as being within the scope of your request so far, each document found has an average page size of 24. Noting that further documents are expected to be identified, I anticipate that your request will be at least 1924 pages in size. Based on an average processing time of 4 minutes per page, I anticipate it would take approximately 128 hours to complete.

Pursuant to section 46(1), prior to refusing to deal with this part of your request under section 43(1)(a) of the Act, I was required to provide you with the opportunity to amend your application. The time allowed for you to amend your request under section 46(4)(a) of the Act is 10 working days. You were required to amend the scope of your request by 28 November 2018.

As no response was received from you by 28 November 2018, I have decided to refuse to deal this access request under section 43(1)(a) of the Act.

## **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, the documents released to you and my decisions in response to your access application will be published in the CMTEDD 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](mailto:actfoi@ombudsman.gov.au)

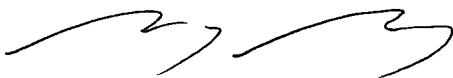
## **ACT Civil and Administrative Tribunal (ACAT) Review**

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  
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](mailto:CMTEDDFOI@act.gov.au).

Yours sincerely,



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

29 November 2018