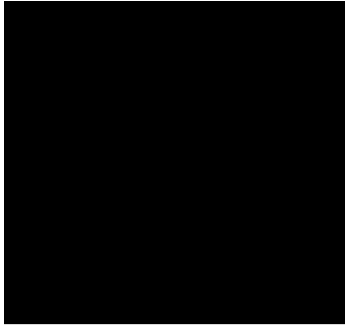




ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDD 60/16-17



Decision on Freedom of Information Request – identification and approval of sites for public housing renewal program

I am writing in relation to your access request, made under section 14 of the ACT *Freedom of Information Act 1989* (the Act) and received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 21 March 2017.

In your request you sought “... *documents generated within the Chief Minister, Treasury and Economic Development Directorate relating to the identification and approval of sites in Wright, Chapman, Monash, Holder and Mawson for the public housing renewal program.*”

I apologise for the short delay in finalising your request and appreciate your patience.

Decision Maker

I am authorised under section 22 of the Act to make decisions on access to documents and liability for charges.

Charges

I have decided, under section 29 of the Act, not to impose processing charges for this request.

Identification of Documents

I have interpreted your request to be for documents generated by CMTEDD that are specifically about the identification and approval of Part Block 1 Section 29 Wright, Part Block 1 Section 45 Chapman, Block 2 Section 20 Monash, Block 15 Section 56 Monash, Part Block 2 Section 21 Holder and Block 29 Section 36 Mawson for the public housing renewal program.

Chief Minister, Treasury and Economic Development

I note that there are a number of documents included in the scope of your request which date back several years to 2014 when these sites were initially considered as part of a broader analysis of possible sites for the public housing renewal program. There were a significant number of other sites also included in this documentation however these have been excluded as they are beyond the scope of your request.

Decision on Access

I have decided to fully release some documents to you and fully exempt the remainder from release.

Some documents identified as relevant to your request contain information that I consider to be irrelevant to the scope of your request. This out-of-scope information has not been released. Also, some documents listed on the schedule are beyond the scope of your request but have been listed for completeness as they formed part of a package of documents. The attached schedule indicates where out-of-scope information has not been released.

Copies of the released documents are enclosed. Where duplicates have been identified, they have been listed in the schedule but only one copy has been provided.

My reasons for not providing access to some documents and components of documents are detailed in the following statement of reasons and on the attached schedule.

Exemptions claimed

Executive documents

Section 35 provides:

- (1) *A document is an exempt document if it is—*
- (a) *a document that has been submitted to the Executive for its consideration or is proposed by a Minister to be so submitted, being a document that was brought into existence for the purpose of submission for consideration by the Executive; or*
 - (b) *an official record of the Executive; or*
 - (c) *a document that is a copy of, or of a part of, or contains an extract from, a document referred to in paragraph (a) or (b); or*
 - (d) *a document the disclosure of which would involve the disclosure of any deliberation or decision of the Executive, other than a document by which a decision of the Executive was officially published.*

Note Access to the Cabinet notebook is excluded under s 11 (2).

- (2) *This section does not apply to a document (a **relevant document**)—*
- (a) *that is referred to in subsection (1) (a); or*
 - (b) *that is referred to in subsection (1) (b) or (c) and is a copy of, or of part of, or contains an extract from, a document that is referred to in subsection (1) (a);*
- to the extent that the relevant document contains purely factual material unless—*

- (c) the disclosure under this Act of that document would involve the disclosure of any deliberation or decision of the Executive; and*
 - (d) the fact of that deliberation or decision has not been officially published.*
- (3) A reference in this section to the Executive includes a reference to a committee of the Executive.*

I have decided to exempt from release, under section 35(1)(a) of the Act, documents that were prepared for the purpose of submission to and consideration by Cabinet. Release would reveal Cabinet deliberations and decisions that have not been officially published and would prejudice the confidential nature of Cabinet discussions.

For this reason I have also decided not to release documents that disclose the deliberations or decisions of the Cabinet. In particular this includes several papers prepared for consideration of the Public Housing Renewal Steering Committee. I consider that this information is exempt from release under section 35(1)(d) of the Act.

Your Right of Review

Internal Review

Under section 59(1) of the Act, you may request a review of my decision. You have 28 days after receiving notice of my decision to ask for a review, or a further period as allowed by the Director-General.

Your request should be addressed to:

Director-General

c/o Freedom of Information Co-ordinator

Chief Minister, Treasury and Economic Development Directorate

GPO Box 158

CANBERRA ACT 2601

Via email: CMTEDDFOI@act.gov.au

Complaints to the Ombudsman

Under section 54 of the Act, you may complain to the Ombudsman about administrative matters relating to the processing of your Freedom of Information request. There is no fee for making a complaint. The Ombudsman will conduct an independent investigation into your complaint.

You can contact the Ombudsman either by telephone on 1300 362 072 or in writing to:

The Ombudsman

GPO Box 442

CANBERRA ACT 2601

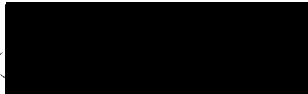
Online FOI Policy

I have assessed your request for information under the ACT Government's Online Freedom of Information Publication Policy and have determined that my decision on your request and the information released will be published online. Personal information or business information will not be made available under this policy.

A copy of the policy, with details about what information may be published on the Internet, is available online at: http://www.cmd.act.gov.au/data/assets/pdf_file/0016/250333/FOI_Web_Release_Policy_-_Final.pdf

I would be happy to elaborate on this decision with you and address any specific concerns or questions you may have. Please contact me to discuss on (02) 6207 1383.

Yours sincerely

A black rectangular redaction box covering the signature of David Collett.

David Collett
Executive Director
Public Housing Renewal Taskforce
27 April 2017