



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 2022-241

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	Published
4. Additional information identified	No
5. Fees	N/A
6. Processing time (in working days)	27
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 May 2022
Date: Monday, 8 August 2022 4:33:16 PM

Good afternoon,

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

I write to request under the *Freedom of Information Act 2016* the subject line of all final ministerial briefs from 10th of May 2022 to 10th of June 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
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI 2022-241



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 8 August 2022, in which you sought access to:

The subject line of all final ministerial briefs from 10th of May 2022 to 10th of June 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 11 August 2022 a 15-working day extension was requested from your office due to staff movement and unexpected personal leave. This resulted in a revised due date of 26 September 2022.

Decision on access

Searches were completed for relevant information and 213 subject lines were identified that fall within the scope of your request.

I have decided to grant access in full to 164 subject lines. I have decided to refuse access to 49 subject lines as I consider the information to be contrary to the public interest under Schedule 1 and 2 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

Forty-one of the subject lines identified contain information that is considered to be contrary to the public interest under Schedule 1 of the Act. Information that falls under the exemptions in Schedule 1 is not subject to the public interest test as detailed in section 17 of the Act.

Three of the subject lines have been identified as information the disclosure of which is taken to be contrary to the public interest under Schedule 1 section 1.14(f) *prejudice the effectiveness of a lawful method or procedure for preventing, detecting, investigating or dealing with a contravention or possible contravention of the law.*

One of the subject lines has been identified as information the disclosure of which is taken to be contrary to the public interest under Schedule 1 section 1.2 as it is *information that would be privileged from production or admission into evidence in a legal proceeding on the ground of legal professional privilege.*

Two of the subject lines has been identified as information the disclosure of which is taken to be contrary to the public interest under Schedule 1 section 1.3 as it is as it is subject to secrecy provisions under taxation legislation.

Thirty-five 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. It is therefore exempt from release under the Act.

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

While the majority of subject lines are to be released in full, eight subject lines have identified factors for 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.

As required in the public interest test set out in section 17 of the Act, I have also identified the following public interest factors in favour of nondisclosure that I believe are relevant to determine if release of the subject lines is within the 'public interest'.

- *Prejudice the protection of an individual's right to privacy or any other right under the Human Rights Act 2004 (s2.2 (a)(ii) of Schedule 2)*
- *Prejudice trade secrets, business affairs or research of an agency or person (s2.2 (a)(xi) of Schedule 2)*
- *Prejudice the competitive commercial activities of an agency (s2.2 (a)(xiii) of Schedule 2)*

I consider the above factors for nondisclosure carry significant weight as they affect individual and business rights. I am satisfied that the release of the eight subject lines is considered contrary to the public interest and are exempt from disclosure.

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



Katharine Stuart
Information Officer
Chief Minister, Treasury and Economic Development Directorate
13 September 2022



ACT
Government

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 10th of May 2022 to 10th of June 2022 generated for or directed to any ACT Government Minister.

CMTEDDFOI2022-241

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1-8	Brief subject lines	Various	Partial release	Sch1 s1.2 Sch1 s1.3 Sch 1 s1.6 Sch1 s1.14 Sch2 s2 (a)(xiii) Sch2 s2 (a)(ii) Sch2 s2 (a)(xi)	Yes
Total No of Docs						
1						

Record Number	Brief Name
CMTEDD2022/1305	Gungahlin Leisure Centre 50-metre pool rectification works – Program of works
CMTEDD2022/1968	Publishing information relating to the Business Support Grants program and the Small Business Hardship Scheme.
CMTEDD2022/2501	Potential late application – Small Business Hardship Scheme
CMTEDD2022/1985	ACT Skills Needs List 2022-23
CMTEDD2022/2001	Business Support Grant Program and Small Business Hardship Scheme – Program Evaluation
CMTEDD2022/2099	Telstra Innovation Site Visit
CMTEDD2022/1960	Current and potential CIT course alignment to key industry sectors
CMTEDD2022/2082	Referral to the Independent Reviewer for the YourSay Community Panel – ICRC Electricity Code Survey
CMTEDD2022/2176	2021-22 Community Support Fund – Architectural Design Challenge
CMTEDD2022/2250	2021-22 Community Support Fund – Roundabout Canberra and Vinnies ACT 2022 Winter Appeal
CMTEDD2022/2298	Independent Reviewer Approval – Built for CBR
CMTEDD2022/2359	Queen’s Platinum Jubilee weekend
CMTEDD2022/2393	YourSay Panel – Research Findings – ICRC Electricity Code Survey
CMTEDD2022/2418	Selection Panel - ACT Emerging Scientist of the Year Award 2022
CMTEDD2022/2227	Superannuation underpayment issue
CMTEDD2022/2065	Release of Lockbridge Report – EPIC Operational Needs Analysis 2019 (Sections 2 and 3)
CMTEDD2022/2057	Electricity determination number one – representative consumption for 2022-23
CMTEDD2021/6024	10th Legislative Assembly Parliamentary Agreement – Executive Reforms – Board Representation
CMTEDD2022/1507	SIEVX Waiver Request – Licence to use unleased public land application fee
CMTEDD2022/1919	Motor Accident Injuries Scheme Quarterly Report to 31 March 2022
CMTEDD2022/2067	Commonwealth Grants Commission (CGC) Commissioner appointments – call for nominations
CMTEDD2022/2110	HOSTS letter to Commonwealth Treasury Secretary – health funding reform
CMTEDD2022/2126	Lifetime Care and Support Fund: 2022-23 Budget Statement - Strategic Objectives and Indicators
CMTEDD2022/2308	22 July Board of Treasurers meeting – draft agenda
CMTEDD2022/2187	Progress update on the Multipurpose facility at Exhibition Park
CMTEDD2022/1801	Floriade Community 2022
CMTEDD2022/1865	Major Event Fund application – National Museum of Australia – Connection
CMTEDD2022/2040	ACT Event Fund 2022 – Out-of-Round funding recommendations
CMTEDD2022/2108	Windows to the World 2022 & Canberra Nara Candle Festival 2022
CMTEDD2022/2292	2030 Tourism Strategy for the ACT – strategy development timeline and discussion paper release
CMTEDD2022/819	Electric Vehicle Charging Stations – Dickson Office Building (480 Northbourne Avenue Dickson)
CMTEDD2022/1829	Request for Treasurer’s Advance (TA) under Section 18 of the Financial Management Act 1996 – Chief Minister, Treasury and Economic Development Directorate

CMTEDD2022/1830	Chief Minister, Treasury and Economic Development Directorate (CMTEDD) – Request for Increase in Appropriation Under Section 16A of the Financial Management Act (1996) (FMA) for Payment of Accrued Employee Entitlements
CMTEDD2022/2105	Equity designation for return of funds to the Territory Banking Account in relation to certain land sales
CMTEDD2022/2112	Financial instruments under sections 17 and 19B of the Financial Management Act 1996 (the FMA) for the variation of appropriation for Commonwealth Grants – 2021-22 EOFY – Various agencies
CMTEDD2022/2321	Interstate Hotel Quarantine payments to December 2021q
CMTEDD2022/2333	Housing ACT (HACT) – Request to access Capital Reserve funding
CMTEDD2022/2459	Request for Treasurer’s Advance (TA) under Section 18 of the Financial Management Act 1996 – Major Projects Canberra ☒
CMTEDD2022/2240	Travel Request for Singapore Trade Mission – June 2022☒
CMTEDD2022/2081	Review of the Canberra Screen Investment Fund
CMTEDD2022/744	Enhancements to public financial management to support a least-cost approach to emissions reduction
CMTEDD2022/2028	ACT Submission to the Independent Review of Australia’s COVID-19 Response☒
CMTEDD2022/2041	2022 Report on Government Services (RoGS) – Mid-Year Release – anticipated 7 June 2022
CMTEDD2022/2162	Deferrable medical interventions on intersex people – adjustment to community consultations on draft legislation
CMTEDD2022/2260	Status of Electric Vehicle (EV) Charger Initiatives
CMTEDD2022/2266	David Pocock – 2022 Federal Election Commitments☒
CMTEDD2022/2331	ACT Wellbeing Framework – PAGA Commitment on Performance and Reporting
CMTEDD2022/1544	Women in Construction Procurement Policy Update
CMTEDD2022/2525	Procurement for Provision of CIT Futures 2025 and Preceding Contracts☒
CMTEDD2022/2141	April 2022 Tax and Lease Variation Charge Revenue
CMTEDD2022/2089	Mezzanine Project – Practical Completion
CMTEDD2022/377	2022 ACT Training Awards Presentation Event
CMTEDD2022/688	Findings from the BellchambersBarrett (BCB) report on Canberra Institute of Technology (CIT) training activity and cost of training delivery
CMTEDD2022/1233	ACT preferred allocation of skilled migration nomination places in 2022-2023
CMTEDD2022/1634	Future Skills for Future Jobs (FSFJ) grants program: remaining budget allocation
CMTEDD2022/2219	Recommended funding outcomes for the JobTrainer Employment Jumpstart grants program
CMTEDD2022/2319	Update: 2021-22 User Choice, Skilled Capital, and Economic Survival Packages (ESP) expenditure Q3 reporting
CMTEDD2022/2377	2022 Report on Government Services - mid-year update - Vocational Education and Training chapter
CMTEDD2022/1303	Performance Partnership Agreement (PPA) – Community Engagement
CMTEDD2022/1888	Repairs to the ACT Netball Centre and other infrastructure matters
CMTEDD2022/1947	Gungahlin Tennis Facility –Stakeholder Engagement
CMTEDD2022/1963	2022 Nature Play Grants Program – Funding Recommendations☒

CMTEDD2022/2142	Performance Sponsorship Program (PSP) – 2022-23 Funding
CMTEDD2022/2242	2022-23 Fee Determinations under the Industrial Relations and Workplace Safety legislation
CMTEDD2022/2316	Income Tax Treatment of ACT Government COVID-19 Business Assistance Scheme Payments
CMTEDD2022/2139	Business Support Grants – Commonwealth payment request
CMTEDD2022/2188	Proposed arrangements for 7th Chief Minister’s Governance Lecture
CMTEDD2022/1896	Education Directorate (EDU) – Financial Instrument under the Financial Management Act 1996 (FMA): Section 17 – Quality Schools funding – Non-Government
CMTEDD2022/2200	2022 Annual Report Directions
CMTEDD2022/2248	Updated Secure Local Jobs Code Guides and Documents
CMTEDD2022/2277	Workplace Legislation Amendment Bill 2022 – introduction package
CMTEDD2022/2310	Board of Treasurers Chair correspondence - Letters to the incoming and outgoing Treasurer of the Northern Territory
CMTEDD2022/2360	Young Workers Advice Service Contract
CMTEDD2022/2402	Letter to the Hon Tony Burke MP, Minister for Employment and Workplace Relations
CMTEDD2022/2414	Education Directorate (EDU) – Financial Instrument under the Financial Management Act 1996 (FMA): Section 17 – Students First funding – Non-Government; and Section 17 – Students First funding – Government
CMTEDD2022/1466	Work Health and Safety Amendment Regulation 2022 (No 1)
CMTEDD2022/1626	Treatment of Extension of Time (EOT) fees accrued during lockdown
CMTEDD2022/1628	WHS infringement notices: proposed expansion
CMTEDD2022/1643	Long Service Leave (Portable Schemes) Act 2009 – expansion consultation
CMTEDD2022/2068	Unplanned release of de-identified workers’ compensation data in 2021
CMTEDD2022/2268	Re-instatement of appointments to advisory bodies: Work Health and Safety Council and Labour Hire Licensing Advisory Committee
CMTEDD2022/2401	Work Health and Safety liaison: UnionsACT deed of grant review and renewal
CMTEDD2022/1742	Climate Action Network Australia (CANA), National Climate Conference: 'Power through Collaboration'
CM22/60366	QTB - Better Regulation Taskforce - June 2022
CM22/59381	Drones QTB
CMTEDD2022/1608	Proposed Changes to Environment, Planning and Sustainable Development Directorate (EPSDD) 2021-22 Accountability Indicators
TRSY22/32343	Release of Workers Compensation Claims Data Through Tenders ACT
TRSY22/32344	ACT Auditor-General’s Report Procurement Exemptions and Value for Money
TRSY22/32345	Government Procurement (Ethical Treatment of Workers Evaluation) Direction 2021
TRSY22/32346	Response to Campbell Primary School Modernisation Project Procurement – ACT Auditor General’s Report No 13/2021
TRSY22/32439	Departing from Tender Evaluation Team recommendations

TRSY22/36719	GOVERNMENT & STAKEHOLDER RELATIONS - Government & Assembly Matters - Question Time Briefs - Chief Minister - 8-10 February 2022 sittings
CMTEDD2022-2378	Disallowable Instrument - Increasing the Betting Operations Tax
CMTEDD2022/2394	Electricity determination two - reference price for 2022-23
TRSY22/36705	Cost of living
CMTEDD2022/2341	2021-22 Defined Benefit Superannuation Liability Valuation ²
CMTEDD2022/2062	2022-23 Budget Technical Adjustments
CMTEDD2022/2105	Equity designation for return of funds to the Territory Banking Account in relation to certain land sales
CMTEDD2022/2112	Financial instruments under sections 17 and 19B of the Financial Management Act 1996 (the FMA) for the variation of appropriation for Commonwealth Grants – 2021-22 EOFY – Various agencies
CMTEDD2022/2321	Interstate Hotel Quarantine payments to December 2021q
CMTEDD2022/2333	Housing ACT (HACT) – Request to access Capital Reserve funding
CMTEDD2022/2459	Request for Treasurer’s Advance (TA) under Section 18 of the Financial Management Act 1996 – Major Projects Canberra ²
CMTEDD2022/2503	Early announcement of certain 2022-23 Budget items ²
CMTEDD2022/1608	Proposed Changes to Environment, Planning and Sustainable Development Directorate (EPSDD) 2021-22 Accountability Indicators
CMTEDD2022/2414	Education Directorate (EDU) – Financial Instrument under the Financial Management Act 1996 (FMA): Section 17 – Students First funding – Non-Government; and Section 17 – Students First funding – Government
CMTEDD2022/2525	Procurement for Provision of CIT Futures 2025 and Preceding Contracts ²
TRSY22/32343	Release of Workers Compensation Claims Data Through Tenders ACT
TRSY22/32344	ACT Auditor-General’s Report Procurement Exemptions and Value for Money
TRSY22/32345	Government Procurement (Ethical Treatment of Workers Evaluation) Direction 2021
TRSY22/32346	Response to Campbell Primary School Modernisation Project Procurement – ACT Auditor General’s Report No 13/2021
TRSY22/32439	Departing from Tender Evaluation Team recommendations
22/61412	New Appointments - Justices of the Peace
22/56889	40km/h Speed Zones
22/56889	AC Contact Centre
22/56889	AC Service Centre
22/56889	Building Compliance Compliant
22/56889	COVID-19 Businesses Support
22/56889	Driver Licence Medical Timeframes and Issues
22/56889	E-Conveyancing

22/56889	Easy Park App
22/56889	Fix My Street Reform Progress
22/56889	Hawker Permits
22/56889	Mugga Lane Tip Odour
22/56889	Noise Complaints
22/56889	Parking Operations
22/56889	Speed Enforcement
22/56889	Wheelchair Accessible Taxis
22/56889	Woodfire Smoke
22/56889	Working with Vulnerable People
22/56889	Pink Frosting
22/56889	Your Local Plumbing Group
22/56889	Unclean Leasehold Vacant Blocks
22/61971	Access Canberra Customer Satisfaction Survey Results
22/58693	Minister Weekly Brief Week Ending 13 May 2022
22/52802	Extension of Working with Vulnerable People expiry dates and associated correspondence
22/64816	Update to the Registrar-General's Operating Requirements
22/65218	Fee Determinations for Hawker Permits for 2023/24
22/61482	Minister's Weekly Brief Week Ending 20 May 2022
22/65630	Minister Weekly Brief Week Ending 27 May 2022
22/69513	Assessing Fitness to Drive Updated Guidelines
22/70031	Lifeline Number Plate Auction – Donated Numberplates
22/68099	Minister Weekly Brief Week Ending 3 June 2022
22/57857	AUSactive Meeting
22/71295	Minister's Weekly Brief Week Ending 10 June 2022
22/59251	ACT Government Driver Licence Assessments – Vehicles with an Electronic Park Brake
CMTEDD2022/1760	Meeting Brief with the Ambassador of Morocco
CMTEDD2022/2152	CM Response letter to Minister Payne - Centre for Australia India Relations
CMTEDD2022/2092	Arrangements brief - AmCham Global Leadership
CMTEDD2020/2131	Meeting Brief with the Chargé d'Affaires of the Iran
CMTEDD2022/1938	Meeting Brief with the Ambassador of Ecuador
CMTEDD2022/2474	CM Response letter to ACT Telangana Association - Telangana Cultural Night
CMTEDD2022/2537	DLO Request - Dot Points - Response ACT Telangana Association - Telangana Cultural Night

QTB 1	ACTPS Employee Mental Health and Work Injury Management
QTB 2	Portable long service leave scheme review
QTB 3	Private sector workers' compensation scheme experience
	Snapshot of workers compensation and WHS issues
QTB 4	a) Quarterly workers compensation statistics - Private Sector b) Quarterly workers compensation statistics - Public Sector
QTB 5	Industrial Relations and Workplace Safety (Worksafe enforcement activity)
QTB 6	Secure Local Jobs Code
QTB 7	ACTPS Secure Work
QTB 8	ACTPS Enterprise Bargaining Agreement Negotiations
QTB 9	Mandatory vaccines in workplaces
QTB 10	COVID Leave Provisions
QTB 11	Recent regulatory actions
QTB 1	Veterans Employment

Schedule 1 1.2

Schedule 1 1.3

Schedule 1 1.6

Schedule 1 1.6

Schedule 1 1.14

Schedule 2.2(a)(xiii)

Schedule 2.2(a)(ii)

Schedule 2.2(a)(xi)

Schedule 2.2(a)(xi)