

**Document Category:** Ministerial Briefs

**Title of document:** Minister for Sport and Recreation Question Time Briefs March 2021

**Description of the information:**

These Question Time Briefs contain some information the release of which would be contrary to the public interest. This information includes details of commercial in confidence arrangements between the ACT Government and the sporting organisations. This information is not available for the reasons outlined below.

**Decision**

I have decided to redact some of the information contained in these Question Time Briefs. This decision has been made under sections 24(2)(b) and (c) of the *Freedom of Information Act 2016 (FOI Act)* on the basis that it is contrary to the public interest to disclose.

**Statement of reasons**

In reaching my access decision, I have taken the FOI Act into account:

Sections 24(2)(b) and (c) allow for the Decision to be withheld on the basis that:

- the disclosure would, on balance, be contrary to the public interest under the test set out in section 17.

**Public Interest Test – Section 17**

The FOI Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interest lies. As part of this process, I must consider factors favouring disclosure and nondisclosure.

Section 17(1) of the Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and schedule 2 of the Act.

*Factors favouring disclosure (Schedule 2 section 2.1)*

Taking into consideration the information contained in the Question Time Briefs, I have identified that the following public interest factors in favour of disclosure are relevant to determine if release of the information is within the 'public interest':

*(a) disclosure of the information could reasonably be expected to do the following:*

*(i) promote open discussion of public affairs and enhance the government's accountability.*

*(ii) contribute to positive and informed debate on important issues or matters of public interest.*

I consider that release of the Question Time Briefs may contribute to open discussion of public affairs and enhance the government's accountability and contribute to informed debate on matters of public interest. I consider there is a public interest in the subject of these briefs, and I am satisfied that its release would increase transparency and accountability of the government.

Factors favouring non-disclosure (Schedule 2 section 2.2)

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 information is within the 'public interest':

(a) *disclosure of the information could reasonably be expected to do any of the following:*

(xi) *prejudice trade secrets, business affairs or research of an agency or person.*

Having reviewed the Question Time Briefs and noting the matters that are covered, I am satisfied that the release of the redacted information relating to the sporting organisations could reasonably be expected to prejudice the business affairs of the organisations. This factor carries significant weight when considered against the factors in favour of disclosure.

Having applied the test outlined in sections 17 of the Act, I have decided to release the Question Time Briefs with some information relating to the business affairs of the organisations redacted. On balance, the majority of the information in the Question Time Briefs should be released, however I consider the information on the specific business affairs of each sporting organisation is contrary to the public interest information.

**Authorised By:**



Heather Johnston  
Information Officer

3 March 2026

Minister for Sport and Recreation  
Question Time Briefs  
March 2021

Ref No	Page number	Title	Status	Reason for Exemption
1	4	Coronavirus Impact on Sport	Full	n/a
2	6	North Woden Tennis Centre	Full	n/a
3	7	Elite Sport Performance Fee Agreements	Partial	Sch2.2(a)(xi)

This information is released under Section 23(a)(i) of the *Freedom of Information Act 2016* which requires the release of specified documents over five years old. Due to the age of the information being released it may not reflect current legislation or Government policy and phone numbers and webpages mentioned may not still be current.

CM2021/924

**Portfolio/s:** Sport and Recreation

## Coronavirus Impact on Sport Update

### Talking points:

- Public Health measures to slow the spread of COVID 19 continue to influence how we work, travel, play sport and participate in recreation.
- It is now 12 months since many summer sporting seasons and events were cancelled with subsequent winter seasons postponed. Restrictions to gatherings, indoor space restrictions and “non-essential services” saw sport and physical activity providers largely shut down.
- A number of initiatives put in place by the ACT Government to support the sector over the past year have allowed the resilience of our local sporting organisations to shine. These initiatives have included:
  - direct financial support totalling \$700,000 (to peak bodies);
  - early access to grants schemes (from 1 July); and
  - waivers for facility hire of ACT Government Sportsgrounds and Education facilities, Stromlo Forest Park and fee waivers for pool and lane hire fees for clubs and commercial groups (until 31 March 2021).
- These specific measures were in addition to broader means of community support like rates relief, utilities rebates and access to JobKeeper which have been, subject to individual circumstances, relevant to local sporting clubs and organisations.
- Community sport involving contact resumed in mid July last year. Despite ongoing health measures community sport is finding a new normal. I have heard some sports are actually experiencing increased demand and heightened event registrations.
- The response from the sector, supporting ongoing vigilance for physical distancing and hygiene, remains positive. The sector is embracing the CBR Check In App within their activities.
- A survey is currently open for ACT sporting organisations to share their experiences of COVID 19, including activity/participation levels, impacts on resources, opportunities and ongoing challenges. This will inform us if any further measures of assistance for the sporting sector need to be considered.

### Key Information

- Data on the COVID-19 pandemic impacts on sport and recreation, including participation and financial, is not yet available. The national Ausplay participation survey (released 30 October 2020) was only based on survey data to 30 June 2020 and the participation impacts of COVID-19 are not fully reflected in this research.

Cleared as complete and accurate: 15/03/2021  
Cleared for public release by: Executive Branch Manager  
Contact Officer name: Rebecca Kelley Ext:74389  
Lead Directorate: Chief Minister, Treasury and Economic Development

TRIM Ref: CM2021/924

- The longer-term impacts on people's financial capacity to participate and sponsorship of community sporting clubs and activities is not known.

Cleared as complete and accurate: 15/03/2021  
Cleared for public release by: Executive Branch Manager  
Contact Officer name: Rebecca Kelley Ext:74389  
Lead Directorate: Chief Minister, Treasury and  
Economic Development

TRIM Ref: CM2021/924

CM2021/924

**Portfolio/s:** Sport and Recreation

## North Woden Tennis Centre – NEW

### Talking points:

- The suitability and safety of community sporting facilities is important to support our high levels of active sporting participation in the ACT.
- The issues raised by the North Woden Tennis Club regarding the current state of its eight court facility in Hughes are currently being considered by Government.
- I am aware that a “Notice to Remedy” has been received by the ACT Government from the Club and an investigation into the matters raised by the Club’s President is underway through the Environment, Planning and Sustainable Development Directorate (EPSDD) and the Chief Minister, Treasury and Economic Development Directorate (CMTEDD).

### Key Information

- The North Woden Tennis Club, through its President, Mr Terry Lennard has served a ‘Notice to Remedy’ to EPSDD for the full replacement of the eight courts at its tennis facility in Hughes.
- The North Woden Tennis Club holds a Concessional Crown Lease over the community tennis facility located in Hughes. The lease has a range of “Territory Owned Improvements”, including eight tennis courts, a small tennis pavilion and cyclone perimeter fencing.
- While the North Woden Tennis Club has submitted several grant submissions through the Sport and Recreation Grants Program for funding to replace the courts in the past, a detailed condition audit of the tennis courts has never been provided.

Cleared as complete and accurate: 16/03/2021  
Cleared for public release by: Executive Branch Manager  
Contact Officer name: Rebecca Kelley Ext:74389  
Lead Directorate: Chief Minister, Treasury and Economic Development

TRIM Ref: CM2021/924

CM2021/924

**Portfolio/s:** Sport & Recreation

**ISSUE: ELITE SPORT PERFORMANCE FEE AGREEMENTS**

**Talking points:**

- The Territory provides support for the Canberra Capitals and Canberra United under formalised agreements. This support recognises the important contribution these teams make to the ACT community, including sports promotion and development, sponsor returns and match day visitation.
- All 2020-21 competitions of teams engaged under a Performance Fee Agreement (PFA) were affected due to global actions to limit the spread of COVID-19, including playing sport in closed stadiums (no spectators), postponement of sporting events and travel restrictions across borders.

Capitals

- The Canberra Capitals current agreement expires on 30 June 2021. The entire 2020-21 WNBL season was played in QLD with no matches in Canberra. Discussions regarding any ongoing agreement are yet to begin.

Canberra United

- The 2020-21 W-League season is currently underway. The Canberra United agreement ends in June 2021. Discussions regarding any ongoing agreement are yet to begin.

Giants Netball

- The Giants Netball agreement expires in December 2021. No Suncorp Super Netball game will be played in Canberra in 2021 due to the ongoing closure of the AIS Arena which is the only suitable venue to host elite team netball in Canberra. Discussions regarding any ongoing agreement are yet to begin.

**Key Information**

- Each team receives a different level of support based on a number of variable factors including: seasonal structure, sponsor returns (brand exposure) and importantly, the potential revenue capacity of their respective playing venues.

Cleared as complete and accurate: 15/03/2021  
Cleared for public release by: Executive Branch Manager  
Contact Officer name: Rebecca Kelley Ext: 74389  
Lead Directorate: Chief Minister, Treasury and Economic Development  
TRIM Ref: CM2021/924

- All agreements require delivery to the Territory of annual research that provides data in these key areas.
- Pending the negotiation of new agreements, the ACT Government will continue to work with each team to provide a level of recurrent funding and optimise returns on the Territory's investment. Support for strategic commitments such as facility or stadia investment can also support each team's ongoing sustainability.
- Attachment A provides an overview of each current PFA (for 2020-21).

## Background Information

- Nil.

**Performance Fee Agreement funding (2020-21) and overview per team**

Sch2.2(a)(xi)	<b>TERM</b>	Sch2.2(a)(xi)
	Dec 2017 to 30 June 2021	
	Executed 20 Dec 2017 to 30 June 2021	
	Executed 4 April 2018 to 31 Dec 2021 <b>12-month agreement extension (noting impact of COVID-19).</b>	