



ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDD2017/5024



Freedom of Information Request

I refer to your access request under section 14 of the ACT *Freedom of Information Act 1989* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 8 November 2017.

In your request you are seeking:

“Documents relating to everything ACT Property Group has done concerning the Oaks Estate Community Hall, at 2 William St OAKS ESTATE ACT 2620 for the last five years (since November 2012). This request includes: (a) all inspections (dates and times, findings, reports) by ACT-PG and any other party ACT-PG is aware of (b) all maintenance and repairs (dates, times, details, costs) undertaken by ACT-PG and any other party ACT-PG is aware of (c) all leasing and licence details, including how much ACT-PG has charged any person or organisation (including Southside Community Services aka Community 1), and for these charges and costs and fees to include all calculations of various components, not just the overall charge or cost or fee (d) pretty much everything else on record about this hall, including records of meetings and correspondence between ACT-PG and any body regarding this hall.”

Decision Maker

I am authorised under section 22 of the Act and have been approved 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 and decision on access

Documents identified as relevant to your request are listed on the attached schedule and included in the attached document package.

I have decided to release the majority of documents to you in full, with redactions applied to personal information and legal advice contained in some documents. Some information contained within the documents is not relevant to the Oaks Estate Community Hall and this information has been redacted.

My decision to exempt certain information from release is detailed further below and redactions are identified in the attached schedule.

Exemptions claimed

Documents affecting personal privacy

Section 41 of the Act provides:

- (1) A document is an exempt document if its disclosure under this Act would involve the unreasonable disclosure of personal information about any person (including a deceased person).*

I have decided to exempt from release, under section 41(1) of the Act, components of documents containing information that if released would constitute a breach of privacy. The exempted information includes signatures, individual names and contact information that is not publicly available. I consider that redaction of this information does not affect understanding of the remaining content.

Documents subject to legal professional privilege

Section 42 of the Act provides:

- (1) A document is an exempt document if it is of such a nature that it would be privileged from production in legal proceedings on the ground of legal professional privilege.*
- (2) A document of the kind referred to in section 8 (1) is not an exempt document under subsection (1) of this section only because of the inclusion in the document of matter that is used or to be used for the purpose of the making of decisions or recommendations referred to in section 8 (1).*

I have decided to exempt from release information that would disclose legal advice received by the Directorate in confidence. I consider this information to be exempt under section 42(1) 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 FOI 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 FOI Publication Policy. I have determined that my decision on your request and documents released to you will be published online. Personal information about you, including your name and contact details, will not be published.

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

If you would like to discuss this matter further please contact me on (02) 6205 9096.

Yours sincerely



John Wynants
A/g Director
ACT Property Group

3 January 2018