



**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 2018-0201

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)	15
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

Dear Sir/Madam

I make this request under the ACT Information Act. Would it be possible to get ACT Government records/information relating to:

- (a) The estimated gross domestic product (GDP) of [the] ACT
- (b) The average price of electricity in the ACT and the feed-in tariff rates solar in the ACT
- (c) Names of utility companies operating in the ACT, regulator or wholesalers and retailers of electricity
- (d) Planned expansion of power generating [facilities] over the next 15-45 years and the forecast demand
- (e) How many litres of fuel is consumed per day in the ACT
- (f) The ACT Government's expenditure on fuel (transport) and electricity bills for all its buildings for 2016 and 2017 – by department and office
- (g) Consumption information for electricity (kWh used and price paid per kWh)
- (h) Consumption information for fuel (litres of diesel and petrol consumed and average price paid per litre) and/or records for all fuel cards used
- (i) The government's record on water used for 2017 and projections for 2030 and 2050

Please note that I am seeking a waiver of all processing and application fee as [REDACTED]

Thanks for your assistance with this matter.

Yours faithfully

[REDACTED]



**ACT**  
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Chief Minister, Treasury and  
Economic Development

Our ref: CMTEDDFOI 2018-0201

[REDACTED]  
via email: [REDACTED]

Dear [REDACTED]

### **FREEDOM OF INFORMATION REQUEST**

I refer to your application received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 10 August 2018, in which you sought access under section 30 of the *Freedom of Information Act 2016* (the Act).

Specifically, you sought access to:

- (a) The estimated gross domestic product (GDP) of [the] ACT;
- (b) The average price of electricity in the ACT and the feed-in tariff rates solar in the ACT;
- (c) Names of utility companies operating in the ACT, regulator or wholesalers and retailers of electricity and how the price of electricity is determined by the regulator;
- (d) Planned expansion of power generating [facilities] over the next 15-45 years and the forecast demand;
- (e) How many litres of fuel is consumed per day in the ACT;
- (f) The ACT Government's expenditure on fuel (transport) and electricity bills for all its buildings for 2016 and 2017 – by department and office;
- (g) Consumption information for electricity (kWh used and price paid per kWh);
- (h) Consumption information for fuel (litres of diesel and petrol consumed and average price paid per litre) and/or records for all fuel cards used; and
- (i) The government's record on water used for 2017 and projections for 2030 and 2050".

As advised to you on 24 August 2018, points (b) and (c) have been transferred to the Independent Competition and Regulatory Commission and points (b), (d), (f), (g) and (i) have been transferred to the Environment, Planning and Sustainable Development Directorate.

CMTEDD has retained responsibility for processing points (a), (e) and (h) of your access request. I note point (h) contains the following three different parts:

- (1) Consumption information for fuel – litres of diesel and petrol consumed;
- (2) Consumption information for fuel – average price paid per litre; and
- (3) Records for all fuel cards used.

You have requested access to points (h)(1) and (h)(2) and/or point (h)(3).

### **Authority**

I am an Information Officer appointed by the Director-General of CMTEDD 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 7 September 2018.

### **Decision on access**

A search was conducted for CMTEDD records relating to points (a), (e), (h)(1) and (h)(2) of your request and resulted in two documents being identified. I note that the two documents that were identified are publicly available on the CMTEDD website. My decision on access to the documents identified is detailed below.

#### Refusal to deal with application

In relation to point (a) of your request, Gross State Product (GSP) is the correct measurement of the ACT's output. An Economic Indicator Brief was identified during the document search that contains information relating to the GSP of the ACT recorded in 2016-17. This document is publicly available from the ACT Treasury's website below.  
[https://apps.treasury.act.gov.au/data/assets/pdf\\_file/0010/399979/GSP.pdf/](https://apps.treasury.act.gov.au/data/assets/pdf_file/0010/399979/GSP.pdf/)

The CMTEDD Annual Report was identified during document search that contains information relating to point (h)(1) of your request. Total consumption of diesel and petrol by CMTEDD is reported under *section B.9 – Ecological Sustainable Development* of the Annual Report. The CMTEDD Annual Report is publicly available from the website <http://www.cmd.act.gov.au/functions/publications>. This consumption information is also reported by other Directorates of the ACT Government in their Annual Reports.

Noting the information requested under points (a) and (h)(1) is publicly available, I have decided to refuse to deal with these parts of your request in accordance with section 43(d) of the Act. Section 43(d) provides the grounds for me to refuse to deal with an application if the government information is already available to the applicant. I am satisfied that the information you have sought in points (a) and (h)(1) meets the requirements of section 43(d) and section 45 of the Act as they are publically available.

### No documents found

A search of CMTEDD records in both hard and soft copy has failed to identify any documentation in relation to points (e) and (h)(2) of your request.

### **Additional Information**

In relation to point (h)(3) of your request, the fuel cards held by CMTEDD are used solely for purchasing fuel from petrol station for on-site equipment that cannot be driven to a petrol station. The transaction records of fuel cards do not provide information relating to the total consumption of fuel by CMTEDD, which is reported in the CMTEDD Annual Report.

### **Charges**

Processing charges are not applicable for this request because no documents are to be released.

### **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 and my decision in response to your access application will be published in the CMTEDD disclosure log after 5 September 2018. Your personal contact details will not be published. You may view CMTEDD disclosure log at: <https://www.cmtedd.act.gov.au/functions/foi/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 the 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

3) August 2018