



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 2022-376

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)	28
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: no-reply@act.gov.au
To: [CMTEDD FOI](#)
Subject: Freedom of Information request
Date: Monday, 28 November 2022 10:48:02 AM

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe. [Learn why this is important](#)

Please find online enquiry details below. Please ensure this enquiry is responded to within fourteen working days.

Your details

All fields are optional, however an email address OR full postal address must be provided for us to process your request. An email address and telephone contact number will assist us to contact you quickly if we need to discuss your request.

Title:

First Name:

Last Name:

Business/Organisation:

Address:

Suburb:

Postcode:

State/Territory:

Phone/mobile:

Email address:

Request for information

(Please provide as much detail as possible, for example subject matter and relevant dates, and also provide details of documents that you are not interested in.)

I wish to access the Risk Management Strategy which was produced by the promoters/organisers of the Spilt Milk concert Under the Freedom of Information Act 2016 I held in Canberra over the weekend of November 26-27 2022 and want to access the provided to Venues Canberra. I would also like to access any following document/s correspondence between Venues Canberra and the organisers (*required field): related to the provision of on-site parking for patrons attending the Spilt Milk concert.

I do not want to access the following documents in relation to my request::

Thank you.
Freedom of Information Coordinator



ACT
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Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI 2022-376



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 28 November 2022.

Specifically, you sought *"I wish to access the Risk Management Strategy which was produced by the promoters/organisers of the Spilt Milk concert held in Canberra over the weekend of November 26-27 2022 and provided to Venues Canberra. I would also like to access any correspondence between Venues Canberra and the organisers related to the provision of on-site parking for patrons attending the Spilt Milk concert."*

Authority

As an appointed Information Officer under section 18 of the Act, I am authorised to make a decision on access or amendment to government information in the possession or control of CMTEDD.

Timeframes

In accordance with section 40 of the Act, CMTEDD was required to provide a decision on your access application by 28 December 2022 however, following third-party consultations, the due date is now 17 January 2023.

Decision on access

Searches were completed for relevant documents based on information provided by you. One document, a risk plan, was identified that falls within the scope of your request.

I have decided to refuse access to this document as I consider it contrary to the public interest information under schedule 1 of the Act.

My access decisions are detailed further in the following statement of reasons in accordance with section 54(2) of the Act.

Statement of Reasons

In reaching my access decisions, I have taken the following into account:

- the Act, particularly Schedule 1 section 1.14;
- the content of the document that fall within the scope of your request; and
- the views of third parties consulted under section 38 of the Act.

Exemption claimed

My reasons for deciding not to grant access to the identified document is as follows:

Contrary to the public interest information under schedule 1 of the Act

All of the information within the document relevant to your access application is considered to be contrary to the public interest under schedule 1 of the Act, section 1.14:

- 1) *Information the disclosure of which would, or could reasonably be expected to—*
 - c) *endanger a person's life or physical safety.*
 - g) *prejudice the maintenance or enforcement of a lawful method or procedure for protecting public safety.*
 - h) *endanger the security of a building, structure or vehicle.*
 - i) *prejudice a system or procedure for the protection of people, property or the environment.*

As outlined in your request, this Risk Management Plan concerns the *Spilt Milk* Festival held at Exhibition Park, Canberra. This document details the various risks which may affect the festival and could be used quite effectively to cause disruption to the safety of future attendees and staff. Importantly, the release of the document which has been developed in consultation with the police may hinder the carrying out of the police's duties given they are specifically referred to in relation to certain risks.

I have considered the Risk Management Plan at length and consider that disclosure of this document could or would reasonably endanger the security of the premises, and in turn any patrons and staff, where the event is being held.

Charges

Processing charges are not applicable for this request because no pages are being released to you.

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 on the CMTEDD disclosure log three days from the date of my decision. Your personal contact details will not be published.

You may view CMTEDD 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 of my decision, 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 at:

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
Workforce and Information Services
Chief Minister, Treasury and Economic Development Directorate

06 January 2023



ACT
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Chief Minister, Treasury and
Economic Development

FREEDOM OF INFORMATION REQUEST SCHEDULE

WHAT ARE THE PARAMETERS OF THE REQUEST	Reference NO.
The Risk Management Strategy for the Spilt Milk concert, Canberra , November 26-27, 2022. Any correspondence between Venues Canberra and the organisers related to the provision of on-site parking for patrons attending the Spilt Milk concert.	CMTEDD 2022-376

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1	Kick's Entertainment Risk Management Strategy for the Spilt Milk concert, Canberra, November 26-27, 2022	10 August 2022	Exempt	Sch 1.14.1 (c), (g) (h) and (i)	No
Total No of Docs						