



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

Our ref: CMTEDD 72/15-16



Dear 

## **Decision on your Freedom of Information Request - Leases for Section 78, Block 39, Griffith**

I refer to your request, made under the ACT *Freedom of Information Act 1989* (the Act), for access to all leases and agreements collateral to all leases for Section 78, Block 39, Griffith, received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 15 June 2016.

### **Decision Maker**

As previously advised, I am authorised under section 22 of the Act 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**

CMTEDD officers have conducted thorough searches of paper and electronic records for documents that may relate to your request. One document was located and is attached with this letter – a Licence between the Territory and Caylamax Demolitions Pty Ltd titled *Licence for Use of Territory Land Subject to a Crown Lease (Existing Building)*.

### **Decision on Access**

As previously advised, I consulted with a third party, under section 27 of the Act, prior to making my decision on release of the document. The third party's period for seeking a review of my release decision has now expired, and I have decided to partially release the identified document to you.

My reasons for not providing access to components of this document are outlined in the following statement of reasons and in the attached schedule of documents.

Chief Minister, Treasury and Economic Development

GPO Box 158 Canberra ACT 2601 | phone: 132281 | [www.act.gov.au](http://www.act.gov.au)

## **Exemptions Claimed**

### Section 41 - 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 exempted from release personal signatures and a mobile phone contact number as I am satisfied that this information falls within the exemption set out under section 41 of the Act. Release of this personal information would constitute a breach of privacy. In making my decision to redact this information, I have also considered that removal of such information does not materially affect the remaining content.

### Section 43 - Documents relating to Business Affairs

Section 43 of the Act provides:

- (1) A document is an exempt document if its disclosure under this Act would disclose—*
- (a) trade secrets; or*
  - (b) any other information having a commercial value that would be, or could reasonably be expected to be, destroyed or diminished if the information were disclosed; or*
  - (c) information (other than trade secrets or information to which paragraph (b) applies) concerning a person in respect of his or her business or professional affairs or concerning the business, commercial or financial affairs of an organisation or undertaking, being information—*
    - (i) the disclosure of which would, or could reasonably be expected to, unreasonably affect that person adversely in respect of his or her lawful business or professional affairs or that organisation or undertaking in respect of its lawful business, commercial or financial affairs.*
    - (ii) the disclosure of which under this Act could reasonably be expected to prejudice the future supply of information to the Territory or an agency for the purpose of the administration of a law or the administration of matters administered by an agency.*

I have exempted from release the Licence Fee and the Method of Review on page 30 as I consider that this information meets the exemption provision under section 43(1)(c) of the Act. I consider that release of this information could reasonably be expected to unreasonably affect a person's business by revealing confidential information relating to the financial affairs of the business.

## **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  
Chief Minister, Treasury and Economic Development Directorate  
GPO Box 158  
CANBERRA ACT 2601

### 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 Freedom of Information 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 Freedom of Information Publication Policy and have determined that my decision on your request will be published online. Personal information or business information will not be made available under this policy.

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](http://www.cmd.act.gov.au/data/assets/pdf_file/0016/250333/FOI_Web_Release_Policy_-_Final.pdf)

Should you have any queries regarding this matter please contact me on (02) 6205 2250.

Yours sincerely



Garry Gordon  
Director  
ACT Property Group  
8 September 2016