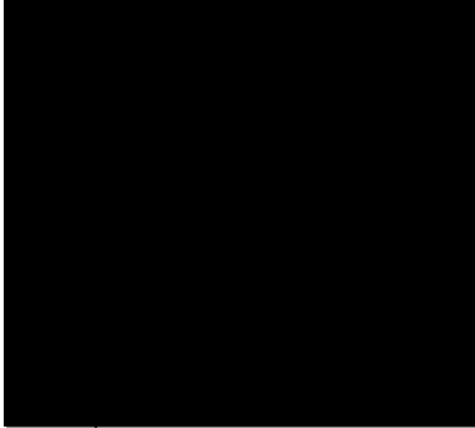




**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

Our ref: CMTEDD 6/16-17



### **Freedom of Information Request – Brumbies, AQUIS, Casino Canberra**

I refer to your request for access to documents relating to the above topic, made under the ACT *Freedom of Information Act 1989* (the Act) and received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 28 July 2016.

In your request, you are specifically seeking:

*“...for the previous 24 months [being 12 January 2014 to 12 January 2016]:*

- *All documents (written or email) held by the ACT Government relating to the sponsorship of the Brumbies by AQUIS or Casino Canberra.*
- *All documents (written or email) held by the ACT Government relating to commercial arrangements between the Brumbies and AQUIS or Casino Canberra.*
- *All documents (written or email) held by the ACT Government relating to commercial arrangements between the ACT Government and AQUIS or Casino Canberra, including the ability to operate gaming machines in the present or future Casino.”*

Thank you for your patience during the processing of your request.

#### **Decision Maker**

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.

Chief Minister, Treasury and Economic Development

## Decision on Access

In my letter of 7 October 2016 I advised you that no documents relating to the sponsorship of the Brumbies by AQUIS or Casino Canberra, or to commercial arrangements between the Brumbies and AQUIS or Casino Canberra, are held by CMTEDD. I also advised you of my decision on the document titled *Casino Canberra Transfer of Ownership Suitability Report*.

Searches have also been completed for documents relating to commercial arrangements between the ACT Government and AQUIS or Casino Canberra, including the ability to operate gaming machines in the present or future Casino. Documents for which release decisions have previously been made as part of your earlier FOI request (CMTEDD 37/15-16) have not been included.

As I advised in my letters of 29 August 2016 and 7 October 2016, additional documents identified as relevant to your request were subject to consultation processes for a separate FOI request. A decision was made to release information that certain third parties considered should be exempt. The period for those third parties to seek a review of this release decision has now expired.

I am advised that the remaining documents relevant to your request have been partially released by Access Canberra on 31 October 2016 (FOI 16-0073) along with other documents captured by a specific FOI request. I have provided a copy of Ms Leesha Pitt's decision, accompanying schedule and document release package for your reference. I have reviewed the relevant documents, being the *General Security Deed* dated 23 December 2014 and the *Mortgage Form Including Annexure to Mortgage* dated 28 January 2015.

I concur with the decision by Ms Pitt to exempt information contained in the *General Security Deed* under sections 41 (personal privacy), 43 (business affairs) and 45 (documents provided in confidence) of the Act. I am satisfied that the release of some names and signatures in the Deed would be an unreasonable disclosure of personal information. I am also satisfied that release of the redacted information is likely to unreasonably affect the lawful business of an organisation by revealing confidential information about their business and financial undertakings. I also consider that certain information supplied to the Territory and the ACT Gambling and Racing Commission by an external party was provided with a mutual understanding of confidence and that release of this information would be a breach of this confidence.

I note that the *Mortgage Form Including Annexure to Mortgage* has been released in full.

The above-mentioned documents provided to you with this letter will shortly be made available on the ACT Government's Open Government website.

## **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

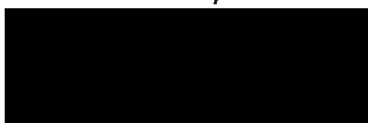
### **Online FOI Policy**

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 0012.

Yours sincerely



Ian Hill/  
Executive Director  
Visit Canberra

4 November 2016