



ACT
Government

Chief Minister, Treasury and
Economic Development

Freedom of Information Disclosure Log Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

Application Details	
Ref. No.	CMTEDDFOI 2024-258
Date of Application	15 August 2024
Date of Decision	23 September 2024
Processing time (in working days)	27
Fees	N/A
Decision on Access	Full Release
Information Requested (summary)	Documents regarding ACT Government grants to Australian subsidiaries of Live Nation Entertainment, Inc. (grant documents) from 16 March 2012 to 15 August 2024.
Publication Details	
Original application	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Decision notice	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Documents and schedule	<input type="checkbox"/> Published <input checked="" type="checkbox"/> N/A
Decision made by Ombudsman	N/A
Additional information identified by Ombudsman	N/A
Decision made by ACAT	N/A
Additional information identified by ACAT	N/A

From: [REDACTED]
To: [CMTEDD.FOI](#)
Subject: CMTEDDFOI 2024-258 - FOI request
Date: Thursday, 15 August 2024 2:40:09 PM

You don't often get email from [REDACTED]. [Learn why this is important](#)

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Dear Madam / Sir,

FOI request

I wish to make an application under the *Freedom of Information Act 2016* (the FOI act) for documents held by the Chief Minister, Treasury and Economic Development Directorate – including all agencies under it – regarding ACT Government grants to Australian subsidiaries of Live Nation Entertainment, Inc. (grant documents) from 16 March 2012 to 15 August 2024.

I seek access to:

1. Grant documents pertaining to the below companies:

Ash Assets Pty Ltd
Ash Sounds Pty Ltd,
Brunswick Street Venue Pty Ltd,
Cult Artists Pty Ltd,
DNA Experiences Live Pty Ltd,
Face to Face Touring Pty Ltd,
Festival Hall Venue Management Pty Ltd,
Four Fish Swimming Pty Ltd,
Harvest Rock Pty Ltd,
Hindley Street Music Hall Pty Ltd,
Jubilee Street Management Pty Ltd,
Kicks Entertainment Investments Pty Ltd,
Kicks Entertainment Events Pty Ltd,
Kicks, Entertainment Projects Pty Ltd
Kicks Entertainment Productions Pty Ltd
Live Nation Australasia Pty Ltd
Live Nation Australia Festivals Pty Ltd
Live Nation Australia Venues Pty Ltd
Live Nation Holdings Australasia Pty Ltd
Live Nation Holdings Australasia 2 Pty Ltd
LN F2F Holdings Pty Ltd
LN Oldco Pty Ltd

Look up and Live Pty Ltd
Mellen Touring Pty Ltd
Moshtix Pty Ltd
Secret Sounds Group Pty Ltd
Secret Sounds Group Services Pty Ltd
Secret Sounds Pty Ltd
Secret Sounds Sponsorship Pty Ltd
Show Tickets Australia Pty Ltd
Southern Ocean Venues Pty Ltd
Splendour in the Grass Pty Ltd
T Shirt Printers Pty Limited
The Triffid Pty Ltd
Thirroul Theatre Management Pty Ltd
Ticketmaster Australasia Pty Ltd
TSP Merchandising Pty Ltd
Village Sounds Agency Pty Ltd

2. I am particularly interested in the following information in those documents, if that assists in your searches, and ask that it not be redacted:

The dollar figure per grant
The reason or similar for the grant
The grant reference number or similar

3. In cases where the funding fell under a broader grant program, please include the name of the grant program.

If you have a schedule or list that shows only that information in relation to the above grants, that would be sufficient.

I request that you provide a schedule of material if numerous documents are captured by this request.

In the event the Chief Minister, Treasury and Economic Development Directorate – including all agencies under it – does not hold any or all of the information sought, please provide a transfer of application to the relevant government entity.

I advise I am not interested in duplicate copies of documents or documents that have already been publicly released or media releases, media articles or media statements.

I would also like advice if the information I seek is due to be released under the

Information Act to individuals or organisations prior to finalisation of my application.

I also note the onus rests with the Chief Minister, Treasury and Economic Development Directorate to prove why any information should not be released under the Information Act. I request the Chief Minister, Treasury and Economic Development Directorate provide evidence in support of any assumptions or assertions used to justify non-disclosure.

Further, I seek a total reduction in fees and charges associated with this request as release of the information will contribute to community understanding on an important issue and inform debate and improve government accountability and transparency. [REDACTED]
[REDACTED]

I also request the Chief Minister, Treasury and Economic Development Directorate observes a waiting period before placing the information I have sought onto any disclosure log. [REDACTED]
[REDACTED]
[REDACTED]

Please contact me if you have any questions or seek clarification.

Best,

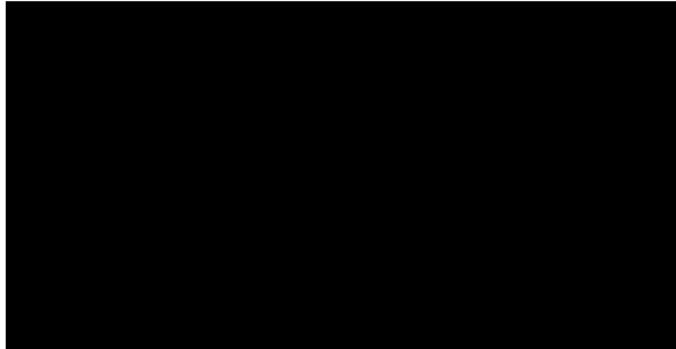
[REDACTED]



ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI 2024-258



FREEDOM OF INFORMATION REQUEST – NOTICE OF DECISION

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 15 August 2024.

Specifically, you have sought access to the following information:

“documents held by the Chief Minister, Treasury and Economic Development Directorate – including all agencies under it – regarding ACT Government grants to Australian subsidiaries of Live Nation Entertainment, Inc. (grant documents) from 16 March 2012 to 15 August 2024. I seek access to:

1. Grant documents pertaining to the below companies:

<i>Ash Assets Pty Ltd</i>	<i>Live Nation Australia Venues Pty Ltd</i>
<i>Ash Sounds Pty Ltd,</i>	<i>Live Nation Holdings Australasia Pty Ltd</i>
<i>Brunswick Street Venue Pty Ltd,</i>	<i>Live Nation Holdings Australasia 2 Pty Ltd</i>
<i>Cult Artists Pty Ltd,</i>	<i>LN F2F Holdings Pty Ltd</i>
<i>DNA Experiences Live Pty Ltd,</i>	<i>LN Oldco Pty Ltd</i>
<i>Face to Face Touring Pty Ltd,</i>	<i>Look up and Live Pty Ltd</i>
<i>Festival Hall Venue Management Pty Ltd,</i>	<i>Mellen Touring Pty Ltd</i>
<i>Four Fish Swimming Pty Ltd,</i>	<i>Moshtix Pty Ltd</i>
<i>Harvest Rock Pty Ltd,</i>	<i>Secret Sounds Group Pty Ltd</i>
<i>Hindley Street Music Hall Pty Ltd,</i>	<i>Secret Sounds Group Services Pty Ltd</i>
<i>Jubilee Street Management Pty Ltd,</i>	<i>Secret Sounds Pty Ltd</i>
<i>Kicks Entertainment Investments Pty Ltd,</i>	<i>Secret Sounds Sponsorship Pty Ltd</i>
<i>Kicks Entertainment Events Pty Ltd,</i>	<i>Show Tickets Australia Pty Ltd</i>
<i>Kicks, Entertainment Projects Pty Ltd</i>	<i>Southern Ocean Venues Pty Ltd</i>
<i>Kicks Entertainment Productions Pty Ltd</i>	
<i>Live Nation Australasia Pty Ltd</i>	
<i>Live Nation Australia Festivals Pty Ltd</i>	

Ltd
Splendour in the Grass Pty
Ltd
T Shirt Printers Pty Limited
The Triffid Pty Ltd
Thirroul Theatre Management Pty
Ltd

Ticketmaster Australasia Pty
Ltd
TSP Merchandising Pty Ltd
Village Sounds Agency Pty Ltd

2. I am particularly interested in the following information in those documents, if that assists in your searches, and ask that it not be redacted:

- The dollar figure per grant
- The reason or similar for the grant
- The grant reference number or similar

3. In cases where the funding fell under a broader grant program, please include the name of the grant program.

If you have a schedule or list that shows only that information in relation to the above grants, that would be sufficient.”

On 23 August 2024, you provided clarification that the information provided was to include the companies listed even if they weren't subsidiaries of Live Nation at the time a grant was made.

Authority

I am an Information Officer appointed by the CMTEDD Director-General 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 within 30 days. Therefore, a decision is due by **26 September 2024**.

Decision on access

A search of CMTEDD records was performed using the information you provided. Information found as relevant to your request is provided at **Appendix A**.

Release of documents

I have decided to grant full access to the relevant information.

Statement of Reasons

In accordance with section 54(2) of the Act a statement of reasons outlining my decisions is below. In reaching my access decisions, I have taken the following into account:

- the Act
- the information that falls within the scope of your request

As a decision maker, I am required to determine whether the information within scope is in the public interest to release. To make this decision, I am required to:

- assess whether the information would be contrary to public interest to disclose as per **Schedule 1** of the Act.
- perform the public interest test as set out in section 17 of the Act by balancing the

factors favouring disclosure and factors favouring non-disclosure in **Schedule 2** of the Act.

No Schedule 1 factors were identified as relevant.

Public Interest Test

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interest lies. As part of this process, I must consider factors favouring disclosure and nondisclosure.

In *Hogan v Hinch* (2011) 243 CLR 506, [31] French CJ stated that when ‘used in a statute, the term [public interest] derives its content from “the subject matter and the scope and purpose” of the enactment in which it appears’. Section 17(1) of the Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and Schedule 2 of the Act.

Schedule 2: Factors to be considered when deciding the public interest.

Taking into consideration the information contained in the documents found to be within the scope of your request, I have identified that the following public interest factors are relevant to determine if release of the information contained within these documents is within the ‘public interest’.

Factors favouring disclosure (Section 2.1)

- *Section 2.1(a)(i) - promote open discussion of public affairs and enhance the government’s accountability.*
- *Section 2.1(a)(ii) - contribute to positive and informed debate on important issues or matters of public interest.*
- *Section 2.1(a)(iv) - ensure effective oversight of expenditure of public funds.*

I have placed substantial weight on the above factors favouring disclosure. The release of this information will provide you with contextual information in relation to government spending of public funds.

I did not identify any factors favouring nondisclosure.

Charges

Processing charges are not applicable for this request because the number of pages released to you is below the charging threshold of 50.

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 will be published on the CMTEDD disclosure log. Your personal contact details will not be published.

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 provided to you, 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
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 the Information Access Team by telephone on 6207 7754 or email CMTEDDFOI@act.gov.au.

Yours sincerely



Katharine Stuart
Information Officer
Chief Minister, Treasury and Economic Development Directorate

23 September 2024

Appendix A

The following financial support has been provided through the ACT Event Fund grants program, which is administered by Events ACT.

Funding Round	Entity	Application Number	Reason for funding	Amount
ACT Event Fund 2022 – Out of Round	Kicks Entertainment Productions P/L ABN 91 640 927 260	ACTEF22Out03	To support the delivery and promotion of the Split Milk 2022 event in Canberra.	\$30,000
ACT Event Fund 2023 – Out of Round	Kicks Entertainment Events Pty Limited ABN 58 155 382 326	ACTEF23Out01	To support the delivery and promotion of the Split Milk 2023 event in Canberra.	\$30,000
ACT Event Fund 2024 – Main Round	Kicks Entertainment Events Pty Limited ABN 58 155 382 326	ACTEF24ED36	To support the delivery and promotion of the Split Milk 2024 event in Canberra.	\$30,000

The ACT Event Fund plays an active role in stimulating and fostering positive economic, social and community outcomes for the Canberra region through the events sector.

The ACT Event Fund assists eligible applicants to further develop, market and promote their events, while also supporting a diverse, high-quality calendar of events each year. Funding is generally not provided to underwrite events, but to enhance new or existing event opportunities.

Support under the ACT Event Fund is through an annual, single main competitive funding round. A limited 'Out-of-Round' funding allocation is available for consideration of event opportunities that arise outside the defined funding round timeframes.