



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 2018-0348

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)	5
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: [REDACTED]
To: [CMTEDD FOI](#)
Cc: [REDACTED]
Subject: FOI Request - Final briefing packs Annual Reports - Steel
Date: Wednesday, 5 December 2018 12:51:17 PM

Good afternoon

I write to request under the *Freedom of Information Act 2016* final briefing packs prepared for Mr Chris Steel MLA for the 2017-18 Annual Reports hearings in his capacity as Minister for Community Services and Facilities.

Should you require any further information or clarification about my request, please contact [REDACTED]
[REDACTED]

Kind regards,





ACT
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Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI2018-0348



via email: [REDACTED]

Dear [REDACTED]

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 5 December 2018, in which you sought access to:

- *the final briefing packs prepared for Mr Chris Steel MLA for the 2017-18 Annual Reports hearings in his capacity as Minister for Community Services.*

Authority

I am an Information Officer appointed by the Director-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

Timeframes

In accordance of section 40 of the Act, CMTEDD was required to provide a decision on your access application by 21 January 2019.

Decision on access

A search for documents was conducted and resulted in 2 documents being identified that fall within the scope of your request. I have decided to grant full access to both documents identified.

Charges

Pursuant to *Freedom of Information (Fees) Determination 2017 (No 2)* processing charges are not applicable for this request because the total number of pages to be released to you is below the charging threshold of 50 pages.

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, my decision and documents released to you in response to your access application will be published in the CMTEDD disclosure log after 18 December 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 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

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,



Daniel Riley
Information Officer
Information Access
Chief Minister, Treasury and Economic Development Directorate

(Z December 2018



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FREEDOM OF INFORMATION REQUEST SCHEDULE

NAME	WHAT ARE THE PARAMETERS OF THE REQUEST	Reference NO.
[REDACTED]	I write to request under the Freedom of Information Act 2016 final briefing packs prepared for Mr Chris Steel MLA for the 2017-18 Annual Reports hearings in his capacity as Minister for Community Services and Facilities.	CMTEDDFOI2018-0348

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1	Annual Report Hearing Brief – Community Vacancy Rate	18 Octo 2018	Full Release	N/A	Yes
2	2	Annual Report Hearing Brief – Community Facilities – Rent charging models and peppercorn rents	18 Oct 2018	Full Release	N/A	Yes
Total No of Docs						
2						

Portfolio/s: Community Services and Facilities

ISSUE: COMMUNITY VACANCY RATE

Talking points:

- Accountability Indicator Output 9.1b Government Services, Property, 'Occupancy rate for properties designated for use by non-government tenants' sets a target of 96 per cent occupancy for 2018-19.

Key Information

- ACT Property Groups occupancy rate at October 2018 is 98 per cent, exceeding the 2018-19 target.
- ACT Property Group is proactive in promoting space that is available to applicants on the Community Application Register and more broadly to existing tenants.
- Community interest remains strong, with previous difficult to lease sites attracting new tenants.

Background Information

- ACT Property Group manages 151 properties designated for community use.
- ACT Property Group aims to keep the vacancies in properties it manages to a minimum, however some vacancies will occur for example due to changes in tenant requirements or turnover of properties (new or to be disposed of).
- It is also an opportunity for a 'rethink' by applicants in terms of adapting their more specific requirements to the space that is available.

Cleared as complete and accurate:	18/10/2018	
Cleared by: Shaun Strachan	Deputy Under Treasurer	Ext: 71001
Information Officer name:	Daniel Bailey	
Contact Officer name:	Brendon Smith	Ext: 54673
Lead Directorate:	Chief Minister, Treasury and Economic Development	

Portfolio/s: Community Services and Facilities**ISSUE: COMMUNITY FACILITIES – RENT CHARGING MODELS AND PEPPERCORN RENTS****Talking points:**

- 71 Peppercorn leases are currently in place with community groups across the ACT Property Group portfolio.
- Tenants on peppercorn arrangements are responsible for paying their own outgoings such as electricity and water, and are invoiced for the first \$500 plus GST towards maintenance expenses.

Key Information

- The current community rental rate is \$143.90 per square metre per annum for Net Lettable Area (NLA) accommodation, and \$69.54 per square metre per annum for Gross Floor Area (GFA) accommodation. These rates incurred a 3% increase on 1 July 2018 in accordance with the ACT Property Group Rent Model.
- The NLA rate is applied in shared accommodation such as a former school and includes outgoings such as electricity and water. The GFA rate is applied where a tenant occupies the whole building, such as a former depot and the tenant is liable for outgoings.

Background Information

- The ACT Property Group within the Chief Minister Treasury and Economic Development Directorate (CMTEDD), manages buildings which are surplus to agency requirements. These buildings are available for use by community groups, small businesses and some commercial organisations.
- The applicable policy is the Community and Other Tenancies, Application and Allocation policy 2007 and this can be downloaded at:
https://apps.treasury.act.gov.au/act_property_group/leasing_government_property
- Most tenants on peppercorn arrangements occupy community accommodation based on historic arrangements. There is no intention to change these arrangements when renewing existing licences. Any new community tenants are charged rent in accordance with the ACT Property Group rent model as detailed above.
- The Community and Other Tenancies, Application and Allocation policy 2007 is currently under review in order to cover peppercorn arrangements.

Cleared as complete and accurate: 18/10/2018
Cleared by: Shaun Strachan Deputy Under Treasurer Ext: 71001
Information Officer name: Daniel Bailey
Contact Officer name: Phil Revill Ext: 76133
Lead Directorate: Chief Minister, Treasury and Economic Development