



**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 2019-242

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	N/A
4. Additional information identified	No
5. Fees	N/A
6. Processing time (in working days)	16
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](#)  
**Subject:** Freedom of Information request  
**Date:** Monday, 28 October 2019 12:30:18 PM

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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:

A large grey rectangular box redacting the contact details provided in the form.

### 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.)**

Under the Freedom of Information Act 2016 I want to access the following document/s (\*required field):

For the purpose of this request: “Date Range” means 1992 to 2019. “Land” means any of the following Blocks and sections in the Australian Capital Territory: • Block 11 Section 12 • Block 14 Section 36 • Block 15 Section 36 • Block 16 Section 36 • Block 5 Section 36 • Block 15 Section 33 • Block 16 Section 33 • Block 2 Section 33 • Block 2 Section 36 “Entities” means any of the following: • Croatia Deakin Soccer Club Limited ACN 105 756 027; • Croatia Deakin Football Club Incorporated ABN 37 207 795 404 ACT Association number A03056 (active) • Croatia Deakin Soccer Club Incorporated - ACT Association number A00116 • Canberra Deakin Football Club (Business name); • Canberra FC (Business name); • Canberra Croatia FC (Business name); “Investigations” means any investigations conducted in relation to the Land and/or the Entities. We wish to request the following documents within the Date Range in relation to the Investigations: 1. Complaints; 2. Investigation reports; 3. Draft of investigation reports; 4. Expert reports; 5. Inspection reports; 6. Financial reports; 7. Working documents; 8. Referrals; 9. Assessments; 10. Advice; 11. Decisions; 12. Letters and emails; 13. Minutes of meetings; 14. Any communications or any documents between with the Australian Federal Police evidencing the Investigations; 15. Any internal communications or any documents between relevant entities of Access Canberra evidencing the Investigations;

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

Thank you.  
Freedom of Information Coordinator



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

Our ref: CMTEDDFOI2019-242



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 28 October 2019, in which you sought access to:

*Documents within the Date Range (1992-2019) in relation to investigations into Croatia Deakin Soccer Club, Croatia Deakin Football Club, Canberra FC and Canberra Croatia FC involving multiple blocks of land in the suburb of Deakin including:*

1. *Complaints;*
2. *Investigation reports;*
3. *Draft of investigation reports;*
4. *Expert reports;*
5. *Inspection reports;*
6. *Financial reports;*
7. *Working documents;*
8. *Referrals;*
9. *Assessments;*
10. *Advice;*
11. *Decisions;*
12. *Letters and emails;*
13. *Minutes of meetings;*
14. *Any communications or any documents between with the Australian Federal Police evidencing the Investigations; and*
15. *Any internal communications or any documents between relevant entities of Access Canberra evidencing the Investigations.*

### **Authority**

I am an Information Officer appointed by the Director-General of CMTEDD 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 by 25 November 2019.

## **Decision on access**

Searches were completed for relevant information with 201 documents being identified as being within the scope of your request. In considering these documents, I have been advised that these documents are currently being considered as part of an active investigation. Accordingly, I consider their release is contrary to the public interest pursuant to section 1.14(1)(a) and (b) of Schedule 1 of the Act.

In accordance with section 54(2) of the Act a statement of reasons outlining my decision is below.

## **Material considered**

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

- the Act; and
- the content of the documents that fall within the scope of your request.

## **Exemption claimed**

My reasons for deciding not to grant access to the identified documents and components of these documents are as follows:

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

### **1.14 Law enforcement or public safety information**

- (1) Information the disclosure of which would, or could reasonably be expected to—
  - (a) prejudice the investigation of a contravention or possible contravention of the law in a particular case; or
  - (b) identify the existence or identity of a confidential source of information in relation to the enforcement or administration of the law.

The information found to be within the scope of your request currently forms part of an ongoing investigation being undertaken by Access Canberra and the Australian Federal Police. In reviewing these documents and taking into account advice received from Access Canberra, I have decided that release of this information would be contrary to the public interest as it would prejudice the ongoing investigation into a possible contravention of the law. Moreover, I am satisfied that the release of this information would also impact Access Canberra's ability to take appropriate action in relation to this matter. This information may be able to be released at a later date following completion of the investigation and finalisation of any actions taken as a result.

In addition, the documents within the scope of your request also contain details of individuals who have provided information to Access Canberra as part of the investigation. The release of this information could identify the existence of a confidential source of information with likely negative impacts to these individuals. I do not consider the release of these details is within the public interest.

Accordingly, I have decided to withhold from release all information found to be within the scope of your request.

### **Charges**

Pursuant to *Freedom of Information (Fees) Determination 2017 (No 2)*, processing charges are not applicable for this request because no information is 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, my decision and documents released to you in response to your access application will be published in the CMTEDD disclosure log 3 days after the date of decision. 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](mailto: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

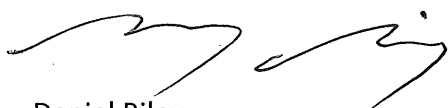
Canberra City ACT 2601

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](mailto:CMTEDDFOI@act.gov.au).

Yours sincerely,



Daniel Riley

Information Officer

Information Access Team

Chief Minister, Treasury and Economic Development Directorate

18 November 2019