



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 2018-0353

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)	9
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: CMTEd FOI Request - Lease of Block 6, Section 72 Dickson (Rosevear Street)
Date: Thursday, 6 December 2018 5:30:32 PM

Good afternoon

I write to request under the *Freedom of Information Act 2016* documents between the agency and the Canberra Tradesmen's Union Club Limited about the lease of Block 6, Section 72 Dickson (3 Rosevear Street, Dickson).

This may include, but not limited to, documents such as invoices, remittances, maintenance requests, lease/rent payments, notices, reports of damage, utility notices, correspondence related to lease compliance, outgoings and inspection reports. I limit the request to all documents since 1 November 2014.

I am happy to agree in advance to a ten working day extension to accommodate staff leave and the shutdown period over Christmas.

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

Kind regards,






ACT
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Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI2018-0353



via email: 

Dear 

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 6 December 2018, in which you sought access to:

- Documents between the agency and the Canberra Tradesmen's Union Club Limited about the lease of Block 6, Section 72 Dickson (3 Rosevear Street, Dickson).

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 8 January 2019.

Decision on access

Searches were completed for relevant documents. Information and documents held by the Revenue Management Division of CMTEDD (the ACT Revenue Office) are subject to the secrecy provisions of *Taxation Administration Act 1999* (TAA).

The documents requested relate to a party other than yourself. Documents between the ACT Revenue Office and the Canberra Tradesmen's Union Club Limited, as with other taxpayers, relate to information obtained under or in relation to the administration of a tax law and to that extent we would expect the secrecy provisions of the TAA to have effect over disclosure to third-parties.

I have decided to refuse to deal with your access application in accordance with section 43(1)(e) the Act to the extent it relates to items held by the ACT Revenue Office as I consider their release to be contrary to the public interest information under schedule 1 of the Act:

- Sch 1.3(6) – Any other information the disclosure of which is prohibited by a secrecy provision of a law.

Charges

Pursuant to *Freedom of Information (Fees) Determination 2017 (No 2)* processing charges are not applicable for this part of the request because no documents are to be release.

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 in response to your access application will be published in the CMTEDD disclosure log after 24 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

A handwritten signature in black ink, consisting of several overlapping, sweeping strokes that form a stylized, somewhat abstract shape.

Brett Wilesmith
Information Officer
Revenue Management
Chief Minister, Treasury and Economic Development Directorate
19 December 2018