



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 2019-0100

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)	10
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: [REDACTED] - UNSW campus Reid
Date: Wednesday, 24 April 2019 3:39:12 PM

To the FOI contact officer,

I write under the Freedom of Information Act 2016 to request the following document in possession of the Chief Minister, Treasury and Economic Development Directorate:

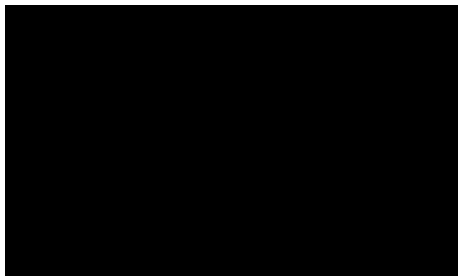
- Economic Modelling of the Impact of the Possible Establishment of a new University of New South Wales Campus in the ACT by Cadence Economics

I ask you to release this report as its contents may determine whether public land in one of the most prominent locations in Canberra is handed over to a private entity.

I believe this release would satisfy several elements of the public interest test, including enhancing the government's accountability, ensuring effective oversight of expenditure of public fund and contributing to positive and informed debate on important issues or matters of public interest. As such I ask that you waive the processing fees for this request under section 107 (2)(b) of the Act.

Please contact me on the below number if you have any questions or concerns.

Thanks so much!



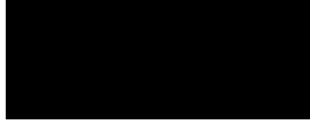
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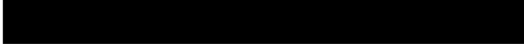


ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI2019-100



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 24 April 2019, in which you are seeking access to:

- Economic Modelling of the Impact of the Possible Establishment of a new University of New South Wales Campus in the ACT by Cadence Economics

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 23 May 2019.

Decision on access

Searches were completed for relevant documents and 1 document was identified that falls within the scope of your request.

I have included as **Attachment A** to this decision a schedule outlining the relevant document. This provides a description of the document and the access decision for that document.

I have decided to refuse access to the document in whole as I consider the document to be contrary to the public interest information under section 1.6 of Schedule 1 of the Act.

In accordance with section 54(2) of the Act a statement containing the reason for my decision is below.

Material considered

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

- the Act;
- the content of the document that falls within the scope of your request;
- your views on the public interest in disclosing the government information applied for (as per section 37 of the Act);

Exemption claimed

My reason for deciding not to grant access to the identified document is as follows:

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

The document that has been identified as being within the scope of your request is entirely composed of information that is considered to be contrary to the public interest under section 1.6 of Schedule 1 of the Act as it is Cabinet information. Under section 1.6 of Schedule 1 of the Act, Cabinet information is exempt from release. The purpose of this exemption is to maintain the confidentiality of the cabinet process and to uphold the principle of collective ministerial responsibility. This exemption was discussed in *The Commonwealth v Northern Land Council* [1993] HCA 24; (1993) 176 CLR 604 (21 April 1993). Paragraph 6 of the decision, states that:

... it has never been doubted that it is in the public interest that the deliberations of Cabinet should remain confidential in order that the members of Cabinet may exchange differing views and at the same time maintain the principle of collective responsibility for any decision which may be made.

The document that you have requested falls within section 1.6 of the Act as it is information which has been commissioned by the Cabinet to guide it in its decision making and to assist it in its deliberations. It is therefore exempt from release under the Act.

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 and my decision in response to your access application (but not the document itself) will be published in the CMTEDD disclosure log 3 days after the date of my decision. Your personal contact details will not be published. You may view the 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 a review by the Ombudsman of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in the 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

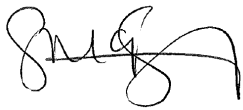
ACT Civil and Administrative Tribunal (ACAT) Review

Under section 84 of the Act, if a decision is made by the Ombudsman under section 82(1), you may apply to the ACAT for a 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 by email at CMTEDDFOI@act.gov.au.

Yours sincerely,



Sarah McBurney
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate

16 May 2019