



**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 2022-025

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)	11
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:** [no-reply@act.gov.au](mailto:no-reply@act.gov.au)  
**To:** [CMTEDD FOI](#)  
**Subject:** 2020-025 Freedom of Information request  
**Date:** Friday, 4 February 2022 2:40:55 PM

---

**CAUTION:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

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:

### 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):

In relation to the following Pink Frosting, 86 Candles Pty Limited, Louise Curtis All email correspondence and file notes between and of Rohan Connor, David Snowden, Derise Cubin or (in each case either or any correspondence with any of their names as sender or receiver) in relation to the above entities and person for the period of 1 November 2020 to 28 February 2021

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: CMTEDDFOI 2022-025



## **FREEDOM OF INFORMATION REQUEST**

I am writing to you in response 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 4 February 2022.

Specifically, you sought:

*“In relation to the following Pink Frosting, 86 Candles Pty Limited, Louise Curtis All email correspondence and file notes between and of Rohan Connor, David Snowden, Derise Cubin or (in each case either or any correspondence with any of their names as sender or receiver) in relation to the above entities and person for the period of 1 November 2020 to 28 February 2021.”*

### **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 with section 40 of the Act, CMTEDD was required to provide a decision on your access application by 4 March 2022.

### **Decision on access**

On 25 October 2021 a decision with reference number CMTEDDFOI2021-253 for “... an investigation conducted by Access Canberra into the business known as Pink Frosting. All correspondence between Rohan Connor of Access Canberra and Mr David Snowden of Access Canberra (as Commissioner for Fair Trading). All correspondence between the ACT Government Solicitors office and Rohan Connor of Access Canberra and Mr David Snowden of Access Canberra (as Commissioner for Fair Trading)” was provided to you.

On 8 December 2021 a decision with reference number CMTEDDFOI2021-319 for “...all email correspondence between Rohan Connor, David Snowden and Derise Cubin, in some cases the emails may only include one person, in other cases they may include the three

*people, and in some may include other staff, however we require all email correspondence between these three people in relation to this matter from 16 November 2020 to 25 February 2021” was also provided to you.*

The majority of the information you have requested has already been provided to you in decision CMTEDDFOI2021-319 and CMTEDDFOI2021-253. As the information has previously been given to you under this Act, I am refusing to deal with this part of your request under Section 45(e).

A subsequent document search was conducted for the additional dates - 1 to 15 November 2020 - which was not covered in decision CMTEDDFOI2021-319.

The document search for this date period resulted in no further documents being found.

### **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.

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](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 62077754 or email [CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au).

A handwritten signature in black ink, appearing to read 'K Stuart', written in a cursive style.

Katharine Stuart  
Information Officer  
Information Access Team  
Chief Minister, Treasury and Economic Development Directorate  
21 February 2022