



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 2023-085

| Information to be published | Status |
|---|-----------|
| 1. Access application | Published |
| 2. Decision notice | Published |
| 3. Documents and schedule | Published |
| 4. Additional information identified | Yes |
| 5. Fees | N/A |
| 6. Processing time (in working days) | 34 |
| 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
To: [CMTEDD FOI](#)
Subject: Freedom of Information request
Date: Monday, 13 March 2023 4:53:40 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. [Learn why this is important](#)

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):

All invoices, statements and booking confirmations received from the [redacted] between 1 January 2018 and 31 December 2021 in relation to the hiring of private meeting rooms for meetings. Those invoices would be addressed to either: The Commissioner for Fair Trading Access Canberra ACT Government Solicitor's office Minister Shane Rattenbury's office

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: CMTEDD FOI 2023 - 085



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 13 March 2023 where you sought access to:

All invoices, statements and booking confirmations received from the [redacted] between 1 January 2018 and 31 December 2021 in relation to the hiring of private meeting rooms for meetings. Those invoices would be addressed to either: The Commissioner for Fair Trading Access Canberra, ACT Government Solicitor's office, Minister Shane Rattenbury's office.

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 12 April 2023. However, following third-party consultation as required under section 38 of the Act, the due date for a decision was rescheduled to **4 May 2023**.

Decision on access

Searches were completed for relevant documents and three documents were identified that fall within the scope of your request.

I have included as **Attachment A** to this decision the schedule of relevant documents. This provides a description of each document that falls within the scope of your request and the access decision for each of those documents.

I have decided to grant partial access to three documents relevant to your request as I consider them to contain:

- contrary to the public interest information under schedule 1; or
- information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act.

In accordance with section 54(2) of the Act, my access decisions are detailed further in the following statement of reasons and the documents released to you are provided as **Attachment B** to this letter.

Statement of Reasons

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

- the Act
- the content of the documents that fall within the scope of your request
- the *Information Privacy Act 2014*

Exemption claimed

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

Information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act

Public Interest

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interests lies. As part of this process, I must consider factors favouring disclosure and non-disclosure.

In *Hogan v Hinch* (2011) 243 CLR 506, [31] French CJ stated that when ‘used in a statute, the term [public interest] derives its content from “the subject matter and the scope and purpose” of the enactment in which it appears’. Section 17(1) of the Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and Schedule 2 of the Act.

Taking into consideration the information contained in the documents found to be within the scope of your request, I have identified that the following public interest factors are relevant to determine if release of the information contained within these documents is within the ‘public interest’.

Factors favouring disclosure in the public interest:

- (a) *disclosure of the information could reasonably be expected to do any of the following:*
- (i) *promote open discussion of public affairs and enhance the government’s accountability.*
 - (vii) *reveal the reason for a government decision and any background or contextual information that informed the decision.*

Information concerning meetings of the government for the Territory is reasonably expected to provide some context and shows transparency. I weigh these factors highly.

Factors favouring nondisclosure in the public interest:

- (a) *disclosure of the information could reasonably be expected to do any of the following:*
- (ii) *prejudice the protection of an individual's right to privacy or any other right under the Human Rights Act 2004.*

Having reviewed the information, I consider that the protection of an individual's right to privacy, is a significant factor. Release of information concerning individuals working within the ACT Public Service is generally not considered to prejudice the protection of an individual's right to privacy. However, where mobile phone numbers may be used for home and work purposes, this information is redacted. I have redacted the personal details of an employee of Hotel Realm, as I consider that they were provided as part of a business transaction with the ACT government, they can reasonably expect that these details will not be disclosed. The release of such information could or would reasonably be expected to prejudice an individual's right to privacy under the *Human Rights Act 2004*.

Having applied the test outlined in section 17 of the Act and deciding that release of some personal information contained in the documents is not in the public interest to release, I have chosen to redact this specific information in accordance with section 50(2).

Noting the pro-disclosure intent of the Act, I am satisfied that redacting only the information that I believe is not in the public interest to release will ensure that the intent of the Act is met and will provide you with access to the majority of the information held by CMTEDD within the scope of your request.

Charges

Processing charges are not applicable for this request because there are less than 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 8 May 2023. 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-2023>

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

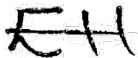
ACT Civil and Administrative Tribunal (ACAT) Review

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,



Emma Hotham
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate

4 May 2023



ACT
Government

Chief Minister, Treasury and
Economic Development

FREEDOM OF INFORMATION REQUEST SCHEDULE

| WHAT ARE THE PARAMETERS OF THE REQUEST | Reference NO. |
|--|---------------|
| All invoices, statements and booking confirmations received from the [redacted] between 1 January 2018 and 31 December 2021 in relation to the hiring of private meeting rooms for meetings. Those invoices would be to either: The Commissioner for Fair Trading Access Canberra, Minister Shane Rattenbury's office. | 2023-085 |

| Ref No | Page number | Description | Date | Status | Reason for Exemption | Online Release Status |
|-------------------------|-------------|----------------------------|------------|---------|----------------------|-----------------------|
| 1 | 1 | Access Canberra Receipt | 20/11/20 | Partial | Sch 2 s2.2 (a)(ii) | Yes |
| 2 | 2 | Access Canberra SIGNED BEO | 20/11/20 | Partial | Sch 2 s2.2 (a)(ii) | Yes |
| 3 | 3 | Email Event Confirmation | 20/11/2020 | Partial | Sch 2 s2.2 (a)(ii) | Yes |
| Total No of Docs | | | | | | |
| 3 | | | | | | |



Access Canberra
Australia

Date : 20 NOV 2020
Time : 15:49
Confirmation No : 1173817
Receipt No : 14497

| Advance Deposit Receipt | | |
|-------------------------|---|------------|
| Date | Description | Amount |
| 20-11-20 | Visa Card Arrival 25-11-20 Departure 26-11-20 | 913.50 AUD |

Group ID or Room Type: 819828

Merchant ID
Transaction ID 1089325
Approval Code 023062
Approval Amoun 913.50

Credit Card # VA XXXXXXXXXXXXX
Credit Card Expiry : XX/XX
Capture Method : VA
Transaction Amount : 913.50



Banquet Event Order

HOTEL
REALM

| | |
|---|---|
| Account Name: Access Canberra | BEO Type: |
| Contact Name: Ms. Rachael Short | BEO Number: 911771 |
| Address: | Posting Master: To Be Advised |
| Telephone: Sch 2.2(a)(ii) | Catering Status: Tentative |
| E-mail: rachael.short@act.gov.au | Booking Name: Access Canberra |
| | Events Coordinator: Sch 2.2(a)(ii) |
| | On-Site Contact: Please Provide Contact Name |

Wednesday, 25 November 2020

| Time | Room | Function | Set-up | Gtd | Rental |
|---------------|---------------|---------------|-------------------------------------|-----------------------|----------|
| 09:00 - 12:00 | Boardroom 3&4 | Board Meeting | Boardroom | 12 | \$900.00 |
| | | | Agenda | | |
| | | | Boardroom 3&4 | 09:00 To 12:00 | |
| | | | 1 Timing | | |
| | | | - 09:00 - Client & Guests Arrival | | |
| | | | - 12:00 - Client & Guests Departure | | |
| | | | Room Set Up | | |
| | | | Boardroom 3&4 | 09:00 To 12:00 | |
| | | | 1 As Per Floorplan | | |
| | | | - 12 pax boardroom style | | |
| | | | Water & Mints | | |

I agree that the above signed numbers will be the minimum numbers charged for, that all the details above are correct and advise that final guaranteed numbers and dietary requirements will be notified not less than 3 clear working days prior to the commencement of the function. I have read and understand the terms and conditions under which this function has been booked.

| | | | |
|-----------------------------------|----------|----------------------------------|----------|
| Sch 2.2(a)(ii) | 20-11-20 | Sch 2.2(a)(ii) | 20-11-20 |
| Access Canberra | | Wedding & Events Sales Executive | |
| Organisation Authorised Signature | | | |

Customer Initials

Date

Page 1 of 1

From: [Short, Rachael](#)
To: [AC - Office of the DDG](#)
Subject: FW: Event Confirmation
Date: Thursday, 23 March 2023 3:28:14 PM
Attachments: [20201125 - Access Canberra_SIGNED BFO.pdf](#)
[20201125 - Access Canberra_ Receipt.pdf](#)
[image001.png](#)

Rachael Short | Senior Director, Communications, Complaints Management and Traffic Compliance

Phone: [Sch 2.2\(a\)\(ii\)](#) | Email: rachael.short@act.gov.au

Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government

GPO Box 158, Civic ACT 2601 | www.accesscanberra.act.gov.au



From: [Sch 2.2\(a\)\(ii\)](#)

Sent: Friday, 20 November 2020 3:50 PM

To: Short, Rachael <Rachael.Short@act.gov.au>

Subject: Event Confirmation

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.

Good Afternoon Rachael,

Thank you for coming in earlier.

I can confirm we have you all booked in for Wednesday 25th November 2020 in our Boardroom 3 & 4.

Please see attached a signed copy of your banquet event order and receipt of payment.

Should you have any queries, please do not hesitate in contacting me.

Kind regards,

[Sch 2.2\(a\)\(ii\)](#)

