



**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 2022-379

| 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)              | 82        |
| 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:** FOI request - copies of ministerial briefs  
**Date:** Wednesday, 30 November 2022 12:51:35 PM  
**Attachments:** [REDACTED]

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Good afternoon,

I write to request under the *Freedom of Information Act 2016* a copy of the ministerial briefs listed below (ref. attached document CMTEDDFOI 2022-308), excluding attachments and duplicate documents.

| Record Number   | Subject Line   |
|-----------------|--|
| CMTEDD2022/1854 | Cleaning, security and waste management service provision  |
| CMTEDD2022/2596 | Blue Gum School complaint regarding their request to extend their lease  |
| CMTEDD2022/2609 | Gungahlin Leisure Centre 50-metre pool rectification works – Program of works  |
| CMTEDD2022/2625 | Canberra Olympic pool closure for boiler installation  |
| CMTEDD2022/2530 | Amp it Up! Round 2 funding recommendations   |
| CMTEDD2022/2430 | Referral to the Independent Reviewer for the YourSay Community Panel – Returning to life as normal survey  |
| CMTEDD2022/2851 | Referral to the Independent Review for the YourSay Community Panel – ACT Major Events Survey   |
| CMTEDD2022/2916 | Changes to strategic objectives and indicators and accountability indicators in the 2022-23 Chief Minister, Treasury and Economic Development Directorate Budget Statement |
| CMTEDD2022/2917 | Changes to strategic objectives and indicators and accountability indicators in the 2022-23 Chief Minister, Treasury and Economic Development Directorate Budget Statement |
| CMTEDD2022/2918 | Changes to strategic objectives and indicators and accountability indicators in the 2022-23 Chief Minister, Treasury and Economic Development Directorate Budget Statement |
| CMTEDD2022/2919 | Changes to strategic objectives and indicators and accountability indicators in the 2022-23 Chief Minister, Treasury and Economic Development Directorate Budget Statement |
| CMTEDD2022/2920 | Changes to strategic objectives and indicators and accountability indicators in the 2022-23 Chief Minister, Treasury and Economic Development Directorate Budget Statement |
| CMTEDD2022/2687 | CMTEDD staff survey results  |
| CMTEDD2022/2845 | Human Resource Information Management Solution (HRIMS) Program Update – June 2022  |
| CMTEDD2022/2936 | 2022-23 Budget Initiative Descriptions for Publication   |
| CMTEDD2022/2394 | Electricity determination two – reference price for 2022-23  |
| CMTEDD2022/2428 | ACT Audit Office Performance Report – ACT Taxi Subsidy Scheme – Final Proposed Report (Final Report)   |
|                 |  |

|                 |   |
|-----------------|---|
| CMTEDD2022/2102 | Act of Grace Request  |
| CMTEDD2022/1918 | Lease Variation Charge (LVC) waiver request – Block 6 Section 79 Giralang (the site)  |
| CMTEDD2022/2758 | Inquiry into housing and rental affordability – vacant residential dwellings  |
| CMTEDD2022/2874 | Census 2021 results   |
| CMTEDD2022/2644 | Government Response to Recommendations from Standing Committees – Inquiry into Annual and Financial Reports 2020-21   |
| CMTEDD2022/2645 | Government Response to Recommendations from Standing Committees – Inquiry into Annual and Financial Reports 2020-21   |
| CMTEDD2022/2104 | Travel Request for Singapore – August 2022  |
| CMTEDD2022/2309 | Floriade and Enlighten Strategic Plans 2023-2027  |
| CMTEDD2022/2403 | Opportunity to host national and world cycling events in Canberra   |
| CMTEDD2022/2712 | National and International Visitor Survey (NVS and IVS) results for the year ending March 2022  |
| CMTEDD2022/2970 | Travel Request for Singapore Trade Mission – August 2022  |
| CMTEDD2022/2253 | Canberra Economic Advisory Group Consideration Group Report   |
| CMTEDD2022/2318 | Travel Request for Singapore – August 2022  |
| CMTEDD2022/2714 | Ministerial Correspondence – Barr – Sched 2.2(a)(ii) – Suggestion to expand the ACT Sustainable Household Scheme  |
| CMTEDD2022/2794 | 2022 Capital of Equality LGBTIQ+ Grants Program – Funding Outcomes  |
| CMTEDD2022/2878 | Parkwood Performance Audit – Final Report   |
| CMTEDD2022/2601 | Procurement for Provision of CIT Futures 2025 and Preceding Contracts – Detailed Background   |
| CMTEDD2022/2525 | Ministerial Information Brief – Steel – Procurement for Provision of CIT Futures 2025 and Preceding Contracts   |
| CMTEDD2022/2925 | Ministerial Brief – Steel – Cabinet Number Request – Government Response to Standing Committee on Public Accounts – Inquiry into Auditor-General’s Report 7/2021 Procurement Exemptions and Value for Money |
| CMTEDD2022/2693 | Letter to incoming Canberra Institute of Technology (CIT) Board Chair   |
| CMTEDD2022/2629 | CBR Brave – 2021-22 Performance Sponsorship Program funding   |
| CMTEDD2022/2683 | Belconnen Basketball Stadium Proposa  |
| CMTEDD2022/2031 | Revenue – 2022-23 Tax Setting Disallowable Instruments  |
| CMTEDD2022/2981 | Correspondence with the ACT Heritage Council  |
| CMTEDD2022/2334 | Strategy and Transformation Office Insourcing Projects Proposal   |
| CMTEDD2022/2787 | Salary Allocations for 2022-2023 – Non-Executive MLAs and The Speaker   |
| CMTEDD2022/1693 | Work Health and Safety Codes of Practice: adoption of updated model codes of practice   |
| CMTEDD2022/1804 | Tranche One Silica Reforms: Silica Dust Awareness Mandatory Training Declaration  |
| CMTEDD2022/2545 | Report 15: Portable long service leave COVID-19 amendments – ACT Legislative Assembly reporting for April to June 2022  |
| 22/64904        | 22/64904 – Meeting Brief – Cheyne – Australian Hotels Association – 20 June 2022  |
| 22/73640        | Week Ending 20220617  |
| 22/76632        | Week Ending 20220624  |
| 22/81318        | Week Ending 20220701  |

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

Thank you





**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

Our ref: CMTEDDFOI2022-379



## **FREEDOM OF INFORMATION REQUEST**

I refer to your application under section 30 of the *Freedom of Information Act 2016* (FOI Act) received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 30 November 2022, in which you sought access to Ministerial Briefs.

Specifically, you sought access to 50 Ministerial briefs for the period June 2022 – July 2022. These Ministerial briefs had been identified in a previous access request. Please see **Attachment A** for the original scope.

### **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 21 March 2023. On 16 March 2023, an Information Officer from CMTEDD wrote to you advising of their intention to refuse to deal with this application.

### **Consultation**

Under section 46(1)(a) of the Act, before refusing to deal with your application, CMTEDD was required to provide you, in writing, the grounds for the refusal, and (b) provide you with a reasonable opportunity to consult with CMTEDD and provide any additional information that is relevant. CMTEDD was also required to provide any information that may assist you in making an application in a form that would remove the grounds for refusal.

In accordance with section 46(1)(b), the consultation period as outlined in the Act is 10 days from the day after the notice was provided to you, meaning the consultation period has now expired. I note that our office has not had a response from your office.

I am satisfied that our office has made all reasonable attempts to assist you in making an application that would remove the grounds for refusal.

### **Decision on access**

I have decided to refuse to deal with your application, under section 43 (1)(a) of the FOI Act, because:

- dealing with the application would require an unreasonable and substantial diversion of resources pursuant to section 44(1)(a) of the Act, and
- the resources required does not justify the public interest, refer section 44(1)(b) of the Act.

This request currently still requires a disproportionately large portion of available FOI resources to process. I also note that there has already been a significant amount of work undertaken in attempting to process this application. Whilst we have been appreciative of your agreement to extend the timeframes for responding, this workload has proven to be extremely challenging due to engaging with multiple business areas of CMTEDD on diverse subject matters with no cohesive issue or theme. This means that each brief must be examined individually, and the public interest test applied separately to each brief. This is akin to undertaking 50 separate applications.

I am mindful that we have received other requests [REDACTED] for 82 briefs (CMTEDD2022-275), 113 briefs (CMTEDD2022-309) and 35 briefs (CMTEDD 2023-025, 027, 032), with this request for 50 briefs bringing the total to 245 briefs.

I note that based previous experience, we would expect, on average, one third party consultation for every three briefs. With the above combined requests in mind, it is reasonable to estimate consulting with around 82 third parties.

For this decision, I note the recent Ombudsman decision relating to a review of decision of CMTEDD2022-206, which has now been published on the Ombudsman's website [Decision-AFOI.RR.22.10020.pdf \(act.gov.au\)](#).

Balancing the public interest that would be advanced by processing this request in its current form, I have concluded that it does not justify the resources required to complete it.

### **Charges**

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. A description of the access application and my decision will be published in the CMTEDD disclosure log after **5 April 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:

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:

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 CMTEDD FOI team on 6207 7754 or email [CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au).

Yours sincerely,



Katharine Stuart  
Information Officer  
Chief Minister, Treasury and Economic Development Directorate

31 March 2023