



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## Freedom of Information Disclosure Log Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

Application Details	
Ref. No.	CMTEDDFOI 2024-369
Date of Application	13 November 2024
Date of Decision	17 December 2024
Processing time (in working days)	24
Fees	N/A
Decision on Access	Full Release
<b>Information Requested (summary)</b>	Details of contracts awarded to DSB Landscape Architects and tender submissions to ACT Government from 2015 to current date.
Publication Details	
Original application	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Decision notice	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Documents and schedule	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Decision made by Ombudsman	N/A
Additional information identified by Ombudsman	N/A
Decision made by ACAT	N/A
Additional information identified by ACAT	N/A

**From:** [no-reply@act.gov.au](mailto:no-reply@act.gov.au)  
**To:** [CMTEDD FOI](#)  
**Subject:** CMTEDDFOI 2024-369 Freedom of Information request  
**Date:** Wednesday, 13 November 2024 10:33:31 PM

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**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:

A large grey rectangular area that redacts the user's personal details, covering the fields for Title, First Name, Last Name, Business/Organisation, Address, Suburb, Postcode, State/Territory, Phone/mobile, and 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):

I request details of all contracts awarded to dsb Landscape Architects and tender submissions to the ACT Government from 2015 to current period. <https://www.dsbla.com.au> dsb Landscape Architects Canberra (Main Office) Level 1/33 Allara St, Canberra ACT 2601

I do not want to access the following documents in relation to my request::

Thank you.  
Freedom of Information Coordinator



## FREEDOM OF INFORMATION REQUEST – NOTICE OF DECISION

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 November 2024. Specifically, you have sought access to the following information:

*"I request details of all contracts awarded to dsb Landscape Architects and tender submissions to the ACT Government from 2015 to current period.*

*<https://www.dsbla.com.au> dsb Landscape Architects Canberra (Main Office) Level 1/33 Allara St, Canberra ACT 2601"*

### Authority

I am an Information Officer appointed by the CMTEDD 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 is required to provide a decision on your access application within 30 days. Therefore, a decision is due by **2 January 2025**.

### Decision on access

A search of CMTEDD records was performed using the information you provided. Information found as relevant to your request is provided at **Appendix A**.

Please be advised this request has been partially transferred to Transport Canberra and City Services (TCCS) and Environment, Planning and Sustainable Development Directorate (EPSDD). These Directorates will respond separately.

### Release of documents

I have decided to grant full access to the relevant information.

### Statement of Reasons

In accordance with section 54(2) of the Act a statement of reasons outlining my decisions is below. In reaching my access decisions, I have taken the following into account:

- the Act
- the information that falls within the scope of your request

As a decision maker, I am required to determine whether the information within scope is in the public interest to release. To make this decision, I am required to:

- assess whether the information would be contrary to public interest to disclose as per **Schedule 1** of the Act.
- perform the public interest test as set out in section 17 of the Act by balancing the factors favouring disclosure and factors favouring non-disclosure in **Schedule 2** of the Act.

No Schedule 1 factors were identified as relevant.

### **Public Interest Test**

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

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.

### **Schedule 2: Factors to be considered when deciding the public interest.**

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 (Section 2.1)***

- *Section 2.1(a)(i) - promote open discussion of public affairs and enhance the government’s accountability.*
- *Section 2.1(a)(ii) - contribute to positive and informed debate on important issues or matters of public interest.*
- *Section 2.1(a)(iv) - ensure effective oversight of expenditure of public funds.*

I have placed substantial weight on the above factors favouring disclosure. The release of this information will provide you with contextual information in relation to government spending of public funds.

I did not identify any factors favouring nondisclosure.

### **Charges**

Processing charges are not applicable for this request because the number of pages released to you is below the charging threshold of 50.

### **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 will be published on the CMTEDD disclosure log. Your personal contact details will not be published.

## **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 provided to you, 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  
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 the CMTEDD FOI Team by telephone on 6207 7754 or email [CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au).

Yours sincerely



Emma Hotham  
Information Officer  
Chief Minister, Treasury and Economic Development Directorate  
17 December 2024

**Appendix A**

Contract Number	Contract Title	Directorate	Type of Contract	SLJ Initiative	Status	Execution Date	Expiry Date	Amount	Suppliers
<a href="#">2014.246 31.110.02</a>	<a href="#">Parks and City Services. Panel for Landscape Design / Superintendence Minor New Works</a> Attachments	Transport Canberra and City Services	Panel Contract ( <a href="#">2014.24631.10</a> )	No	<b>Expired</b>	17 September 2014	30 June 2019	\$ 148,940.00	dsb Landscape Architects
<a href="#">2014.226 52.290</a>	<a href="#">Panel of Suppliers to Provide Environmental Specialist Advisory Services</a> Attachments	Chief Minister, Treasury and Economic Development Directorate	Panel Contract ( <a href="#">2014.22652</a> )	No	<b>Expired</b>	1 August 2014	1 August 2017	\$ 0.00	dsb Landscape Architects
<a href="#">L170272</a>	<a href="#">Eastlake Parade Landscaping Two Staged Handover</a> Attachments	Suburban Land Agency	Contract	No	<b>Expired</b>	16 February 2017	30 June 2017	\$ 48,562.25	dsb Landscape Architects