



ACT
Government

Chief Minister and Treasury

Our ref: FOI CMTD 17/12-13

Dear

I refer to your request addressed to the Economic Development Directorate made under the *Freedom of Information Act 1989* (the Act). The Chief Minister and Treasury Directorate (CMTD) accepted a partial transfer of your request under section 15 of the Act and the decision on access to documents held by CMTD is articulated in this letter.

You are seeking access to documents relating to:

- the NBN starting and completion dates including any delays and reasons for delays in the ACT; and
- asbestos, the identification, location, and/or removal of asbestos in any part of the rollout of the NBN in the ACT.

Decision Maker

I am authorised under section 22 of the Act to make decisions on access to documents and liability for charges.

Charges

I have decided, under section 29 of the Act, not to impose processing charges for this request.

Identification of Documents

Officers of CMTD have conducted thorough searches of paper and electronic files and email accounts. The documents that are relevant to your request are managed by the Office of Industrial Relations.

Decision on access

I have decided to provide to you, in full, the portions of documents within the scope of this request with the only redactions being the removal of personal contact details and email addresses that do not appear to be available publicly.

All relevant documents identified are listed on the attached schedule with a summary of my decision in relation to each. The information I have released to you is attached and outlined on the schedule. Duplicate documents have been listed on the schedule however, where applicable, only one copy has been included with the released documents.

Exemption claimed

Documents affecting personal privacy

Section 41 of the Act provides:

- (1) *A document is an exempt document if its disclosure under this Act would involve the unreasonable disclosure of personal information about any person (including a deceased person).*
- (2) *Subject to subsection (3), subsection (1) does not apply to a request by a person for access to a document only because of the inclusion in the document of matter relating to that person.*
- (3) *Where—*
 - (a) *a request is made to an agency or Minister for access to a document of the agency, or an official document of the Minister, that contains information of a medical or psychiatric nature concerning the person making the request; and*
 - (b) *it appears to the principal officer of the agency, or to the Minister, as the case may be, that the disclosure of the information to that person might be prejudicial to the physical or mental health or wellbeing of that person;*

the principal officer or Minister may direct that access to the document, so far as it contains that information, that would otherwise be given to that person is not to be given to that person but is to be given instead to a doctor to be nominated by that person.

Your right of review

Internal Review

Under section 59 (1) of the Act, you may request a review of my decision. You have 28 days after receiving notice of my decision to ask for a review, or a further period as allowed by the Director-General.

Your request should be addressed to:

Director-General
Chief Minister and Treasury Directorate
GPO Box 158
CANBERRA ACT 2601

Complaints to the Ombudsman

Under section 54 of the Act you may complain to the Ombudsman about administrative matters relating to the processing of your FOI request. There is no fee for making a complaint. The Ombudsman will conduct an independent investigation into your complaint.

You can contact the Ombudsman either by telephone on 1300 362 072 or in writing to:

The Ombudsman
GPO Box 442
CANBERRA ACT 2601

Online FOI Policy

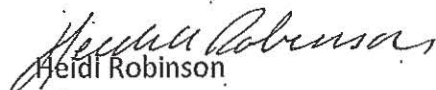
Please be aware that under the ACT Government's Online FOI Publication Policy information released to you in response to your Freedom of Information request may be released on the Internet.

A copy of the policy, with details about what information may be published on the Internet, is available online at:

[http://www.cmd.act.gov.au/data/assets/pdf_file/0016/250333/FOI Web Release Policy - Final.pdf](http://www.cmd.act.gov.au/data/assets/pdf_file/0016/250333/FOI_Web_Release_Policy_-_Final.pdf)

Should you have any queries regarding this matter, please contact me on (02) 620 76003.

Yours sincerely


Heidi Robinson
A/g Director
Office of Industrial Relations

24 July 2013