



[REDACTED]  
[REDACTED]  
[REDACTED]

Dear Mr [REDACTED]

I refer to your application under section 14 of the *Freedom of Information Act 1989* (FOI Act), received by the Economic Development Directorate (EDD) by transfer from Minister Barr's Office on 25 July 2012, in which you sought some information releasable with regards to the tender process for the management of the Lakeside Leisure Centre Tuggeranong.

I am an officer authorised to make a decision in respect of a request for information, under section 22 of the FOI Act.

#### **Decision**

The Directorate has provided a number of documents that meets the scope of your request, as identified in the schedule attached to this letter. I am releasing all of the relevant documents held by the Directorate to you, although I have decided to exempt some material from release. Please note the exempt material has been excluded from the schedule.

#### **36 Internal working documents**

- (1) Subject to this section, a document is an exempt document if its disclosure under this Act—
- (a) would disclose matter in the nature of, or relating to, opinion, advice or recommendation obtained, prepared or recorded, or consultation or deliberation that has taken place, in the course of, or for the purposes of, the deliberative processes involved in the functions of an agency or Minister or of the Territory; and
  - (b) would be contrary to the public interest.

Releasing this information could damage the relations between the Territory and tenderers and affect value for money from future tenderers not tendering.

#### **45 Documents containing material obtained in confidence**

- (1) A document is an exempt document if its disclosure under this Act would constitute a breach of confidence.

All tender documents are given to the Territory in confidence as they contain confidential information about business practices, etc.

Please note that some information has been excluded because it was out of the scope of the request.

#### **Review rights**

My decision is appealable under the Act. This means that if you are dissatisfied with this outcome you have a right to seek a review under section 59 of the Act. This right of review

extends to a review of the adequacy of the search for documents undertaken by the Directorate.  
If you wish to seek a review you should write to:

The Director-General  
Economic Development Directorate  
C/- Freedom of Information Officer  
GPO Box 158  
CANBERRA ACT 2601

You have 28 days from the date of this letter to seek a review of the outcome or such other period as the Director-General permits.

Under section 54 of the Act, if you are concerned about the processing of your request or related administrative matters, you may complain to the Ombudsman, who may conduct an independent investigation into your complaint. There is no fee for this, and the contact details are as follows:

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 under this Freedom of Information Application may be released on the internet.


Personal information or business affairs information will not be made available under this policy. If you think the content of your request would contain such information, please inform Matthew Neilsen on 6207 5833 immediately.

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)

If you have any queries in relation to this matter, please contact Matthew Neilsen on 6207 5833 or at [matthew.neilsen@act.gov.au](mailto:matthew.neilsen@act.gov.au)

**Yours sincerely**



Jenny Priest  
Director  
Sport and Recreation

15 August 2012