



**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 2018-0097

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	Published
4. Additional information identified	No
5. Fees	N/A
6. Processing time (in working days)	15
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](mailto:CMTEDD.FOI)  
**Subject:** RE: FOI Request - Gungahlin Community Council presentations April and May 2018  
**Date:** Thursday, 26 April 2018 12:25:15 PM

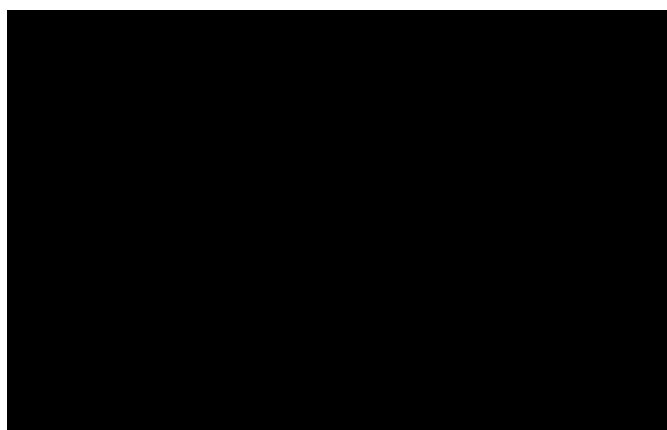
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Good Afternoon

This morning [REDACTED] sent the below request for documents in relation to Gungahlin Community Council meetings during April and May. My apologies, it should be the March and April meetings. For clarity, the request should read:

I write to request under the *Freedom of Information Act 2016* documents and briefing notes prepared in relation to the presentations given at the Gungahlin Community Council meetings during March and April 2018, and documents associated with the content or creation of the presentation and briefing notes.

Apologies again for any confusion this caused.



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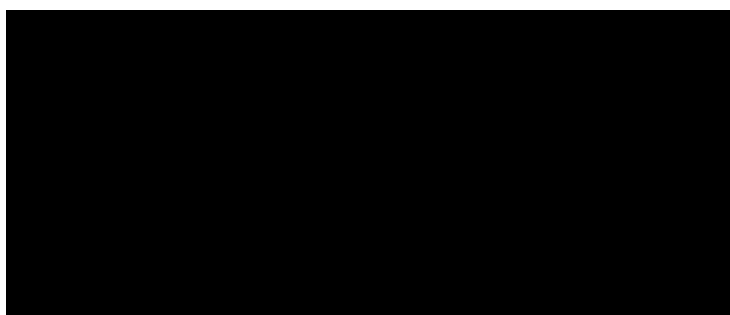
**From:** [REDACTED]  
**Sent:** Thursday, 26 April 2018 11:41 AM  
**To:** CMTEDD.FOI <[CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au)>  
**Subject:** FOI Request - Gungahlin Community Council presentations April and May 2018

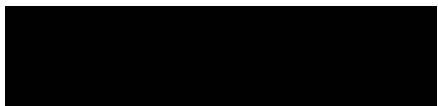
Good Morning

I write to request under the *Freedom of Information Act 2016* documents and briefing notes prepared in relation to the presentations given at the Gungahlin Community Council meetings during April and May 2018, and documents associated with the content or creation of the presentation and briefing notes.

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

Kind regards,



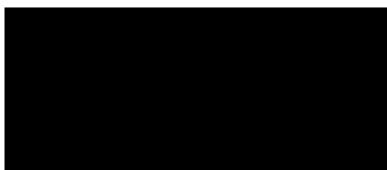





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Our ref: CMTEDDFOI 2018-0097



via email: 

Dear 

### **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 26 April 2018, in which you sought access to “*a copy of documents and briefing notes prepared in relation to the presentations given at the Gungahlin Community Council meetings during March and April 2018, and documents associated with the content or creation of the presentation and briefing notes*”.

#### **Authority**

I am an Information Officer appointed by the Director-General of CMTEDD 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 by 24 May 2018.

#### **Decision on access**

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

I have decided to grant full access to one document and partial access to the other. The information redacted in the documents I consider to be information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act.

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.

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.

In accordance with section 54(2) of the Act a statement of reasons outlining my decision is below.

### **Statement of Reasons**

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

- the Act; and
- the *Human Rights Act 2004*.

### **Exemption claimed**

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

#### 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 (Schedule 2.1)

- *(ii) Contribute to positive and informed debate on important issues or matters of public interest.*

#### Factors favouring non-disclosure (Schedule 2.2)

- *(ii) Prejudice the protection of an individual’s right to privacy or other right under the Human Rights Act 2004.*

Having considered the factors identified as relevant in this matter, I consider that release of information contained in these documents may contribute to positive and informed debate on important issues or matters of public interest by allowing you to have a complete record of the interactions between the Gungahlin Community Council (GCC) and the ACT Government in relation to the presentations given at the Gungahlin Community Council meetings during March and April 2018 and by providing a copy of the presentation that was delivered at this forum. Release of the presentation may allow individuals who were not at the GCC to understand the work the ACT Government is undertaking in relation to sporting and recreation facilities in Gungahlin.

However, when considering this factor against the factor favouring non-disclosure, I am satisfied that the protection of an individual's right to privacy outweighs the benefit which may be derived from releasing the personal information of the individual's involved in this matter. In considering the information contained in the documents, I have chosen not to release the email addresses of GCC members as this information is not publically available. These individuals are entitled to expect that the personal information they have supplied as part of this process will be dealt with in a manner that protects their privacy. Considering the type of information to be withheld from release, I am satisfied that the factors in favour of release can still be met while protecting the personal information of the individuals involved.

I therefore weight the factor for non-disclosure more highly than the factor in favour of release in this instance. As a result, I have decided that release of these email addresses could prejudice these individuals 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 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 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**

Pursuant to *Freedom of Information (Fees) Determination 2017 (No 2)* processing charges are not applicable for this request because the total number folio's to be released to you is below the charging threshold of 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 22 May 2018. 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>.

### **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.

If you wish to request a review of my decision you may write to the Ombudsman at:

The ACT Ombudsman

GPO Box 442

CANBERRA ACT 2601

Via email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@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](mailto:CMTEDDFOI@act.gov.au)

Yours sincerely,



Daniel Riley

Information Officer

Information Access Team

Chief Minister, Treasury and Economic Development Directorate

( ) May 2018



**ACT**  
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## FREEDOM OF INFORMATION REQUEST SCHEDULE

NAME	WHAT ARE THE PARAMETERS OF THE REQUEST	Reference NO.
[REDACTED]	Documents and briefing notes prepared in relation to the presentations given at the Gungahlin Community Council meetings during March and April 2018, and documents associated with the content or creation of the presentation and briefing notes	CMTEDDFOI 2018-0097

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1-5	Email chain	13 Mar 2018	Partial	Sch 2 s2.2 (a)(ii) Personal Privacy	Yes
2	6-19	Powerpoint Presentation	Mar 2018	Full		Yes
<b>Total No of Docs</b>						
2						



**From:** Peter Elford  
**To:** [Dolejsi, Simon](#)  
**Subject:** RE: CONFIRMING: GCC 13/12 [SEC=UNCLASSIFIED]  
**Date:** Tuesday, 13 March 2018 4:52:52 PM

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Hi Simon

Terrific. You will be up first at 6:30

Peter

Sent from [Mail](#) for Windows 10

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**From:** [Dolejsi, Simon](#)  
**Sent:** Tuesday, 13 March 2018 3:58 PM  
**To:** [Peter Elford](#)  
**Subject:** RE: CONFIRMING: GCC 13/12 [SEC=UNCLASSIFIED]

Hi Peter,

Just confirming that myself and David Jeffrey will be at the public meeting tomorrow night.

Can you let me know where we sit on the agenda? If at all possible, it would be greatly appreciated if we could give our presentation towards the beginning of the meeting as I have another engagement at 7:30pm.

Regards,

Simon

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**From:** Peter Elford [Sch 2 s2.2\(a\)\(ii\) @gcc.asn.au](#)  
**Sent:** Friday, 23 February 2018 11:48 AM  
**To:** Dolejsi, Simon <[Simon.Dolejsi@act.gov.au](mailto:Simon.Dolejsi@act.gov.au)>  
**Cc:** Jeffrey, David <[David.Jeffrey@act.gov.au](mailto:David.Jeffrey@act.gov.au)>  
**Subject:** RE: CONFIRMING: GCC 13/12 [SEC=UNCLASSIFIED]

Hi Simon

Next public meeting is Wednesday March 14, 6:30pm, Gungahlin Library, and YES, we are extremely keen to get an update on what's being done to bring the availability of sporting and recreation facilities in Gungahlin up a level consistent with a population of 70,000. This covers all sports, both indoor and out.

Peter

Sent from [Mail](#) for Windows 10

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**From:** [Dolejsi, Simon](#)  
**Sent:** Friday, 23 February 2018 10:38 AM  
**To:** [Peter Elford](#)  
**Cc:** [Jeffrey, David](#)  
**Subject:** RE: CONFIRMING: GCC 13/12 [SEC=UNCLASSIFIED]

Hi Peter,

Just looking to confirm when the next GCC meeting is and that you would still like a presentation from Active Canberra.

Cheers.

Simon

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**From:** Peter Elford [Sch 2 s2.2\(a\)\(ii\) @gcc.asn.au](#)  
**Sent:** Wednesday, 24 January 2018 12:38 PM  
**To:** Jeffrey, David <[David.Jeffrey@act.gov.au](mailto:David.Jeffrey@act.gov.au)>  
**Cc:** Dolejsi, Simon <[Simon.Dolejsi@act.gov.au](mailto:Simon.Dolejsi@act.gov.au)>  
**Subject:** RE: CONFIRMING: GCC 13/12 [SEC=UNCLASSIFIED]

Hi Simon

Ah – March ... not February. My bad. Right. I'd prefer a good showing rather than a series of promises so let's work towards that.

Peter

Sent from [Mail](#) for Windows 10

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**From:** [Jeffrey, David](#)  
**Sent:** Tuesday, 23 January 2018 11:35 AM  
**To:** [Peter Elford](#)  
**Cc:** [Dolejsi, Simon](#)  
**Subject:** RE: CONFIRMING: GCC 13/12 [SEC=UNCLASSIFIED]

Hi Peter,

Thanks for the email. As per my email below, March would ideally be better as we will be a little further advanced on a number of relevant projects. If February is your preferred date, could you please send me a meeting invite with all the relevant details (i.e. meeting location, time, etc). Are there any particular areas that you would like me to consider as part of my presentation?

Happy to discuss.

Kind regards,

**David Jeffrey**

**Senior Manager - Strategic Projects and Planning**

**Active Canberra, providing Sport and Recreation Services**

**Enterprise Canberra | Chief Ministers, Treasury and Economic Development Directorate | ACT Government**

**Plaza North, Canberra Nara Centre, 1 Constitution Avenue, Canberra City ACT 2608**

**Phone: 02 6207 5815 | Mobile: 0417 499 634**

<http://www.sport.act.gov.au/> #CBR



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**From:** Peter Elford [Sch 2 s2.2(a)(ii) [@gcc.asn.au](mailto:Peter.Elford@gcc.asn.au)]

**Sent:** Tuesday, 23 January 2018 10:26 AM

**To:** Jeffrey, David <[David.Jeffrey@act.gov.au](mailto:David.Jeffrey@act.gov.au)>

**Subject:** RE: CONFIRMING: GCC 13/12 [SEC=UNCLASSIFIED]

David

Just confirming you are all set for 14/2 ?

I have just got off the phone with Simon Delacy (sp?) from Active Canberra about the indoor sports consultation and we're aiming to do a meeting with his consultant on Thursday 8<sup>th</sup>. I assume this will get a mention in the (completely separate) public meeting on 14<sup>th</sup> ...

Regards

Peter

Sent from [Mail](#) for Windows 10

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**From:** [Jeffrey, David](#)

**Sent:** Thursday, 7 December 2017 1:59 PM

**To:** [Peter Elford](#)

**Subject:** RE: CONFIRMING: GCC 13/12 [SEC=UNCLASSIFIED]

Hi Peter,

It would be ideal to postpone my presentation until March 2018. We are still progressing a number of preliminary planning activities and I would not be in a position to provide much information at this time if we proceed next week. I currently anticipate that some of this work will be nearing completion or be completed early next year.

Happy to discuss – probably best to give me a call.

Regards,

**David Jeffrey**

**Senior Manager - Strategic Projects and Planning**

**Active Canberra, providing Sport and Recreation Services**

**Enterprise Canberra | Chief Ministers, Treasury and Economic Development Directorate | ACT Government**

**Plaza North, Canberra Nara Centre, 1 Constitution Avenue, Canberra City ACT 2608**

**Phone: 02 6207 5815 | Mobile: 0417 499 634**

<http://www.sport.act.gov.au/> #CBR



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**From:** Peter Elford [Sch 2 s2.2(a)(ii) @gcc.asn.au]

**Sent:** Thursday, 7 December 2017 1:24 PM

**To:** Jeffrey, David <[David.Jeffrey@act.gov.au](mailto:David.Jeffrey@act.gov.au)>

**Cc:** Henley President [redacted] @gcc.asn.au>; GCC Treasurer [redacted] @gcc.asn.au>; GCC, Secretary [redacted] @gcc.asn.au>

**Subject:** CONFIRMING: GCC 13/12

Hi David

Just confirming you are all set for next week.

Please note that the meeting will be hosted by Henley Samuel, our Vice President, as I will (unfortunately) be travelling.

Did you want me to update the agenda in any way – currently it reads - <https://gcc.asn.au/next-meeting-13-dec-17/>:

The next GCC public meeting will be held on Wednesday 13th December 6:30pm at the Gungahlin Library.

Agenda

1. Sporting and Recreation Facilities in Gungahlin, Active Canberra
2. Education Services in Gungahlin, Rodney Bray, Deputy Director General Business Services Division, Robert Gotts, Director of Planning and Analytics, ACT Department of Education

Regards

Peter

Sent from [Mail](#) for Windows 10

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# Existing and Future Provision of Sporting Infrastructure in Gungahlin

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- Thank you for inviting me along to present.
- I am here with David Jeffrey, Senior Manager, Strategic Projects and Planning, Active Canberra
- Active Canberra is the agency within the ACT Government responsible for the planning and provision of sport and recreation facilities

## Key Discussion Points

- Recent sport and recreation infrastructure investment in Gungahlin
- Indoor Sports Facility Provision Feasibility Study – currently underway
- Taylor School Gymnasium and Outdoor Courts
- Taylor District Playing Fields
- Throsby District Playing Fields
- Future Tennis Facility
- Lawn Bowls Facility



- This evening I will talk about recent sport and recreation infrastructure investment in Gungahlin as well as some projects which are currently underway or in the pipeline.

## Recent Investment Gungahlin Leisure Centre

- Opened in 2014 at a cost of \$28.7m
- Includes a 50m pool, 25m program pool and a fitness centre
- Approximately 356,000 visits in 2016/17 FY





## Gungahlin Enclosed Oval

- Opened in 2014 at a cost of \$12.5m
- Includes a 1,200 seat grandstand
- Caters for AFL, Rugby League, Rugby Union, Football and Gridiron.



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## Community Recreation Parks (CRP)

- 3 CRP's delivered in Gungahlin to date – Crace, Franklin and Moncrieff.
- Each CRP has been developer funded at a cost of approximately \$4m – \$6m each.

Franklin CRP



Crace CRP



Moncrieff CRP



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- Casey CRP – is an expired election commitment from 2012. There is currently no work being undertaken to progress this project at this point in time.

## Amaroo School Gymnasium Extension

- Completed prior to the start of the 2018 school year.
- Involved doubling the size of the original gymnasium as part of a \$13.6m school expansion.
- The facility now has two full-sized multi-sport courts (suitable for basketball, volleyball and futsal) as well as a dance studio, fitness room and stage.
- Designed to easily accommodate community use outside of school hours.



- Increasing community usage of ACT Government indoor sport facilities was a recommendation of the ACT Indoor Sport Facility Study released in January 2016. Active Canberra has been working with the Education Directorate to identify opportunities to remove barriers to access at schools – things like isolating security systems and improving storage capacity for community groups.

## Indoor Sports Facility Provision Feasibility Study

- Follows on from the ACT Indoor Sports Facility Study (ISFS) released in January 2016.
- A number of recommendations in the ISFS identified a need for the provision of new indoor sports facilities to service growth areas (including Gungahlin).
- As part of the Government's response to the recommendations, \$160,000 was committed through the 2017/18 ACT Budget to further investigate feasible options for providing indoor sporting facilities in Gungahlin, Woden and Belconnen.

## Indoor Sports Facility Provision Feasibility Study

### Study Scope

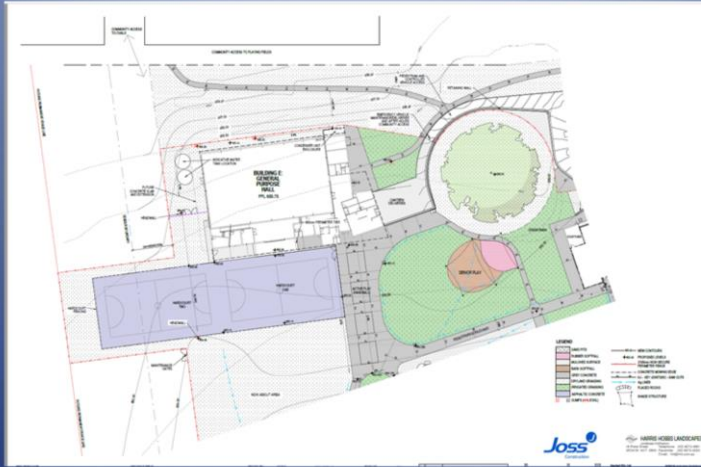
The Study will look to identify the preferred facility mix for further indoor sports provision in the ACT with priority consideration given to:

- working with the larger participation indoor sports (futsal, basketball and gymnastics) to identify specific project solutions;
- location
- type of facility
- operational and ownership modelling to determine the viability of each of these facility options; and
- expected impact any new facilities will have on existing facilities in the immediate catchment.



- The consultant met with the Gungahlin Community Council to get their position on existing and future provision of indoor sport facilities for the region, the feedback provided will be considered within the study.
- At the completion of the study, we expect there to be up to three key projects identified which will address the needs of the three sports. These recommendations will include possible locations for each facility.
- The recommendations will be considered by government and will help inform decisions relating to future indoor sport facility provision across the city, including Gungahlin.
- It should be noted that the market can also act on opportunities to provide indoor sport facilities – there are examples of this around Canberra including a number of gymnastics facilities and learn-to-swim aquatic facilities.
- Old Magnet Mart site – the site is still privately owned and under lease. It is commercially zoned meaning there are a number of higher purpose uses for the land. In addition, the facility in its current state is not suitable for use by the larger participation sports – there are support columns throughout the building.

# Taylor School and District Playing Fields



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## Taylor School and District Playing Fields

- The proposed Taylor DPF includes 6 rectangular fields and a pavilion and will be co-located with the Taylor School.
- A car park to service the rectangular fields has already been provided.
- 2 rectangular fields will be delivered as part of the Taylor School development.
- Outdoor courts (suitable for netball) will also be delivered as part of the school.
- The school and 2 rectangular fields are expected to be completed prior to the start of the 2019 school year.

## Throsby District Playing Fields

- The ACT Government has committed \$21.295m for District Playing Fields in Throsby.
- Work is currently underway to determine the ideal facility mix for the site, taking into account the needs of various sporting organisations.
- Active Canberra has met with the key stakeholders (Capital Football, AFL NSW/ACT, Canberra District Rugby League, Brumbies Rugby and Cricket ACT).
- Currently progressing planning requirements with a view to commencing some preliminary design work later this year.



## Future Tennis Facility

- Active Canberra is working with Tennis ACT and the Environment, Planning and Sustainable Design Directorate (EPSDD) to identify suitable sites in Gungahlin for a tennis facility.
- Tennis ACT's preference is for a 12 court facility to service the region.
- Tennis courts are sometimes provided as part of ACT Government High Schools and Colleges – there are courts located at Gungahlin College.



- Tennis Australia has developed a Community Activity Hub where tennis courts are augmented by a number of other community facilities such as meeting rooms, café's and recreational spaces. What can be included in such a facility is dependent on the land zoning – urban open space is more restrictive on the type of amenities that can be provided along side a tennis facility than a commercial zoning or community facility zoning. However, commercial zoned land and community facility zoned land is extremely limited and unlikely to be made available for a tennis facility.

## Future Lawn Bowls Facility

- Ainslie Football Club recently announced that they have put their plan to add two synthetic lawn bowling greens to the Gungahlin Lakes Golf Club on indefinite hold.
- The traditional model where the clubs sector provides bowling greens is increasingly being challenged as clubs seek greater revenues to support their activities and drive their long-term sustainability.
- Work around the provision of bowling greens to service the Gungahlin region is ongoing.



- In light of the Ainslie Group's decision to not proceed for the time being with the installation of 2 synthetic greens at Gungahlin Lakes Golf Club, the Government are revisiting previous options for the provision of bowling greens in Gungahlin, including the Casey site.

Questions?