



ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDD 63/16-17

Mr Geoff Clarke
foi+request-3275-955c5c3a@righttoknow.org.au

Dear Mr Clarke

Freedom of Information request – Supportive Housing Stapylton Street Holder

I am writing in response to your emails of 25 April 2017 sent to the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) Freedom of Information (FOI) Officer. You have requested an internal review of the Directorate's handling of your access request, submitted under the *Freedom of Information Act 1989* (the Act) and received by CMTEDD on 22 March 2017.

The Directorate cannot consider your request as it does not meet the criteria for internal review described under section 59(1) of the Act. Section 59(1) of the Act states that an applicant may seek an internal review of a decision to refuse access, defer access or apply or refuse to remit a charge or application fee. Although the Directorate cannot consider your request I have addressed the concerns raised in your email and provide advice on your external review options in the following paragraphs.

I apologise for the delay in advising you of the need for consultation. The Public Housing Renewal Taskforce is currently responding to a significant number of constituent enquiries and other FOI requests, and these competing demands have affected the ability of the Taskforce to address all requests.

I wish to advise you that a discrete report on "the analysis and decision making process behind the recommended subdivision of Stapylton Street Block 2 Section 21 for up to 30 supportive houses", as requested in your FOI application of 22 March 2017, does not exist. In order to effectively respond to your request, I am considering for release a range of documents that describe the Government's analysis and decision making process in regard to this site. Some of the documents captured, particularly concerning site identification and assessment, were prepared by or reference external parties. I consider it appropriate under section 27 of the Act to consult with these affected third parties in relation to their business affairs information before making my release decision.

Chief Minister, Treasury and Economic Development

Although the Act allows for an extension of 30 days when consultation is required, I have asked the third parties involved to provide their advice as soon as possible and I intend to provide my final release decision to you as soon as possible after receiving third party submissions.

I would be happy to discuss this matter with you further and answer any questions you may have. I am contactable on (02) 6207 1383.

External review options

If you wish to seek external review, 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

Should you have any queries regarding your FOI request please contact me as per above or email CMTEDDFOI@act.gov.au.

Yours sincerely



David Collett
Executive Director
Public Housing Renewal Taskforce

27 April 2017