



REQUEST:

I make the following request under the auspices of the Freedom of Information Act 2016.

I seek copies of any and all documents that include the Suburban Land Agency's register, or registers, of the Agency's board members' and executive staff members' potential conflicts of interest, unredacted.

I also seek copies of all Agency internal board meeting agendas and minutes for meetings held since the establishment of the Agency on July 1, 2017 (not what appear to be summaries of said documents already made public on the Agency's website. I request this information in line with the ACT government's Open Government initiative, which acknowledges the need to enhance the openness and transparency of the government.

Please note that I have no wish to access information that would identify non-executive officers of the ACT Public Service. Indeed, it is customary to suppress the names of non-executive officers in documents released under FOI law.

However, it is usual to name executive officers when the information released relates to their work.

I ask that you waive processing charges for this request because:

- it is limited in scope and can likely be processed quickly; and
- access to the information is in the general public interest;

As the information is already likely held in easily accessible digital form by the Authority's executive officers in a format that can easily be released via email.

The act empowers you to charge for access to documents but I request that, under section 2(2), you exercise your discretion "as far as possible to facilitate and promote,

promptly and at the lowest reasonable cost, the disclosure of information" and waive all charges.

Although this request is made under the ACT legislation, the Australian Information Commissioner has issued guidelines on interpreting the federal FOI Act, which is, in the relevant parts, almost identical to the ACT Act.

These guidelines urge FOI decision-makers to consider reducing or exempting charges when:

- the "cost of calculating and collecting a charge might exceed the cost to the agency of processing the request"; and
- the "agency was able to identify and retrieve the document easily and at marginal cost"

The release of the information requested is in the public interest, given ongoing concerns that the Agency operate to the highest ethical and transparency standards, particularly given the Chief Minister's commentary in the Assembly regarding how the creation of the Agency has improved such standards since the Land Development Agency was disestablished.

Further, Section 1 (9) of the FOI Act 2016 states the government should promote access to government information, and expresses the intention of the ACT Legislative Assembly that the Act "be administered with a pro-disclosure bias and discretions given under it be exercised as far as possible in favour of disclosing government information".

In the same legislation, the public interest test defined in Section 16 (17) (1a) states an agency or minister, in deciding whether disclosure of information would, on balance, be contrary to the public interest, must take steps to identify any factor favouring disclosure that applies in relation to the information.

Factors favouring disclosure in the public interest include, as mentioned in Schedule 2 section 2.1, the disclosure of information that could reasonably be expected to promote open discussion of public affairs and enhance the government's accountability and contribute to positive and informed debate on important issues or matters in the public interest.

I believe I have provided sufficient reasons for you to provide the information I seek free of charge. However, please contact me via email or phone if you face any barriers to releasing this information.

Regards,



