

Dear [REDACTED]

Freedom of Information – Notice of Decision

I refer to your application under section 30 of the [Freedom of Information Act 2016](#) (the FOI Act), received by the City and Environment Directorate (CED) on 14 October 2025. Specifically, you are seeking:

...I request documents relating to a review undertaken of community environment organisations' funding that was commenced by EPSDD and completed by CED after the MoGs restructure. I am interested in documents relating to the following organisations:

- *Conservation Council*
- *SEE Change*
- *Canberra Environment Centre*
- *Landcare ACT*
- *ACT Wildlife*
- *Molonglo Conservation Group*
- *Ginninderra Catchment Group*
- *Southern ACT Catchment Group*

Noting the above organisations, I would like to request documents created since November 2025 that detail:

- *Information regarding the decision to undertake a review of the funding for environmental organisations*
- *The 'listening report' generated from the review of environment organisations' funding*
- *Signed and annotated briefs created by EPSDD or CED and put to Minister Orr regarding environment organisations' funding*
- *Decisions about going to an open tender process for environment organisations, or alternatives considered*
- *Correspondence with the Minister for City Services, the Treasurer or the Chief Minister regarding environment organisations funding*
- *Correspondence with the environment organisations in question regarding their funding*

I thank you for engaging with our office on to clarify the scope of your application, in which you amended the scope of point 1 of your application to include documents prior to November 2024.

Timeframes

In accordance with section 40 of the FOI Act, CED is required to provide a decision on your access application within 30 working days. As this matter required third party consultation, the decision due date was extended by 15 working days, in accordance with section 40(2) of

the FOI Act. Thank you for your agreement to the additional extension to the due date. Therefore, a decision is due on or by **21 January 2026**.

Authority

I am an Information Officer appointed by the Director-General of the City and Environment Directorate under section 18 of the FOI Act to deal with access applications made under Part 5 of the FOI Act.

Decision on access

A search for CED records has been completed and 57 records within the scope of your application have been identified. The records are listed in the schedule at **Attachment A**.

I have decided to:

- grant **full** access to 31 records.
- grant **partial** access to 21 records.
- **refuse** access to 5 records as I consider the disclosure of the information to be contrary to the public interest.

The reasons for my decision are detailed in the *statement of reasons* section below. The records being released to you are provided at **Attachment B** with redactions applied to any information contrary to the public interest to release.

Statement of reasons

The FOI Act has a pro-disclosure bias, which requires information to be disclosed unless doing so would be contrary to the public interest. As an Information Officer, I am responsible for determining whether disclosure of the information within the scope of your application would be contrary to the public interest.

My assessment begins with Schedule 1 of the FOI Act, which outlines categories of information that are taken to be contrary to the public interest to disclose. If the information does not fall within any of these categories, I must then apply the public interest test under section 17 of the FOI Act. This test involves weighing the factors favouring disclosure against those favouring nondisclosure, as set out in Schedule 2.

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

- the FOI Act
- the information that falls within the scope of your application
- the views of third parties consulted
- the *Human Rights Act 2004*
- the ACT Ombudsman FOI Guidelines.

I confirm that I have not considered any of the factors listed in section 17(2) of the FOI Act, which outlines a list of considerations that must not be taken into account when applying the public interest test.

Schedule 1 – Information taken to be contrary to the public interest

- *No relevant sections identified.*

Schedule 2 – Public interest test

Factors favouring disclosure (Schedule 2.1)

- *Section 2.1(a)(i) - promote open discussion of public affairs and enhance the government's accountability.*
- *Section 2.1(a)(iv) - ensure effective oversight of expenditure of public funds.*
- *Section 2.1(a)(viii) - reveal the reason for a government decision and any background or contextual information that informed the decision.*

There is a compelling public interest in transparency regarding the conduct, administration and management of government processes and oversight of public monies. I agree there is interest in the decision making that led to the review of the funding arrangements which were already in place for a significant period of time.

All three of these factors apply to the information to a degree which carries considerable weight.

Factors favouring nondisclosure (Schedule 2.2)

- *Section 2.2(a)(ii) - prejudice the protection of an individual's right to privacy or any other right under the Human Rights Act 2004.*
- *Section 2.2(a)(xi) - prejudice trade secrets, business affairs or research of an agency or person.*
- *Section 2.2(a)(xiii) - prejudice the competitive commercial activities of an agency.*
- *Section 2.2(a)(xvi) - prejudice a deliberative process of government.*

Information in scope includes feedback from organisations, the review of in place funding arrangements and funding amounts of an active procurement process.

The feedback and review documents include information that if disclosed at this time could provide a commercial advantage to competing tender applicants. The feedback includes activities undertaken by the currently funded organisations to meet the service agreements in place and commentary on challenges faced or improvements these organisations propose.

Some information (including budget details) within documents provides details that could affect the current tender process. The procurement of services on behalf of government, and the method for selecting an appropriate supplier must be undertaken with probity and must achieve value for money.

At this time, I have given significant weight to these factors favouring nondisclosure (schedule 2, 2.2(a)(xi), (xii) and (xvi)) considering the possible consequences of how the active tender process could be prejudiced by release of this information.

Documents contains the mobile numbers of an ACT Government employees, and employee signatures. The mobile numbers of employees are either personal phone numbers or provided by CED to staff for a specific purpose, such as out of hours contact. I consider that the disclosure of the mobile number is likely to prejudice the personal privacy of employees and their right to disconnect, and that the advancement to the public in disclosing this information is minimal as information on how to contact the directorate is already publicly available.

The signatures of ACT Government employees are often redacted to prevent the misuse of personal information. The FOI Guidelines emphasise that while there is a strong public interest in transparency, there are also significant privacy concerns that must be addressed. Redacting signatures is typically seen as necessary to protect the privacy of individuals,

especially when the disclosure of such information does not significantly contribute to public understanding of government operations.

Some of the information within scope includes the names and contact details of employees of third parties. I have considered that the information has been provided to CED with the expectation that it is handled in accordance with published privacy statements and policies, I consider that this information is not readily available to the public and has not otherwise been disclosed by CED. It is my view that the information if disclosed, could reasonably be expected to prejudice the protection of an individual's right to privacy.

Balancing the factors

Having applied the public interest test outlined in section 17 of the FOI Act, I have concluded that some information contained in the records is not in the public interest to disclose. Accordingly, I have redacted this specific information under section 50(2) of the FOI Act.

Charges

Processing charges are not applicable for this application because the fee has been waived in accordance with section 107 of the FOI Act.

Online publishing – Disclosure Log

Under section 28 of the FOI Act, CED maintains a disclosure log, which is a public record of access applications and decisions. Your original access application and my decision will be published on the CED disclosure log. Your personal contact details will not be published.

ACT Ombudsman Review

My decision on your access application is a reviewable decision as identified in Schedule 3 of the FOI Act. You have the right to seek ACT Ombudsman review of this outcome under section 73 of the FOI Act within 20 working days from the day that my decision is provided to you, or a longer period allowed by the ACT Ombudsman. If you wish to request a review of my decision, you may write to the ACT Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601
Via email: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) Review

Under section 84 of the FOI 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
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
<https://www.acat.act.gov.au/>

Please contact the CED Information Access team if you have any queries in relation to your application via 6207 2987 or CEDFOI@act.gov.au.

Yours sincerely

Craig Weller
Information Officer
City and Environment Directorate
21 January 2026