



ACT
Government

City and Environment

OFFICIAL

Our ref: CED FOI 26-169

[REDACTED]
By email: [REDACTED]

Dear [REDACTED]

Freedom of Information – Notice of decision

I refer to your application under section 30 of the *Freedom of Information Act 2016* (FOI Act), received by the City and Environment Directorate (CED) on 11 June 2026, in which you seek access to the following information:

- *“The published Ministerial Diary of the Deputy Chief Minister and Minister for Homes, Homelessness and New Suburbs, Yvette Berry MLA, discloses a meeting with Geocon on 27 March 2026.*
 1. *Any briefing note, briefing paper, or ministerial submission prepared for or in connection with the meeting, including any prepared by the Minister's office, Housing ACT, the Suburban Land Agency, or any other ACT Government directorate or agency.*
 2. *Any agenda, speaking points, or background paper provided to the Minister or her office prior to the meeting.*
 3. *Any record of the meeting, including minutes, notes, file notes, or summaries of discussions, whether prepared by the Minister's office or by any directorate or agency.*
 4. *Any correspondence (including email, letter, or other written communication) between the Minister's office and Geocon in the period 1 January 2026 to 31 March 2026, relating to the subject matter of the meeting.*
 5. *Any documents produced or agreed to as a follow-up or outcome of the meeting, including any commitments, undertakings, or actions recorded.*
 6. *Any documents disclosing the purpose or subject matter of the meeting, including any request by Geocon to meet with the Minister or her office.”*

Authority

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

Timeframe for decision

In accordance with section 40 of the FOI Act, a decision was initially due to be made on your access application within 30 working days of receipt. However, on 23 July 2026 you kindly agreed to an additional 20 working days to allow sufficient time for consultation to occur and to enable a decision to be made on any records identified within the scope of your application. Consequently, the revised due date for decision on your application became 20 August 2026.

Decision on access

A search for records held by CED within the scope of your application has been completed, with four records identified. These records are listed in a schedule at **Attachment A**. I have decided to grant **full** access to the four records, as explained in the *statement of reasons* section below. The records being released to you are provided at **Attachment B**.

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 of the FOI Act.

Section 17(2) lists the factors that I must *not* take into account when applying the public interest test. I confirm that I have not considered any of these factors.

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

- the FOI Act
- the information that falls within the scope of your application
- the views of a third party consulted
- the ACT Ombudsman FOI Guidelines

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

- No categories of information listed in Schedule 1 were identified as being applicable to your access application.

Schedule 2 - Factors to be considered when deciding the public interest

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

I consider the above factors are relevant to the records identified within the scope of your application, as disclosure would contribute to a matter of public interest and enhance the government's accountability. I have given these factors significant weight.

Factors favouring nondisclosure (Schedule 2.2)

My review did not identify any relevant factors favouring non-disclosure.

Balancing the factors

Having applied the public interest test outlined in section 17 of the FOI Act. I have found that disclosure of the information is, on balance, in the public interest. Accordingly, I have decided to provide you with full access to the information.

Charges

Processing charges are not applicable to this application because the fee is to be waived in accordance with section 107 of the FOI Act.

Online publishing – Disclosure log

Pursuant to section 28 of the FOI Act, CED maintains an FOI disclosure log, which is a public record of access applications and decisions. In this instance, your access application and my decision will be published on the CED disclosure log. Your personal 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

(signed electronically)

Helen Stoddart
Information Officer
City and Environment Directorate

20 August 2026