



ACT
Government

City and Environment

OFFICIAL

Our ref: CED FOI 25-115

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](#) (the FOI Act), received by the City and Environment Directorate (CED) on 22 October 2025. Your application was received by partial transfer from the Chief Minister, Treasury and Economic Development Directorate (CMTEDD); a separate decision on your application in relation to information held in CMTEDD will be provided to you. It is my understanding you sought access to/ are seeking access to the following information:

- *I am requesting access under the Freedom of Information Act 2016 (ACT) to documents relating to the installation or upgrade of sports lighting at Boomanulla Oval, located in Narrabundah ACT.*
- *Specifically, I request any records held by Transport Canberra and City Services, Sport and Recreation (Chief Minister, Treasury and Economic Development Directorate – CMTEDD), or any related contractors or project managers, covering the period 1 January 2018 to 31 December 2023, including:*
 1. *Development Application (DA) submissions, approvals, exemptions, or correspondence relating to the lighting works at Boomanulla Oval;*
 2. *Tender documents, contracts, procurement records, or panel engagement details for the lighting installation or upgrade;*
 3. *Project briefs, design drawings, technical specifications, or lighting compliance assessments;*
 4. *Project completion reports, handover documentation, or post-installation inspection records;*
- *Correspondence (emails, letters, or internal memos) between TCCS, CMTEDD, or other ACT Government entities and any contractors or consultants involved in the project”.*

I thank you for engaging with our office on 31 October 2025 to clarify the scope of your application, in which you amended the scope of your application as follows:

- *...primary interest is in any Development Application (DA) approvals or exemptions, and contractor or procurement records relating to the sports lighting installation or upgrade at Boomanulla Oval between 2019 and 2023.*
- *If possible, please prioritise:*
 - *Any documentation showing whether a DA was required or approved; and*
 - *Any tender, contract, or panel engagement information identifying the contractor engaged for the works.*

- *The other categories listed in my request (project briefings, drawings, or correspondence) are of secondary importance, and I am happy for these to be deferred or excluded if doing so expedites processing.*

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 and you agreed to an additional amount of time to decide your application, in accordance with sections 40(2) and 41 of the FOI Act, a decision is due on or by **6 February 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 96 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 27 records.
- grant **partial** access to 65 records.
- **refuse** access to four records.

Deferred release of records

Under section 38 of the FOI Act, CED is required to consult with third parties where disclosure of information may reasonably be expected to affect their interests. In making this decision, I consulted with relevant third parties and considered their views and objections. Three third parties objected to the release of information of some of the information.

As I have decided to partially release this information, access to these documents is deferred under section 38(6)(b) of the FOI Act. This deferral allows the third party 20 working days (or a longer period if granted by the ACT Ombudsman) to seek a review of my decision by the ACT Ombudsman. You will be notified if a review application is received or when access is no longer deferred.

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

- *Section 1.6 - Cabinet Information.*

Two documents contain Cabinet information, including business cases and submissions made to Cabinet. I have found schedule 1, 1.6 applies, as the information in these records is deliberative and is not purely factual. Under schedule 1, disclosure of this information is deemed to be contrary to the public interest.

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)(ii) - contribute to positive and informed debate on important issues or matters of public interest.*
- *Section 2.1(a)(iii) - inform the community of the government's operations, including policies, guidelines and codes of conduct followed by the government in its dealings with members of the community.*
- Section 2.1(a)(iv) - ensure effective oversight of expenditure of public funds.

In reviewing the information within scope of your application, I have decided that disclosure promotes open discussion of public affairs and enhances that the government's accountability generally.

Some of the information within scope of your application provides context to a government project and an externally contracted service. I have considered that the disclosure of some of this information would likely inform the community of the government's operations and provide background or contextual information relevant to project delivery outcomes.

I have also considered that some of the information relevant to your application relates to management of government expenditure by agencies. This information is of public interest, and its disclosure is likely to contribute to open discussion of public affairs. Additionally, the release of financial information increases transparency and supports effective oversight of public funds more broadly.

I find that disclosure of this information is likely to advance the public interest and therefore attributed moderate weight to these factors favouring disclosure.

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.*

Personal Information

63 documents contain personal information of individuals, including names and contact details. I have considered the views of the relevant third parties and how the public interest would be advanced by releasing this information in part or in whole. I have also considered that the personal information is held by CED with the expectation that it is handled in accordance with CED's published privacy statements and the *Information Privacy Act 2014*. It is my view that the disclosure of this information could reasonably be expected to prejudice the protection of an individual's right to privacy under section 12 of the *Human Rights Act 2004*. I have placed significant weight on this factor.

Trade Secrets & Business Affairs

21 documents contain information relating to the trade secrets and business affairs of third parties which was prepared in context of competitive government works. The information consists of commercially sensitive pricing structures, supplier rates, and procurement activities and methodologies prepared for the purpose of market testing, value-for-money evaluation and project delivery. I have considered the views of the relevant third parties and how the public interest would be advanced by releasing this information in part or in whole. It is my view that the disclosure of this information could reasonably be expected to prejudice the third parties' trade secrets and business affairs. I have placed significant weight on this factor, as disclosure could diminish the commercial value of the information or provide competitors with an advantage, which increases competitive pressures for these businesses. To ensure fair treatment and effective competition across government and private sector procurement processes in the future, I consider it important to protect the business affairs of these third parties.

Competitive Commercial Activities

Seven documents contain costing breakdowns of a contracted service. Making this information publicly available would place the agency at a commercial disadvantage in future procurement processes by undermining its ability to negotiate competitive rates and could also adversely affect its bargaining position with existing or prospective suppliers. On this basis, I am satisfied that the information is commercially sensitive and that its disclosure would prejudice the agency's competitive commercial activities. I have placed significant weight on this factor.

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.

Consistent with the pro-disclosure intent of the FOI Act, I am satisfied that redacting only the information that is contrary to the public interest ensures compliance with the FOI Act while still providing access to the majority of the information held by CED within the scope of your application.

Charges

Processing charges are applicable for this application because the total number of pages to be released to you exceeds the charging threshold of 50 pages. However, I have decided not to impose a fee in response to your application.

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
6 February 2026