



Statement of reasons made under the *Freedom of Information Act 1982*

Decision and reason for decision of
Robyn Fleming , First Assistant Secretary, North West & Local Government Division

Applicant: [REDACTED]
Decision date: 13 May 2012
FOI reference number: 11-35
Documents: documents relating to organisations which have accepted grants from the Department.

Contents

Summary 2
Authority to make this decision 2
Background 2
Documents subject to this request 2
Decision 2
Reasons for decision 2
Your rights of review 2

Summary

1. I have made a decision to release the documents subject to your request in full.

Authority to make this decision

2. I, Robyn Fleming, First Assistant Secretary, North West & Local Government Division, am an officer authorised by the Secretary of the Department of Regional Australia, Regional Development, Local Government, Arts and Sport to make decisions about access to documents in the possession of the Department in accordance with Section 23(1) of the *Freedom of Information Act 1982* (the FOI Act).

Background

3. On 18 February 2012 you made a request for access to documents in the possession of the Department of Regional Australia, Regional Development, Local Government, Arts and Sports (the Department). Your request sought access to a:

“Seeking non-compliance reports in relation to organisations which have accepted grants from the Department. Between 30 January 2010 and 30 January 2012”

Documents subject to this request

4. The Department has undertaken a search of its records and has identified all documents that fall within the scope of your request, as set out above.
5. The document subject to your request is:
 - **Letter and certification by Auditor regarding – the Termination of Funding agreement in relation to: Construction of the Ray Finlayson Sporting Complex stage 1”**

Decision

6. I have made a decision to release the document subject to your request in full.
7. The document requested is a deliberative document that is objective and designed to provide advice to the Department. It is therefore possible to exempt this document under section 47(C) of the FOI Act 1982. The information contained in the document is not considered to contravene the public interest, as such this exemption will not be applied.
8. Individual names have been redacted from the documents due to privacy consideration.

Your rights of review

8. If you disagree with your FOI decision, you can ask for the decision to be reviewed. There are two ways you can ask for review of a decision: internal review by the Department, and external review by the Office of the Australian Information Commissioner (OAIC).

9. You can ask the Department to review its decision in relation to access to documents. There is no charge for internal review. You must apply within 30 days of being notified of the decision, unless the Department extends the application time. You should contact the Department if you wish to seek an extension. The Department must make a review decision within 30 days. If it does not do so, its original decision is considered to be affirmed. The review will be carried out by a different departmental officer, usually someone at a more senior level. You must apply in writing and you can lodge your application in one of the following ways:

Post: FOI Coordinator

Department of Regional Australia, Regional Development and Local Government

GPO Box 803

Canberra ACT 2601

Fax: +61 2 6247 1347

Email: FOI@regional.gov.au

9. You can ask the OAIC to review the Department's decision in relation to access to documents. The Information Commissioner is an independent office holder who can review the decisions of agencies and ministers under the FOI Act. The Information Commissioner also investigates complaints about agency actions under the FOI Act. However, if you are complaining that the Department's decision is wrong, it will be treated as an application for a review. You do not need to seek an internal review from the Department before seeking an external review from the Information Commissioner. However, going through the Department's internal review process gives the Department the opportunity to reconsider its initial decision, and your needs may be met more quickly without undergoing an external review process. The Information Commissioner's review is free. You must apply to the Information Commissioner within 60 days of being given notice of the decision. You can ask the Information Commissioner for an extension of time to apply, and this may be granted if the Information Commissioner considers it is reasonable in the circumstances.

You must apply in writing and you can lodge your application in one of the following ways:

Online: www.oaic.gov.au

Post: GPO Box 2999

Canberra ACT 2601

Fax: +61 2 9284 9666

Email: enquiries@oaic.gov.au

In person: Level

25 National Circuit

Forrest, ACT; or at

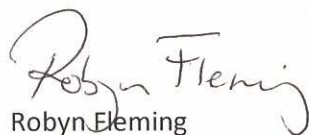
Level 8, Piccadilly Tower

133 Castlereagh Street

Sydney, NSW

More information about Information Commissioner Reviews is available from

[http://www.oaic.gov.au/publications/FOI fact sheet12 your review rights.html](http://www.oaic.gov.au/publications/FOI_fact_sheet12_your_review_rights.html).



Robyn Fleming

First Assistant Secretary, North West & Local Government Division

13 May 2012