



ACT
Government

Infrastructure Canberra

Our Ref: iCBRFOI2025/41

2.2(a)(ii)

2.2(a)(ii)

FREEDOM OF INFORMATION REQUEST

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), transferred to Infrastructure Canberra (iCBR) from Justice and Community Directorate on 9 July 2025..

In your information access request, you sought access to:

- 1. Any proposed relocation, redevelopment, or land swap involving the Winchester Police Station site in Belconnen.*
- 2. Any plans, proposals, or discussions regarding the development of a new ACT Policing headquarters or City Police Station, whether standalone or co-located, including potential locations.*

This request includes, but is not limited to:

- Ministerial or executive briefing packs,*
- Internal meeting agendas or minutes,*
- Internal emails and attachments between JACS, AFP, ACT Policing, and iCBR staff,*
- Documents assessing site suitability or preliminary planning work related to a future ACT Policing headquarters or City Police Station,*
- Documents referencing budget bids, capital works proposals, or resourcing needs associated with either project.*

I acknowledge that some documents may attract exemptions under the FOI Act, and I am willing to accept redacted versions where appropriate.

I am not seeking duplicate copies of documents already released publicly, media releases or routine communications materials

Authority

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



ACT
Government

Infrastructure Canberra

Decision on access

Searches were completed for relevant information, and nineteen (19) items were identified as within the scope of your access request.

I have included as **Attachment A** to this decision the schedule of relevant documents. This provides a description of each document that falls within the scope of your request and the access decision for each of those documents.

My decision in relation to the documents relevant to your request is summarised as follows:

- withhold access to nineteen (19) documents

My decision is detailed further in the following Statement of Reasons.

Statement of Reasons

In making my decision on disclosing government information, I must identify all relevant factors in Schedules 1 and 2 of the Act and determine, on balance, where the public interest lies.

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

Factors favouring disclosure in the public interest (Schedule 2, Section 2.1)

- Section 2.1(a)(i) – promote open discussion of public affairs and enhance the governments accountability; and
- Section 2.1 (iv) ensure effective oversight of expenditure of public funds;

The ACT Policing headquarters and City Police Station project is an important infrastructure project that will enhance law enforcement operations across the ACT. I consider it in the public interest that the processes iCBR and its staff undertake in delivering projects such as this are demonstrated in the information identified.

Factors favouring non-disclosure

When evaluating the public interest in relation to your request I noted the new ACT Policing headquarters and City Police Station project is at a preliminary and deliberative stage. Much of the information identified as relevant to your request will be used to inform future Cabinet decisions, contains law enforcement information, contains sensitive commercial information (both iCBR and other parties), and contains other sensitive information.

I also note that iCBR and the ACT Government more generally proactively release information on projects at appropriate project milestones. This will also occur with the ACT Policing headquarters and City Police Station project.



Factors favouring non-disclosure in the public interest (Schedule 1)

- 1.6 Cabinet information

Documents have been identified as being within the scope of your request, however, these documents contain information that is considered to be contrary to the public interest under section 1.6 of Schedule 1 of the Act. This information which will inform future Cabinet deliberations, which is exempt from release. The purpose of Cabinet information being exempt from release is to maintain the confidentiality of the Cabinet process and to uphold the principle of collective ministerial responsibility. This exemption was discussed in *The Commonwealth v Northern Land Council* [1993] HCA 24; (1993) 176 CLR 604 (21 April 1993). Paragraph 6 of the decision, states that:

... it has never been doubted that it is in the public interest that the deliberations of Cabinet should remain confidential in order that the members of Cabinet may exchange differing views and at the same time maintain the principle of collective responsibility for any decision which may be made. “

In reviewing these documents, I note the requirements of schedule 1 section 1.6(2) of the Act which states that the exemption for Cabinet Information does not apply to 'purely factual information' unless the disclosure of the information would involve the disclosure of a deliberation or decision of Cabinet and the fact of the deliberation or decision has not been officially published.

In the case of *Parnell & Dreyfus and Attorney-General's Department* [2014] AICmr 71, the Australian Information Commissioner stated that the term 'purely factual material' does not extend to factual material that is an integral part of the deliberative content and purpose of a document or is embedded in or intertwined with the deliberative content in such a manner that it is impractical to separate it from the other content.

Having reviewed the documents (and noting the preliminary status of the ACT Policing headquarters and City Police Station project), I consider that the purely factual information is an integral part of the deliberative content and as stated by the Commissioner, the analysis and views in the documents would be robbed of their essential meaning without incorporation of this material. I am also satisfied that disclosure of this purely factual information would involve the disclosure of future deliberations and decisions of Cabinet. I have therefore decided to withhold this information.

- 1.14 Law enforcement or public safety information

This category of contrary to public interest information protects against potential threats to public safety being caused by the release of information. As noted above much of the information identified in relation to your request contains preliminary deliberations concerning the design and specifications of a future ACT Policing headquarters and City Police Station. I am satisfied this information is contrary to the public interest to release as it could reasonably be expected to endanger the security of the headquarters, Australian Federal Police Officers, and Staff.



Factors favouring non-disclosure in the public interest (Schedule 2, Section 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*;

I consider that the protection of an individual's right to privacy, especially in the course of dealings with the ACT Government is a significant factor as the parties involved have provided their personal contact information for the purposes of working with the ACT Government. I have considered this information and in my opinion the protection of individuals' personal details outweighs the benefit which may be derived from releasing them. I consider that individuals are entitled to expect that the personal information they have supplied as part of this process to the ACT Government will be dealt with in a manner that protects their privacy. Considering the type of information to be withheld from release, I am satisfied that the factors in favour of release can still be met while protecting the personal information of the individuals.

- Schedule 2.2.x prejudice intergovernmental relations

The ACT is a unique jurisdiction in that law enforcement for the territory is provided by the federal government under the Policing Agreement. As a result, the delivery of the ACT Policing headquarters and City Police Station requires ongoing discussions and negotiations with Federal Agencies, primarily the Australian Federal Police.

I have considered the ongoing nature of these discussions and have decided on balance that revealing details of the discussions at this time would reasonably be considered to adversely affect ongoing intergovernmental negotiations, particularly noting the nature of the Law Enforcement information described above. I give this factor significant weight and consider the release of information in relation to these discussions at this time to be contrary to the Public Interest.

- Section 2.2(a)(xi) prejudice trade secrets, business affairs or research of an agency or person, and
- Section 2.2 (a)(xiii) prejudice the competitive commercial activities of an agency;

I have also considered the impact of disclosing information which relates to business affairs. In the case of *Re Mangan and The Treasury* [2005] AATA 898 the term 'business affairs' was interpreted as meaning 'the totality of the money-making affairs of an organisation or undertaking as distinct from its private or internal affairs'. Schedule 2 section 2.2(a)(xi) allows for government information to be withheld from release if disclosure of the information could reasonably be expected to prejudice the trade secrets, business affairs or research of an agency or person.

Documents identified as relevant to your request contain information about negotiations, pricing information and other sensitive commercial information with third-parties. I am satisfied that release of this information would have significant impact on the business affairs of the entities identified as this information is not publicly available. Accordingly, I have decided this information is not in the public interest to release.

Further to the above I have considered the competitive commercial activities of iCBR. iCBR as the ACT Governments infrastructure delivery agency engages with commercial service providers to deliver vital infrastructure projects. These projects have not been procured yet and revealing the



ACT
Government

Infrastructure Canberra

commercial negotiations and other dealings with our commercial partners in relation to iCBR's ongoing projects would reasonably be considered to prejudice iCBR's ability to engage competitive commercial activities.

Given the necessity for iCBR to engage in these competitive commercial activities and engage with commercial third parties to negotiate best value for money infrastructure development on iCBR's projects I give these factors significant weight.

The release of this information could reasonably diminish iCBR's bargaining power and ability to negotiate competitive commercial terms. It is therefore contrary to the public interest to release this information at this stage.

- Schedule 2.2(a)(xvi) prejudice a deliberative process of government

As noted above the new ACT Policing headquarters and City Police Station project is at a preliminary and deliberative stage. Therefore, information identified as relevant to your request relates to early deliberations on the ACT Policing headquarters and City Police Station project, and decisions are still being considered by iCBR and related parties. As this information has been prepared as a basis for intended deliberations it is exempt from release.

Online Publishing – Disclosure Log

Under section 28 of the Act, iCBR maintains an official online record of access applications called a Disclosure Log. Your original access application, my decision and documents released to you in response to your access application will be published on the iCBR Disclosure Log within three to ten working days after the date of the decision.

Your personal details will not be published.

You may view the iCBR Disclosure Log at: [Disclosure log - Infrastructure Canberra \(act.gov.au\)](https://www.act.gov.au/infrastructure-canberra/disclosure-log).

Ombudsman Review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published on the iCBR Disclosure Log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision you may write to the 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 Act, if a decision is made under Section 82(2) on an Ombudsman review, you may apply to ACAT for review of the Ombudsman decision.

Further information may be obtained from the ACAT at:



ACT
Government

Infrastructure Canberra

ACT Civil and Administrative Tribunal

Level 4, 1 Moore Street

GPO Box 370

CANBERRA CITY ACT 2601

Telephone: (02) 6207 1740

<http://www.acat.act.gov.au>

Should you have any queries in relation to your request, please contact me by telephone on (02) 6205 5288, or via email iCBR.FOI@act.gov.au.

Please ensure you quote your reference number: **iCBRFOI2025/41**

Yours sincerely,

2.2(a)(ii)

Hayley Bell

Information Officer

Infrastructure Canberra

24/09/2025



FREEDOM OF INFORMATION REQUEST SCHEDULE

Please be aware that under the *Freedom of Information Act 2016*, some of the information provided to you will be released to the public through the ACT Government's Open Access Scheme. The Open Access release status column of the table below indicates what documents are intended for release online through open access.

Personal information or business affairs information will not be made available under this policy. If you think the content of your request would contain such information, please inform the contact officer immediately.

Information about what is published on open access is available online at: [Home - Infrastructure Canberra](#)

NAME	WHAT ARE THE PARAMETERS OF THE REQUEST
iCBRFOI2025/41	<p>1. Any proposed relocation, redevelopment, or land swap involving the Winchester Police Station site in Belconnen.</p> <p>2. Any plans, proposals, or discussions regarding the development of a new ACT Policing headquarters or City Police Station, whether standalone or co-located, including potential locations.</p> <p><i>This request includes, but is not limited to:</i></p> <ul style="list-style-type: none">• Ministerial or executive briefing packs,• Internal meeting agendas or minutes,• Internal emails and attachments between JACS, AFP, ACT Policing, and iCBR staff,• Documents assessing site suitability or preliminary planning work related to a future ACT Policing headquarters or City Police Station,• Documents referencing budget bids, capital works proposals, or resourcing needs associated with either project. <p><i>I acknowledge that some documents may attract exemptions under the FOI Act, and I am willing to accept redacted versions where appropriate.</i></p> <p><i>I am not seeking duplicate copies of documents already released publicly, media releases or routine communications materials</i></p>



Section Ref No	Pages	Description	Date	Status	Reason for non-release or deferral	Open Access release status
1.	1 - 6	Decision Letter	DD/MM/YYYY	Full		Yes
2.	7 – 17	Release Schedule	DD/MM/YYYY	Full		Yes
3.	-	Draft Business Case Documents	Undated	Withheld	Schedule 1.14 Law enforcement or public safety information Schedule 1.6 Cabinet Information Schedule 2.2.x prejudice intergovernmental relations; Section 2.2(a)(xi) prejudice trade secrets, business affairs or research of an agency or person; Schedule 2.2.xiii prejudice the competitive commercial activities of an agency;	No



Section Ref No	Pages	Description	Date	Status	Reason for non-release or deferral	Open Access release status
4.	-	ACT Police HQ Market Sounding Report	10 October 2024	Withheld	Schedule 1.14 Law enforcement or public safety information Schedule 1.6 Cabinet Information Schedule 2.2.x prejudice intergovernmental relations; Section 2.2(a)(xi) prejudice trade secrets, business affairs or research of an agency or person; Schedule 2.2.xiii prejudice the competitive commercial activities of an agency	No
5.	-	New City Police Station and Headquarters Concept Design - Block and Stack	November 2024	Withheld	Schedule 1.14 Law enforcement or public safety information Schedule 1.6 Cabinet Information Schedule 2.2.(x) prejudice intergovernmental relations;	No



Section Ref No	Pages	Description	Date	Status	Reason for non-release or deferral	Open Access release status
					Section 2.2(a)(xi) prejudice trade secrets, business affairs or research of an agency or person Schedule 2.2.(xiii) prejudice the competitive commercial activities of an agency	
6.	-	Valuation Report Block 7 Section 31 Belconnen ACT	8 January 2025	Withheld	Schedule 2.2.(x) prejudice intergovernmental relations Schedule 2.2.(xi) prejudice trade secrets, business affairs or research of an agency or person; Schedule 2.2.(xiii) prejudice the competitive commercial activities of an agency	No
7.	-	ACT Policing New City Police Station and Headquarters User Requirements Report	16 May 2025	Withheld	Schedule 1.14 Law enforcement or public safety information Schedule 1.6 Cabinet Information	No



Section Ref No	Pages	Description	Date	Status	Reason for non-release or deferral	Open Access release status
					Schedule 2.2.(x) prejudice intergovernmental relations Schedule 2.2.(xiii) prejudice the competitive commercial activities of an agency	
8.	-	Email Correspondence	27 May 2025	Withheld	Schedule 1.14 Law enforcement or public safety information Schedule 2.2(a)ii Personal Privacy Section 2.2(a)(xi) prejudice trade secrets, business affairs or research of an agency or person Schedule 2.2.(xiii) prejudice the competitive commercial activities of an agency	No
9.	-	Email attachments	27 May 2025	Withheld	Schedule 1.6 Cabinet Information	No



Section Ref No	Pages	Description	Date	Status	Reason for non-release or deferral	Open Access release status
					Schedule 1.14 Law enforcement or public safety information Schedule 2.2.(x) prejudice intergovernmental relations Schedule 2.2.(xiii) prejudice the competitive commercial activities of an agency;	
10.	-	Email Correspondence	3 June 2025	Withheld	1.14 Law enforcement or public safety information; 2.2(a)(ii) Personal privacy Schedule 2.2.(xiii) prejudice the competitive commercial activities of an agency; 2.2(a)(xvi) prejudice a deliberative process of government;	No
11.		Email attachments	3 June 2025	Withheld	Schedule 1.6 Cabinet Information	No



Section Ref No	Pages	Description	Date	Status	Reason for non-release or deferral	Open Access release status
					Schedule 1.14 Law enforcement or public safety information Schedule 2.2.(x) prejudice intergovernmental relations Schedule 2.2.(xiii) prejudice the competitive commercial activities of an agency;	
12.	-	Email Correspondence	5 June 2025	Withheld	Schedule 2.2.(x) prejudice intergovernmental relations	No
13.	-	Email Correspondence	5 June 2025	Withheld	1.14(1)(h) Law enforcement or public safety information, 2.2(a)(xvi) prejudice a deliberative process of government, 2.2(a)(xi) prejudice trade secrets, business affairs or research of an agency or person; Schedule 2.2(a)(ii)	No



Section Ref No	Pages	Description	Date	Status	Reason for non-release or deferral	Open Access release status
					Personal Privacy	
14.		Email Attachments	5 June 2025	Withheld	Schedule 1.6 Cabinet Information Schedule 1.14 Law enforcement or public safety information Schedule 2.2.(x) prejudice intergovernmental relations Schedule 2.2.(xiii) prejudice the competitive commercial activities of an agency;	No
15.	-	Email Correspondence	13 June 2025	Withheld	Schedule 1.14 Law enforcement or public safety information Schedule 2.2(a)(ii) Personal Privacy Section 2.2(a)(xi) prejudice trade secrets, business affairs or research of an agency or person Schedule 2.2.(xiii) prejudice the	No



Section Ref No	Pages	Description	Date	Status	Reason for non-release or deferral	Open Access release status
					competitive commercial activities of an agency	
16.	-	Email Attachments	13 June 2025	Withheld	Schedule 1.14 Law enforcement or public safety information	No
17.	-	Email Correspondence	23 June 2025	Withheld	Schedule 2.2(a)(ii) Personal Privacy Section 2.2(a)(xi) prejudice trade secrets, business affairs or research of an agency or person Schedule 2.2.(xiii) prejudice the competitive commercial activities of an agency	No
18.	-	Meeting Minutes	16 June 2025	Withheld	Schedule 1.14 Law enforcement or public safety information; Schedule 2.2.(xiii) prejudice the competitive commercial activities of an agency; Schedule 2.2(a)(xvi)	No



Section Ref No	Pages	Description	Date	Status	Reason for non-release or deferral	Open Access release status
					prejudice a deliberative process of government	
19.	-	Email Correspondence	23 June 2025	Withheld	Schedule 2.2(a)(ii) Personal Privacy Schedule 2.2.(xiii) prejudice the competitive commercial activities of an agency; 2.2(a)(xvi) prejudice a deliberative process of government	No
20.	-	Email Correspondence	30 June 2025	Withheld	Schedule 2.2(a)(ii) Personal Privacy Section 2.2(a)(xi) prejudice trade secrets, business affairs or research of an agency or person Schedule 2.2.(xiii) prejudice the competitive commercial activities of an agency	No
21.	-	Meeting Minutes	23 June 2025	Withheld	Schedule 1.14 Law enforcement or public safety information	No



Section Ref No	Pages	Description	Date	Status	Reason for non-release or deferral	Open Access release status
					Schedule 2.2(a)(ii) Personal Privacy Schedule 2.2.(xiii) prejudice the competitive commercial activities of an agency; Schedule 2.2(a)(xvi) prejudice a deliberative process of government	
Total						
21						