



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: <https://www.act.gov.au/iCBR/home>

REFERENCE NUMBER	WHAT ARE THE PARAMETERS OF THE REQUEST
iCBRFOI2025/33	<p><i>Follow-Up to Amended FOI Decision – Gungahlin College Expansion Project (Ref: iCBRFOI2025/04–S36)</i></p> <p><i>..... To ensure full clarity and accountability, I respectfully request the following under the Freedom of Information Act 2016:</i></p> <ol style="list-style-type: none"> 1. <i>Copy of Legal Advice or Summary</i> <ul style="list-style-type: none"> • <i>A copy of that legal advice or,</i> • <i>If legal privilege is claimed, a summary document noting:</i> <ul style="list-style-type: none"> ○ <i>The date it was received</i> ○ <i>The questions asked</i> ○ <i>The key conclusions that formed the basis of iCBR's decision to approve the claim.</i> 2. <i>Timeline of Internal Actions Taken Between 19 March and 2 May 2024</i> <ul style="list-style-type: none"> • <i>Date of claim submission</i> • <i>Date of notification of administration</i> • <i>Date advice was sought from legal/risk teams</i> • <i>Date(s) any internal meetings or escalation occurred</i> • <i>Date the decision was made to proceed with approval and payment</i> 3. <i>Evidence of Consideration Given to Subcontractor Impact</i> <ul style="list-style-type: none"> • <i>Any internal briefings or communications addressed the potential impact on subcontractors and suppliers</i> • <i>Any consideration was given to delaying or withholding approval, or to consulting relevant ministers or the Administrator directly</i>



REFERENCE NUMBER	WHAT ARE THE PARAMETERS OF THE REQUEST
	<p>4. <i>Secure Local Jobs Code Compliance</i></p> <ul style="list-style-type: none"> • <i>The date of the most recent audit, review, or compliance check conducted under the Secure Local Jobs Code;</i> • <i>The name of the auditing body or individual responsible;</i> • <i>A summary of any findings, observations, or actions arising from that review; and</i> • <i>Confirmation of whether Project Coordination held a valid Secure Local Jobs Certificate at the time of their 19 March 2024 progress claim submission.</i>

SECTION	PAGES	DESCRIPTION	DATE	STATUS	REASON FOR NON-RELEASE OR DEFERRAL	OPEN ACCESS RELEASE STATUS
A.	1 - 2	Release Schedule	22/07/2025	-	-	Yes
B.	3 - 6	Decision Letter	25/07/2025	-	-	Yes
C.	7 - 8	Information for Release	22/07/2025	Partial	<i>Schedule 1.2: Information subject to Legal Professional Privilege</i>	Yes
D.	9 - 13	iCBRFOI2025/04 (from Disclosure Log)	25/03/2025	N/A	<i>Publicly available already, please refer to iCBR Disclosure Log</i>	No
	14 - 16	iCBRFOI2025/04-S36 (from Disclosure Log)	10/06/2025	N/A	<i>Publicly available already, please refer to iCBR Disclosure Log</i>	No
Total						
4						



schedule 2.2(a)(ii)

[REDACTED]

[REDACTED],

FREEDOM OF INFORMATION REQUEST

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by Infrastructure Canberra (iCBR), on 27 June 2025.

Scope of your request:

Subject: Follow-Up to Amended FOI Decision – Gungahlin College Expansion Project (Ref: iCBRFOI2025/04–S36)

..... To ensure full clarity and accountability, I respectfully request the following under the Freedom of Information Act 2016:

1. *Copy of Legal Advice or Summary*
 - *A copy of that legal advice or,*
 - *If legal privilege is claimed, a summary document noting:*
 - *The date it was received*
 - *The questions asked*
 - *The key conclusions that formed the basis of iCBR's decision to approve the claim.*
2. *Timeline of Internal Actions Taken Between 19 March and 2 May 2024*

Please provide a timeline showing:

 - *Date of claim submission*
 - *Date of notification of administration*
 - *Date advice was sought from legal/risk teams*
 - *Date(s) any internal meetings or escalation occurred*
 - *Date the decision was made to proceed with approval and payment*
 - *This timeline will help clarify whether appropriate diligence and consideration were applied before payment.*
3. *Evidence of Consideration Given to Subcontractor Impact*
 - *Any internal briefings or communications addressed the potential impact on subcontractors and suppliers*
 - *Any consideration was given to delaying or withholding approval, or to consulting relevant ministers or the Administrator directly*
4. *Secure Local Jobs Code Compliance*
 - *The date of the most recent audit, review, or compliance check conducted under the Secure Local Jobs Code;*
 - *The name of the auditing body or individual responsible;*
 - *A summary of any findings, observations, or actions arising from that review; and*
 - *Confirmation of whether Project Coordination held a valid Secure Local Jobs Certificate at the time of their 19 March 2024 progress claim submission.*



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.

Decision on access

Searches were completed for any additional information as applicable to the scope of your request and the information received for iCBRFOI2025/04 and iCBRFOI2025/04-S36 was reassessed against this recent request.

I have included the following as attachment to this Release Pack:

- A. Schedule of relevant documents
- B. iCBRFOI2025/33 Decision Letter
- C. Information for release – Tables 1 – 4.
- D. Disclosure Log copies of previous release packs for context
 - iCBRFOI2025/04
 - iCBRFOI2025/04-S36

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 Schedule 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,*
- *Section 2.1(a)(iii) – inform the community of the government’s operations, including the policies, guidelines and codes of conduct followed by the government in its dealings with members of the community,*
- *Section 2.1 (a)(v) – allow or assist inquiry into possible deficiencies in the conduct or administration of an agency,*
- *Section 2.1(a)(iv) – oversight of expenditure of public funds, and*
- *Section 2.1(a)(viii) – reveal reason for government decision and any background or contextual information that informed the decision*

I am satisfied that these are relevant considerations favouring disclosure in this case, and in the interests of enhancing open discussion, I afford them significant weight.

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

- *Section 1.2 – Information subject to legal professional privilege*

A summary of specific legal advice, or other information that may enable a person to infer the nature of the advice sought or given I have decided to be withheld under Schedule 1.2. Additionally, I have considered internal correspondence where certain legal advice obtained infers practical implications is also withheld under Schedule 1.2.



I have however favoured the release of general summaries of the law that are not client specific. These are further outlined in the tables in Section C of this Release Pack, and previous Release Pack iCBRFOI2025/04-S36 specifically.

I am satisfied the appropriate assessments were completed, and all information that can be released to you has been. Furthermore, where Infrastructure Canberra cannot provide additional information on the matter, reasonable measures have been enforced to ensure publicly available information is easily found and where applicable transfer to the appropriate directorate has occurred.

Charges

I have decided to waive any charges in relation to this Freedom of Information application.

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://act.gov.au/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 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 via email

iCBR.FOI@act.gov.au.

Please ensure you quote your reference number: **iCBRFOI2025/33**

Yours sincerely,

schedule 2.2(a)(ii)

Hayley Bell

Information Officer

Infrastructure Canberra

25/07/2025



Attachment C: Information for release

Table 1: Topic 1 - Copy of Legal Advice or Summary

Query	Response
<ul style="list-style-type: none">• A copy of that legal advice or,• If legal privilege is claimed, a summary document noting:<ul style="list-style-type: none">○ The date it was received○ The questions asked○ The key conclusions that formed the basis of iCBR's decision to approve the claim.	<p><i>All items requested under Table 1: Copy of Legal Advice or Summary have been assessed as not for release under Schedule 1.2: Information subject to legal professional privilege.</i></p> <p><i>For more information on decision making processes, you may refer to the Corporations Act 2001, Australian Securities and Investments Commission (ASIC) web pages and iCBRFOI2024/04-S36.</i></p>

Table 2: Topic 2 - Timeline of Internal Actions Taken Between 19 March and 2 May 2024

Query	Response
Date of claim submission	<i>Please refer to iCBRFOI2025/04: Question 1 and Question 3</i>
Date of notification of administration	<i>Please refer to iCBRFOI2025/04: Question 5</i>
Date advice was sought from legal/risk teams	<i>Copy of Legal Advice or Summary (including dates of advice sought) have been assessed as not for release under Schedule 1.2: Information subject to legal professional privilege.</i>
Date(s) any internal meetings or escalation occurred	<i>Copy of Legal Advice or Summary (including dates and any escalation sought) have been assessed as not for release under Schedule 1.2: Information subject to legal professional privilege.</i> <i>You may refer to iCBRFOI2025/04 Question 5 and Question 2 for more timeline context.</i>
Date the decision was made to proceed with approval and payment	<i>Please refer to iCBRFOI2025/04 Question 1 and Question 5.</i>



Table 3: Topic 3 - Evidence of Consideration Given to Subcontractor Impact

Query	Response
Any internal briefings or communications addressed the potential impact on subcontractors and suppliers	<i>Copy of Legal Advice or Summary (including impact to subcontractors/suppliers whilst seeking this advice) have been assessed as not for release under Schedule 1.2: Information subject to legal professional privilege.</i>
Any consideration was given to delaying or withholding approval, or to consulting relevant ministers or the Administrator directly	<i>Please refer to iCBRFOI2024/04-S36. This release pack provides further context regarding Infrastructure Canberra's obligations under the legislation. For more information, you may refer to the Corporations Act 2001, Australian Securities and Investments Commission (ASIC) web pages.</i>

Table 4: Topic 4 - Secure Local Jobs Code Compliance

Please note the below queries have been transferred to the CMTEDD FOI team who are processing your application with the Secure Local Jobs Code (SLJC) business area.

You will receive separate communications regarding their processing timeframes and release pack.

Query	Response
The date of the most recent audit, review, or compliance check conducted under the Secure Local Jobs Code (SLJC)	<i>Infrastructure Canberra is not the information owner. Your request has been transferred to the CMTEDD FOI team.</i>
The name of the auditing body or individual responsible	
A summary of any findings, observations, or actions arising from that review	<i>Infrastructure Canberra is not the information owner, however Infrastructure Canberra will not engage a contractor without a valid SLJC certificate.</i>
Confirmation of whether Project Coordination held a valid Secure Local Jobs Certificate at the time of their 19 March 2024 progress claim submission	<i>Infrastructure Canberra is not the information owner however please refer to the Contracts Register. Additionally, CMTEDD FOI team is processing your request with the SLJC line area.</i>