Canberra Institute of Technology
RTO Code 0101 | CRICOS No. 00001K

Our reference: CIT FOI 2026–018

[redacted]

By email: [redacted]

DECISION ON YOUR ACCESS APPLICATION – CIT FOI 2026–018

Dear Mr Cain,

I refer to your access application made under the *Freedom of Information Act 2016* (FOI Act) on 12 August 2026 to the Chief Minister, Treasury and Economic Development Directorate. This application was transferred to the Canberra Institute of Technology (CIT) on 17 August 2026.

In your application you requested access to the following information that may be held by CIT:

1. *"….All existing spreadsheets, Excel workbooks, Google Sheets, working papers, calculations or other electronic records in which any of the above figures were calculated, derived, modelled, compiled or recorded, including all worksheets/tabs, formulas, calculations and input fields.*

2. *Any existing source data or records actually used or relied upon to produce those figures, including relevant payroll data or extracts, rosters, staffing numbers and classifications, rostered hours, salary rates, on-costs, penalty rates, opening hours and exercise class timetable information.*

3. *Any records containing or recording the methodology, inputs or assumptions actually used to produce the comparison, including assumptions concerning weekday, weekend and public holiday operations and any differences between the 2025 actual model and the 2026-rate Monday–Friday model.*

4. *All emails and associated attachments sent by any CIT employee, officer or representative to either:*
   - [redacted]
   - [redacted]
   - [redacted]

that contain, attach, provide, discuss or refer to information concerning the CIT Fit and Well Gym/Fitness Centre changes or closures, changes to opening hours or classes, staffing savings, financial savings, costs, costings, staffing costs or financial modelling.

5. *Any other emails or written communications between CIT and the Office of Minister Michael Pettersson MLA by which the identified table, figures, source spreadsheet, calculations, costings or associated explanation were requested, supplied, forwarded, discussed, checked, amended or clarified, including all attachments, shared files and links.*

6. *Any internal CIT emails or written communications directly associated with preparing, calculating, checking, reviewing, approving or transmitting the identified table, figures or underlying costing to the Minister's office, including attachments and shared files".*

Following a preliminary assessment of your application, CIT contacted your office on 21 September 2026 to discuss the scope of your request. During the telephone conversation, and subsequently by email on the same date, your office agreed to amend the scope of your request as follows:

1. *The underlying spreadsheet, workbook, working paper or other calculation used to derive the $190,532 figure, including the formulas, worksheets, inputs and assumptions used in that calculation.*

2. *Any source data or records actually used as inputs to that calculation, such as payroll data, rosters, staffing levels or classifications, hours, salary rates, on-costs or penalty rates. We are only seeking these where they were actually used to derive the $190,532 figure, rather than broader payroll or staffing records.*

3. *Any record explaining the methodology or assumptions used to calculate the $190,532 figure, including how the 2025 actual staffing cost and the Monday to Friday model at 2026 rates were calculated.*

4. *Emails and associated attachments from the CIT Finance team or Office of the CIT CEO to Max Murdoch in Minister Pettersson's Office that provided, explained, clarified or supported the calculation or costing of the $190,532 figure.*

Your office also agreed to extend the due date for responding to your access application to 15 October 2026.

Authority

I am a Senior Executive Officer appointed as a CIT Information Officer to make decisions about access to government information, in accordance with section 18 of the FOI Act.

Timeframes

Your application was accepted by the Canberra Institute of Technology (CIT) on 17 August 2026. In accordance with section 40 of the FOI Act, CIT is required to provide a decision on your access application within 30 working days. Accordingly, CIT was required to respond to your application by 28 September 2026. As agreed with your office, the due date for responding to your revised access application request was extended to 15 October 2026.

Document Searches and Materials Considered

CIT undertook reasonable and thorough searches of records held by business areas identified as likely to hold information within the scope of your request. A total of 36 pages were identified as falling within the scope of your access application.

Decision

I have decided to grant access in full to some documents and partial access to others within the documents identified within the scope of your access application. All response documents are included as Attachment B. A schedule of documents is at Attachment A.

My statement of reasons for this decision is below.

Statement of Reasons

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

- your access application;
- the provisions of the Freedom of Information Act 2016;
- the ACT Ombudsman Freedom of Information Guidelines;
- the *Information Privacy Act 2014*;
- the *Human Rights Act 2004*; and
- the documents identified as falling within the scope of your request.

As the decision maker, I am required to determine whether release of the documents found to be within the scope of your request is in the public interest.

I have reviewed the documents within the scope of your request and am satisfied that none of the information identified falls within a category of information the disclosure of which is taken to be contrary to the public interest under Schedule 1 of the FOI Act. As the information contained in the documents within the scope of your request are not exempted from release in accordance with Schedule 1 of the FOI Act, I am required to consider the factors favouring disclosure and non-disclosure as found in Schedule 2 of the FOI Act.

Section 17(1) of the FOI Act sets out the test to be applied to determine whether disclosure of information would be contrary to the public interest. Taking into consideration the information

contained in the documents, I have identified that the following public interest factors are relevant to determine if release of the information contained within these documents is within the 'public interest.

Factors favouring disclosure:

I consider that the following public interest factors favouring disclosure are relevant in relation to the documents identified within the scope of your access application:

- contribute to positive and informed debate on important issues or matters of public interest (Schedule 2.1(a)(ii)); and
- ensure effective oversight of expenditure of public funds (Schedule 2.1(a)(iv)).

The documents relate to the calculation and reporting of the estimated saving of $190,532 associated with changes to the operation of the CIT Fit and Well Gym. They include supporting financial information, source data and related correspondence concerning the development and reporting of that figure.

Disclosure of the information contained in the documents assists in informing the community about the activities undertaken by CIT in calculating and reporting the estimated saving associated with changes to the operation of the CIT Fit and Well Gym. Release of the information also enables appropriate scrutiny of the financial information relied upon by CIT in relation to the reported saving figure.

I have given significant weight to these public interest factors favouring disclosure.

Factors favouring non-disclosure:

In reviewing the documents considered to be within the scope of your request, I have identified the following public interest factor favouring non-disclosure under Schedule 2.2 of the Freedom of Information Act 2016:

- disclosure could reasonably be expected to prejudice the protection of an individual's right to privacy (Schedule 2.2(a)(ii)).

A limited amount of information has been redacted from the documents. The information withheld comprises personal information relating to CIT staff below the executive level, having regard to the ACT Ombudsman's decision in *Daniella White and Canberra Health Services* [2019] ACTFOI9 and the personal email address of the CIT Board representative, Jane Madden. I am satisfied that the information withheld constitutes personal information for the purposes of the *Information Privacy Act 2014*. As such, I consider that disclosure of the information could reasonably be expected to prejudice the protection of an individual's right to privacy.

I consider that the redacted information is not necessary to understand the documents, including the calculation and reporting of the estimated saving associated with changes to the operation of the CIT Fit and Well Gym. Disclosure of this information would not materially enhance public understanding of the matters to which the documents relate.

I have given substantial weight to the protection of personal privacy, particularly where the information relates to staff below the executive level and where disclosure of that information is not necessary to promote transparency, accountability or public understanding of the subject matter of the request. While I acknowledge the public interest in promoting transparency regarding the information relied upon by CIT in calculating and reporting the estimated saving, I am not satisfied that disclosure of the redacted personal information would further those interests.

On balance, I am satisfied that the public interest in protecting the privacy of the individuals concerned outweighs the public interest in disclosure of the redacted information. I therefore find that disclosure of the redacted information would be contrary to the public interest under section 17 of the *Freedom of Information Act 2016*.

Charges

You have not been charged for this request.

Disclosure Log

Section 28 of the FOI Act requires publication of access applications and any information subsequently released on CIT's disclosure log at: https://cit.edu.au/about/freedom of information/disclosure log. This decision will be published on the CIT Disclosure log 3 – 10 days after the date of this letter.

Review Rights

You may apply to the ACT Ombudsman to review my decision under section 73 of the FOI Act.
An application for review must be made in writing within 20 days of the date of my decision.

You may submit a request for review of my decision to the ACT Ombudsman by writing in one of the following ways:

Email (preferred): actfoi@ombudsman.gov.au
Post: The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

More information about ACT Ombudsman review is available on the ACT Ombudsman website at: http://www.ombudsman.act.gov.au/improving-the-act/freedom-of-information.

Yours sincerely



Daniel Riley
Executive Branch Manager, Audit, Risk & Corporate Governance
CIT Information Officer
Canberra Institute of Technology

15 October 2026