



**ACT**  
Government

Transport Canberra and  
City Services

## FREEDOM OF INFORMATION COVERSHEET

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI reference: TCCSFOI 2019-072

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents	n/a
4. Additional information identified	No
5. Fees	n/a
6. Processing time (in working days)	11 days
7. Decision made by Ombudsman	n/a
8. Additional information identified by Ombudsman	n/a
9. Decision made by ACAT	n/a
10. Additional information identified by ACAT	n/a

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**From:** [REDACTED]  
**Sent:** Wednesday, 17 July 2019 5:00 PM  
**To:** CMTEDD FOI; TCCS\_FreedomOfInformation; Major Projects Canberra Enquiries  
**Cc:** COE  
**Subject:** FOI Request - City to Woden Light Rail business case

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good afternoon

I write to request under the *Freedom of Information Act 2016* the City to Woden Light Rail business case.

Should you require any further information or clarification about my request, please contact my office on [REDACTED]  
[REDACTED]

Kind regards,

[REDACTED]  
ACT Legislative Assembly

P: [REDACTED]  
E: [REDACTED]



**ACT**

Government

Transport Canberra and  
City Services

[REDACTED] MLA

[REDACTED]  
ACT Legislative Assembly  
[REDACTED]

Dear [REDACTED]

**Freedom of information request: Reference – 19-072**

I refer to your application made on 17 July 2019 under the *Freedom of Information Act 2016* (the Act) to Transport Canberra and City Services Directorate in which you sought access to:

- The City to Woden Light Rail business case.

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.

TCCS is required to provide a decision on your access application by 15 August 2019.

**Decision on access**

Searches were completed for relevant documents and one document was identified that falls within the scope of your request.

I have decided to refuse release of the document as it is a cabinet document and cabinet information is information which is taken to be contrary to the public interest to release under section 1.6 of Schedule 1 of the Act.

**Statement of Reasons**

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

- the FOI Act Schedule 1, Information disclosure of which is taken to be contrary to the public interest to release; and
- the content of the documents that fall within the scope your request.

The document that has been identified as being within the scope of your request is a cabinet document. Cabinet documents are exempt under section 1.6 of schedule 1 of the Act. The protection of cabinet information from release upholds principles of collective ministerial responsibility<sup>1</sup>. The document was brought into existence for the

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<sup>1</sup> The Commonwealth v Northern Land Council [1993] HCA 24; 176 CLR 604 (21 April 1993)

purpose of informing and guiding Cabinet in its deliberations about the City to Woden light rail and decisions it may make about the matter.

### **Charges**

I am required to waive fees under section 107 of the Act as you are a Member of the Legislative Assembly.

### **Online publishing – disclosure log**

Under section 28 of the Act, TCCS maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents 2 and 3 will be published in the TCCS disclosure log from 3 days after the date of this decision.

Although every effort has been taken to de-identify photographs of individuals that are identifiable in document 1, I have decided that it is not information that should be published on the disclosure log as it includes images of children.

Your personal contact details will not be published. You may view the TCCS' disclosure log at [http://www.tccs.act.gov.au/about-us/freedom\\_of\\_information](http://www.tccs.act.gov.au/about-us/freedom_of_information).

### **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 in TCCS' 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: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)

### **ACT Civil and Administrative Tribunal (ACAT) review**

Under section 84 of the 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  
Level 4, 1 Moore Street  
GPO Box 370  
Canberra City ACT 2601  
Telephone: (02) 6207 1740  
[www.acat.act.gov.au](http://www.acat.act.gov.au)

If you have any queries concerning the directorate's processing of your request, or would like further information, please contact the directorate's FOI Coordinator on 6205 5408 or email [tccs.foi@act.gov.au](mailto:tccs.foi@act.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Cherie Hughes', written in a cursive style.

Cherie Hughes  
Information Officer

2 August 2019