



## FREEDOM OF INFORMATION COVERSHEET

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

FOI reference: 23-023

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Schedule	Published
4. Documents	Not Applicable
5. Additional information identified	Not Applicable
6. Fees	Not Applicable
7. Processing time (in working days)	27 days
8. Decision made by Ombudsman	Not applicable
9. Additional information identified by Ombudsman	Not Applicable
10. Decision made by ACAT	Not applicable

11. Additional information identified by ACAT	Not applicable
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# Freedom of Information - Access Application to Transport Canberra and City Services - Submission confirmation

Your submission has been successful. Please keep a copy of this receipt for your records.

Date and time

Reference code

17 Mar 2023 11:36:44 AM

7K46S6RK

Transport Canberra and City Services (TCCS)

GPO Box 158  
Canberra ACT 2601

Phone: 02 6207 2987

Email: TCCS.FOI@act.gov.au

## Applicant details

Title

Given name

Family name

[REDACTED]

[REDACTED]

[REDACTED]

Preferred name

[REDACTED]

Preferred method of contact

Phone

Email

Post

Contact phone number

[REDACTED]

Contact email address

[REDACTED]

## Contact postal address

Address line 1

[REDACTED]

Address line 2

[REDACTED]

Suburb

[REDACTED]

State

[REDACTED]

Postcode

[REDACTED]

Preferred method to receive information \*

Email

Post

Same as contact email address

## Information request

Who are you making the request on behalf of?

Myself

What type of information are you requesting access to? \*

Other information

What information are you requesting access to under the Act? \*

I am requesting please any Cost-Benefit Analyses conducted for any road duplication or expansion projects in the last decade (i.e. from 1 January 2013 to 17 March 2023).

Attach a description or additional details about the information you are requesting access to (optional)

Do you have a similar or identical request currently under review by another ACT Government Directorate?

Yes  No

### Please select applicable Directorates

- Chief Minister, Treasury and Economic Development Directorate
- Community Services Directorate
- Education Directorate
- Environment, Planning and Sustainable Development Directorate
- Health Directorate
- Justice and Community Safety Directorate
- Major Projects Canberra

Are you enquiring as

A member of the public

Do you wish to apply for a waiver of fees associated with processing your application?

Yes  No

Provide a statement about how the release of information is in the public interest (optional)

The public release of cost-benefit analyses for road duplications or expansions will help to inform the public in Canberra of the relative value of the investment in this infrastructure, as compared to alternative forms of transport infrastructure that the ACT Government could invest in.

Would you like to provide any additional information? (optional)

Attach additional documents to support your application (optional)



Dear 

**Freedom of information request:** Reference 23-023

I refer to your application made under the *Freedom of Information Act 2016* (the FOI Act) made to Transport Canberra and City Services (TCCS) on 17 March 2023. It is my understanding that you are seeking access to the following government information:

*“any Cost-Benefit Analyses conducted for any road duplication or expansion projects in the last decade (i.e. from 1 January 2013 to 17 March 2023)”.*

**Authority**

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

**Proposed decision on access**

On 4 April 2023, in accordance with section 46 of the FOI Act, you were provided with a notice of intention to refuse to deal with your application. This is because your application seeks access to government information that is considered to be contrary to public interest to disclose under Schedule 1 of the FOI Act.

As advised in the notice, you were provided with 10 business days to consult with TCCS or amend your application in a way which would remove the grounds for refusal. This consultation period concluded on 19 April 2023 and TCCS has not received a reply to the notice of intention to refuse.

For the reasons provided to you in the notice of intention to refuse, and below, I have decided to refuse to deal with your application.

**Statement of Reasons**

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

- The FOI Act; and
- The content of the documents that fall within the scope of your request.

My reasons for refusing to deal with your access application are as follows:

**Schedule 1, Section 1.6 of the Act (Cabinet Information)**

In reviewing the scope of your application it was identified that you are seeking to access information that that forms part of Cabinet Submissions.

As previously advised, the information within these records are contained in business cases that have been prepared for the consideration of Cabinet, and the information cannot be classified as purely factual (Schedule 1.6).

The disclosure of this information would therefore prejudice the deliberative functions of Cabinet.

I am satisfied that this information is of a kind that is taken to be contrary to the public interest and refuse to deal with your application under section 43(1)(e) of the FOI Act.

**Charges**

No fee is applicable to this application.

**Disclosure log**

Under section 28 of the Act, TCCS maintains an online record of access applications called a disclosure log. A copy of your application and this notice of decision will be published on the disclosure log within 3 – 10 business days. Your personal information will be removed from these documents prior to publication.

**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 an 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: [actfoi@ombudsman.gov.au](mailto: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 on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision.

Further information may be obtained from 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 TCCS FOI team on (02) 6207 2987 or email to [tccs.foi@act.gov.au](mailto:tccs.foi@act.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Cherie Hughes', is written over the typed name and title.

Cherie Hughes  
Information Officer

28 April 2023