



**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 20-005

Information to be published	Status
1. Access application	Published
2. Decision notice and schedule	Published
3. Documents	Pubilshed
4. Additional information identified	n/a
5. Fees	n/a
6. Processing time (in working days)	29 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



**ACT**  
Government

Transport Canberra  
and City Services

## Freedom of Information – Access Application Form

### PRIVACY NOTICE

The personal information you supply on this form will only be used for the purpose of processing your request. Your application must include an email or postal address to which the respondent can send notices under the Act. If all or some of this information is not collected, Transport Canberra and City Services may not be able to communicate with you, inhibiting their obligations under the Act. This could mean the request cannot be dealt with. Your personal information will not be disclosed to a third party without your consent unless statutory obligations require otherwise.

The Transport Canberra and City Services Privacy Policy contains information on how you can access or seek to correct any of your personal information that is held by the Transport Canberra and City Services, as well as the process for lodging a complaint about an alleged breach of the *Information Privacy Act 2014*. The Privacy Policy can be found on the Transport Canberra and City Services website at [www.tccs.act.gov.au](http://www.tccs.act.gov.au).

### Applicant details

I wish to make an access application to Transport Canberra and City Services under the *Freedom of Information Act 2016*.

Name

Address

(where notices relating to this request can be sent – either postal or electronic)

Telephone Contact (Business Hours)

Telephone Contact (Mobile)

Email Contact

@parliament.act.gov.au

### What documents are you requesting under the Act?

- I write to request under the Freedom of Information Act 2016 all documentation and correspondence relating to the investigation of feasibility for the construction and delivery of trackless trams in the ACT. This includes, but is not limited to, any feasibility studies, cost comparisons with light rail, business cases, or any other documentation relating to the costs associated with the undertaking of any such project.
- I also write to request all correspondence between the Minister's office and the directorate in relation to this matter, including any briefing notes provided by the directorate to the Minister's office.

**Fee Waiver**

If you wish to apply for a fee waiver, the Act sets out a number of provisions to do so:

- The information being requested was previously publicly available but no longer is.
- The information being requested is of special benefit to the public (Ombudsman guidelines see Section 66).
- The applicant is a concession card holder and demonstrates a material connection with the information requested (concession cards include a current health care or pensioner card issued under the Social Security Act 1991; a current pensioner concession card issued in relation to a pension under the Veterans' Entitlements Act 1986 or the Military Rehabilitation and Compensation Act 2004; a current gold card; or a card prescribed by regulation).
- The applicant is a not-for-profit organisation and the application relates to the activities or purposes of the organisation.
- The applicant is a member of the Legislative Assembly.

Transport Canberra and City Services must waive any fees for providing information if the information was not publicly available and the agency makes the information publicly available before or within 3 working days after giving it to the applicant.

**Fee waiver application (fill in if applicable. Otherwise leave blank)**

I would like to apply for a fee waiver because the applicant is a member of the Legislative Assembly.

I would like

a copy of these documents sent to the above address

**APPLICANTS SIGNATURE**

**DATE OF REQUEST**

17th January 2020



**ACT**  
Government

Transport Canberra and  
City Services

[REDACTED]  
Legislative Assembly  
Civic Square  
London Circuit  
CANBERRA ACT 2601

By Email: [REDACTED]@parliament.act.gov.au

Dear [REDACTED]

**Freedom of information request: Reference – 20-005**

I refer to your application made under the *Freedom of Information Act 2016* (the FOI Act), and received by Transport Canberra and City Services Directorate (TCCS), on 17 January 2020 in which you sought access to:

- A) all documentation and correspondence relating to the investigation of feasibility for the construction and delivery of trackless trams in the ACT. This includes, but is not limited to, any feasibility studies, cost comparisons with light rail, business cases, or any other documentation relating to the costs associated with the undertaking of any such project; and
- B) all correspondence between the Minister's office and the directorate in relation to this matter, including any briefing notes provided by the directorate to the Minister's office.

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 Act.

A response was due to you on 17 February 2020; thank you for agreeing to an extension until 28 February 2020.

**Decision on access**

A search of information held by Transport Canberra and City Services has been completed.

No documents have been found in scope of part A of your request. The primary reason for this is that TCCS has not engaged a feasibility study into the use of trackless trams.

I am satisfied that appropriate searches and, under section 35(1)(b) of the Act, I have determined that the information you have requested is not held by TCCS.

Six documents (12 pages) have been identified as in scope of part B of your application. These documents relate to three sets of ministerial correspondence involving trackless trams.

Of these documents, I have decided to give:

- Partial access to five documents; and
- Full access to one document.

I have refused access under section 35(1)(c) of the FOI Act to some of the information is contrary to the public interest to release. In reviewing your request, I am confident that factors in favour of release can still be met while protecting personal information.

A schedule of documents is enclosed at Attachment A, and documents with deletions applied at Attachment B.

### **Statement of Reasons**

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

#### **Factors favouring disclosure (Schedule 2.1)**

- Section 2.1(a)(i) – promote open discussion of public affairs and enhance the government’s accountability;
- Section 2.1(a)(ii) – contribute to positive and informed debate on important issues or matters of public interest;
- Section 2.1(a)(iv) – ensure effective oversight of expenditure of public funds; and
- Section 2.1(a)(viii) – reveal the reason for a government decision and any background or contextual information that informed the decision;

#### **Factors favouring non-disclosure (Schedule 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 have decided to disclose all information except for information that may prejudice the protection of an individual's right to privacy under the Human Rights Act.

### **Personal Information**

The information I have removed includes the name, address and the contact numbers of third parties. Release of this information could lead to the identification of the applicants who have submitted a request for approval for tree damaging activity.

Factors in favour of release can still be met while protecting the personal information. In this instance, protecting personal information outweighs factors factoring disclosure.

### **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 and my decision will be published in the TCCS disclosure log from 3 days after the date of this decision. Your personal details and other personal information will not be published.

You may view TCCS’ disclosure log at [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 FOI Act. You have the right to seek Ombudsman review of this outcome under section 73 of the FOI Act within 20 working days from the day that my decision is published in the 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 FOI 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 about the directorate's processing of your request, or would like further information, please contact the TCCS FOI team on (02) 620 72987 or email [tccs.foi@act.gov.au](mailto:tccs.foi@act.gov.au).

Yours sincerely



Kristine Scheul  
Information Officer

28 February 2020

## 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 [www.tccs.act.gov.au/about-us/freedom\\_of\\_information](http://www.tccs.act.gov.au/about-us/freedom_of_information)

### Factors favouring non-disclosure:

- Schedule 2.2 (a)(ii), prejudice the protection of an individual's right to privacy.

File No		WHAT ARE THE PARAMETERS OF THE REQUEST			
20-005		Investigation into the feasibility of trackless trams			
Page Number	Description	Date	Status	Reason for non-release or deferral	Open Access release status
1	Email - Ministerial request - reference 18_0982	28 July 2018	Partial Access	Schedule 2.2 (a)(ii)	Documents will be published with personal information removed
2	Letter - Ministerial response - reference 18_0982	21 August 2018	Partial Access	Schedule 2.2 (a)(ii)	
3	Email - Ministerial request - reference DLO18_456	10 January 2019	Partial Access	Schedule 2.2 (a)(ii)	
4	Email Attachment - Dot Points DLO18-456	10 January 2019	Full Access	N/A	
5	Email - Ministerial on Trackless trams - reference MIN F2019_0809	14 January 2019	Partial Access	Schedule 2.2 (a)(ii)	
6	201901 - Draft Letter - Ministerial response - reference MIN F2019_0809	January 2019	Partial Access	Schedule 2.2 (a)(ii)	
<b>Total No of Docs 6</b>					

[REDACTED]

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**From:** FITZHARRIS  
**Sent:** Monday, 30 July 2018 10:01 AM  
**To:** TCCS\_Ministerial  
**Cc:** TCCS\_DLO; Thompson, Blair  
**Subject:** MIN RESPONSE - Le Couteur - Trams without tracks, poles or wires

**Categories:** Kaia

MIN18/0982  
DUE TO MACS - 07/08  
MIN - 13/08

Hi MACS,

For Ministerial Response please.

Thank you,

Hanna

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**From:** LE COUTEUR  
**Sent:** Saturday, 28 July 2018 10:12 PM  
**To:** FITZHARRIS [REDACTED]  
**Subject:** FW: Trams without tracks, poles or wires - The Science Show - ABC Radio National (Australian Broadcasting Corporation)

Dear Minister Fitzharris

I have recived a number of letters refereeing to this article (<http://www.abc.net.au/radionational/programs/scienceshow/trams-without-tracks,-poles-or-wires/9990212>) quoting Professor Newman, so I thought I would send it one on. I imagine that you have also received similar letters. As you would know, Professor Newman was one of the strongest supporters of light rail for Canberra so his views are important. It would also seem that this technology could possibly solve the issues with the parliamentary triangle and the National Capital Authority. In addition it appears to be substantially cheaper.

**The article says**

Trams without tracks, poles or wires

Inner-city trams are being embraced by cities all over the world. They don't come cheap and there is major disruption as they are built. Peter Newman describes a new form of transport, the trackless tram. It follows sensors in the road which are painted on. The trams use lithium batteries avoiding the need for overhead wires. Unlike trams on tracks which can cost around \$120 million per kilometre, the trackless autonomous tram line can be built for \$5 million per kilometre.

I would be interested in any comments you might have, and I would send them on to my constituents who have inquired about this. I'm also interested myself of course.

Best wishes

**Transport Canberra and City Services  
Freedom of Information Act 2016  
Application: 20-005**

2

Caroline

**Caroline Le Couteur** MLA

ACT Greens Spokesperson for Planning, Transport,  
City Services, Housing, Arts, Animal Welfare,  
Community Services, Women, Seniors,  
and Social Inclusion (Children, Disability, LGBTIQ)

ACT Greens Member for Murrumbidgee

 [@parliament.act.gov.au](mailto:caroline@parliament.act.gov.au) |

Follow Caroline on [Facebook](#) and [Twitter](#)

Sent from my iPad

Trams without tracks, poles or wires - The Science Show - ABC Radio National (Aust... Page 1 of 2

## Trams without tracks, poles or wires

[Listen now](#) [Download audio](#) [show transcript](#)

Saturday 14 July 2018 12:06PM ([view full episode](#))

Inner-city trams are being embraced by cities all over the world. They don't come cheap and there is major disruption as they are built. Peter Newman describes a new form of transport, the trackless tram. It follows sensors in the road which are painted on. The trams use lithium batteries avoiding the need for overhead wires. Unlike trams on tracks which can cost around \$120 million per kilometre, the trackless autonomous tram line can be built for \$5 million per kilometre.

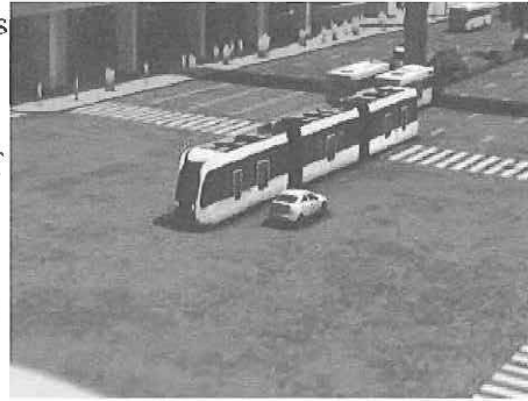


IMAGE: ARTIST'S IMPRESSION OF A TRACKLESS TRAM

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### Related

[DOWNLOAD: City Trackless Tram Value Outline](#)

[DOWNLOAD: The City of the Future](#)

### Transcript

#### Guests

**Peter Newman**  
Professor of Sustainability  
Curtin University  
Perth WA

#### Further Information

[Peter Newman at Curtin University](#)

#### Credits

**Presenter** Robyn Williams

**Producer** David Fisher

**Comments (7)** [Add your comment](#)

**Brian Blunt :**

14 Jul 2018 12:32:04pm

If it doesn't have tracks, it is not a tram. If it has rubber tyres, it is a bus.

[Reply](#)

[Alert m](#)

**John Klumpp :**

19 Jul 2018 11:36:31am

Trams without tracks, poles or wires - The Science Show - ABC Radio National (Aust... Page 2 of 2

It is not strictly a tram and it is not formally a bus, but is actually a "cross" between both transport technologies. So, to avoid confusion the designation 'trackless tram' was chosen.

Ordinary buses do not ride the roads in 'trains' of from 3 to 5 cars, nor do they feature multiple steering axles following a chosen pathway without driver input (ie. steering effort).

At least two earlier rubber-tired tram systems exist- the Guided Light Transit (GLT) designed by Bombardier Transportation and the Translohr from Lohr Industrie which combine guide rails with rubber non-guided wheels.

Alert me

**richard le sarcophage :**

15 Jul 2018 8:41:05am

There's a certain tragi-comic irony to these projects, coming too late to avert catastrophe. Perhaps even ten certainly twenty years ago, such innovations, as part of a global Manhattan Project type of operation might have averted cataclysmic climate destabilisation, but not now, not when it is manifestly too late.

Humanity was assassinated by capitalist greed, that of the gargantuan fossil fuel industry, the richest repository of 'wealth' on the planet. Their masterstroke was to portray environmentalism as 'leftwing', (which it is, in that sense) thereby mobilising the insane ideological fanaticism of the right, in politics, in the fakestream media like the Murdoch apparatus, and among brain-dead rightwing ideologues. When one contemplates the Abbott/Johnson gang who control the wretched Turnbull regime, you really have to wonder if we ever had a hope. Not now.

Reply

Alert me

**Stretch :**

18 Jul 2018 8:45:39pm

Richard old son have a couple of Mogadon and a nice lie down mate people have been predicting the end of the world for thousands of years and it's still here

Alert me

**Gerard Costello :**

15 Jul 2018 1:41:43pm

This is not a tram. Proper trams have steel wheels and run on tracks. Basically this is an automated bus. While it may have some merit, I am a traditionalist and prefer a Tram/Light Rail running on designated tracks (steering their own right of way).

Reply

Alert me

**Brunowalfer :**

18 Jul 2018 5:32:55pm

But why do you prefer "real" trams?

Alert me

**Jon :**

19 Jul 2018 12:25:38pm

And do you think it should be horse-drawn, or steam driven?

Jon.

Alert me

COPY



## Meegan Fitzharris MLA

Member for Yerrabi

Minister for Health and Wellbeing  
Minister for Transport and City Services  
Minister for Higher Education, Training and Research

Ms Caroline Le Couteur  
Member for Murrumbidgee

Dear Ms Le Couteur *Caroline,*

Thank you for your letter of 28 July 2018 regarding the article on trackless trams and their possible future use in the Parliamentary Triangle.

It's exciting to hear about trackless trams and other autonomous technologies and the many benefits that could be realised. Transport technology is developing at a rapid pace and the ACT Government wants to play a leading role in supporting and testing this technology as it develops.

I am advised that the evidence does not currently support trackless trams as a fit-for-purpose substitute of tried-and-tested technologies such as light rail. The Government is keeping a close eye all forms of emerging transport technology and the new ACT transport strategy, which is currently in development, will include a focus on becoming 'future-ready'.

As you have noted, for City to Woden light rail, consideration has been given to sections of the line operating wire-free in areas of specific national significance (e.g. on Commonwealth Avenue and through the Parliamentary Triangle). Transport Canberra will continue to explore innovations in wire-free light rail technology to improve the urban outcomes for light rail in Canberra.

Thank you for passing on the link to the article. I trust this information is of assistance.

Yours sincerely

  
Meegan Fitzharris MLA  
Minister for Transport and City Services

*21/8/18*

### AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY

London Circuit, Canberra ACT 2601, Australia GPO Box 1020, Canberra ACT 2601, Australia  
Phone  



@MeeganFitzMLA



MeeganFitzharrisMLA

**From:** [Clancy, Maree](#)  
**To:** [TCCS\\_DLO](#)  
**Subject:** FW: DOT POINTS - [REDACTED] - Trackless trams DLO18/456 [SEC=UNCLASSIFIED]  
**Date:** Thursday, 10 January 2019 2:18:00 PM  
**Attachments:** [Dot Points DLO18-456 \(002\).docx](#)

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Karen

Attached approved dot points.

Cheers

Maree

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**From:** FITZHARRIS  
**Sent:** Wednesday, 12 December 2018 2:49 PM  
**To:** TCCS\_Ministerial <TCCS.Ministerial@act.gov.au>  
**Cc:** TCCS\_DLO <TCCS.DLO@act.gov.au>; Sendaba, Bethel <Bethel.Sendaba@act.gov.au>  
**Subject:** DOT POINTS - [REDACTED] - Trackless trams

Hi MACS,

Can I please request some dot points on this one and I'll respond to the constituent myself?

Thanks,

Hanna

**From:** [minister@act.gov.au](mailto:minister@act.gov.au) [<mailto:minister@act.gov.au>]  
**Sent:** Wednesday, 12 December 2018 8:22 AM  
**To:** FITZHARRIS <[FITZHARRIS@act.gov.au](mailto:FITZHARRIS@act.gov.au)>  
**Subject:** Contact my Minister - Correspondence: 121218 - 1294200 - [REDACTED]



## Meegan Fitzharris, MLA

The following correspondence has been submitted via the Contact my Minister website.

The constituent has indicated that they would like a response to their correspondence.

### stage two light rail

Hi can you please advise me if "Trackless Trams" are being considered for stage two, and if not why not. thanks [REDACTED]

Submission date: 12 Dec 2018 8:21am

**Contact Information**



Postcode:2602



## **Dot Point Request**

**Requested by:** Minister's Office

**Business Unit:** Light Rail

**Subject:** Trackless Trams – Stage 2

**Reference number:** DLO18/456

**Dot Points:** Are Trackless Trams" being considered for stage two, and if not why not.

- The ACT Government considered a range of mass-transit technologies ahead of investing in Light Rail Stage 1. The 'trackless train' aligns closely to the category of Bus Rapid Transit (BRT) technologies. Like light rail, BRT has also been implemented in many cities across the world and is another technology that is continually evolving. Light rail and BRT have many similar features, such as stops, right-of-way, boarding and ticketing, but with differences in running on rails or tyres.
- Construction of rails is only a small part of the costs of a light rail system. Similar to light rail, a 'trackless train' system would still require much of the same construction works and costs, such as establishing a right-of-way, utility works, stops, power systems, establishing a depot, acquiring vehicles, landscaping, communication and signalling systems, and a range of costs for procurement, managing construction and operations.
- Light rail has been selected as the most suitable for Canberra based on many factors, including the ability of light rail to attract passengers, positive city-shaping effect and a greater realisation of benefits across transit corridors. The Light Rail Network is a vital part of the ACT Government's plan to grow our public transport system. It will boost Canberra's sustainable growth by changing and improving transport options, settlement patterns and employment opportunities"

**Action Officer:** Brendan McKenzie

**Director:** Pam Nelson

**Date:**

**From:** [FITZHARRIS](#)  
**To:** [TCCS Ministerial](#)  
**Cc:** [TCCS DLO](#); [Sendaba, Bethel](#)  
**Subject:** MIN RESPONSE - [REDACTED] - Trackless trams  
**Date:** Monday, 14 January 2019 12:09:08 PM

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Hi MACS,

For Ministerial Response please.

Thank you,

Hanna

**From:** [REDACTED]  
**Sent:** Monday, 14 January 2019 11:57 AM  
**To:** FITZHARRIS [REDACTED] u>  
**Subject:** Contact my Minister - Correspondence: 140119 - 1305197 - [REDACTED]



## Meegan Fitzharris, MLA

The following correspondence has been submitted via the Contact my Minister website.

The constituent has indicated that they would like a response to their correspondence.

### Tram Phase 2

Dear Minister My understanding is that your Government is pushing ahead with plans to commit to the tram being extended to Woden. This is before any evaluation is made on the success of Phase 1 from Gungahlin to the City once it opens in a city as small as Canberra. This line has been developed on the basis of old technology ie. tracks and overhead wiring. My question to you is since new technologies have been developed in the form of trackless trams, has your Government considered or evaluated such technology for any tram extension to Woden and beyond and what are the financial implications.

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### Correspondence Reference # 140119 - 1305197

Submission date: 14 Jan 2019 11:56am

### Contact Information



Postcode:2615



**Meegan Fitzharris MLA**

Minister for Health and Wellbeing  
Minister for Higher Education  
Minister for Medical and Health Research  
Minister for Transport  
Minister for Vocational Education and Skills  
Member for Yerrabi

[REDACTED]

Dear [REDACTED]

Thank you for your email of 14 January 2019 regarding trackless tram technology.

The ACT Government considered a range of mass-transit technologies before investing in Light Rail Stage 1. The 'trackless tram' aligns closely to the category of Bus Rapid Transit (BRT) technologies. Like light rail, BRT has also been implemented in many cities across the world and is another technology that is continually evolving.

Light rail is the most suitable technology for Canberra because of a range of benefits, including the ability to attract passengers, positive city-shaping effects and a greater realisation of benefits across transit corridors. The light rail network is a vital part of the ACT Government's plan to grow our public transport system. It will boost Canberra's sustainable growth by changing and improving transport options, settlement patterns and employment opportunities.

Construction of rails is only a small part of the cost of a light rail system. A 'trackless tram' system would still require many of the same construction works and costs as light rail, such as establishing a right-of-way, utility works, stops, power systems, establishing a depot, acquiring vehicles, landscaping, communication and signalling systems, and a range of costs for procurement, managing construction and operations.

Ensuring Canberra is future ready is a key component of the draft ACT Integrated Transport Strategy, Moving Canberra, which I have released for public comment. You can access this strategy and provide your feedback via the government's YourSay website at: <https://www.yoursay.act.gov.au/moving-canberra>. This consultation closes on 8 March 2019.

Thank you for raising this matter. I trust the information is of assistance.

Yours sincerely

Meegan Fitzharris MLA  
Minister for Transport

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ACT Legislative Assembly

London Circuit, Canberra ACT 2601, Australia GPO Box 1020, Canberra ACT 2601, Australia

Phone +61 2 6205 0051 Email [REDACTED]



@MeeganFitzMLA



MeeganFitzharrisMLA

