



ACT

Government

City and Environment

OFFICIAL

Our ref: CED FOI 26-031

Dear [REDACTED]

Freedom of Information – Notice of Decision

I refer to your application under section 30 of the Freedom of Information Act 2016 (the FOI Act), received by the City and Environment Directorate (CED) on 4 February 2026. It is my understanding you sought access to the following information:

“...all reports, attachments and appendices associated with the following two projects mentioned on pages 4 and 7 of this report:

https://www.cityservices.act.gov.au/__data/assets/pdf_file/0007/3015268/25-113-Record.pdf

- *Bus Network Infrastructure Study (2022)*
- *Draft Multimodal Network Plan (2024)”*.

Timeframes

In accordance with section 40 of the FOI Act, CED is required to provide a decision on your access application within 30 working days. Under section 41 of the FOI Act, an additional amount of time to decide your application was requested. Therefore, a decision is due on or by **5 May 2026**.

Authority

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

Decision on access

A search for records held by CED has been completed and two records within the scope of your application have been identified. The records are listed in the schedule at **Attachment A**.

I have decided to grant partial access to these records.

The reasons for my decision are detailed in the *Statement of reasons* section below. The records being released to you are provided at **Attachment B** with redactions applied to any information contrary to the public interest to release.

I note that the Multimodal Network Plan (record 2) was prepared by an external consultant for Government, to be used as an internal technical document to inform work such as updates to the Transport Strategy, which would then be subject to a decision of Government. It does not represent Government policy and in some instances such as where typologies are described, parts may not align with existing Government policy.

Statement of reasons

The FOI Act has a pro-disclosure bias, which requires information to be disclosed unless doing so would be contrary to the public interest. As an Information Officer, I am responsible for determining whether disclosure of the information within the scope of your application would be contrary to the public interest.

My assessment begins with Schedule 1 of the FOI Act, which outlines categories of information that are taken to be contrary to the public interest to disclose. If the information does not fall within any of these categories, I must then apply the public interest test under section 17 of the FOI Act. This test involves weighing the factors favouring disclosure against those favouring nondisclosure, as set out in Schedule 2.

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

- the FOI Act
- the information that falls within the scope of your application
- the views of third parties consulted
- the *Human Rights Act 2004*
- the ACT Ombudsman FOI Guidelines.

I confirm that I have not considered any of the factors listed in section 17(2) of the FOI Act, which outlines a list of considerations that must not be taken into account when applying the public interest test.

Schedule 1 – Information taken to be contrary to the public interest

- *No relevant sections identified.*

Schedule 2 – Public interest test

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.*

In reviewing the information within scope, I acknowledge that matters relating to public infrastructure and transport planning attract a high level of public interest. I also acknowledge that the report was commissioned using public funds and relates to future planning considerations. I have therefore placed moderate weight on the factors favouring disclosure.

Factors favouring nondisclosure (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.*
- *Section 2.2(a)(xi) - prejudice trade secrets, business affairs or research of an agency or person.*
- *Section 2.2(a)(xvi) - prejudice a deliberative process of government.*

Record 2 is a draft planning report that was commissioned for the purpose of informing internal government deliberation in relation to future infrastructure and transport planning.

I find that the report forms part of an ongoing and active deliberative process, including analysis, evaluation and the development of options intended to support internal consideration and anticipated future submissions for government consideration.

I am satisfied that disclosure of the report at this stage would be likely to prejudice that deliberative process by interfering with the ability for options and analysis to be fully examined and developed through internal processes before being provided to decision-makers. I have placed significant weight on this factor.

Schedule 2, section 2.2(a)(xi) provides that government information may be withheld where disclosure could reasonably be expected to prejudice the trade secrets, business affairs or research of an agency or person. The information withheld includes the methodology used by a contracted service provider and provides the internal ICT file location relating to their report (record 2). I have afforded this factor some weight.

Records 1 and 2 contains personal information of individuals employed by a contracted service provider, including names, signatures and direct contact details. I have considered that this information is not readily available to the public and has not otherwise been disclosed by CED. I further consider that this information has come to be held by CED with the expectation that it will be in accordance with the Information Privacy Act 2014. I have placed moderate weight against this factor.

Balancing the factors

I have weighed the factors favouring disclosure against those favouring nondisclosure.

While I recognise the public interest in transparency in infrastructure and transport planning, I consider that disclosure of a draft document forming part of an active deliberative process would be more likely to harm the quality and integrity of governmental decision-making than to advance informed public debate at this stage. I am also of the view that businesses have a right to expect that government agencies will protect their sensitive business information and the personal information of their staff.

I am therefore satisfied that, on balance, disclosure of the record at this time would be contrary to the public interest.

Having applied the public interest test outlined in section 17 of the FOI Act, I have concluded that some information contained in the records is not in the public interest to disclose. Accordingly, I have redacted this specific information under section 50(2) of the FOI Act.

Consistent with the pro-disclosure intent of the FOI Act, I am satisfied that redacting only the information that is contrary to the public interest ensures compliance with the FOI Act while still providing access to the majority of the information held by CED within the scope of your application.

Charges

Processing charges are applicable for this application because the total number of pages to be released to you exceeds the charging threshold of 50 pages. However, I have decided not to impose a fee in response to your application.

Online publishing – Disclosure Log

Under section 28 of the FOI Act, CED maintains a disclosure log, which is a public record of access applications and decisions. Your original access application and my decision will be published on the CED disclosure log. Your personal contact details will not be published.

ACT Ombudsman Review

My decision on your access application is a reviewable decision as identified in Schedule 3 of the FOI Act. You have the right to seek ACT Ombudsman review of this outcome under section 73 of the FOI Act within 20 working days from the day that my decision is provided to you, or a longer period allowed by the ACT Ombudsman. If you wish to request a review of my decision, you may write to the ACT 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 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
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
<https://www.acat.act.gov.au/>

Please contact the CED Information Access team if you have any queries in relation to your application via 6207 2987 or CEDFOI@act.gov.au.

Yours sincerely

Signed electronically

Craig Weller
Information Officer
City and Environment Directorate
12 May 2026