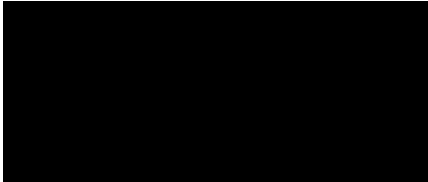




Our Ref: CMA-FOI:14-001



Dear

Re: Freedom of Information request

I write in response to your letter of 18 December 2013 regarding your request for access to Capital Metro Agency documents under the *Freedom of Information Act 1989* (the Act). In your letter, you sought access to documents regarding the contract for the Light Rail Integration Study (2013.21126.110).

In particular, you sought access to:

“all documents and any information held by the Directorate in relation [to] contract 2013.21126.110.”

I am the officer authorised under section 22 of the Act to make a decision in relation to your request.

On 31 January 2014, I wrote to you informing you that some of the documents relevant to your request were subject to third party consultation processes in accordance with section 27 of the Act. Submissions regarding the release of these documents have since been received.

I have decided to partially release these documents to you, with exemptions, in accordance with section 41(1), section 43(1) and section 36 of the Act. Please see the attached schedule detailing the documents being released to you.

Section 41(1) of the Act details that information may be exempt from release if its disclosure under the Act would unreasonably release personal information.

Information exempt from release under section 41(1) of the Act include the names and contact details of individuals. This is done to protect the privacy of individuals in accordance with National Privacy Principles.

Section 43(1) of the Act details that information may be exempt from release if its disclosure under the Act would unreasonably affect business affairs.

Information exempt from release under section 43(1) of the Act include information that is commercial-in-confidence and the release of such information may have adverse impacts on the business operations of the third party.



Section 36 of the Act details that information may be exempt if it would disclose information in the nature of, or relating to, opinion, advice or recommendation obtained, prepared or recorded, or consultation or deliberation that has taken place, in the course of, or for the purposes of, the deliberative processes involved in the functions of an agency or Minister or of the Territory; and would be contrary to public interest.

Information exempt from release under section 36 of the Act includes documents that are draft(s) to final documents, as well as documents with sensitive and deliberative discussions recorded. Where appropriate, I have decided to release the final documents to you.

I note your recommendation that these documents be released under public interest and that you have sought exemption from fees and charges. A conservative assessment of the documents retrieved against the *Freedom of Information (Fees) Determination 2013* is attached to this letter. Considering the public interest in these documents I have decided to waive these fees.

I have also assessed your request for information under the ACT Government's Online Freedom of Information Publication Policy and have determined that the documents relevant to your request, including your original application and this decision letter, will be published online. For more information about the ACT Government's Online Freedom of Information Publication Policy, visit www.cmtd.act.gov.au.

You have a right to seek a review of the outcome under section 59 of the Act. You have 28 days from the date of this letter, or such other period as the Director-General permits, to seek a review. This right of review extends to a review of the adequacy of the search for documents undertaken by the Directorate. If you wish to seek a review you should write to:

The Director-General
Capital Metro Agency
c/- Freedom of Information Officer
GPO Box 158
CANBERRA ACT 2601

You also have the right to complain to the Ombudsman about the processing of your request. If you wish to lodge a complaint you should write to:

The Ombudsman
GPO Box 442
CANBERRA ACT 2601

Yours sincerely



Glenn Bain
Decision Maker
Capital Metro Agency

27 February 2014

