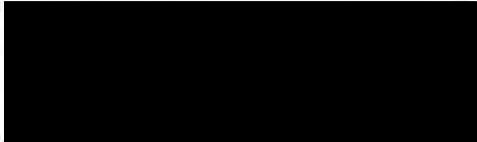




Our Ref: CMA-FOI:14-003



CANBERRA ACT 2601

Dear 

Re: Freedom of Information request

I write in response to your letter of 25 February 2014 regarding your request under the *Freedom of Information Act 1989* (the Act) for access to certain documents held by the Capital Metro Agency. In your letter you sought access to documents regarding trees on Northbourne Avenue.

In particular, you sought access to:

“all documents and any information held by the Agency in relation to trees on Northbourne Avenue.”

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

Although the Act facilitates the objective of public access to documents, access is subject to a number of exemption provisions as set out by the Act.

Documents identified as meeting the description in your request are subject to exemptions as set out by section 41(1) and section 36(1) of the Act.

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.

Section 36(1) of the Act details that information may be exempt from release if it would disclose matter 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 process involved in the functions of an agency or Minister or of the Territory; and would be contrary to the public interest.

I have decided that all of the documents found relevant to your request will be partially released to you in accordance with the abovementioned exemption provisions. Please see the attached schedule detailing the documents being partially released to you.



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

28 March 2014