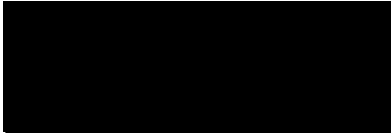




Our Ref: CMA-FOI:14-006



CANBERRA ACT 2601

Dear [Redacted]

Re: Freedom of Information request

I write in response to your letter of 29 August 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 particular, you sought access to:

“any information held by the Capital Metro Agency, in relation to the following documents so named in the ‘Capital Metro Design Drawings’ which is available on the Capital Metro website: -

1. *Document CLR-TTM-RPT-0001; and*
2. *DRG No. CLR-RAL-DRG-0015.”*

Decision maker

I am authorised under section 22 of the Act and have been appointed to make a decision in relation to your request.

Charges

I have decided, under section 29 of the Act, not to impose processing charges for this request.

Decision on access

CLR-TTM-RPT-0001

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. In this case, I have decided that the document labelled CLR-TTM-RPT-0001 be exempt from release in accordance section 35(1)(a) of the Act.

Section 35(1)(a) of the Act details that a document is an exempt document if it is a document that has been submitted to the Executive for its consideration, or is proposed by a Minister to be submitted, being a document that was brought into existence for the purpose of submission for consideration by the Executive.



CLR-RAL-DRG-0015

Although the document is publicly available through the Capital Metro website (www.capitalmetro.com.au) I have decided to fully release it to you with the following explanation:

- CLR-RAL-DRG-0015 is a legend drawing which illustrates an explanation of the various lines and markings which appear within the *Capital Metro Design Drawings*.
- The version of CLR-RAL-DRG-0015 published on the Capital Metro website has not been altered, redacted or changed from the original document.

Exemptions claimed

In respect of the privileged confidentiality of the Executive, I have decided to exempt from release CLR-TTM-RPT-0015 as it has been prepared for consideration by the Executive.

At this point in time, the document is still subject to consideration by the Executive. Releasing this document ahead of consideration would be considered as an unauthorised disclosure of Cabinet papers.

The *ACT Cabinet Handbook 2013* recognises that the unauthorised disclosure of Cabinet papers breaches Cabinet confidentiality. This compromises the integrity of the Cabinet system, and may lead to Ministers limiting the candour of their discussions in the Cabinet room.

The convention of collective responsibility for Executive decision making is central to a Cabinet-led system of Government. The convention of collective responsibility is underpinned by strict confidentiality surrounding Cabinet papers. Absolute confidentiality allows ministers to discuss proposals frankly while developing a collective position.

Your right of review

Internal review

Under section 59(1) of the Act, you may request a review of my decision. You have 28 days after receiving notice of my decision to ask for a review, or a further period if permitted by the Director-General.

Your request should be addressed to:

Director-General
Capital Metro Agency
GPO Box 158
CANBERRA ACT 2601

Complaints to the Ombudsman

Under section 54 of the Act, you may complain to the Ombudsman about administrative matters relating to the processing of your FOI request. There is no fee for making a complaint. The Ombudsman will conduct an independent investigation into your complaint.

You can contact the Ombudsman either by telephone on 1300 362 072 or in writing to:

The Ombudsman
GPO Box 442
CANBERRA ACT 2601

Online FOI policy

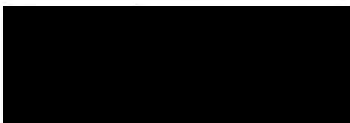
Please be aware that under the ACT Government's Online FOI Publication Policy information released to you in response to your Freedom of Information request may be released online.

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 Capital Metro Agency FOI Coordinator immediately on (02) 6207 5424.

A copy of the policy, with details about what information may be published online, is available on the Chief Minister, Treasury and Economic Development Directorate (www.cmd.act.gov.au) by searching 'Online FOI Publication'.

Should you have any queries regarding this matter, please contact the Capital Metro Agency FOI Coordinator on (02) 6207 5424.

Yours sincerely



Stephen Allday
Decision Maker
Capital Metro Agency

8 September 2014

