



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## Freedom of Information Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI Reference: CMTEDDFOI 2022-149

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	N/A
4. Additional information identified	No
5. Fees	Waived
6. Processing time (in working days)	30
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

**From:** [REDACTED]  
**To:** [CMTEDD FOI](#); [MPC FOI](#)  
**Cc:** [REDACTED]  
**Subject:** FOI Request | Canberra Light Rail Stage 2A  
**Date:** Monday, 9 May 2022 10:31:44 AM

---

Good Morning,

**RE: FOI REQUEST – CANBERRA LIGHT RAIL STAGE 2A BUSINESS CASE AND  
MINISTERIAL BRIEFS**

I write to request under the *Freedom of Information Act 2016* a copy of the Canberra Light Rail Stage 2A Business Case as well as any ministerial briefs prepared for ACT Ministers in relation to Canberra Light Rail Stage 2A from October 2020 until April 2022.

Should you require any further information or clarification about my request, please contact my office on [REDACTED].

Best,





**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

Our ref: CMTEDDFOI 2022-149



## **FREEDOM OF INFORMATION REQUEST**

I refer to your request submitted under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 9 May 2022, in which you sought access to the following:

- *Copy of the Canberra Light Rail Stage 2A Business Case as well as any ministerial briefs prepared for ACT Ministers in relation to Canberra Light Rail Stage 2A from October 2020 until April 2022.*

### **Authority**

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

### **Timeframes**

In accordance with section 40 of the Act, CMTEDD was required to provide a decision on your access application by 7 June 2022 however, following an extension the due date is now 22 June 2022.

### **Decision on access**

Searches were completed for relevant documents and documents were identified that fall within the scope of your request.

I have decided to refuse access to all documents as I consider them to be contrary to the public interest information under schedule 1 section 1.6

In accordance with section 54(2) of the Act a statement of reasons outlining my decision is below.

### **Material considered**

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

- the Act, particularly Schedule 1 s1.6;
- the content of the documents that fall within the scope of your request.

### **Exemption claimed**

My reasons for deciding not to grant access to the identified documents and components of these documents are as follows:

#### Contrary to the public interest information under schedule 1 of the Act

The documents that have been identified as being within the scope of your request are entirely composed of information that is considered to be contrary to the public interest under section 1.6 of Schedule 1 of the Act as it is Cabinet information. Under section 1.6 of Schedule 1 of the Act, Cabinet information is exempt from release. The purpose of this exemption is to maintain the confidentiality of the cabinet process and to uphold the principle of collective ministerial responsibility. This exemption was discussed in *The Commonwealth v Northern Land Council* [1993] HCA 24; (1993) 176 CLR 604 (21 April 1993). Paragraph 6 of the decision, states that:

... it has never been doubted that it is in the public interest that the deliberations of Cabinet should remain confidential in order that the members of Cabinet may exchange differing views and at the same time maintain the principle of collective responsibility for any decision which may be made.

Understanding that the Light Rail Project is very much in the public interest, the ACT Government has been proactive in releasing information to ensure the ACT public is kept abreast of developments and I would envisage this level of engagement will continue.

Examples of the information you are able to access can be found at the links below. You may also wish to be notified when further information is made available at [Register for updates - Light Rail to Woden \(act.gov.au\)](#)

[Latest News - Light Rail to Woden \(act.gov.au\)](#)

[Disruption Maps - Light Rail to Woden \(act.gov.au\)](#)

[Construction Notifications - Light Rail to Woden \(act.gov.au\)](#)

[Environmental Assessment \(act.gov.au\)](#)

[TC-Distruption-Taskforce-Newsletter-May-2022.pdf \(act.gov.au\)](#)

[22101-MP-Light-Rail-Raising-London-Circuit-Factsheet-RLC-V4.pdf](#)

### **Charges**

Pursuant to *Freedom of Information (Fees) Determination 2017 (No 2)* processing charges are not applicable for this request because the total number folio's to be released to you is below the charging threshold of 50 pages.

### **Online publishing – Disclosure Log**

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. Your original access application and my decision in response to

your access application will be published in the CMTEDD disclosure log 3 days after the date of my decision. Your personal contact details will not be published. You may view CMTEDD disclosure log at <https://www.cmtedd.act.gov.au/functions/foi>.

### **Ombudsman Review**

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in CMTEDD disclosure log, or a longer period allowed by the Ombudsman.

We recommend using this form [Applying for an Ombudsman Review](#) to ensure you provide all of the required information. Alternatively, you may write to the Ombudsman at:

The ACT Ombudsman  
GPO Box 442  
CANBERRA ACT 2601

Via email: [actfoi@ombudsman.gov.au](mailto:actfoi@ombudsman.gov.au)

### **ACT Civil and Administrative Tribunal (ACAT) Review**

Under section 84 of the 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 St  
GPO Box 370  
Canberra City ACT 2601  
Telephone: (02) 6207 1740  
<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact me by telephone on CMTEDDFOI 2022-149 or email [CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au).

Yours sincerely,



Matt Leonard  
Information Officer  
Information Access Team  
Chief Minister, Treasury and Economic Development Directorate

22 June 2022