



Mr Andrew McDonald MP
Member for Macquarie Fields
Shop 18 Carnes Hill Marketplace Cowpasture
& Kurrajong Rds
Horningsea Park NSW 2171

Enquiries: Christina Li
Tel: (02) 8588 4991
Our ref: 13G3075

27 August 2013

Dear Mr McDonald,

NOTICE OF DECISION

Government Information (Public Access) Act 2009
Application 13G3075

Your application for access to government information

I refer to your access application, under the *Government Information (Public Access) Act 2009* (GIPA Act) to Roads and Maritime Services (RMS) which was received on 28 June 2013, and later amended to the following terms:

In relation to the Campbelltown Road, Denham Court upgrade:

- 1. details of any cost benefit analysis undertaken; and*
- 2. a copy of any briefing notes prepared for the Director General, Transport or Minister.*

(the requested information)

Thank you for extending the timeframe to 16 August 2013 for RMS to deal with your application.

Processing of application

Under the GIPA Act, agencies must conduct reasonable searches for government information requested in an access application. In certain circumstances, we must also consult third persons to see whether they object to the information sought being released. No third parties were consulted in respect of your application.

Searches conducted

A search of RMS' records has been undertaken to identify all government information falling within the scope of your application.

Information was sought from the following parts of RMS:

- Project Development Branch within Infrastructure Development Division, and
- Government Information Services Branch within Strategy and Engagement Division.

These are the only areas in which relevant information about the Campbelltown Road Denham Court upgrade is likely to be held.

A total of 111 pages of information was identified as subject to your application. This information consists of a cost benefit analysis and briefing notes relating to Campbelltown Road Denham Court upgrade.

Decision to provide access to information

I am authorised by the principal officer, for the purposes of section 9(3) of the GIPA Act, to decide your access application. In accordance with paragraph 58(1)(a) of the GIPA Act I have decided to grant you access to 96 pages because I can see no overriding public interest against releasing this information.

Accordingly, please find enclosed a compact disk containing 111 pages of information referred to above. Please note I have removed some personal information about people as you advised me you are not requesting personal information – this information is indicated with the reference Item 3(a) of the Table to section 14 of the GIPA Act. Information which would otherwise be included in documents which are being released have been redacted to the extent that they are out of scope.

Decision to refuse access to information

Reasons for decision

Section 12 of the GIPA Act provides that there is a general public interest in favour of the disclosure of government information. Furthermore, nothing in the GIPA Act limits any other public interest consideration in favour of the disclosure of government information that may be taken into account when making a decision in respect of an access application.

Section 13 of the GIPA Act provides that there is an overriding public interest against disclosure of government information if (and only if) there are public interest considerations against disclosure and, on balance, those considerations outweigh the public interest considerations in favour of disclosure.

Section 12 of the GIPA Act allows for the consideration of any public interest in favour of disclosure. I have considered the following public interest considerations for disclosure as relevant in this case:

- Disclosure of the information could reasonably be expected to promote open discussion of public affairs, enhance Government accountability or contribute to positive and informed debate on issues of public importance.
- Disclosure of the information could reasonably be expected to inform the public about the operations of agencies and, in particular, their policies and practices for dealing with members of the public.

Disclosure log

I have decided not to record the details of your application on our disclosure log.

Your rights of review

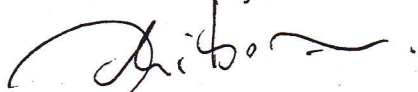
If you are aggrieved by any of the reviewable decisions in this Notice of Decision, you may seek a review under Part 5 of the GIPA Act.

For your information, there are three avenues of review: internal review by a senior officer, external review by the Information Commissioner or external review by the Administrative Decisions Tribunal. Attached to this notice is a leaflet which details your rights of review under the GIPA Act.

You should note that the time for seeking internal review is 20 working days, or for external review, 40 working days from the date you were notified of this decision. You may obtain further information about your rights under the GIPA Act by contacting the NSW Information Commissioner on freecall 1800 INFOCOM (1800 472 679) or at the following website: www.ipc.nsw.gov.au

If you have any further queries regarding this application, you can contact Christina Li on (02) 8588 4991 or email christina.li@rms.nsw.gov.au.

Yours sincerely



Jarrod Whitbourn
A/Manager,
Information and Privacy