



**ACT**  
Government

Transport Canberra and  
City Services

## FREEDOM OF INFORMATION COVERSHEET

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

FOI reference: TCCSFOI 20-058

Information to be published	Status
1. Access application	Published
2. Decision notice and schedule	Published
3. Documents	Published
4. Additional information identified	n/a
5. Fees	n/a
6. Processing time (in working days)	18 days
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



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## Freedom of Information – Access Application Form

### PRIVACY NOTICE

The personal information you supply on this form will only be used for the purpose of processing your request. Your application must include an email or postal address to which the respondent can send notices under the Act. If all or some of this information is not collected, Transport Canberra and City Services may not be able to communicate with you, inhibiting their obligations under the Act. This could mean the request cannot be dealt with. Your personal information will not be disclosed to a third party without your consent unless statutory obligations require otherwise.

The Transport Canberra and City Services Privacy Policy contains information on how you can access or seek to correct any of your personal information that is held by the Transport Canberra and City Services, as well as the process for lodging a complaint about an alleged breach of the *Information Privacy Act 2014*. The Privacy Policy can be found on the Transport Canberra and City Services website at [www.tccs.act.gov.au](http://www.tccs.act.gov.au).

### Applicant details

I wish to make an access application to Transport Canberra and City Services under the *Freedom of Information Act 2016*.

**Name**

[REDACTED]

**Address**

(where notices relating to this request can be sent – either postal or electronic)

[REDACTED]

**Telephone Contact (Business Hours)**

[REDACTED]

**Telephone Contact (Mobile)**

[REDACTED]

**Email Contact**

[REDACTED]

### What documents are you requesting under the Act?

- To help Transport Canberra and City Services process your request, please include enough detail in your application so that we can fully understand what government information you want.
- You may wish to include a statement about how the release of information is in the public interest.
- If your application is for access to your own personal information you must include evidence of your identity. If you are an agent acting for an applicant, please supply evidence of your authorisation and evidence of the identity of the agent.
- If for reasons in section 30 of the Act is not compliant and your application cannot be processed, Transport Canberra and City Services will take reasonable steps to assist you and give you reasonable time to amend your application if you wish.

In March I raised a complaint about road noise (re Work Order 1085250) later following up the inaction, even explaining that I would undertake FOI action if ignored. I request a copy of your copy of my complaint and all associated correspondence, including emails and/or other electronic messaging produced by staff dealing with the complaint. I request the names of those staff who responded to my complaint be included in your response so I can initiate further action.

If you require evidence of my identity, all details are consistent with those on file as rate payer at my address, including my email, as regularly used by the ACT Govt to deliver material to me.

**Fee Waiver**

If you wish to apply for a fee waiver, the Act sets out a number of provisions to do so:

- The information being requested was previously publicly available but no longer is.
- The information being requested is of special benefit to the public (Ombudsman guidelines see Section 66).
- The applicant is a concession card holder and demonstrates a material connection with the information requested (concession cards include a current health care or pensioner card issued under the [Social Security Act 1991](#); a current pensioner concession card issued in relation to a pension under the [Veterans' Entitlements Act 1986](#) or [the Military Rehabilitation and Compensation Act 2004](#); a current gold card; or a card prescribed by regulation).
- The applicant is a not-for-profit organisation and the application relates to the activities or purposes of the organisation.
- The applicant is a member of the Legislative Assembly.

Transport Canberra and City Services must waive any fees for providing information if the information was not publicly available and the agency makes the information publicly available before or within 3 working days after giving it to the applicant.

**Fee waiver application (fill in if applicable. Otherwise leave blank)**

I would like to apply for a fee waiver because (state reason/s from the list above).

[provide details and evidence of how this reason applies]

**I would like**

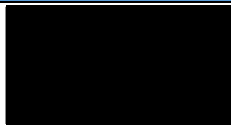
a copy of these documents sent to the above address

**OR**

~~to inspect these documents~~

**APPLICANTS SIGNATURE**

**DATE OF REQUEST**



6/8/20

[REDACTED]

Dear [REDACTED]

**Freedom of Information Request - Reference 20-058**

I refer to your application made under the *Freedom of Information Act 2016* (the Act), which was received by Transport Canberra and City Services (TCCS) on 7 August 2020. It is my understanding that you are seeking access to information about work order 1085250, specifically:

A copy of our copy of your complaint and all associated correspondence, including emails and/or other electronic messaging produced by staff dealing with the complaint.

You have also requested the names of those staff who responded to your complaint.

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

A decision is due on your application by 7 September 2020.

**Decision on access**

A search has been conducted to identify all records held by TCCS which relate to your request. From this search, one record (totalling two pages) has been identified.

These documents are images taken of the electronic asset management system used by Roads ACT. The information in this system includes the information provided to TCCS in your Fix My Street request and an audit trail of staff who have dealt with your request so far.

In accordance with section 17 of the Act, I have considered the public interest in relation to information within these documents and have decided to provide you with full access to the record. A copy of the record is enclosed at Attachment A.

Whilst your application was being processed, I was advised that the work order, the subject of your request, is yet to be resolved. If you wish to discuss the progress of your request further you may contact the Assistant Director of Traffic Management and Safety, Neil Pincombe by email at [neil.pincombe@act.gov.au](mailto:neil.pincombe@act.gov.au). For tracking purposes, it is recommended that any other correspondence is sent by replying to the fix my street confirmation email sent to your email address (if an email address was provided when the request was made) or by calling Access Canberra on 13 22 81.

### **Statement of Reasons**

In making my decision on disclosing government information, I must identify all relevant factors in schedule 2 of the FOI Act and determine, on balance, where the public interest lies. In making my decision, I have considered:

#### *Factors favouring disclosure in the public interest (Schedule 2.1)*

- Schedule 2.1(a)(ii) contribute to positive and informed debate on important issues or matters of public interest;
- Schedule 2.1(a)(iii) inform the community of the government's operations, including the policies, guidelines and codes of conduct followed by the government in its dealings with members of the community;
- Schedule 2.1(a)(iv) ensure effective oversight of expenditure of public funds.

#### *Factors favouring non-disclosure (Schedule 2.2)*

- No factors were identified.

I have considered the public interest in relation to the management of roadworks and the handling of feedback received by TCCS about those works is a matter of public interest. Information such as that in the enclosed documents contributes to a transparency of the government's operations.

As no factors favouring non-disclosure have been identified as relevant to the enclosed documents, I find that the disclosure is in the public interest.

### **Charges**

No fee applies as the number of pages you are being provided access to is within the fee-free threshold.

### **Disclosure Log**

In accordance with section 28 of the Act, TCCS maintains an online record of access applications called a disclosure log, which is accessible at [https://www.cityservices.act.gov.au/about-us/freedom\\_of\\_information/disclosure-log](https://www.cityservices.act.gov.au/about-us/freedom_of_information/disclosure-log).

Your access application, this notice of decision and records released to you will be published on the disclosure log within 3 – 10 working days from the date of this notice. Your personal information will be removed from the documents prior to publication.

**Ombudsman review**

My decision on your access application is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek an Ombudsman review my decision under section 73 of the Act within 20 working days from the day that my decision is made or a longer period if allowed by the Ombudsman.

If you wish to request a review of my decision, 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 ACAT at:

ACT Civil and Administrative Tribunal  
Level 4, 1 Moore Street  
GPO Box 370  
CANBERRA CITY ACT 2601  
Telephone: (02) 6207 1740  
[www.acat.act.gov.au](http://www.acat.act.gov.au)

If you have any queries concerning the directorate's processing of your request, or would like further information, please contact the TCCS FOI team on (02) 620 72987 or email [tccs.foi@act.gov.au](mailto:tccs.foi@act.gov.au).

Yours sincerely



Cherie Hughes  
Information Officer

3 September 2020

Id  Status  Received  Source  ICS FORMS  
 Recorded By  Admin Unit   
 Responsibility Of   Open Enquiries  All Enquiries

- Enquiry Details
- Further Details
- Actions**
- Damage
- Associations
- Items

Name    
 Organisation   
 Postcode  Number  Building  Sub.   
 Street   
 Dependant Street  Locality   
 Town   
 County  Property Type

Type  Ref   
 Email   
 Home  Flag   
 Work   
 Mobile   
 Fax  Primary Contact

Category  Request for Services  
 Enquiry Type  TMS ISSUES  
 Location   
 Description

Class  Road Pavement  
 Action/Remarks   
 Injuries   
 Damage

Date Recorded  Incident Date & Time  Correspondence Date  Corr Received Date   
 Follow Up 1  Acknowledgment  Follow Up 2  Follow Up 3   
 Priority  Target Date  Complete Date  Reference No   
 Date/Time Arrived  Reason for Late Arrival

**Associated Asset**  
   
 Start  End  XSP

**Associated Network**  
 Road Type  Closed   
 Road  Easting   
 Get From Map  Northing

