



FREEDOM OF INFORMATION COVERSHEET

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

FOI reference: 24-120

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Schedule	Not Applicable
4. Documents	Published
5. Additional information identified	Not Applicable
6. Fees	Not Applicable
7. Processing time (in working days)	28 Days
8. Decision made by Ombudsman	Not applicable
9. Additional information identified by Ombudsman	Not Applicable
10. Decision made by ACAT	Not applicable

11. Additional information identified by ACAT	Not applicable
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Freedom of Information - Access Application to Transport Canberra and City Services - Submission confirmation

Your submission has been successful. Please keep a copy of this receipt for your records.

Date and time

19 Aug 2024 1:42:14 PM

Reference code

PZDXZFYT

Transport Canberra and City Services
(TCCS)

GPO Box 158
Canberra City, ACT 2601

Phone: 02 6207 2987
TCCS.FOI@act.gov.au

Applicant details

Title

Given name

Family name

Preferred name

Pascal

Preferred method of contact

Phone

Email

Post

Contact phone number

Contact email address

Contact postal address

Address line 1

Address line 2

Suburb

CITY

State

ACT

Postcode

2601

Preferred method to receive information*

Email

Post

Same as contact email address

Information request

Who are you making the request on behalf of?

Myself

What type of information are you requesting access to?*

Other information

What information are you requesting access to under the Act?*

request for [Pruning - SHOPS 16 BARKER ST, GRIFFITH ACT 2603] reference number [00945921]. Full copy of conservators report assessing the tree.

Attach a description or additional details about the information you are requesting access to (optional)

Do you have a similar or identical request currently under review by another ACT Government Directorate?

Yes

No

Please select applicable Directorates

Chief Minister, Treasury and Economic Development Directorate



- Community Services Directorate
- Education Directorate
- Environment, Planning and Sustainable Development Directorate
- Health Directorate
- Justice and Community Safety Directorate
- Major Projects Canberra

Are you enquiring as

A member of a community or not for profit organisation ▼

Do you wish to apply for a waiver of fees associated with processing your application?

- Yes
- No

Do you hold a valid concession card?

- Yes
- No

Please provide your reason for requesting a fee waiver

[Redacted]

Provide a statement about how the release of information is in the public interest (optional)

[Empty text box]

Would you like to provide any additional information? (optional)

[Empty text box]

Attach additional documents to support your application (optional)

Dear [REDACTED]

Freedom of Information Request - Reference 24-120

I refer to your application for access to government information received by Transport Canberra and City Services (TCCS) on 19 August 2024. It is my understanding that you are seeking access to the following government information under the *Freedom of Information Act 2016* (FOI Act):

“request for [Pruning - SHOPS 16 BARKER ST, GRIFFITH ACT 2603] reference number [00945921]. Full copy of conservators report assessing the tree.”

Timeframes

In accordance with section 40 of the FOI Act, TCCS is required to decide on your application by 30 September 2024.

Authority

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 FOI Act.

Decision on access

In accordance with the FOI Act, a search for the information that you are seeking has been completed and one record (five pages) has been identified. The record is a copy of the case history for reference number 00945921 and includes notes made by the assessor of the tree.

Page five of the case history refers to seven attachments. These records have not been included, as the attachments were created from the request received by TCCS from LJ Hooker and are blank images or LJ Hooker signature block images which are outside the scope of this application.

Upon reviewing the information identified and applying the public interest test under section 17 of the FOI Act, I have decided to provide you with partial access to the information. The reasons for my decision are detailed below in the statement of reasons.

Statement of Reasons

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

- The FOI Act;
- The *Human Rights Act 2016*.

In making my decision on disclosing the relevant government information, I must identify all relevant factors in schedule 1, which contains a list of information types that are deemed to be contrary to the public interest. Where schedule 1 does not apply to some or all of the information within relevant records, I must consider the public interest test set out in section 17 of the FOI Act, whereby factors favouring disclosure (schedule 2, section 1) and factors favouring non-disclosure (schedule 2, section) are weighed to determine on balance, where the public interest lies. In making my decision, I also confirm that I have not considered any of the factors listed in section 17(2) of the FOI Act which contains a list of factors which must not be taken into consideration.

Schedule 1:

- No relevant factors identified.

Public Interest test:

Factors favouring disclosure in the public interest (Schedule 2.1)

- Schedule 2.1(a)(i) - promote open discussion of public affairs and enhance the government's accountability;
- 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(viii) - reveal the reason for a government decision and any background or contextual information that informed the decision.

Factors favouring non-disclosure (Schedule 2.2)

- Schedule 2.2(a)(ii) - prejudice the protection of an individual's right to privacy or any other right under the Human Rights Act 2016.

The ACT Government encourages and supports feedback from members of the public. I acknowledge that the disclosure of this information is likely to provide you with contextual information on a government decision, government operations, and promotes open discussion of public affairs and enhances government's accountability generally. In the ACT there are over 820,000 trees on public land. All trees on public land are protected under the *Urban Forest Act 2023*.

Further, I also acknowledge that the pro-disclosure bias requires the public interest test to be approached on the basis that there are not simply empty scales in equilibrium, waiting for arguments to be put on each side. Rather, the scales are loaded in favour of disclosure.

In my consideration of factors favouring non-disclosure of information within the record, I have identified the personal information of a third party. I consider that this information is not readily available to the public and has not otherwise been disclosed by the TCCS directorate. I further consider that this information has come to be held by TCCS with the expectation that it is handled in accordance with the *Information Privacy Act 2014*. I find that the protection of an individual's right to privacy under the *Human Rights Act 2004* carries significant weight. In this instance, I find the disclosure of third-party personal information to be, on balance, contrary to the public interest.

I find that the factors favouring disclosure can be met with the deletion of information that I have found to be, on balance, contrary to the public interest.

A copy of the relevant information is enclosed at [Attachment A](#).

Charges

In accordance with [Freedom of Information \(Fees\) Determination 2018](#), a fee of \$0.35 per page of information disclosed, except for the first 50 pages, may be applied to an access application. No fee is applicable as the total number of pages disclosed to you falls within the fee-free threshold.

Online publishing – disclosure log

Under section 28 of the Act, TCCS maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents will be published in the TCCS disclosure log between 3 – 10 business days from the date of this decision. Your personal contact details will not be published. You may view the TCCS' disclosure log [here](#).

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 an Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in TCCS' disclosure log, or a longer period 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

ACT Civil and Administrative Tribunal (ACAT) review

Under section 84 of the Act, if a decision is made under section 82 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
GPO Box 370
CANBERRA CITY ACT 2601
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) 6207 2987 or email to tccs.foi@act.gov.au.

Yours sincerely



Lisa Johnson
Information Officer
26 September 2024



- [Close Window](#)
- [Print This Page](#)

Case: 00447770

Case Officer	Case Owner	Trees
Reassignment Reason		

Case Overview

Case Number	00447770	AC Case Number	00945921
Feedback Type	Operations	Job Type	General Prune
Status	Assigned	Technical Officer Required?	No
Sub Status	Updated	Suburb	Griffith
Priority		Storm Damage	No
Prioritisation Status		Claim Region	
Correspondence History	No	Depot Region	Central

Subject: Fix My Street > Grass, trees & shrubs > Trees & shrubs > Pruning

ACTCCS Description: **Was this caused by a recent storm?**
No

More Information

I am writing to request an inspection and trimming of the trees on the verge of 55 Stuart Street, Griffith, ACT, 2603. These trees are currently causing significant damage to the Asprey building. Despite our attempts to have repairs done, the obstruction caused by the trees has hindered the progress. Your prompt attention to this matter would be greatly appreciated. Many Thanks, [REDACTED]

Is it causing traffic or cyclists to swerve?
No

Why does the tree need pruning?
Hanging branch

What needs to be pruned?
Tree

Is the tree/shrub growing from private or public land?
Public

Is it blocking a road or laneway?
No

Could it cause a trip, fall or injury?
No

Duplicate Case

Related Case	Is Duplicate	<input type="checkbox"/>
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Resident Details

Account Name	[REDACTED]	Contact Email	[REDACTED]@ljhookerstrata.com.au
Contact Phone		Contact Mobile	

ACTCCS Contact Details

ACTCCS Contact First Name [REDACTED]

ACTCCS Contact Last Name [REDACTED]

ACTCCS Contact Phone

ACTCCS Contact Mobile

ACTCCS Contact Email [REDACTED]@ljhookerstrata.com.au

Citizen Communication DetailsCitizen Opted For Comms

Comms Sent Unassigned

Tree Details

Asset ID

Communicated with the Customer?

Communication Comment

Claims

ACTIA/TAMS Identification No.

Claim Number

Claims Case

Claim Amount Threshold

Is Claim Being Honoured?

Claim Amount

Assessment Details

Assessor Michael Huntley

Diameter at Breast Height (DBH)

Date Assessed 15/08/2024

Tree Height

Calling Card No

Work Comments Trees are well clear of building no work required

Added to Field Maps

Field Work Comments

Field Work Comments

Equipment Required

Chipper No

Mini Tower No

Crane Truck No

Pole Saw No

Flying Crew No

Travel Tower No

Gang No

Climber No

Avant

Work Type

Removal No

Line of Site No

GP/DW No

Lift No

Habitat Prune No

Street Pruning

Mulch

No Action No

Streetlight Pruning

Log

Case Details

Source	Access Canberra	Incident Address	SHOPS 16 BARKER ST, GRIFFITH
Case Origin	FMS Form	ACTCCS Latitude	-35.32779464636617
Date/Time Opened	6/08/2024 10:17 AM	ACTCCS Longitude	149.14208487436858
Date/Time Closed			

System Information

Created By	AC TCCS Integration, 6/08/2024 10:17 AM	Last Modified By	TCCS Service Account, 19/08/2024 12:56 PM
Contact Name	[REDACTED]	Date Created in FMS	6/08/2024 10:17 AM
Case Sharing ID ACTCCS	TRS		

Contact Information

Account Name	[REDACTED]	Primary Phone	
Birthdate		Email	[REDACTED]@ljhookerstrata.com.au

Address Information

Billing Address

System Information

Created By	AC TCCS Integration, 6/08/2024 10:17 AM	Last Modified By	AC TCCS Integration, 6/08/2024 10:17 AM
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Activity History

Email: No Action Required [thread::_cKfqbkBAPCeb-LpkHeHtTk::]

Name	[REDACTED]
Task	<input checked="" type="checkbox"/>
Due Date	15/08/2024
Assigned To	Michael Huntley
Last Modified Date/Time	15/08/2024 2:39 PM
Comments	<p>Additional To: [REDACTED]@ljhookerstrata.com.au</p> <p>CC:</p> <p>BCC:</p> <p>Attachment:</p> <p>Subject: No Action Required [thread::_cKfqbkBAPCeb-LpkHeHtTk::]</p> <p>Body:</p> <p>Dear [REDACTED]</p> <p>Thank you for your tree-related request for service 00945921. An assessment has been carried out and the attending officer has determined that no maintenance work is currently required.</p> <p>Should you notice a change in the health or stability of the tree or consider that a further assessment is required, please log a further enquiry through the Fix My Street customer service portal.</p> <p>Please use "Reply All" should you wish to provide/request additional information to ensure we can action your request as promptly as possible.</p> <p>Kind Regards,</p> <p>ACT Government, Urban Treescapes</p> <p>----- Original Message -----</p> <p>From: Trees [tccs.trees.casemanagement@act.gov.au]</p>

Sent: 6/08/2024 10:17 AM
To: [REDACTED]@ljhookerstrata.com.au
Subject: Fix My Street request - Ref. 00945921 - Pruning - SHOPS 16 BARKER ST, GRIFFITH ACT 2603

Hello [REDACTED]

Thank you for letting us know about an issue important to you and your local area.

Your request for [Pruning - SHOPS 16 BARKER ST, GRIFFITH ACT 2603] has been received and provided to our City Services team for action. We'll contact you if we need further information.

You can track the progress of this request through your Digital Account.

You can also call Access Canberra (13 22 81) using reference number [00945921].

Our teams work hard to complete jobs as quickly as possible. You can stay connected about important upgrades and activity across your suburb and city by visiting the City Services weekly maintenance page

Thank you
City Services team

thread::_cKfqbKbAPCeb-LpkHeHtTk::

Email: Fix My Street request - Ref. 00945921 - Pruning - SHOPS 16 BARKER ST, GRIFFITH ACT 2603

Name	[REDACTED]
Task	<input checked="" type="checkbox"/>
Due Date	6/08/2024
Assigned To	AC TCCS Integration
Last Modified Date/Time	6/08/2024 10:17 AM
	Additional To: [REDACTED]@ljhookerstrata.com.au
	CC:
	BCC:
	Attachment:
	Subject: Fix My Street request - Ref. 00945921 - Pruning - SHOPS 16 BARKER ST, GRIFFITH ACT 2603
	Body:
	Hello [REDACTED]
	Thank you for letting us know about an issue important to you and your local area.
Comments	Your request for [Pruning - SHOPS 16 BARKER ST, GRIFFITH ACT 2603] has been received and provided to our City Services team for action. We'll contact you if we need further information.
	You can track the progress of this request through your Digital Account.
	You can also call Access Canberra (13 22 81) using reference number [00945921].
	Our teams work hard to complete jobs as quickly as possible. You can stay connected about important upgrades and activity across your suburb and city by visiting the City Services weekly maintenance page
	Thank you City Services team

Case History

19/08/2024 12:56 PM

User TCCS Service Account
Action Changed Status from Case Closed to Assigned. Changed Sub Status from Resolved to Updated.

15/08/2024 2:38 PM

User Michael Huntley
Action Changed Work Comments to Trees are well clear of building no work required. Changed Sub Status from Unresolved to Resolved. Changed Date Assessed to 15/08/2024. Changed Assessor to Michael Huntley. Changed Status from Unassigned to Case Closed.

6/08/2024 10:17 AM

User **AC TCCS Integration**

Action **Changed Account Name to [REDACTED]. Changed Contact Name to [REDACTED] Changed Feedback Type to Operations. Changed Case Sharing ID ACTCCS to TRS. Changed Sub Status to Unresolved. Changed Case Owner from AC TCCS Integration to Trees. Deleted Medium in Priority. Changed Case Origin to FMS Form. Changed Case Record Type from TCCS General to Trees. Changed Incident Location (Longitude) to 149.14208487436858. Changed Incident Location (Latitude) to -35.32779464636617. Created.**

Attachments

Sky veiv		1
Size	202KB	Size 4KB
Ownership	AC TCCS Integration	Ownership AC TCCS Integration
View	<u>Download</u>	View <u>Download</u>
Last Modified	6/08/2024 10:18 AM	Last Modified 6/08/2024 10:17 AM
3		4
Size	9KB	Size 9KB
Ownership	AC TCCS Integration	Ownership AC TCCS Integration
View	<u>Download</u>	View <u>Download</u>
Last Modified	6/08/2024 10:17 AM	Last Modified 6/08/2024 10:17 AM
5		6
Size	11KB	Size 5KB
Ownership	AC TCCS Integration	Ownership AC TCCS Integration
View	<u>Download</u>	View <u>Download</u>
Last Modified	6/08/2024 10:17 AM	Last Modified 6/08/2024 10:17 AM

Building

Size	60KB
Ownership	AC TCCS Integration
View	<u>Download</u>
Last Modified	6/08/2024 10:17 AM