



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 2018-087

| Information to be published | Status |
|---|-----------|
| 1. Access application | Published |
| 2. Decision notice and schedule | Published |
| 3. Documents | Published |
| 4. Additional information identified | No |
| 5. Fees | n/a |
| 6. Processing time (in working days) | 19 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 |



ACT
Government
Transport Canberra
and City Services

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.

Applicant details

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

Name

Address

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

Telephone Contact (Business Hours)

Telephone Contact (Mobile)

Email Contact

What documents are you requesting under the Act?

Any documents related to the installation of "No Parking" signs in Peron Place Banks.

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

APPLICANT'S SIGNATURE

DATE OF REQUEST

24 November 2018



ACT

Government

Transport Canberra and
City Services



Dear 

Freedom of Information Request - Reference 19-004 (Request 3)

I refer to your application made under the *Freedom of Information Act 2016* (the Act), which was received by Transport Canberra and City Services Directorate (TCCS) on 17 January 2019, in which you sought:

1. any documents relating to the concerns from ACT No Waste (as noted in the letter you have released to me) regarding parking in Peron Place.
2. when these documents were distributed and where (I did not receive it).
3. the documents relating to the process, delegation and decision making to erect the signs and designate the areas as no parking zone. I would assume there would have also had to be assessment done of the ACT No Waste complaint as well.

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

TCCS was required to provide a decision on your access application by 13 February 2019. I note that you have agreed to an extension of time until 20 February 2019.

Decision on access

Searches were completed for relevant documents and nine documents (12 pages) have been identified that fall within the scope of your request.

I have included at Attachment A to this decision a schedule of the document. This provides a description of the document that falls within the scope of your request and the access decision for the document.

The document holds information that I consider to be, on balance, contrary to the public interest to disclose under the test set out in section 17 of the Act.

I have decided to grant access, under section 50 of the Act, to a copy of the documents (Attachment B) with deletions applied to information that I consider would be contrary to the public interest to disclose.

Statement of Reasons

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

- the FOI Act in particular Schedule 2; and
- the content of the documents that fall within the scope your request.

Factors favouring disclosure (Schedule 2)

- Section 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; and
- Section 2.1 (a)(viii) – reveal the reason for a government decision and any background or contextual information that informed the decision.

Factors favouring non-disclosure (Schedule 2)

- Section 2.2 (a)(ii) – prejudice the protection of an individual’s right to privacy or any other right under the Human Rights Act 2004.

As an Information Officer, I am required to decide where, on balance, public interest lies. As part of this process I must consider factors favouring disclosure and non-disclosure.

I consider that it is in the public interest to release most of the information identified as falling within the scope of your request.

Part 1 and 2

In relation to part 1 of your request, searches have been undertaken by ACT NOWaste and Roads and no documents relating to complaints or concerns have been identified. It maybe that documents are in storage or electronic archives. If you would like us to search these records please contact the FOI Coordinator on telephone 6205 5408 to discuss the fees.

Part 3

Minor new works approvals to erect the no parking signs, the consultation letter, including a feedback response have been identified under this request. Release of the information is in the public interest as it informs the community of the government’s operations which can affect members of the community and the process followed by government when managing road infrastructure projects and works, including signage. It also improves the Directorate’s accountability for the work it undertakes by being transparent in releasing the information.

I note however that these documents do contain personal information of third parties that participated in the consultation process. I have decided people’s names and contact details should not be released where it would amount to a release of personal information because the release could identify an individual’s personal circumstances or personal opinion and would prejudice their right to privacy. I have therefore redacted information that has these characteristics or would otherwise be sensitive when seeking to protect the anonymity of individuals.

Considering the type of information I propose to withhold from release, I am satisfied that the factors in favour of release can still be met while protecting the personal information of individuals involved. I find the protection of this information outweighs disclosure in this instance. As a result, I have decided that release of this information could prejudice their right to privacy under the *Human Rights Act 2004*. Charges No fee is payable as the number of pages being released is 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 from 3 days after the date of this decision. Your personal details will not be published.

You may view TCCS' disclosure log at www.tccs.act.gov.au/about-us/freedom_of_information.

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(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

If you have any questions concerning the directorate's processing of your request, or would like further information, please contact the directorate's FOI Coordinator on 6205 5408 or email tccs.foi@act.gov.au.

Yours sincerely



Cherie Hughes
Information Officer

27 February 2019

FREEDOM OF INFORMATION REQUEST SCHEDULE

Please be aware that under the *Freedom of Information Act 2016*, some of the information provided to you will be released to the public through the ACT Government's Open Access Scheme. The Open Access release status column of the table below indicates what documents are intended for release online through open access.

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 contact officer immediately.

Information about what is published on open access is available online at: [insert open access link]

File No

WHAT ARE THE PARAMETERS OF THE REQUEST

TCCS FOI 19-004

No Parking Signs in Peron Place, Banks

| Ref No | No of Folios | Description | Date | Status | Reason for non-release or deferral | Open Access release status |
|--------|--------------|---|----------------|----------------|--|----------------------------|
| 1 | 1-2 | Minor New Works approval | 18 August 2016 | Full access | | Published |
| 2 | 3 | Draft letter to the resident | July 2015 | Full access | | Published |
| 3 | 4 | Public Consultation Summary Form | 14 July 2015 | Full access | | Published |
| 5 | 5-6 | Email Subject – proposed parking restrictions – C15-84 | 17 August 2015 | Partial Access | Information Privacy Act 2014 Schedule 2, Section 2.2 (A)(ii)) | Published |
| 6 | 7-8 | Email Subject – proposed parking restrictions – C15-84 | 22 July 2015 | Partial Access | Information Privacy Act 2014 Schedule 2, Section 2.2 (A)(ii) | Published |

| | | | | | | |
|-----------------------------|------|---|--------------|----------------|---|-----------|
| 7 | 9-10 | Email Subject – proposed parking restrictions – C15-84 | 20 July 2015 | Partial Access | Information Privacy Act 2014 Schedule 2, Section 2.2 (A)(ii) | Published |
| 8 | 11 | Letter | 16 July 2015 | Full access | | Published |
| 9 | 12 | Drawing – Peron Place – Traffic Control Device | 14 July 2015 | Full access | | Published |
| Total No of Docs – 9 | | | | | | |

MINOR NEW WORKS

| | |
|--|--|
| IAMS Public Enquiry No: 926881 | Roads ACT - TMS Traffic Management and Safety |
| Listed: | Ministerial Number: |


DETAILS
 Suburb: **BANKS**
 Location: **PERRON PLACE**

Reason for Inspection Request
PARKING ISSUES

Work to be done

 MNW - Erect No Parking 24/7

Comments

| | | |
|---------------------|---|---|
| Officer | SP | |
| Drafting | | MNW Date Drafted 4/11/2016. <i>Amended</i> |
| Drawing (IC) Number | 15-717 | MNW Date Sent 19/08/2016 |
| Approval Signature |  | MNW Target Date 31/12/2015 3/10/2016 |
| Date | 18/8/2016 | Scanned signed MNW and TCD |
| | | Scanned supporting docs |
| | | Y |

NOTE

ALL PAYEMENT MARKINGS AND SIGN POSTING TO BE IN ACCORDANCE WITH AUSTRALIAN STANDARD AS1742 EXCEPT WHERE MODIFIED BY TERRITORY AND MUNICIPAL SERVICES DESIGN STANDARD FOR URBAN INFRASTRUCTURE D509-TRAFFIC CONTROL DEVICES. FOR A COPY PLEASE VISIT http://www.tams.act.gov.au/data/assets/pdf_file/0003/34698/Ref-11_TAMS_Drafting_Standard.pdf ALL SIGNAGE INSTALLED ON ELP'S TO BE POSITIONED TO AVOID COVERING THE ELP ASSET NUMBER. ALL LINEMARKING TO BE WATERBORNE PAINT UNLESS NOTED OTHERWISE. LLM DENOTES LONG LIFE MATERIAL SUCH AS THERMOPLASTIC; COLD APPLIED PLASTIC CEMENT BASED PRODUCTS CAPABLE OF HAVING QUARTZ APPLIED. ALL REDUNDANT AND/OR CONFLICTING LINEMARKING TO BE ERADICATED.



LEGEND

- o o o o b- ERADICATE LINEMARKING, SIGNS AND REMOVE KERB/CONCRETE.
- o o o o b- EXISTING LINEMARKING, SIGNS KERB AND CONCRETE.
- o o o o b- APPLY NEW LINEMARKING
- o o o o b- INSTALL NEW KERB, CONCRETE
- o- ERECT
RS-35 ERECT NEW SIGN

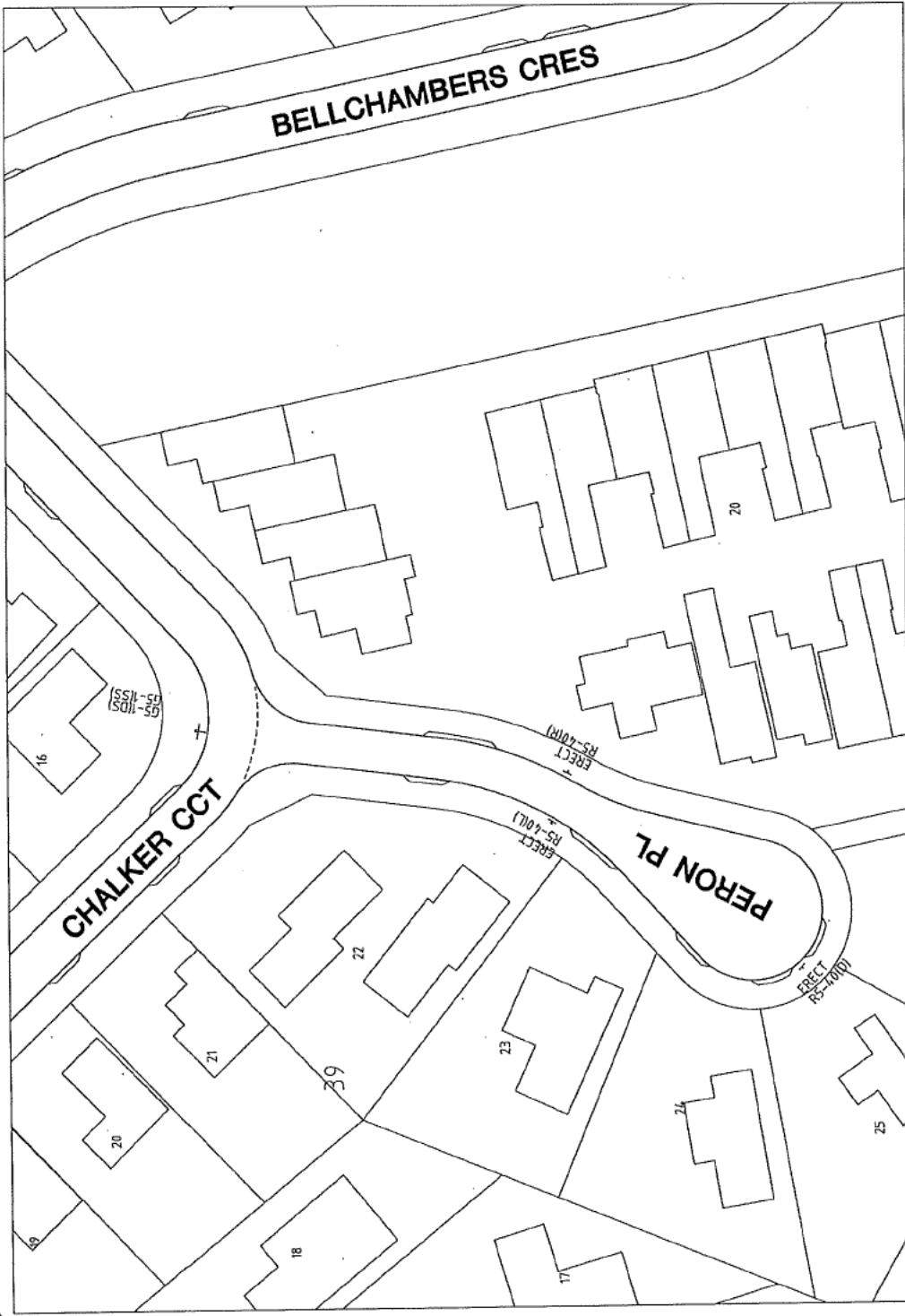
ACT GOVERNMENT



Authorised pursuant to Part 5 of Road Transport (Safety and Traffic Management) ACT 1999

Authorising Signature: [Redacted]

BANKS
Peron Place
Traffic Control Devices



| SIGN SCHEDULE | | GRID NUMBER | PLAN NUMBER |
|---|------------|---------------------------|-------------|
| | | G691 | 926881 |
| DESCRIPTION <td>DOCUMENT STATUS <td></td> </td> | | DOCUMENT STATUS <td></td> | |
| SIGN TO BE ERECTED <td>APPROVED <td></td> </td> | | APPROVED <td></td> | |
| R5-40 | NO PARKING | PROJECT OFFICER | SP |
| | | PHONE NO | SIGNATURE |
| | | DRAFTED | |
| | | ACTION DATE | 04-11-2015 |
| | | DATE PLOTTED | 04-11-2015 |
| | | SCALE | NTS |
| SIGN TO BE REMOVED | | DOCUMENT NUMBER | TC15-717 |
| | | SHEET NO | 1/1 |
| | | REVISION | 1 |



The Resident
Peron Place
Banks

RE: Proposed Parking Restrictions in Peron Place, Banks – C15-84

Dear Resident

Roads ACT, which is part of the TAMS Directorate, is responsible for providing traffic and parking controls throughout the ACT, as well as monitoring and reviewing their effectiveness.

Concerns have been received from ACT No Waste regarding the current parking situation in Peron Place, Banks. These complaints relate to vehicles parking along the street thereby restricting waste collection services.

Accordingly, Roads ACT proposes to implement parking restrictions "*No Parking*" *at* all times within the turning circle of Peron Place. Please see map overleaf.

Should you have any comments or concerns with regards to the above, please contact Mr Slobodan Paunovic on phone 62076601 or by email slobodan.paunovic@act.gov.au by Friday 7 August 2015.

Yours sincerely

Robyn Hawkins
Manager
Traffic Management and Safety
Roads ACT

July 2015

4200

PUBLIC CONSULTATION SUMMARY FORM 2005

Location/Project: Perron Place

Issues: Parking

Method of Consultation - Questionnaire

- Door Knock

- Other letter drop

Consultation dates: From 15/7 To 7/8

Number of letters sent: 32

Number of response's received: 1

| Proposal: | For | Against | Unsure |
|-------------|-----|---------|--------|
| No parking. | | 1 | |

Other Comments:

Recommendation/Decision:

Investigation Officer:

Signature: Date: 14/7/15

Paunovic, Slobodan

From: Paunovic, Slobodan
Sent: Monday, 17 August 2015 12:17 PM
To: Badcoe, Deirdre
Cc: Smith, Adam
Subject: FW: Proposed Parking Restrictions - C15-84

Adam/Deirdre

Not sure if I sent you this email for information and further discussion, please call me on 76601.
 Thanks

Slobie

From: Paunovic, Slobodan
Sent: Monday, 20 July 2015 11:25 AM
To: [REDACTED]
Cc: Badcoe, Deirdre
Subject: RE: Proposed Parking Restrictions - C15-84

Thanks [REDACTED] for the feedback would you please call me on 62076601 to discuss parking concerns further.
 Thanks

Slobodan

From: [REDACTED]
Sent: Friday, 17 July 2015 6:19 PM
To: Paunovic, Slobodan
Subject: Proposed Parking Restrictions - C15-84

Hello,

I found a letter in my mailbox this afternoon about a concern from ACT no waste about people who are parking legally in the Peron Place circuit.

I have a few issues with the proposed changes that you are considering.

Firstly, if it is only the ACT No waste making the concerns, then why would you propose to install no parking signs 'at all times' on the circuit? What logical basis is there for that? To my knowledge, ACT No Waste work during daylight hours, do they not? Or is this something new that the current government has proposed? Do they conduct weekend shifts? Do they work throughout the night? I highly doubt it. With the latest ACT cut backs I'm surprised any government (or non-government) employee is paid for overtime/after hours.

You were also considerate enough to send a diagram of the proposed layout for the 'No parking signs'. In return I am going to provide you with some scenarios, and in return I would appreciate a response in where people can alternatively park?

1 [REDACTED] Peron place is currently for sale, during the week and on weekends, the house is open for inspection. Where do you suppose prospective buyers can park their vehicles to view the house? On someone else's property? Is that considerate?

2) I like having people over for birthday celebrations (Or any celebration really). I'm sure a lot of other people in the street do too! So please tell me, where my friends who visit (even on a weekend!) in Peron Place can park their vehicles? I know on Bellchambers St (which is very near to Peron Place) has a park and reserve around the back (around the back of the people who live in Lanyon gardens). Should they park their vehicles there? On the street, which annoys the traffic commuters? Or better still next to the road there is a footpath! Let's have the kids walk on the street to get around the cars that are forced to park there. Perhaps ACT roads could focus more on the vehicles that are constantly speeding down the steep slope on Bellchambers Street instead?

Also, as I have my suspicions. Would you be kind to forward me the written concern from No Waste about the parking on Peron Place? I suspect there is none. In fact, I happen to know that there is a very shady character that lives in Lanyon Gardens. We've had this issue with him before, as with others on Peron Place. He's very clever you know. Clever enough to obtain those yellow government 'Vehicle Infringement Cards' and put them on the windscreen of cars who parked in your coloured area with a written letter inside (very fraudulently) stating that it is an offence to park in this area. My neighbour who was also suspicious about the matter called ACT Roads and low and behold. It was a fraud. Fancy that? I suspect that the same individual has decided to take it to the next level.

So please, if you could forward me the written complaint from ACT No Waste, or the written complaint that I suspect has come forward in the means of an email from a member of Lanyon Gardens, I would be greatly appreciated.

Also, installing signs up that say 'No parking at all times' when the ACT No Waste truck comes for five minutes one day during the week is a little 'Strange', 'Incomprehensible' and very 'Child like'.

I look forward to hearing from you soon.



From: Paunovic, Slobodan
Sent: Wednesday, 22 July 2015 5:09 PM
To: [REDACTED]
Subject: RE: Proposed Parking Restrictions - C15-84

Sorry [REDACTED] I was bit busy today I am in the office now would you please send me your contact details so I can give you a call.
Thanks

Slobodan

From: [REDACTED]
Sent: Wednesday, 22 July 2015 12:09 PM
To: Paunovic, Slobodan
Subject: RE: Proposed Parking Restrictions - C15-84

Tried to buzz you today at 12:08pm Wed

From: Slobodan.Paunovic@act.gov.au
To: [REDACTED]
CC: Deirdre.Badcoe@act.gov.au
Subject: RE: Proposed Parking Restrictions - C15-84
Date: Mon, 20 Jul 2015 01:25:28 +0000

Thanks [REDACTED] for the feedback would you please call me on 62076601 to discuss parking concerns further.
Thanks

Slobodan

From: [REDACTED]
Sent: Friday, 17 July 2015 6:19 PM
To: Paunovic, Slobodan
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Hello,

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I have a few issues with the proposed changes that you are considering.

Firstly, if it is only the ACT No waste making the concerns, then why would you propose to install no parking signs 'at all times' on the circuit? What logical basis is there for that? To my knowledge, ACT No Waste work during daylight hours, do they not? Or is this something new that the current government has proposed? Do they conduct weekend shifts? Do they work throughout the night? I highly doubt it. With the latest ACT cut backs I'm surprised any government (or non-government) employee is paid for overtime/after hours.

You were also considerate enough to send a diagram of the proposed layout for the 'No parking signs'. In return I am going to provide you with some scenarios, and in return I would appreciate a response in

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I look forward to hearing from you soon.



 This email, and any attachments, may be confidential and also privileged. If you are not the intended recipient, please notify the sender and delete all copies of this transmission along with any attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.

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Yours sincerely

Robyn Hawkins
Manager
Traffic Management and Safety
Roads ACT

16 July 2015

