



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 21-034

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)	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



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?

We act for [REDACTED] in relation to a Motor Vehicle Accident (MVA) occurring in Russell, ACT (Please find attached an Authority to Act). We request the statistics relating to the volume of MVA's that have occurred at this pedestrian crossing, located in front of the AGO (BuildingR4) on Russell Drive, Russell ACT 2602. This crossing is located between the intersection of Russell Drive and Reg Saunders Way, and the intersection of Russell Drive and Kings Ave. If you could please provide information as to the volume of motor vehicle, bicycle and pedestrian crashes recorded at this crossing for the period 01.01.2012 - current date.

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 document

APPLICANTS SIGNATURE

DATE OF REQUEST

30.03.2021

Declaration and authority to obtain information

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I declare that I was not wholly or mainly at fault in the motor accident. Declaration required under section 72(1)(c)(i) of the Act.

For the purpose of assessing my claim, I hereby authorise the insurer against whom this notice is made, to contact and obtain information and documents relevant to the claim for the payment of early medical expenses under Chapter 3 of the Road Transport (Third-Party Insurance) Act 2008, for injury sustained in the accident which occurred on the date mentioned in Section 2 of this form as follows:-

1. Clinical notes in the possession of a health service provider who treated or assessed me in relation to the personal injury ("injury").
2. Medical reports from health service or rehabilitation providers who have treated or assessed me for my injuries, or any pre-existing injury or condition exacerbated by the accident.
3. Clinical notes in the possession of any hospital (including any private hospital) where I received treatment relevant to the injury.
4. Records in the possession of an Ambulance or other emergency service that treated or assisted me in relation to the injury.
5. Clinical notes in the possession of a health service provider or hospital which treated or assessed me for the pre-existing injury or condition exacerbated by the accident.
6. Any records concerning me in the possession of an insurer carrying on the business of providing CTP insurance or Workers' Compensation insurance, regarding any previous or concurrent claims, or insurance against the loss of income through disability.

(Note: An insurer includes a reinsurer and/or overseas reinsurer).

I, the claimant (or their agent) signed hereunder, declare the information provided is true and correct and that I understand this declaration and authorisation. I acknowledge that this authority is provided for by legislation and the consent provided in this authority cannot be withdrawn.

Signature -
claimant or
agent

Date

02/12/2918

Print Claimant's
Full Name

Date of Birth

This form must be signed by the claimant unless he/she is either under the age of 18 years or is unable to complete it. If the claimant is unable to sign, this form must be completed and signed by an agent for the claimant (such as a parent, guardian, relative, friend or other person who has been selected to act on behalf the claimant). Please provide details of the person who signs as agent of the claimant below:

Agent's full
name

Date of Birth

Relationship to
claimant

Contact no.

Previous name
(if applicable)

Reason(s)
claimant cannot
sign

Please keep a copy of the completed and signed form. you will need to provide a MANF/MAMR form in the event you proceed with a claim.

By email: [REDACTED]

Dear [REDACTED]

Freedom of Information Request - Reference 21-034

I refer to your application for access to government information received by Transport Canberra and City Services (TCCS) on 30 March 2021. It is my understanding that you are seeking to access the following government information under the *Freedom of Information Act 2016* (FOI Act):

- *“Statistics relating to the volume of motor vehicle accidents that have occurred at this pedestrian crossing, located in front of the AGO (Building R4) on Russell Drive, Russell – (crossing is located between the intersection of Russell Drive and Reg Saunders Way, and the intersection of Russell Drive and Kings Avenue).*
- *Information as to the volume of motor vehicle, bicycle and pedestrian crashes recorded at this crossing for the period 1/1/2012 to current date”.*

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.

A decision on access to government information is due to you on 29 April 2021.

Decision on access

A search of records held by TCCS has been completed to identify any document that falls within the scope of your access application. This search identified one record as relevant to your request.

In accordance with section 17 of the Act, I have decided that the information in this record is in the public interest to disclose. As such, I have enclosed the information with this notice in full. My decision is detailed further in the following statement of reasons.

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

Factors favouring disclosure in the public interest (Schedule 2.1)

- 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.

Factors favouring non-disclosure (Schedule 2.2)

- No factors were identified as relevant.

In reviewing the information within scope of your application, no factors favouring non-disclosure were identified. As such, I have decided to disclose the information enclosed at Attachment A in full.

Charges

No fee is applicable to your application as the information being disclosed to you is less than 50 pages.

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.

Your access application, this notice of decision and records released to you will be published on the disclosure log within 3 – 10 business days. Your, and your client's, 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

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 queries about the directorate's processing of your request, or would like further information, please contact the TCCS FOI team on (02) 6207 2987 or email tccs.foi@act.gov.au.

Yours sincerely



Kristine Scheul

Information Officer

27 April 2021

SITE REPORT

History Location: RUSSELL DRIVE (SIR THOMAS BLAMEY -> REG SAUNDERS)

Report Date Range: 01/01/2012 12:00:00 AM -> 06/04/2021 11:59:59 PM

Location : Chainage	Police Reference	Date/Time Direction	Severity Lane	Injury Type Position	Crash Type Movement	Number of Casualties Visibility	Number of Vehicles	Road Surface	Weather	Rum Code
RUSSELL DRIVE (SIR THOMAS BL/	2017-1196768	15/02/2017 17:15	Property Damage Only			6	0	3 Good dry surface	Fine	301
	Vehicle 1	North bound	1st (kerb or left) lane	Not related to intersection	Straight ahead	Not obstructed				
	Vehicle 2	North bound	1st (kerb or left) lane	Not related to intersection	Straight ahead	Not obstructed				
	Vehicle 3	North bound	1st (kerb or left) lane	Not related to intersection	Straight ahead	Not obstructed				
RUSSELL DRIVE (SIR THOMAS BL/	2018-1159546	8/11/2018 7:40	Injury	Admitted to hospital		9	1	2 Good dry surface	Fine	408
	Vehicle 1	North bound	1st (kerb or left) lane	Not related to intersection	Straight ahead	Other				
	Bicycle	West bound	Footpath	Not related to intersection	Straight ahead	Not known				
Total Crashes = 2										