

By email: [REDACTED]

Dear [REDACTED]

Freedom of Information – Notice of Decision

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the FOI Act), received by the City and Environment Directorate (CED) on 27 October 2025. It is my understanding you seeking access to the following information:

- “1. *The full report or results of the ACT Government traffic studies conducted on several streets in Kambah in 2020, in response to community concerns around road safety. The report was mentioned on this Facebook Post <https://www.facebook.com/share/p/1DYahDcYz9/>*
2. *Data on the number of pedestrians hit by speeding vehicles in Kambah from 2020-2025*
3. *The signed directive ordering speed limits around Kambah to be reduced to 50km/hr”.*

Timeframes

In accordance with section 40 of the FOI Act, CED is required to provide a decision on your access application within 30 working days. However, third party consultation was required, and the due date was extended until 17 December 2025. A further extension was obtained to 23 January 2026.

Authority

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

Decision on access

Section 43(1)(d) of the FOI Act provides that a respondent may refuse to deal with an access application wholly or in part if the government information is already available to the applicant. Section 45 sets out the circumstances in which government information is already available to the applicant, which includes where the information is already publicly available.

I have refused to deal with part 2 of your application under section 43(1)(d) and section 45(a) of the FOI Act as the records within the scope of your application are already available to you on:

- the Open Data Portal by viewing the link here referenced ACT Road crash data – [crash type](#). The data allows you to filter the information into the crash type. The information can be located under the filter ‘struck pedestrian (on road)’.

In relation to parts 1 and 3 of your application, a search for CED records has been completed and three records within the scope of your application have been identified. The records are listed in the schedule at **Attachment A**.

I note that records 1 and 2 (reports) were the subject of an FOI application in 2021 and were published in part on the former Transport Canberra and City Services FOI disclosure log under decision 21-119. However, as it has been over 12 months since this decision was made, I have made a new decision on the disclosure of these records.

I have decided to grant **partial** access to these records. The reasons for my decision are detailed in the *statement of reasons* section below. The records being released to you are provided at **Attachment B** with redactions applied to any information contrary to the public interest to release.

Statement of reasons

The FOI Act has a pro-disclosure bias, which requires information to be disclosed unless doing so would be contrary to the public interest. As an Information Officer, I am responsible for determining whether disclosure of the information within the scope of your application would be contrary to the public interest.

My assessment begins with Schedule 1 of the FOI Act, which outlines categories of information that are taken to be contrary to the public interest to disclose. If the information does not fall within any of these categories, I must then apply the public interest test under section 17 of the FOI Act. This test involves weighing the factors favouring disclosure against those favouring nondisclosure, as set out in Schedule 2.

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

- the FOI Act
- the information that falls within the scope of your application
- the Human Rights Act 2004.

I confirm that I have not considered any of the factors listed in section 17(2) of the FOI Act, which outlines a list of considerations that must not be taken into account when applying the public interest test.

Schedule 1 – Information taken to be contrary to the public interest

- No relevant factors have been identified.

Schedule 2 – Public interest test

Factors favouring disclosure (Schedule 2.1)

- *Section 2.1(a)(i) - promote open discussion of public affairs and enhance the government's accountability.*
- *Section 2.1(a)(iii) - inform the community of the government's operations, including policies, guidelines and codes of conduct followed followed by the government in its dealings with members of the community.*
- *Section 2.1(a)(iv) - ensure effective oversight of expenditure of public funds.*

Factors favouring nondisclosure (Schedule 2.2)

- *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.*

In reviewing the information within the scope of your application, I have decided that disclosure promotes open discussion of public affairs and enhances government's accountability generally. I have placed significant weight on this factor.

In my consideration of factors favouring nondisclosure of information, I have identified that the records contain personal information, specifically names of staff member of third-party businesses. I consider that this information has come to be held by CED with the expectation that it is handled in accordance with the Information *Privacy Act 2014*. It is my view that the information if disclosed, could reasonably be expected to prejudice the protection of an individual's right to privacy under section 12 of the *Human Rights Act 2004*. I have placed substantial weight on this factor.

In this instance, I have weighed the factor favouring non-disclosure more highly than the factor favouring disclosure and consider the disclosure of personal information to be, on balance, contrary to the public interest. I have found that the factors favouring disclosure can be satisfied with the deletion of information which is contrary to the public interest.

Charges

Processing charges are not applicable for this application because the number of pages released to you is below the charging threshold of 50 pages.

Online publishing – Disclosure Log

Under section 28 of the FOI Act, CED maintains a disclosure log, which is a public record of access applications and decisions. Your original access application and my decision will be published on the CED disclosure log. Your personal contact details will not be published.

ACT Ombudsman Review

My decision on your access application is a reviewable decision as identified in Schedule 3 of the FOI Act. You have the right to seek ACT Ombudsman review of this outcome under section 73 of the FOI Act within 20 working days from the day that my decision is provided to you, or a longer period allowed by the ACT Ombudsman. If you wish to request a review of my decision, you may write to the ACT 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 FOI 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 the ACAT at:

ACT Civil and Administrative Tribunal
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
<https://www.acat.act.gov.au/>

Please contact the CED Information Access team if you have any queries in relation to your application via 6207 2987 or CEDFOI@act.gov.au.

Yours sincerely

Jodie Vaile
Information Officer
City and Environment Directorate
22 January 2026