



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 21-005

Information to be published	Status
1. Access application	Published
2. Decision notice and schedule	Published
3. Documents	Refused
4. Additional information identified	n/a
5. Fees	n/a
6. Processing time (in working days)	16 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.

I wish to make an access application to Transport Canberra and City Services under the <i>Freedom of Information Act 2016</i> .	
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].com.au

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I would like all briefing documents provided to TCCS and the scoping study developed by TCCS in relation to the adoption of mobile phone detection cameras in the ACT

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.

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

The information being requested is of special benefit to the public (Ombudsman guidelines see Section 66).

I would like

a copy of these documents sent to the above address (or via email)

Signed:	
	Jarway 22 2021

Mr [REDACTED]
By email: [REDACTED].com.au

Dear Mr [REDACTED]

Freedom of Information Request - Reference 21-005

I refer to your application for access to government information received by Transport Canberra and City Services (TCCS) on 22 January 2021 under the *Freedom of Information Act 2016* (FOI Act). It is my understanding you are seeking to access the following government information:

“all briefing documents provided to TCCS and the scoping study developed by TCCS in relation to the adoption of mobile phone detection cameras in the ACT.”

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 22 February 2021.

Decision on access

A search of records held by TCCS has been completed to identify the scoping study developed by TCCS in relation to the adoption of mobile phone detection cameras in the ACT. This search did not identify any relevant information. I am satisfied that appropriate searches were completed.

Pursuant to section 35(1)(b) of the Act, I have determined that the information that you have requested is not held by TCCS.

A search of records held by TCCS has been completed to identify all briefing documents provided to TCCS in relation to the adoption of mobile phone detection cameras in the ACT. This search identified one record, including its attachments, as relevant to your request.

In accordance with section 17 of the Act, I have decided that the information in this record is contrary to the public interest to disclose. Pursuant to section 35(1)(c), I have decided to refuse access to this government information. My decision is detailed further in the following statement of reasons.

Statement of Reasons

In making my decision on disclosing government information, I must follow the process detailed in section 17 of the Act.

The information within the record is information which has been submitted to Cabinet for its consideration and that was brought into existence for that purpose. In reviewing the information, I have found that its disclosure at this stage would reveal a deliberation of Cabinet.

I have found that this information is consistent with schedule 1.6 of the Act, in which Cabinet Information is taken to be contrary to the public interest. As a result, I have decided to refuse access to the record as doing so is contrary to the public interest.

Charges

No fee is applicable to your application as no information is being disclosed.

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 personal information will be removed from these 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



Cherie Hughes
Information Officer

16 February 2021