



## FREEDOM OF INFORMATION COVERSHEET

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

FOI reference: 23-122

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Schedule	Published
4. Documents	Published
5. Additional information identified	Not Applicable
6. Fees	Not Applicable
7. Processing time (in working days)	30 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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[REDACTED]

FOI and Subpoenas, Legal and Contracts  
Transport Canberra and City Services Directorate  
GPO Box 158  
Canberra ACT 2601

[REDACTED]

18 October 2023

By email only: [tccs.foi@act.gov.au](mailto:tccs.foi@act.gov.au)

Dear Sir/Madam,

[REDACTED]

**PUBLIC LIABILITY CLAIM IN THE ACT: 31 JULY 2023**

I act for [REDACTED] who was injured in a public liability incident that occurred in the ACT on 31 July 2023.

I **enclose** a request for records pertaining to the above incident under the *Freedom of Information Act 2016*.

Further, I **enclose** my client's signed authority for [REDACTED] to act on [REDACTED] behalf.

I look forward to hearing from you shortly.

[REDACTED]



## Freedom of Information

### Access Application to Transport Canberra and City Services

#### About this form

This form should be used to submit an application for information held by Transport Canberra and City Services (TCCS) under the [Freedom of Information Act 2016](#).

For an application to be valid, it must:

- Contain an email address or postal address in which notices under the FOI Act can be provided to you; and
- Include enough detail about in the type of information you are requesting to enable TCCS to identify the relevant government information.

Mandatory fields are marked with a \*

If your application is for access to your own personal information you must include evidence of your identity.

Where a request relates to the personal information of a person you are acting on behalf of, you are required to attach evidence of your identity and a signed consent form.

You may wish to include a statement about how the release of information is in the public interest. An opportunity to attach the statement or any other information will be provided at the end of this application.

If your application is incomplete, TCCS will take reasonable steps to assist you and give you reasonable time to amend your application.

#### Submission

##### Post

FOI and Subpoenas, Legal and Contracts  
Transport Canberra and City Services Directorate  
GPO Box 158  
CANBERRA ACT 2601

##### Email

[tccs.foi@act.gov.au](mailto:tccs.foi@act.gov.au)

#### Your details:

Title

Name

Address

Phone

Email

Preferred method of contact:  Phone  Email  Post

**Requested information\****Additional information can be attached*

I am requesting access to the following government information under the *Freedom of Information Act 2016*:

**All documents and files, whether in electronic or paper form, from 1 July 2020 to date, relating to the paved footpath outside residences located at 84 and 86 Theodore Street, Curtin ACT including but not limited to:**

1. Records of all Fix My Street complaints;
2. Inspection/defect notices; and
3. Records of any rectification/repair works.

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Preferred method to receive information\*:

Email     Post

**Statement on the public interest (Optional)**

Click or tap here to enter text.

**Waiver of fees**

- I hold a valid concession card
- I am a member of the ACT Legislative Assembly
- This application is being submitted on behalf of a not-for-profit organisation
- The information that is the subject of the request is of special benefit to the public
- The information being requested was previously available to the public but no longer is

### **Privacy Notice**

All personal information you provide will be handled in accordance with the [Information Privacy Act 2014](#) and the TCCS Privacy Policy. In accordance with the [Freedom of Information Act 2016](#), your application may be shared with other ACT Government Directorates where it is believed that they may hold information relevant to your request. You will be notified if another ACT Government Directorate is likely to respond to all or part of your application.

### **TCCS Disclosure Log**

Please be aware that under the [Freedom of Information Act 2016](#) all information released to you will be published online, except where the request relates to your personal information. Your personal information will be removed prior to documents being published online.

### **Public Interest**

In deciding on an application to access government information, an Information Officer must decide if the disclosure is in the public interest. While the Freedom of Information Act 2016 promotes disclosure, there are certain circumstances the disclosure of government information is contrary to the public interest. These circumstances are:

- Any instance where the type of information is listed in schedule 1; or
- Where the Information officer has carried out a public interest test against factors listed in schedule 2, and the information is found on balance to be contrary to the public interest.

### **Accessibility**

Should you require assistance to complete this application or have any suggestions to improve the accessibility of this form, please contact the TCCS Freedom of Information team on (02) 62072987.



**ACT**  
Government

Transport Canberra and  
City Services

Official



Dear 

### **Freedom of Information Request - Reference 23-122**

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act) received by Transport Canberra and City Services (TCCS) on 18 October 2023 seeking the following information:

*All documents and files, whether in electronic or paper form, from 1 July 2020 to date, relating to the paved footpath outside residences located at 84 and 86 Theodore Street, Curtin ACT including but not limited to:*

- 1. Records of all Fix My Street complaints;*
- 2. Inspection/defect notices; and*
- 3. Records of any rectification/repair works*

### **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.

### **Timeframes**

A decision on your application is due by 29 November 2023.

### **Decision on access**

A search of records held by TCCS has been completed and 20 records have been identified as detailed in the schedule at [Attachment A](#).

Upon reviewing the information within the records and applying the public interest test under section 17 of the FOI Act, I have decided to provide you with full disclosure of the records.

### **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, Section 2.1)***

- Section 2.1(a)(i) - promote open discussion of public affairs and enhance the government's accountability; and

TCCS.FOI@act.gov.au | phone: (02) 620 72987 | [www.act.gov.au](http://www.act.gov.au)

- 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)***

- No factors favouring non-disclosure were identified as relevant to this application.

I have considered the public interest in relation to the information and find that the information enclosed with this notice is in the public interest to disclose in full.

**Charges**

No fees are applicable, as the information being provided to you 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 access application, this notice of decision and any information disclosed to you will be published on the disclosure log within 3 – 10 business days. Your personal information and any information relating to your client will be removed from these documents prior to publication.

**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 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: [ombudsman@ombudsman.gov.au](mailto:ombudsman@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 the 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](http://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 [tccs.foi@act.gov.au](mailto:tccs.foi@act.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Cherie Hughes', written in a cursive style.

Cherie Hughes  
Information Officer  
29 November 2023

## ATTACHMENT A - ACCESS APPLICATION SCHEDULE, FREEDOM OF INFORMATION

**Reference Number: 23-122**

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: [https://www.cityservices.act.gov.au/about-us/freedom\\_of\\_information/disclosure-log](https://www.cityservices.act.gov.au/about-us/freedom_of_information/disclosure-log)

Reference number	Page number	Description	Date	Status	Reason for non-release or deferral	Open Access release status
1	1	20210413 - CRM search results	13 April 2021	Full release	Not applicable	Decision to be published on the <a href="#">TCCS Disclosure Log</a> .
2	2	CRM search results	13 April 2021	Full release	Not applicable	
3	3	20210527 - JFC - Community Path Condition Audit Summary	27 May 2021	Full release	Not applicable	
4	4	20210527 - JFC Community Path Condition Audit Map	27 May 2021	Full release	Not applicable	
5	5	20210527 - A1 - image	27 May 2021	Full release	Not applicable	
6	6	20210527 - A2 - image	27 May 2021	Full release	Not applicable	
7	7	20210527 - B1 - image	27 May 2021	Full release	Not applicable	
8	8	20210527 - B2 - image	27 May 2021	Full release	Not applicable	
9	9	20210527 - C1 - image	27 May 2021	Full release	Not applicable	

<b>10</b>	<b>10</b>	20210527 - D1 - image	27 May 2021	Full release	Not applicable
<b>11</b>	<b>11</b>	20210527 - E1 - image	27 May 2021	Full release	Not applicable
<b>12</b>	<b>12</b>	20210527 - F1 - image	27 May 2021	Full release	Not applicable
<b>13</b>	<b>13</b>	20210527 - F2 - image	27 May 2021	Full release	Not applicable
<b>14</b>	<b>14</b>	20230906 - Salesforce search results	6 September 2023	Full release	Not applicable
<b>15</b>	<b>15</b>	20230906 - Salesforce - image 1	6 September 2023	Full release	Not applicable
<b>16</b>	<b>16</b>	20230906 - Salesforce - image 2	6 September 2023	Full release	Not applicable
<b>17</b>	<b>17</b>	20230907 - Work Order	7 September 2023	Full release	Not applicable
<b>18</b>	<b>18</b>	20230970 - Work Order Map	7 September 2023	Full release	Not applicable
<b>19</b>	<b>19</b>	20230907 - Work Request	7 September 2023	Full release	Not applicable
<b>20</b>	<b>20</b>	20230907 - Work Request Map	7 September 2023	Full release	Not applicable
<b>Total number of documents: 20</b>					

REFERENCE NUMBER	DATE CREATED	DATE LAST UPDATED	STATUS	QUEUE	SUBJECT	DESCRIPTION	ADDRESS	ADDITIONAL INFORMATION	CATEGORY_LEVEL_2	CATEGORY_LEVEL_3	CATEGORY_LEVEL_4
210413-001007	13/04/2021	13/04/2021	Unresolved	TCCS AMIS Place Mgt Operations	FixMyStreet Submission: Cycle & footpaths; Shared paths; Blocking the path;	Cycle & footpaths Shared paths Blocking the path What is causing the obstruction? Builders equipment or unauthorised signs Could it cause a trip fall or injury?*	84 THEODORE ST, CURTIN ACT 2605	Assetic Work Request: WR21037 Assetic Work Request Status: New  CGD Source: CRM_AMIS_INCIDENTS_V2  Reporting Party: Fix my Street Street: 84 Theodore st Suburb: Curtin Initial Investigation Date: 2021-07-20 16:27:00 Priority: Low Public Safety Incident: No Make: UNKNOWN  CGD Source: oracle_crm.CRM_CITY_RANGE_RS_INCIDENTS_V4	Cycle & footpaths	Shared paths	Blocking the path
210413-001007	13/04/2021	20/07/2021	Resolved	City Rangers	FixMyStreet Submission: Cycle & footpaths; Shared paths; Blocking the path;	Cycle & footpaths Shared paths Blocking the path What is causing the obstruction? Builders equipment or unauthorised signs Could it cause a trip fall or injury?*	84 Theodore st		Cycle & footpaths	Shared paths	Blocking the path

### Community path condition audit - P2

Get directions Zoom to

Condition	4. Poor
Function	3. Fair
Utilisation	2. Good
Comments	Several cracks and couple of high vertical displacements
Type	Concrete footpath























Date/Time Opened	Case Number	Subject	ACTCCS Description	Incident Address	Assetic Work Request ID	AC Case Number	Assetic Status Comments
6/09/2023	346480	Fix My Street > Cycle & footpaths > Shared paths > Damage to path or other	Is it causing traffic or cyclists to swerve? No What is the material? Brick or concrete pavers What is the damage? Uplifting due to tree root Could it cause a trip, fall or injury? Yes	84 THEODORE ST, CURTIN ACT 2605	WR92613	781634	







Work Order ID	Work Order Status	Work Order Creation Time	Work Order Brief Description	Work Order Supporting Information	Work Order Priority	Work Order Priority Notation	Work Order Actual Finish Date	Work Order Source	Work Order Work Group	Work Order Type	Work Order Failure Code	Work Order Cause Code
WO71020	PREP	18/07/2023 8:51 AM	Concrete footpath has cracked and sunken. Please replace panels.			Very Low Risk (18 months)		Public Enquiry	Concrete - RM	CM - Corrective	CCK, CCK-01, Concrete - Cracked or displaced, Horizontal displacement (15-35mm)	ENV, ENV-02, Environmental, Vegetation
WO71022	ASSESS	18/07/2023 8:57 AM	Concrete footpath has lifted creating trip hazards. Please grind to make safe.	WO71022 : One side of hazard 50 to 60mm high and slab only 75mm thick thus cold mix utilized. ***Last updated by Serendia Pty Ltd***/08/2023 8:17:26 PM		Very Low Risk (18 months)	30/08/2023 12:00 AM	Public Enquiry	Concrete - RM	CM - Corrective	CTU, CTU-01, Concrete - Trip or undulation, Vertical displacement (15-35mm)	ENV, ENV-02, Environmental, Vegetation
WO73355	ASSESS	07/09/2023 11:18 AM	Concrete panel uplifted @ 84 Theodore St, Curtin, Apply cold mix to make safe.			Very Low Risk (18 months)	13/09/2023 1:08 PM	Public Enquiry	Concrete - RM	CM - Corrective	ACCK, ACCK-01, AC - Cracked or displaced, Horizontal displacement (15-50mm)	ENV, ENV-02, Environmental, Vegetation

Work Order Remedy Code	Asset Id	Asset Name	Asset Category	Asset Workgroup	Maintenance Asset Type	Maintenance Asset Sub Type	Asset Suburb	Work Order Defect Location
Panel replacement	COPA39984	THEODORE STREET,JAMES STREET CONCRETE FOOTPATH	Pathways	Concrete - RM	Community Path	Concrete	CURTIN	1 Carruthers St, Curtin ACT 2605, Australia
Grinding	COPA39984	THEODORE STREET,JAMES STREET CONCRETE FOOTPATH	Pathways	Concrete - RM	Community Path	Concrete	CURTIN	5 Carruthers St, Curtin ACT 2605, Australia
Coldmix	COPA39984	THEODORE STREET,JAMES STREET CONCRETE FOOTPATH	Pathways	Concrete - RM	Community Path	Concrete	CURTIN	84 Theodore St, Curtin ACT 2605, Australia



Asset Id	Asset Name	Asset Status	Asset Category	Work Request ID	Work Request Status	Work Request Status Date	Request Created Date	Risk Level	Work Request Brief Description	Asset Suburb	Work Request Defect Location	Work Request Inspection Date
COPA39984	THEODORE STREET,JAMES STREET CONCRETE FOOTPATH	Active	Pathways	WR92614	REJECTED	07/09/2023 11:28 AM	06/09/2023 3:48 PM		82 Theodore St, Curtin Cycle & footpaths > Shared paths > Damage to path or other	CURTIN	82 THEODORE ST, CURTIN ACT 2605	
COPA39984	THEODORE STREET,JAMES STREET CONCRETE FOOTPATH	Active	Pathways	WR92613	CLOSED	25/09/2023 9:33 AM	06/09/2023 3:48 PM		84 Theodore St, Curtin Cycle & footpaths > Shared paths > Damage to path or other	CURTIN	84 THEODORE ST, CURTIN ACT 2605	07/09/2023 11:18 AM

