



**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: 24-171

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

Your Ref:  
Our Ref: CE:420155:sfw

26 November 2024

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

Dear Sir / Madam

**COMPENSATION CLAIM/Common Law  
PUBLIC LIABILITY IN ACT: 22 AUGUST 2024**

We act for [REDACTED] in relation to a claim for personal injury damages arising from a public liability accident in the Australian Capital Territory on 22 August 2024.

We request access to the following government information under the *Freedom of Information Act 2016*:

1. In relation to the wooden gate located on a path in Mount Taylor Reserve adjacent to Barff Place and Wood Place in Chifley in the ACT:
  - a. Documents relating to its planning, design, and installation including the date it was installed, its intended purpose, and any risk assessments or health and safety assessments undertaken in relation to the date;
  - b. All records relating to its maintenance, inspection, upkeep, monitoring, and repair; and
  - c. Any records relating to complaints or reports of injury from 1 January 2020 to date.

We **enclose**, as Annexure A to this letter, a photograph of the subject gate and a Google Maps Screenshot of its location for ease of reference.

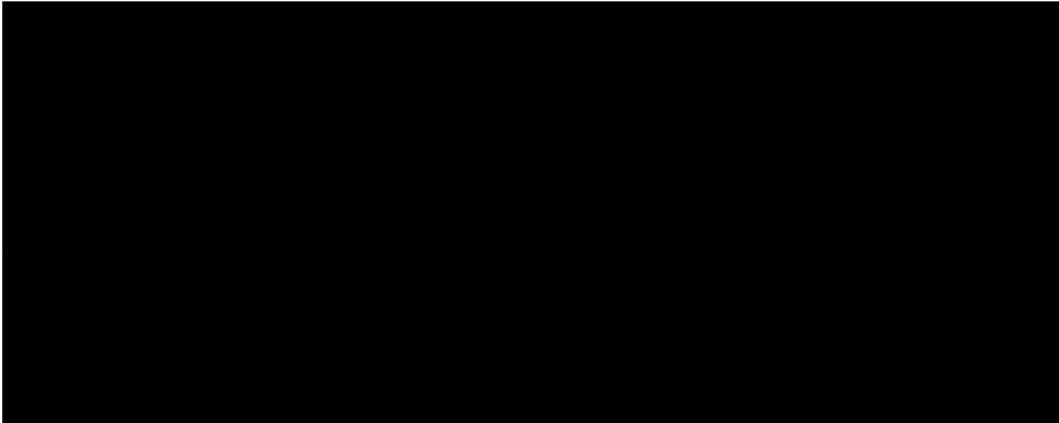
2. In relation to any other wooden gates of a similar design in the ACT:

- a. Locations;
- b. Dates of installation;

- c. Any risk assessments or other assurance processes undertaken in respect of their design; and
- d. Any records relating to complaints or reports of injury from 1 January 2020 to date.

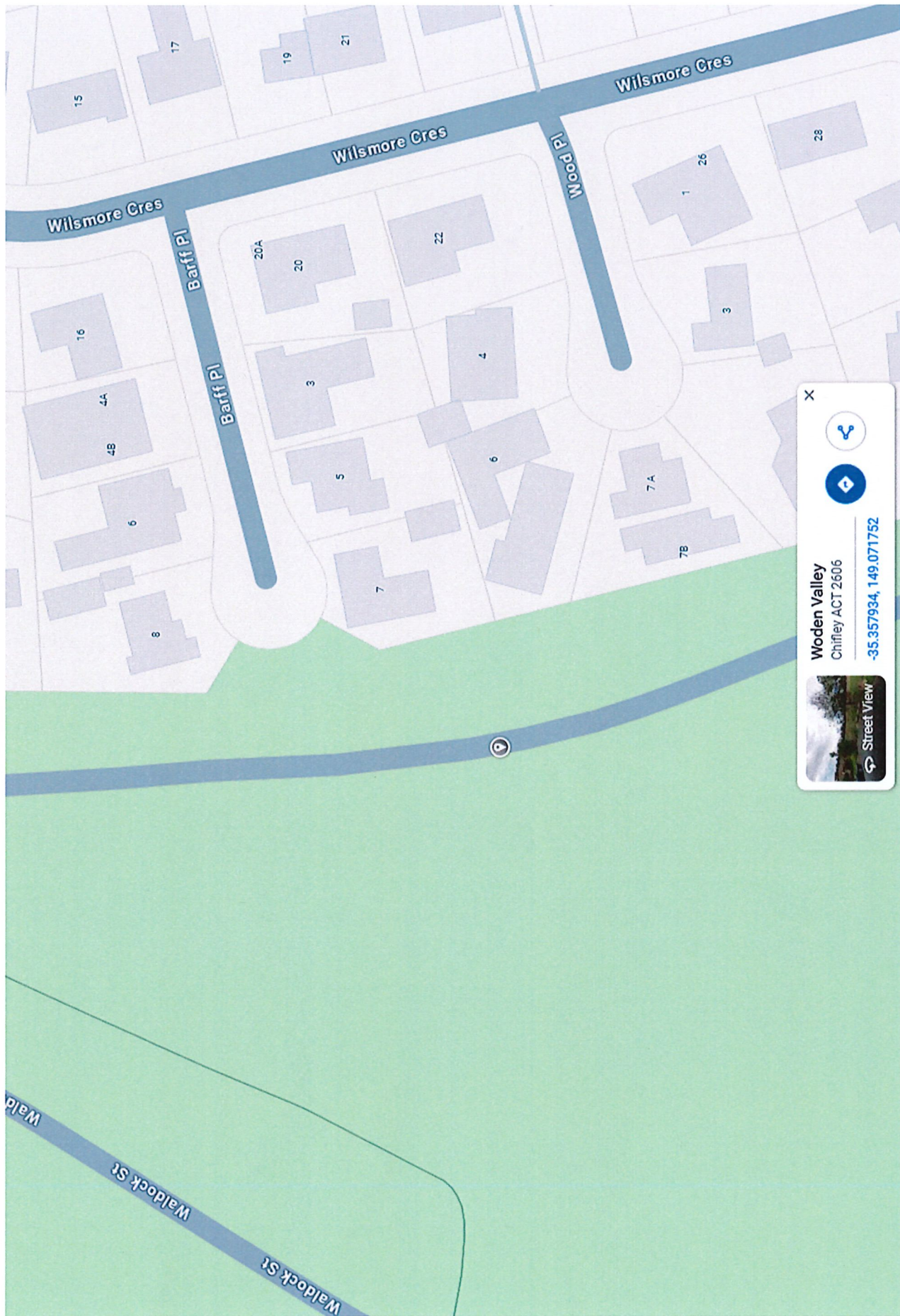
Please provide any invoice for processing charges that may apply to this request so that we can attend to payment.

We look forward to receipt of documents in due course.





ANNEXURE A







X

**Woden Valley**  
Chifley ACT 2606  
-35.357934, 149.071752

  Street View

Dear [REDACTED]

**Freedom of Information Request – Our reference 24- 171**

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 26 November 2024.

You have sought access to the following government information under the Act:

1. *“In relation to the wooden gate located on a path in Mount Taylor Reserve adjacent to Barff Place and Wood Place in Chifley in the ACT:*
  - a) *Documents relating to its planning, design, and installation including the date it was installed, its intended purpose, and any risk assessments or health and safety assessments undertaken in relation to the date;*
  - b) *All records relating to its maintenance, inspection, upkeep, monitoring, and repair; and*
  - c) *Any records relating to complaints or reports of injury from 1 January 2020 to date.*

*We enclose, as Annexure A to this letter, a photograph of the subject gate and a Google Maps screenshot of its location for ease of reference.*

2. *In relation to any other wooden gates of a similar design in the ACT:*
  - a) *Locations;*
  - b) *Dates of installation;*
  - c) *Any risk assessments or other assurance processes undertaken in respect of their design; and*
  - d) *Any records relating to complaints or reports of injury from 1 January 2020 to date.”*

On 24 December 2024, your application was sent to the Environment, Planning and Sustainable Development Directorate (EPSDD) who will provide you with a separate notice of decision. TCCS is responding to part 2 of your application.

**Timeframes**

A decision on this application was due on 16 January 2025. I thank you for granting an extension until 26 February 2025.

**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 Act.

**Decision on access**

A search for records has been undertaken and a total of two records have been identified as relevant to your request.

Upon reviewing the information identified in the records, I have found that some of the information within these documents is, on balance, contrary to the public interest to disclose. I have decided to provide you with:

- full access to one record; and
- partial access to one record.

#### **Parts A and B - Record 1**

Data for parts A and B of your request have been collated into a spreadsheet. The spreadsheet shows the location at columns P, AK and AM. The construction date is at column AL which is not necessarily the installation date.

#### **Part C**

In relation to part C, I can confirm that the standard drawing for cavaletti gates is available on the TCCS website at:

[https://www.cityservices.act.gov.au/data/assets/pdf\\_file/0012/2258598/ACTSD-0602-Rev-0.pdf](https://www.cityservices.act.gov.au/data/assets/pdf_file/0012/2258598/ACTSD-0602-Rev-0.pdf)

The following link contains the recommended design requirements as of 2018, and can be found under the heading MIS05 Part 8:

<https://www.cityservices.act.gov.au/plan-and-build/standards-codes-and-guidelines/municipal-design-standard-drawings>.

No other documents were identified.

#### **Part D – Record 2**

The TCCS complaints databases have been searched and related gate complaints were identified. This data was identified on the Salesforce and Oracle databases.

My decision is detailed further in the statement of reasons. I have included a schedule of the documents at Attachment A. The documents are enclosed at Attachment B with deletions applied to information which is 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;
- the content of the documents that fall within the scope of your request; and
- the *Humans Rights Act 2004*.

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 must decide where, on balance, public interest lies in the disclosure of government information. Section 17(1) of the Act sets out the steps for completing the public interest test. As part of this process, I must identify all relevant factors in schedule 1 of the FOI Act. If no factor in schedule 1 is found relevant, I must then consider the factors listed in schedule 2 of the FOI Act and determine, on balance, where the public interest lies.

#### **Schedule 1**

- No relevant factors identified.

## Public interest test (Schedule 2)

### Factors favouring disclosure (Schedule 2.1)

- Schedule 2.1(a)(i) - promote open discussion of public affairs and enhance the government's accountability; and
- Schedule 2.1(viii) - reveal the reason for a government decision and any background or contextual information that informed the decision.

### Factors favouring non-disclosure (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 scope of your application, I have identified information that disclosure is likely to provide background or contextual information that informed a government decision. I have placed significant weight on this factor. The pro-disclosure bias requires the arguments on each side of the public interest test to be weighed.

In my consideration of factors favouring non-disclosure of information within the records, I have identified the personal information of parties who are not employees of the ACT Government. I have considered that the information has been provided to TCCS with the expectation that it is handled in accordance with published privacy statements and policies. I consider that this information is not readily available to the public and has not otherwise been disclosed by TCCS. I further consider that this information has come to be held by TCCS with the expectation that it is handled in accordance with the *Information Privacy Act 2014*.

I have found that the factors favouring disclosure can be satisfied by the deletion of information which is contrary to the public interest. I have attached a list of the records at [Attachment A](#) and a copy of the records with redactions at [Attachment B](#).

### **Charges**

No fee applies to your application as the number of pages for release are 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 released to you will be published with personal information removed.

### **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:

ACT Ombudsman  
GPO Box 442  
CANBERRA ACT 2601  
Via email: [actfoi@ombudsman.gov.au](mailto: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 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  
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 to [tccs.foi@act.gov.au](mailto:tccs.foi@act.gov.au)

Yours sincerely

A handwritten signature in black ink that reads "Alison Kemp". The signature is written in a cursive, slightly slanted style.

Alison Kemp  
Information Officer  
26 February 2025

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

Reference Number: 24-171

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)

Factors favouring non-disclosure:

Schedule 2.2(a)(ii) - prejudice the protection of an individual's right to privacy or any other right under the *Human Rights Act 2016*.

Reference number	Page number	Description	Date	Status	Reason for non-release or deferral	Open Access release status
1	1	01. Geospatial Data Catalogue – PM and SRF Cavallettis	Undated	Full access	Not applicable	Decision to be published on the <a href="#">TCCS Disclosure Log</a> .
2	1-4	Complaints data	Multiple	Partial Access	Schedule 2.2(a)(ii)	

Total number of documents: 2



- [Close Window](#)
- [Print This Page](#)

## Case: 00397663

Case Officer	Case Owner	Place Management and Graffiti
Reassignment Reason		

### Case Overview

Case Number	00397663	AC Case Number	00862899
Feedback Type		Priority	
Job Type		Subject	Fix My Street > Parks & public spaces > Fencing & bollards > Graffiti & vandalism
Status	Case Closed	Region	
Sub Status	Resolved		

### Assetic Detail

Assetic Status	Resolved	Assetic Queue	TCCS AMIS Place Mgt Graffiti
Assetic Work Request ID	WR106917	Assetic Team Allocation	PM Woden Weston Molonglo Operations
Assetic Target Finish Date	24/02/2024	Managing Platform	Assetic
Assetic Status Comments	Workrequest WO80996 is in progress. WorkOrder Corrective Maintenance has been raised in Assetic with a priority of Critical (1 hour)		
ACTCCS Description	<p><b>What has been vandalised</b> Gate to Curtin ridge broken</p> <p><b>Is it posing a safety hazard?</b> No</p> <p><b>If the vandalism is graffiti, is it offensive, threatening, racist or obscene?</b> No</p>		

Request Comments

### Duplicate Case

Related Case	Is Duplicate	<input type="checkbox"/>
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### Citizen Details

Account Name	[Redacted]	Contact Email	[Redacted]
Contact Phone	[Redacted]	Contact Mobile	

### ACTCCS Contact Details

ACTCCS Contact First Name	[Redacted]	ACTCCS Contact Last Name	[Redacted]
ACTCCS Contact Phone	[Redacted]	ACTCCS Contact Mobile	
ACTCCS Contact Email	[Redacted]		

## Citizen Communication Details

Citizen Opted For Comms

Comms Sent Case Closed

## Case Details

Case Origin	FMS Form	Incident Address	64 DEVONPORT ST, LYONS ACT 2606 Australia
Source	Access Canberra	Suburb	LYONS
Date/Time Opened	14/02/2024 8:48 AM	ACTCCS Longitude	149.07264569
Date/Time Closed	21/02/2024 7:38 AM	ACTCCS Latitude	-35.33473509

## System Information

Created By	AC TCCS Integration, 14/02/2024 8:48 AM	Last Modified By	Rakesh Posina, 29/11/2024 5:28 PM
Contact Name	[REDACTED]	Date Created in FMS	14/02/2024 8:48 AM
Case Sharing ID ACTCCS	PMG	PSMA Callout Timestamp	

## Contact Information

Account Name	[REDACTED]	Primary Phone	[REDACTED]
Birthdate		Email	[REDACTED]

## Address Information

Billing Address

## System Information

Created By	AC TCCS Integration, 15/06/2021 11:17 AM	Last Modified By	AC TCCS Integration, 15/06/2021 11:17 AM
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## Case History

21/02/2024 7:38 AM

User **Assetic TCCS Integration**  
Action **Changed Sub Status from In Progress to Resolved. Changed Status from Assigned to Case Closed. Changed Assetic Status from InProgress to Resolved.**

21/02/2024 7:33 AM

User **Assetic TCCS Integration**  
Action **Changed Assetic Status from Assigned to InProgress.**

15/02/2024 10:31 AM

User **Assetic TCCS Integration**  
Action **Changed Sub Status from Unresolved to In Progress. Changed Status from Unassigned to Assigned. Changed Assetic Status from New to Assigned.**

14/02/2024 8:51 AM

User **Assetic TCCS Integration**  
Action **Changed Assetic Work Request ID to WR106917. Changed Assetic Status to New.**

14/02/2024 8:48 AM

User **AC TCCS Integration**

Action Changed Account Name to [REDACTED]. Changed Contact Name to [REDACTED]. Changed Case Sharing ID ACTCCS to PMG. Changed Sub Status to Unresolved. Changed Case Owner from AC TCCS Integration to Place Management and Graffiti. Deleted Medium in Priority. Changed Case Origin to FMS Form. Changed Case Record Type from TCCS General to Place Management and Graffiti. Created.

**Notes**

**Customer Entry (Auto Note)**

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Last Modified 14/02/2024 8:49 AM

Owner AC TCCS Integration

Text Preview This is an auto note of the original customer submission. Subject: Fix My Street > Parks & public spaces > Fencing & bollards > Graffiti & vandalism Category: Fix My Street > Parks & public spaces > Fencing & bollards > Graffiti & vandalism AC Descriptio

REFERENCE NUMBER	DATE CREATED	DATE LAST UPDATED	STATUS	QUEUE	SUBJECT	DESCRIPTION	SUBURB	ADDRESS	ADDITIONAL INFORMATION	CATEGORY LEVEL 1	CATEGORY LEVEL 2	CATEGORY LEVEL 3	CATEGORY LEVEL 4	ASSIGNED	FOLLOW UP	COMMENT CATEGORY	FIRST NAME	SURNAME	MOBILE PHONE	EMAIL ADDRESS	HOME PHONE	OFFICE PHONE				
200205-002028	5/20/2020 3:56:54 PM	5/27/2020 3:11:52 PM Enclosed		Municipal Services	Furnishout Submission: Parks & public spaces - Fencing & barriers - Gruffs & vegetation	<p>What is the issue?</p> <p>Gruffs &amp; vegetation</p> <p>Describe what has been investigated</p> <p>Access gate to Curtis Ridge has been constructed around fence. The gate is no longer able to be shut as the chain has been cut on both sides. The fence line on the adjacent fence has been cut and the barrier with it being temporarily enclosed.</p> <p>Is it posing a safety hazard?</p> <p>Yes</p> <p>If the submission is correct, is it offensive, intimidating, racist or obscene?</p> <p>No</p> <p>Phone Number: [REDACTED]</p> <p>Work Email Address: [REDACTED]</p>	LYONS	64 DEVONPORT ST, LYONS ACT 2006	WPS Enquiry ID: 1298902 Customer Requested Urgent: Yes	Parks & public spaces	Fencing & Barriers	Gruffs & vegetation	Zac Buckman	Yes	Request for Service	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		
201100-000885	11/20/2020 10:10:47 AM	1/11/2021 9:16:54 AM Action Not Required		TCCS WPS Police High Gruffs	Furnishout Submission: Roads, parking & vehicles - Roads & traffic - Gruffs & vegetation	<p>Can you provide any additional information about the location of the job to help us find the issue (i.e., intersection, building, landmarks, footpath)?</p> <p>The right hand side of the road is the working area. Sorry I can't be more specific.</p> <p>What is the issue?</p> <p>Gruffs &amp; vegetation</p> <p>Describe what has been investigated</p> <p>There is a gate on Devonport Street in Lyons that has had the lock and right hand side of the lock removed. The lock is a part of a gate in the fence line. It is a 1000mm square metal gate.</p> <p>If the submission is correct, is it offensive, intimidating, racist or obscene?</p> <p>No</p> <p>Is it posing a safety hazard?</p> <p>No</p> <p>Phone Number: [REDACTED]</p> <p>Work Email Address: [REDACTED]</p>	LYONS	64 DEVONPORT ST, LYONS ACT 2006	Assetic Work Request: WRS491 Assetic Work Request Status: Cancelled GDO Source: CPM, APNS, INCKENITE, VT	Roads, parking & vehicles	Road & traffic	Gruffs & vegetation														
201000-000338	10/14/2020 3:27:07 PM	1/11/2021 10:34:31 AM Resolved		Municipal Services	Furnishout Submission: Roads, parking & vehicles - Roads & traffic - Gruffs & vegetation	<p>Can you provide any additional information about the location of the job to help us find the issue (i.e., intersection, building, landmarks, footpath)?</p> <p>gate to Curtis Ridge road to 64 Devonport</p> <p>What is the issue?</p> <p>Gruffs &amp; vegetation</p> <p>Describe what has been investigated</p> <p>Locks on gate to 64 Devonport St are not working. Curtis Ridge access has been investigated. Devonport gate has been removed. Please advise when access is possible.</p> <p>If the submission is correct, is it offensive, intimidating, racist or obscene?</p> <p>No</p> <p>Is it posing a safety hazard?</p> <p>No</p> <p>Phone Number: [REDACTED]</p> <p>Work Email Address: [REDACTED]</p>	LYONS	64 DEVONPORT ST, LYONS ACT 2006		Roads, parking & vehicles	Road & traffic	Gruffs & vegetation														

Applied Filter:  
DATE\_CREATED is on or after 05/05/2020  
00:00:00 and is before 2020/05/21 00:00:00  
CLOSED AND ISSENTIAL\_ADDRESS contains  
[REDACTED]  
SUBURB is LYONS