

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 19 May 2026. It is my understanding that you are seeking access to the following information:

“... de-identified, aggregate statistical data (no personal owner names required) for the period 1 January 2008 to 31 December 2025, or for the longest portion of that period for which the regulator holds records. A breakdown by year would be ideal.

- 1. The total number of registered "Item of Plant" entries for lifts (passenger / residential) installed at a residential premises during each year of the period.*
- 2. Segmentation: A breakdown where the "Type of Installation" or "Category of Use" is classified as "Private Residence", "Single Dwelling", "Domestic", "Class 1a", or "Class 2 sole-occupancy unit".*
- 3. Postcode or LGA breakdown (preferred but optional): A count of these residential registrations grouped by postcode or Local Government Area to identify regional growth trends. This is supplementary and #1 is the primary request.*
- 4. Site addresses (if releasable): I understand owner names and any personal information are protected and not sought. However, if the registered installation address itself can be released as non-personal information (since residential property addresses are public records via the relevant State Land Registry), I would welcome that data.”*

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, therefore a decision is due on or by **2 July 2026**.

Authority

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

Decision on access

A search for records held by CED within the scope of your application has been completed, with relevant data being identified within a database. This data has been compiled in a format consistent with your request.

It is my understanding that you have indicated a willingness to informally resolve your application. I can confirm that I have considered this approach and in line with the ACT Ombudsman's [Freedom of Information Guidelines](#) I have proceeded to consider your request formally as consideration must be given to personal information captured in the relevant data.

After following the steps set out in section 17 of the FOI Act, I have decided to grant partial access to the record, with redactions applied to the information I have determined to be contrary to the public interest to release. The reasons for my decision are provided below. The record being provided to you is at **Attachment A**.

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 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*
- the ACT Ombudsman FOI Guidelines

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 factors of information listed in Schedule 1 have been identified as being applicable to your access application.

Schedule 2 – Public interest test

Factors favouring disclosure (Schedule 2.1)

- Section 2.1(a)(iii) - inform the community of the government's operations, including policies, guidelines and codes of conduct followed by the government in its dealings with members of the community.

In reviewing the information within the scope of your application, I recognise that the data relates to a government operation and disclosure would inform the community on the type of information held, as well as limitations of data availability. I have placed moderate weight on this factor.

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*.

The record that has been prepared by CED to respond to your access application contains details of residential addresses where 'item of plant' (i.e. elevator/lift) have previously been registered in the ACT. I have considered your views on disclosing residential addresses, however also I consider the voluntary nature of reporting and that the association of these addresses with the purchase and instillation of an item of plant is not publicly available.

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*, as well as published privacy statements and policies. It is my view that this information, if disclosed, could reasonably be expected to prejudice the protection of an individuals' right to privacy. I have placed substantial weight on this factor.

Balancing the factors

In reaching my decision, I find that the advancement of public interest relating to government operations captured in your application are not advanced by the disclosure of individual residential addresses. Conversely, I find that the likely prejudice a person's right to privacy under the *Human Rights Act 2014* carries substantial weight and find disclosure to be, on balance, contrary to the public interest.

Accordingly, I have redacted this information under section 50(2) of the FOI Act. Consistent with the pro-disclosure intent of the FOI Act, I am satisfied that redacting only the information that is contrary to the public interest ensures compliance with the FOI Act, while still providing access to the majority of the information held by CED within the scope of your application.

Charges

Processing charges are not applicable to 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 by phone 6207 2987 or email CEDFOI@act.gov.au.

Yours sincerely

(signed electronically)

Craig Weller
Information Officer
City and Environment Directorate
30 June 2026