



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 2019-054

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents	Published
4. Additional information identified	No
5. Fees	n/a
6. Processing time (in working days)	46 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

Contact:
Direct Line:
Email Address:
Supervisor:
Our Reference:



20 March 2019

Territory and Municipal Services
Canberra ACT

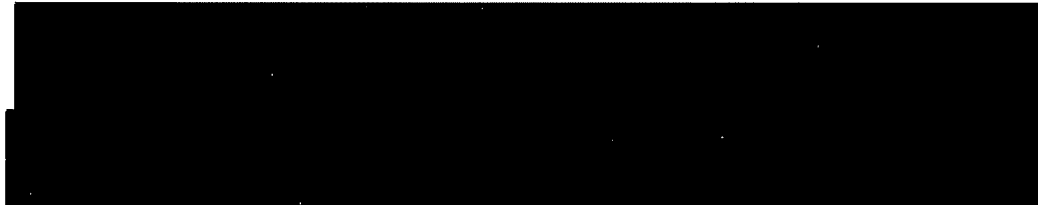
By email only: tamsfoi@act.gov.au

ATTENTION: Freedom of Information Officer

Dear Madam or Sir



We act for the abovenamed.



We request the following documents pursuant to the provisions of the *Freedom of Information Act*:

1. All and/or any records in relation to any lease of the carpark;
2. All and/or any records in relation to any agreement with Coles Supermarkets Australia Pty Ltd regarding the carpark and or trolley bays in the carpark;
3. All and/or any records in relation to any agreement with any other entity and/or person to care for and maintain the carpark and or trolley bay;
4. All and/or any records in relation to the erection of the trolley bay in the carpark;
5. All and/or any records in relation to the maintenance of the carpark and or trolley bay;
6. All and/or any records in relation to complaints or notice given about the broken trolley bay;
7. All and/or any records in relation to complaints or notice given about incidents occurring due to the broken trolley bay.

If this request should be made to, or relevant material may be held by another agency, please provide your assistance under s14(4) of the Act.

We undertake to make any payment necessary pursuant to the Act.

We **enclose** our client's authority.





ACT
Government

Transport Canberra and
City Services

[REDACTED]
Email: [REDACTED]

Dear [REDACTED]

Freedom of information request: Reference – 19-054

I refer to your application dated 20 March 2019 made under the *Freedom of Information Act 2016* (the FOI Act), and received by Transport Canberra and City Services Directorate (TCCS), in which you sought access to:

1. All and/or any records in relation to any lease of the carpark;
2. All and/or any records in relation to any agreement with Coles Supermarkets Australia Pty Ltd regarding the carpark and or trolley bays in the carpark;
3. All and/or any records in relation to any agreement with any other entity and/or person to care for and maintain the carpark and or trolley bay;
4. All and/or any records in relation to the erection of the trolley bay in the carpark;
5. All and/or any records in relation to the maintenance of the carpark and or trolley bay;
6. All and/or any records in relation to complaints or notice given about the broken trolley bay;
7. All and/or any records in relation to complaints or notice given about incidents occurring due to the broken trolley bay.

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

As you are aware, the application was sent to an incorrect email address and only came to our attention on 20 May 2019. As this was the day we received the request, a response was due to you on 19 June 2019. Thank you for your patience and agreeing to extensions while documents were identified.

Decision on access

Searches were completed for relevant documents and no documents were identified as being held by TCCS within the scope of parts 1, 2, 3, 5, 6 and 7 of your request.

Three documents (4 pages) were identified that fall within the scope of part 4 of your request.

I have included at [Attachment A](#) to this decision the schedule of relevant documents. This provides a description of each document that falls within the scope of your request and the access decision for each of the documents.

Documents identified as relevant to your request contain information that I consider to be, on balance, contrary to the public interest to disclose under the test set out in section 17 of the Act.

I have decided to grant access, under section 50 of the Act, to copies of documents (Attachment B) with deletions applied to information that I consider would be 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 in particular Schedule 2; and
- the content of the documents that fall within the scope of your request.

Factors favouring disclosure (Schedule 2)

- Section 2.1 (a)(iii) – inform the community of the government's operations, including the policies, guidelines and codes of conduct followed by the government in its dealings with members of the community; and
- 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 (a)(ii) – prejudice the protection of an individual's right to privacy or any other right under the *Human Rights Act 2004*.

As an Information Officer, I am required to decide where, on balance, public interest lies. As part of this process I must consider factors favouring disclosure and non-disclosure.

I consider that it is in the public interest to release most of the information identified as falling within the scope of your request.

Release of the information is in the public interest as it informs the community of the government's operations which can affect members of the community and the process followed by government in relation to such matters. It also improves the Directorate's accountability for decisions it makes by being transparent in releasing the information.

I note however that these documents do contain personal information of third parties, and I have decided people's names and contact details should not be released where it would amount to a release of personal information because the release could identify an individual and could prejudice their right to privacy.

Considering the type of information I propose to withhold from release, I am satisfied that the factors in favour of release can still be met while protecting the personal information of individuals involved. I find the protection of this information outweighs disclosure in this instance. As a result, I have decided that release of this information could prejudice their right to privacy under the *Human Rights Act 2004*.

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 and my decision will be published in the TCCS disclosure log from 3 days after the date of this decision. Your personal details will not be published.

You may view TCCS' disclosure log at www.tccs.act.gov.au/about-us/freedom_of_information.

Ombudsman review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the FOI Act. You have the right to seek Ombudsman review of this outcome under section 73 of the FOI Act within 20 working days from the day that my decision is published in the 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

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
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 concerning the directorate's processing of your request, or would like further information, please contact the directorate's FOI Coordinator on 6205 5408 or email tccs.foi@act.gov.au.

Yours sincerely



Sherie Hughes
Information Officer

25 July 2019

FREEDOM OF INFORMATION REQUEST SCHEDULE

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.tccs.act.gov.au/about-us/freedom-of-information/disclosure-log>

NAIVE		WHAT ARE THE PARAMETERS OF THE REQUEST				
FOI – 19-054		Car park maintenance record for Curtin Shopping Centre				
Ref No	No of Folios	Description	Date	Status	Reason for non-release or deferral	Open Access release status
1	1-2	Schedule for installation of trolley bays Curtin Shops	Undated	FULL RELEASE		
2	3	Plans for Curtin Shops Trolley Bay	2/6/2004	FULL RELEASE		
3	4	Copy of Enquiry Form re: installation of additional trolley bays	31/10/2013	PARTIAL RELEASE		
Total No of Documents: 4 (4 pages)						

TROLLEY BAY NOTES

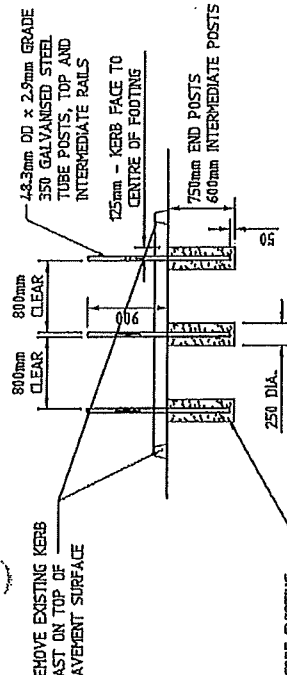
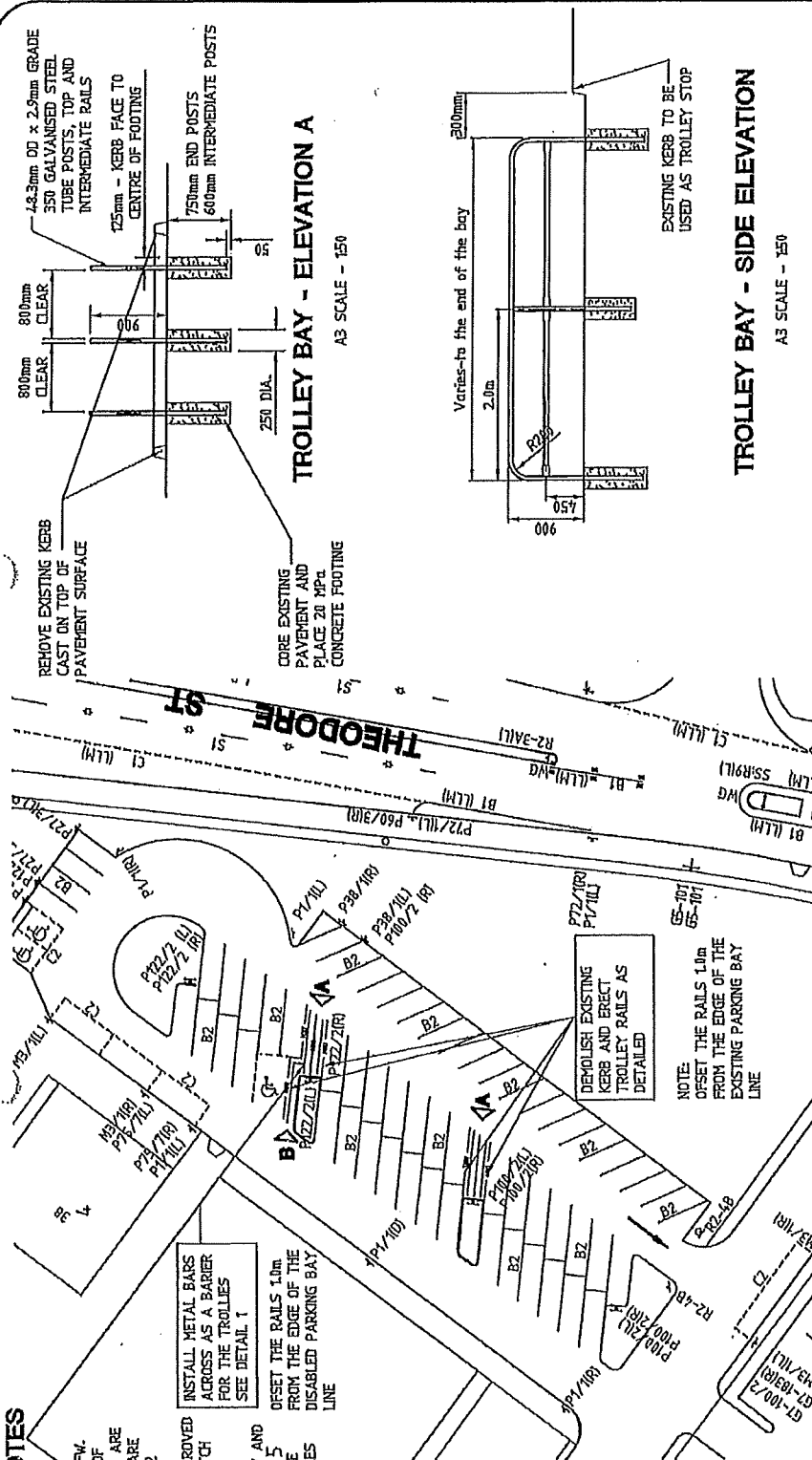
- 1/ ALL POSTS ARE TO BE SET VERTICAL.
- 2/ ALL WELDS ARE TO BE 5 CFM. DAMAGED SURFACE COATING ARE TO BE WIRE BRUSHED TO BARE METAL AND PAINTED WITH 2 COATS OF INORGANIC ZINC SILICATE FOLLOWED BY APPROVED 'CHROME' TOP COAT TO MATCH ADJACENT AREAS.
- 3/ PROVIDE APPROVED YELLOW AND RED STRIPED REFLECTIVE ADHESIVE TAPE TO ALL PIPE EDGES ADJACENT TO VEHICLES AND PEDESTRIANS.

INSTALL METAL BARS ACROSS AS A BARRIER FOR THE TROLLEYS
SEE DETAIL 1

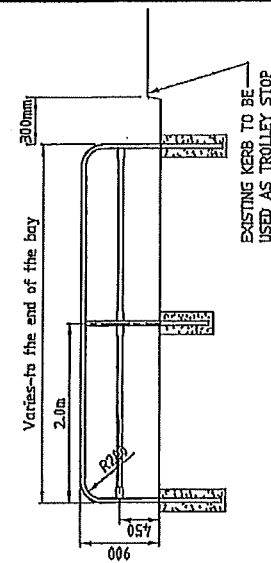
OFFSET THE RAILS 1.0m FROM THE EDGE OF THE DISABLED PARKING BAY LINE

DEMOLISH EXISTING KERB AND ERECT TROLLEY RAILS AS DETAILED

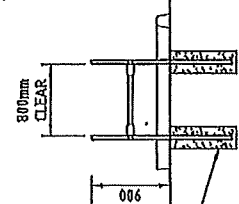
NOTE: OFFSET THE RAILS 1.0m FROM THE EDGE OF THE EXISTING PARKING BAY LINE



TROLLEY BAY - ELEVATION A
A3 SCALE - 150



TROLLEY BAY - SIDE ELEVATION
A3 SCALE - 150



TROLLEY BAY ELEVATION B DETAIL 1
A3 SCALE - 150

DOCUMENT STATUS	Checked Out	ACTION BY	ACTION DATE	DATE PLOTTED	SCALE	DOCUMENT NUMBER	SHEET No	REVISION	HAND	SIZE	NO. OF	DESCRIPTION
			02-06-2004	02-06-2004	1:500	T04-281	1/1	1				

ACT GOVERNMENT Roads ACT

URBAN SERVICES

ACT GOVERNMENT
Roads ACT
Authorised pursuant to Part 5 of Road Transport Safety and Traffic Management ACT 1999

Authorising Signature

Curtin
Curtin Shops Trolley Bays
Traffic Control Devices

ICS FORMS
 Source: ICS
 Admin: Unit: []
 Open Enquiries: [] All Enquiries: []

Navigator: [] Complete: []

ID: 806063 Status: CO
 Recorded By: SAB Sally Brownlie
 Responsibility Of: LME [] Laune-Mercaba

Enquiry Details: [] Damage: [] Associations: []

Name: [] Type: ENQUIRER Ref: []
 Organisation: [] Email: []
 Postcode: [] Number: [] Building: [] Sub: [] Home: [] Flag: []
 Street: [] Localty: [] Works: [] Mobile: [] Fax: []
 Dependant Street: [] Town: [] County: [] Primary Contact: []

Property Type: []

Category: REQS [] Request for Services
 Enquiry Type: TMS [] TMS ISSUES
 Location: Carruthers Street, Grifin

Description: Store manager: [] has requested 2 more trolley bays be installed in Coles, Curtin carpark lack of areas to place trolleys.

Date Recorded: 31-OCT-2013 10:52 Incident Date & Time: 31-OCT-2013 10:52
 Follow Up 1: [] Acknowledgment: []
 Priority: [] Target Date: 14-NOV-2013 10:52
 Date/Time Arrived: [] Reason for Late Arrival: []

Date Received: [] Correspondence Date: [] Cor. Received Date: []
 Follow Up 1: [] Follow Up 2: [] Follow Up 3: []
 Priority: [] Complete Date: 25-MAR-2014 15:33 Reference No: 131030-000707

Associated Asset: [] Associated Network: []
 Road Type: SECT [] Closed: [] Easting: 206571 D011669584
 Road: CURTIN [] Northing: 598930.4189141157
 Get From Map: CURTIN

Find [] Start []
 Create [] End []

CC asked to refer to TMS in Roads ACT as it is a request for a new asset. DOC: On site meeting with [] store manager, and advised him to submit application to identify location for trolleys.

OK Cancel Search