



**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 20-015

Information to be published	Status
1. Access application	Published
2. Decision notice and schedule	Published
3. Documents	Published
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



## 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](http://www.tccs.act.gov.au).

### Applicant details

I wish to make an access application to Transport Canberra and City Services under the *Freedom of Information Act 2016*.

Name

Address

(where notices relating to this request can be sent – either postal or electronic)

Telephone Contact (Business Hours)

Telephone Contact (Mobile)

Email Contact

### What documents are you requesting under the Act?

- To help Transport Canberra and City Services process your request, please include enough detail in your application so that we can fully understand what government information you want.
- You may wish to include a statement about how the release of information is in the public interest.
- If your application is for access to your own personal information you must include evidence of your identity. If you are an agent acting for an applicant, please supply evidence of your authorisation and evidence of the identity of the agent.
- If for reasons in section 30 of the Act is not compliant and your application cannot be processed, Transport Canberra and City Services will take reasonable steps to assist you and give you reasonable time to amend your application if you wish.

- (1) Number of fines issued for dog off-leash offences for 2019
- (2) Number of warnings issued for dog off-leash offences in 2019

### 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.

### Fee waiver application (fill in if applicable. Otherwise leave blank)

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

[provide details and evidence of how this reason applies]

I would like

a copy of these documents sent to the above address

OR

~~to inspect these document~~

APPLICANTS SIGNATURE

DATE OF REQUEST

25/2/2020



**ACT**  
Government

Transport Canberra and  
City Services



Dear 

**Freedom of information request:** Reference number 20-015

I refer to your application made under the *Freedom of Information Act 2016* (the Act), received by Transport Canberra and City Services Directorate (TCCS) on 26 February 2020, in which you sought access to:

- the number of fines issued for dog off-leash offences for 2019; and
- the number of warnings issued for dog off-leash offences in 2019.

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.

TCCS is required to provide a decision on your access application by 25 March 2020.

**Decision on access**

The information you are seeking has been retrieved from the Salesforce database. This data reveals the time, date and location that a fine or warning was issued for dog off-leash offences in 2019.

In applying the public interest test set out in section 17 of the Act, I consider it is in the public interest to release the documents and provide full access. I have included a schedule of the documents at [Attachment A](#).

**Statement of Reasons**

In reaching my access decision, I have taken the following into account:

The Act, in particular:

**Factors favouring disclosure**

- Schedule 2.1 (a)(i) promote open discussion of public affairs and enhance the government's accountability; and
- Schedule 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 dealing with members of the community.

**Factors favouring nondisclosure in the public interest**

- Schedule 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 making my decision, I considered the public interest reasons that support release of the identified data. Dog management and attack has been an area of particular public interest over recent years and has resulted in changes to the *Domestic Animal Act 2000* in response to public discussion about dog attack and responsible dog ownership.

I also considered if information in the documents might prejudice the protection of an individual's rights.

In particular, I considered information about the location of an offence which could be a residential address. Addresses in the documents do not include the street number of an offence location and in this respect the privacy of any particular individual is not prejudiced. Sometimes, neighbours or others might deduce where a penalty was imposed however this could only occur if additional information was already known by a person.

I weighed this against the public interest in identifying the operations of an agency and decide that the information does not fall under the privacy factor (Schedule 2.2(a)(ii)) and is in the public interest to release under factors contained in Schedule 2 of the Act.

#### **Charges**

No fee is payable as the number of pages being released 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 original access application, my decision and documents released in response to your access application will be published in the TCCS disclosure log from 3 days after this decision. Your personal contact details will not be published. You may view the TCCS' disclosure log at [http://www.tccs.act.gov.au/about-us/freedom\\_of\\_information](http://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 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**

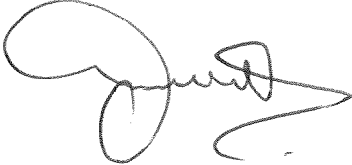
Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision.

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) 620 72987 or email [tccs.foi@act.gov.au](mailto:tccs.foi@act.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Daniel Childs', with a large, stylized flourish on the left side.

Daniel Childs  
Information Officer

19 March 2020

## 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](https://www.tccs.act.gov.au/about-us/freedom_of_information/disclosure-log)

File number		WHAT ARE THE PARAMETERS OF THE REQUEST				
FOI – 20-015		Infringement and Warnings Issued – Carer with dog not on leash				
Ref No	No of Folios	Description	Date	Status	Reason for non-release or deferral	Open Access release status
1	1	Infringements Issued – Carer with dog not on leash	2019 – dates vary	Full access		Documents to be published
2	2	Warnings Issued – Carer with dog not on leash	2019 – dates vary	Full access		

INFRINGEMENTS ISSUED - CARER WITH DOG NOT ON LEASH - 2019

Type Description	PinForce ID Number	Issue Date	Issue Time	Offence	Location	Suburb	Offence Date	Offence Time	Status	Image/Voic	AnimalLaw	Penalty
Animal Infringement	751078074	23/09/2019	12:57:36	Carer with dog not on leash on private premises S45(1)	FIDGE STREET	CALWELL	18/07/2019	10:40:45	Void	0	DAA	250
Animal Infringement	751099820	28/05/2019	10:22:13	Carer with dog not on leash in a public place S44(1)	DAVY PLACE	MACGREGOR	05/04/2019	7:00:04	Active	0	DAA	250
Animal Infringement	751111004	05/08/2019	10:29:48	Carer with dog not on leash in a public place S44(1)	BEEBY STREET	AINSIE	15/04/2019	16:00:19	Active	0	DAA	250
Animal Infringement	751111090	21/08/2019	20:55:43	Carer with dog not on leash in a public place S44(1)	ARMYTAGE CIRCUIT	KAMBAH	17/08/2019	12:00:00	Active	0	DAA	250
Animal Infringement	751111107	21/08/2019	21:41:09	Carer with dog not on leash in a public place S44(1)	LASCELLES CIRCUIT	KAMBAH	25/03/2019	13:02:47	Active	0	DAA	250
Animal Infringement	751111223	30/08/2019	22:06:41	Carer with dog not on leash in a public place S44(1)	SCHLICH STREET	YARRALUMLA	09/08/2019	10:00:49	Active	0	DAA	250
Animal Infringement	751111247	01/09/2019	16:07:00	Carer with dog not on leash in a public place S44(1)	O'HALLORAN CIRCUIT	KAMBAH	31/08/2019	13:30:02	Active	0	DAA	250
Animal Infringement	751111454	23/10/2019	7:32:49	Carer with dog not on leash in a public place S44(1)	MATINA STREET	NARRABUNDAH	10/09/2019	10:25:41	Active	0	DAA	250
Animal Infringement	751111480	25/10/2019	11:52:32	Carer with dog not on leash in a public place S44(1)	GEERILONG GARDENS	ACTON	24/10/2019	13:33:31	Active	0	DAA	250
Animal Infringement	751243516	30/07/2019	11:05:33	Carer with dog not on leash in a public place S44(1)	CALCULUS LANE	CAMPBELL	01/07/2019	18:00:05	Active	0	DAA	250
Animal Infringement	751373539	16/01/2020	9:31:20	Carer with dog not on leash in a public place S44(1)	DACOMB COURT	DUNLOP	29/12/2019	0:30:10	Active	0	DAA	250

WARNINGS ISSUED - CARER WITH DOG NOT ON LEASH - 2019

Type Description	PinForce ID Number	Issue Date	Issue Time	Offence	Location	Suburb	Offence Date	Offence Time	Status	AnimalLawActSectionId
Animal Warning	70007211	11/04/2019	8:50:33	Carer with dog not on leash in a public place S44(1)	LA PEROUSE STREET	RED HILL	06/04/2019	10:45:31	Warning	DAA
Animal Warning	70007212	11/04/2019	8:56:59	Carer with dog not on leash in a public place S44(1)	LA PEROUSE STREET	RED HILL	06/04/2019	10:45:11	Warning	DAA
Animal Warning	70007929	21/05/2019	16:44:38	Carer with dog not on leash in a public place S44(1)	SCHLICH STREET	YARRALUMLA	10/05/2019	17:05:45	Void	DAA
Animal Warning	70009806	31/01/2019	9:19:08	Keeper with dog not on leash on private premises S45(3)	JANDAMARRA STREET	NGUNNAWAL	03/01/2019	19:30:49	Warning	DAA
Animal Warning	70018443	14/10/2019	10:28:25	Carer with dog not on leash in a public place S44(1)	EDGEWORTH PARADE	COOMBS	10/10/2019	17:41:55	Warning	DAA
Animal Warning	70018444	14/10/2019	11:16:22	Carer with dog not on leash in a public place S44(1)	EDGEWORTH PARADE	COOMBS	10/10/2019	18:00:05	Warning	DAA
Animal Warning	70018445	14/10/2019	12:03:01	Carer with dog not on leash in a public place S44(1)	EDGEWORTH PARADE	COOMBS	10/10/2019	18:10:14	Void	DAA
Animal Warning	70018445	14/10/2019	14:18:54	Carer with dog not on leash in a public place S44(1)	EDGEWORTH PARADE	COOMBS	10/10/2019	18:10:58	Warning	DAA
Animal Warning	70018450	18/10/2019	7:54:57	Carer with dog not on leash in a public place S44(1)	TERRY CONNOLLY STREET	COOMBS	11/10/2019	7:34:48	Warning	DAA
Animal Warning	70018454	24/10/2019	14:06:25	Carer with dog not on leash in a public place S44(1)	N/A	HAWKER	23/10/2019	9:23:42	Void	DAA
Animal Warning	70018456	25/10/2019	8:50:11	Carer with dog not on leash in a public place S44(1)	N/A	0 CHAPMAN	23/10/2019	9:23:23	Warning	DAA
Animal Warning	70018457	28/10/2019	7:24:05	Carer with dog not on leash in a public place S44(1)	N/A	CHAPMAN	23/10/2019	9:23:55	Warning	DAA
Animal Warning	70018462	11/11/2019	9:39:16	Carer with dog not on leash in a public place S44(1)	SOUTHCOTT VIEW	COOMBS	23/10/2019	16:40:12	Warning	DAA
Animal Warning	70018463	11/11/2019	9:42:41	Carer with dog not on leash in a public place S44(1)	TERRY CONNOLLY STREET	COOMBS	01/10/2019	14:35:27	Warning	DAA
Animal Warning	70018487	11/11/2019	12:00:00	Carer with dog not on leash in a public place S44(1)	TERRY CONNOLLY STREET	COOMBS	01/10/2019	14:35:40	Warning	DAA
Animal Warning	70018488	11/11/2019	12:03:00	Carer with dog not on leash in a public place S44(1)	EDGEWORTH PARADE	COOMBS	01/10/2019	17:00:02	Warning	DAA
Animal Warning	70021228	14/04/2019	13:35:10	Carer with dog not on leash in a public place S44(1)	DILLON CLOSE	WESTON	25/03/2019	14:24:50	Warning	DAA
Animal Warning	70024402	30/07/2019	11:11:35	Carer with dog not on leash in a public place S44(1)	CALCULUS LANE	CAMPBELL	01/07/2019	18:00:59	Warning	DAA
Animal Warning	70037550	03/12/2019	13:51:02	Carer with dog not on leash in a public place S44(1)	WALDOCK STREET	TAYLOR	06/11/2019	11:10:59	Warning	DAA