



## FREEDOM OF INFORMATION COVERSHEET

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

FOI reference: 23-047

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Schedule	Published
4. Documents	Not Applicable
5. Additional information identified	Not Applicable
6. Fees	Not Applicable
7. Processing time (in working days)	31 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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# Freedom of Information - Access Application to Transport Canberra and City Services - Submission confirmation

Your submission has been successful. Please keep a copy of this receipt for your records.

Date and time

Reference code

09 May 2023 5:20:47 PM

YP6XHPS4

Transport Canberra and City Services (TCCS)

GPO Box 158  
Canberra ACT 2601

Phone: 02 6207 2987

Email: TCCS.FOI@act.gov.au

## Applicant details

Title

Given name

Family name

[REDACTED]

[REDACTED]

[REDACTED]

Preferred name

Mike

Preferred method of contact

Phone

Email

Post

Contact phone number

[REDACTED]

Contact email address

[REDACTED]

## Contact postal address

Address line 1

[REDACTED]

Address line 2

[REDACTED]

Suburb

[REDACTED]

State

[REDACTED]

Postcode

[REDACTED]

Preferred method to receive information \*

Email

Post

Same as contact email address

## Information request

Who are you making the request on behalf of?

Myself

What type of information are you requesting access to? \*

Other information

What information are you requesting access to under the Act? \*

(1) Section 21 (3)(b) Litter Act 2004 Removal Direction Notice issued to Mastro 5 Design Group on 11 November 2020 (or proximate) directing the removal of litter from public land (the nature strip in front of my property) by 3 December 2020; and

(2) Section 98 of the Public Unleased Land Act 2013 Object Removal Notice on 11 November 2020 (or proximate) directing the removal of the Bobcat from public land by 19 November 2020.

Attach a description or additional details about the information you are requesting access to (optional)

Do you have a similar or identical request currently under review by another ACT Government Directorate?

Yes  No

Are you enquiring as

Other

Do you wish to apply for a waiver of fees associated with processing your application?

Yes  No

Do you hold a valid concession card?

Yes  No

Provide a statement about how the release of information is in the public interest (optional)

Would you like to provide any additional information? (optional)

Attach additional documents to support your application (optional)



**ACT**  
Government

Transport Canberra and  
City Services

Dear [REDACTED]

### **Freedom of Information Request - Reference 23-047**

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 9 May 2023. It is my understanding that you are seeking access to the following information:

*(1) Section 21 (3)(b) Litter Act 2004 Removal Direction Notice issued to Mastro 5 Design Group on 11 November 2020 (or proximate) directing the removal of litter from public land (the nature strip in front of my property) by 3 December 2020; and*

*(2) Section 98 of the Public Unleased Land Act 2013 Object Removal Notice on 11 November 2020 (approximate) directing the removal of the Bobcat from public land by 19 November 2020.*

### **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 was due 8 June 2023. I thank you for agreeing to an extension until 23 June 2023.

### **Decision on access**

Searches for electronic and hard copy records held by TCCS has been completed and no information relevant to your request was identified.

I have been advised that the information you are seeking is of a type that was migrated to a new case management system. It is possible that the information may have been held by TCCS, however some records were lost or corrupted following the record migration and are no longer held.

Further searches were conducted of requests for archiving and of secure file locations on site. These searches did not identify the relevant records.

I am satisfied that all appropriate and reasonable searches were completed. Pursuant to section 35(1)(b) of the Act, I have determined that the information you have requested is not held by TCCS.

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

## **Charges**

No charges are applicable to your application because no relevant information was found to be held by TCCS.

## **Disclosure log**

Under section 28 of the Act, TCCS maintains an online record of access applications called a [disclosure log](#). Your access application and this notice of decision will be published on the disclosure log within 3 – 10 business days. Your personal information 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

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

*Andrew Pedersen*

Andrew Pedersen  
Information Officer

22 June 2023