



FREEDOM OF INFORMATION COVERSHEET

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

FOI reference: 22-076

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)	35 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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From: [REDACTED]
To: [TCCS FreedomOfInformation](#)
Subject: FOI Request: traffic impact assessments and studies for new schools in the Gungahlin region
Date: Friday, 13 May 2022 1:49:00 PM

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Freedom of Information Request: traffic impact assessments and studies for new schools in the Gungahlin region

Please provide a copy of the “*traffic impact assessments and studies planning for new schools in the Gungahlin region*” complete in the years 2020-2022.

The reference is contextualised in the quote below from the Hansard 7 March 2022.

Thank you.

[REDACTED] We have taken the opportunity to learn from some of the existing arrangements in established schools and have used those traffic and car parking impacts to inform responses for new school builds or new infrastructure, including car parking. Traffic is a key issue that we plan around. **We have developed siting guidelines to inform any new school developments that we have shared with other key agencies that we work with in this space, including EPSDD and Transport Canberra and City Services.**

A recent example of the collaboration that we undertake in **traffic impact assessments and studies is planning for new schools in the Gungahlin region**; and we have recently worked with *Transport Canberra and City Services* to develop a memorandum of understanding to change and improve car parking arrangements at Dickson College for people using that facility. We are taking a collaborative approach and reflecting on

Inquiry into the management of ACT school infrastructure, Standing Committee on Education and Community Inclusion, Hansard 7 March 2022, 136.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



ACT
Government

Transport Canberra and
City Services

Dear [REDACTED]

Freedom of information request: Reference 22-076

I refer to your applications made under section 30 of the *Freedom of Information Act 2016* (the FOI Act) received by Transport Canberra and City Services (TCCS) on 13 May 2022, in which you sought access to:

“traffic impact assessments and studies planning for new schools in the Gungahlin region” complete in the years 2020-2022. The reference is contextualised in the quote below from the Hansard 7 March 2022. Thank you.

[REDACTED] *We have taken the opportunity to learn from some of the existing arrangements in established schools and have used those traffic and car parking impacts to inform responses for new school builds or new infrastructure, including car parking. Traffic is a key issue that we plan around. We have developed siting guidelines to inform any new school developments that we have shared with other key agencies that we work with in this space, including EPSDD and Transport Canberra and City Services. A recent example of the collaboration that we undertake in traffic impact assessments and studies is planning for new schools in the Gungahlin region; and we have recently worked with Transport Canberra and City Services to develop a memorandum of understanding to change and improve car parking arrangements at Dickson College for people using that facility. We are taking a collaborative approach and reflecting on Inquiry into the management of ACT school infrastructure, Standing Committee on Education and Community Inclusion, Hansard 7 March 2022, 136.”*

Authority

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 Act.

Timeframes

In accordance with section 40 of the Act, a decision was due on your access application by 14 June 2022. I thank you for agreeing to an extension until 8 July 2022.

Decision on access

A search of records held by TCCS has been completed and two records have been identified as relevant to your request.

I have refused access under section 35(1)(c) of the FOI Act to the information within these records. This is because it is contrary to the public interest to disclose. My access decision is detailed further in the following statement of reasons.

Statement of Reasons

In making my decision on disclosing government information, I must identify all relevant factors in schedule 1 of the FOI Act. Where information is not subject in full or part to schedule 2 of the FOI Act, I must determine, on balance, where the public interest lies.

In making my decision, I have also taken the following into account:

- The FOI Act; and
- The content of the documents that fall within the scope of your request.

Factors favouring disclosure in the public interest (Schedule 2, Section 2.1)

- Section 2.1(a)(i) - promote open discussion of public affairs and enhance the government's accountability; 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)

- Section 2.2(a)(ii) - prejudice the protection of an individual's right to privacy or any other right under the *Human Rights Act 2016*.
- Section 2.2(a)(xiii) - prejudice the competitive commercial activities of an agency.

In reviewing 7281_EGHS Kenny TIA rev4.0 enclosed at Attachment A, personal information relating to third parties has been identified. I find that factor 2.2(a)(ii) is relevant to this information and I must consider if the disclosure is likely to prejudice the protection of an individual's right to privacy under the *Human Rights Act 2004*.

I have found that this information is not readily available to the public and has not otherwise been disclosed by TCCS. I find that the protection of an individual's right to privacy under the *Human Rights Act 2004* carries significant weight. As such, I find the information to be, on balance, contrary to the public interest.

I have also identified that some of the information relates to the business affairs of a third party. I have considered the nature of the information and the purpose of the information and find that the disclosure is likely to prejudice the business affairs of the third party. As such, I have found that the disclosure is, on balance, contrary to the public interest.

I have found that the factors favouring disclosure can be satisfied with the deletion of information which is contrary to the public interest. A copy of the relevant information is enclosed at Attachment A.

In reviewing the information contained within 7281_EGHSAdditionalTrafficAnalysis_v0-2 at Attachment B, no factors have been identified favouring non-disclosure. As such, I have decided to provide you with full access.

Charges

In accordance with the FOI Act, a fee is applicable where the number of pages of information disclosed exceeds 50 pages. However, I have decided not to apply fees to your application as some of the information being disclosed is already available to the public.

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 on the TCCS disclosure from 3 days after the date of 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.

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: actfoi@ombudsman.gov.au

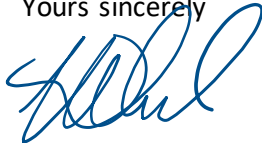
ACT Civil and Administrative Tribunal (ACAT) review

Under section 84 of the Act, if a decision is made under section 82(1) 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
Level 4, 1 Moore Street
GPO Box 370
CANBERRA CITY ACT 2601
Telephone: (02) 6207 1740
<http://www.act.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.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'K. Scheul', written in a cursive style.

Kristine Scheul
Information Officer

7 July 2022