



**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 2019-087

Information to be published	Status
1. Access application	Published
2. Decision notice and schedule	Published
3. Documents	Published
4. Additional information identified	No
5. Fees	n/a
6. Processing time (in working days)	23 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: [REDACTED]  
Direct Line: [REDACTED]  
Email Address: [REDACTED]  
Supervisor: [REDACTED]  
Our Reference: [REDACTED]

28 August 2019

Territory and Municipal Services  
Canberra ACT

**By email only:** [tamsfoi@act.gov.au](mailto:tamsfoi@act.gov.au)

**ATTENTION: Freedom of Information Officer**

Dear Madam or Sir

[REDACTED]

We act for the abovenamed.

Our client was injured at the intersection of Canberra Avenue & Hindmarsh Drive on 5 May 2015.

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

1. All records in relation to the incident and any other relevant documents; and
2. Traffic light phasing information for the Canberra Avenue and Hindmarsh intersection for the date of accident.

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.

Yours faithfully

[REDACTED]

Encl. ✓

[REDACTED]

**GENERAL AUTHORITY**

TO: *Territory + Municipal Services*

[REDACTED]

You are hereby authorised, directed and requested by me to provide to my Solicitors, [REDACTED] whatever and all information, documentation and/or reports in your power or possession, as may be required by the said Solicitors, including but not limited to information orally conveyed with respect to my state of mind.

DATED this *28<sup>th</sup>* day of *August* 2019.

[REDACTED]



**ACT**  
Government

Transport Canberra and  
City Services

Dear [REDACTED]

**Freedom of information request: Reference 19-087**

I refer to your access application made under the *Freedom of Information Act 2016* (FOI Act) received by Transport Canberra and City Services (TCCS) on 28 August 2019, in which you sought access to:

- All records in relation to the incident of 5/5/2015, and any other relevant documents at the intersection of Canberra Avenue and Hindmarsh Drive.
- Traffic light phasing information for the Canberra Avenue and Hindmarsh intersection for the date of the accident.

I am an officer authorised by the Director-General of the Transport Canberra and City Services to make decisions about access to government information, in accordance with section 18 of the FOI Act.

As an Information Officer, in accessing an application for the release of information, I am required to decide where, on balance, public interest lies under the test contained in section 17 of the Act. As part of this process I must consider public interest factors favouring the disclosure or non-disclosure of information.

I have identified three documents within the scope of your request. These are listed in the schedule of documents at [Attachment A](#).

I have decided to:

- grant full access to three documents
- grant partial access to one document

In addition to these documents, I have also enclosed a letter from Roads ACT which relays information about traffic light phasing on 5 May 2019. Transport Canberra and City Services do not hold a document on this information, instead the information is stored within a central, technical database. The information has been sourced from this database and explained to you in the enclosed letter for your convenience ([Attachment B](#)). This letter does not form a part of the release of information under the FOI Act, and is therefore not listed in [Attachment A](#).

*Reasons for decision*

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.

- *Favouring disclosure: schedule 2, section 2.1(xiv):* contribute to the administration of justice for a person.

- *Favouring non-disclosure:* Schedule 2, section 2.2(ii), prejudice the protection of an individual's right to privacy.

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 because the release could identify an individual and could prejudice their right to privacy. 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*.

In consideration of 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 have attached at Attachment C that the documents related to your request with the redactions applied.

#### *Charges*

I have waived all fees associated with processing this application as the requested information totals less than 50 pages.

#### *Disclosure log*

Please note that section 28 of the FOI Act requires publication of access applications and any information subsequently released on our disclosure log. You may view TCCS' disclosure log at [www.tccs.act.gov.au/about-us/freedom\\_of\\_information](http://www.tccs.act.gov.au/about-us/freedom_of_information).

Your original access application, my decision and documents released will be published on the disclosure log as it is in the public interest. Further reductions will be applied to remove your personal information.

#### *Review rights*

You may apply to the ACT Ombudsman to review my decision under section 73 of the FOI Act.

An application for review must be made in writing within **20 days** of my decision being published in the disclosure log.

You may submit a request for review of my decision to the ACT Ombudsman by writing in one of the following ways:

Email (preferred): [actfoi@ombudsman.gov.au](mailto:actfoi@ombudsman.gov.au)  
Post: The ACT Ombudsman  
GPO Box 442  
CANBERRA ACT 2601

More information about ACT Ombudsman review is available on the ACT Ombudsman

website at: <http://www.ombudsman.act.gov.au/Freedom-of-Information>.

*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](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 directorate's FOI Coordinator on 6205 5408 or email

[tccs.foi@act.gov.au](mailto:tccs.foi@act.gov.au).

Yours sincerely



Cherie Hughes  
Information Officer

26 September 2019



**ACT**  
Government

Transport Canberra and  
City Services

Attachment A

Schedule of documents



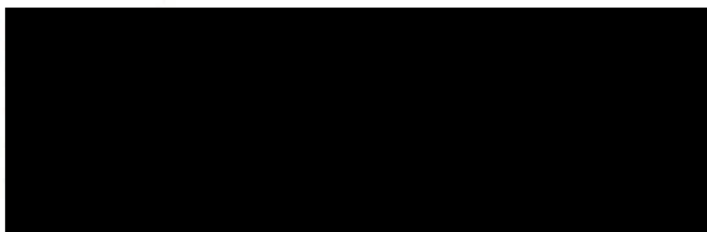
Document reference number	Page number	Date	Description	Decision	Factors considered in decision
1	1-3	02/09/2019	A copy of an email between TCCS, Traffic Safety in relation to requested records. Pages include data base screenshots of crash records.	To release in part. Redactions have been applied to information which would prejudice an individual's right to privacy. For example, persons names, address, or date of birth.	<u>Favouring disclosure:</u> Schedule 2, section 2.1(v): Allow or assist inquiry into possible deficiencies in the conduct or administration of an agency or public official.  Schedule 2, section 2.1(xiv): contribute to the administration of justice for a person
	4-5	05/07/2006	A copy of drawings of Canberra/ Hindmarsh/ Newcastle intersection as referred to in pages 1-2.	To release in full.	<u>Favouring non-disclosure:</u> Schedule 2, section 2.2(ii), prejudice the protection of an individual's right to privacy

6	05/09/2019	A copy of crash records between 1/05/201 – 31/05/2015 at Canberra/ Hindmarsh/ Newcastle intersection	To release in full.	
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**ACT**  
Government

Transport Canberra  
and City Services



Dear 

**Re: Intersection of Canberra Avenue and Newcastle Street, Fyshwick**

I refer to your email dated 28 August 2019 concerning operation of the subject traffic signals on 05 May 2015.

I have attached copies of two drawings depicting the layout of the intersection on the date in question. The first drawing depicts the traffic control devices (line-marking and signs), whilst the second drawing depicts the location of traffic signals hardware and detector loops. The phases which could operate are depicted at the bottom of this drawing.

#### **Intersection Phasing**

The traffic signals operated in the sequence A-B-D-E-G, with 'B' phase operating only in the morning period between 07:30am and 09:30am. Phases were only introduced if demanded, except for 'A' phase, which is always introduced regardless of demand. If no demand existed for any phase the signals would remain in 'A' phase.

**'A' Phase** displayed a full green signal to traffic in both approaches of Canberra Avenue. The pedestrian movement across Newcastle Street could also operate in this phase.

**'B' Phase** displayed a full green signal and green right turn arrow to north-westbound traffic in Canberra Avenue.

**'D' Phase** displayed a right turn green arrow to Newcastle Street and Hindmarsh Drive. This phase was introduced as a result of vehicles being detected in right turn bays on both Newcastle Street and Hindmarsh Drive. If vehicles were detected in only one right turn bay

at the start of the phase, or during the phase one right turn bay ran out of traffic, the signals could display a full green signal adjacent to the required right turn green arrow.

'E' Phase displayed a full green signal and red right turn arrow to traffic in both approaches of Newcastle Street and Hindmarsh Drive, and a red signal to traffic in both approaches of Canberra Avenue. Pedestrian movement across Canberra Avenue may also operate in this phase.

'G' Phase displayed a right turn green arrow to both approaches of Canberra Avenue. This phase was introduced as a result of vehicles being detected in both approaches of Canberra Avenue. If vehicles were detected in only one right turn bay at the start of the phase, or during the phase one right turn bay ran out of traffic, the signals could display a full green signal adjacent to the required right turn green arrow.

#### Vehicle Timing

These signals operate in an adaptive mode whereby the green time allocated to each phase varies automatically each cycle according to traffic demands at the time. Roads ACT is unable to determine green times for individual phases on the day in question. The only times that can be given are the minimum green, yellow and all red times.

	Minimum Green	Yellow	All Red
'A' Phase	16 seconds	5 seconds	3 seconds
'B' Phase	8 seconds	5 seconds	3 seconds
'D' Phase	8 seconds	5 seconds	2 seconds
'E' Phase	8 seconds	5 seconds	2 seconds
'G' Phase	8 seconds	5 seconds	3 seconds

#### Fault Check

These traffic signals are connected to a central computer system that monitors them continuously and automatically logs any faults. There is no record of a fault or malfunction affecting the operation of the signals on the day in question.

I trust this information is of assistance to you.



Chris Bunnik  
Assistant Director, Traffic Signals  
05 September 2019

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**Subject:** FW: FOI Response from JV 2-9-2019  
**Attachments:** Canberra Dr-Hindmarsh Dr intersection.xlsx

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**From:** Vikneson, Jayanthi <Jayanthi.Vikneson@act.gov.au>  
**Sent:** Monday, 2 September 2019 3:49 PM  
**To:** Ludvigson, Paula <Paula.Ludvigson@act.gov.au>  
**Cc:** Pincombe, Neil <Neil.Pincombe@act.gov.au>  
**Subject:** FOI Response from JV 2-9-2019

Hi Paula,

Please see below and attached the only documents Traffic Safety has on this FOI request.

Please note – the items in red relate to the crash mentioned in the FOI request.

Regards,  
Jayanthi

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**From:** Mazur, Gosia  
**Sent:** Monday, 2 September 2019 2:46 PM  
**To:** Vikneson, Jayanthi <[Jayanthi.Vikneson@act.gov.au](mailto:Jayanthi.Vikneson@act.gov.au)>  
**Subject:** RE: FOI Request - 19-087 - Traffic light phasing information and accident details [SEC=UNCLASSIFIED, DLM=Sensitive]

Hi Jayanthi,

We do have a record of this crash in our database. Please see below for the screenshots:

Page1:

Collision date/time	05/05/2015 16:00	<b>Next Rec</b>	<b>Confirm</b>	05/05/2015 16:00	V1	
Police Ref#	2015-2210770	<b>Prev Rec</b>	<b>Disband</b>	88800620150511210770	V2	
Status	Loaded				V3	
Location Street	Canberra Avenue <input type="text" value="List"/>		<b>Exclude</b>	Canberra Avenue	V4	
Number of vehicles	2		<b>Force</b>	2	V5	
Severity	Property Damage Only <input type="text" value="List"/>					
Location Type	At or within 10m of intersection/roundabout <input type="text" value="List"/>			At or within 10m of intersection/roundabout		
Intersection type	CROSS INTERSECTION <input type="text" value="List"/> Value 1					
Mid-block type	<input type="text" value="List"/> Value					
Location Suburb	FYSHWICK			FYSHWICK		
Location Desc	Within the intersection of Canberra Avenue and Hinc			Within the intersection of Canberra Avenue and Hinc		
Review IAMS Locn	N					
Accident Type	<input type="text" value="List"/> Right turn into oncoming vehicle			<input type="text" value="List"/> Right turn into oncoming vehicle		
RUM code	202 <input type="text" value="List"/> Category [Thru - Right - Vehicles from O]					
Minor Accident?	Y					
Multiple Accident?	N					
Weather	Cloudy or Overcast <input type="text" value="List"/> Value 8			Cloudy/Overcast		
Traffic	Traffic lights <input type="text" value="List"/> Value 3			Traffic lights		
Light	Daylight <input type="text" value="List"/> Value 1			Daylight		
Road Condition	Good dry surface <input type="text" value="List"/> Value 1			Good dry surface		
Road Angle	<input type="text" value="List"/> Value 1					
Road Division	Divided <input type="text" value="List"/> Value 1					
Road Grade	Level or slight grade <input type="text" value="List"/> Value 1					
Road Type	Normal road <input type="text" value="List"/> Value 1			Normal road		
Ped. Movement						
Ped. Action						
Fixed object struck	<input type="text" value="List"/> Value					
Fixed obj. location	<input type="text" value="List"/> Value					
Fixed object details						
How did collision occur?	V1 was proceeding through the intersection in a north-westerly direction with green light. v2 was turning right and collided with V1. Traffic camera data has been checked and V1 did not proceed through a red light. Driver of V2 stated that she had a green arrow. Nil witnesses remained at scene and Police are unable to establish whether V2 proceeded through a red light or not.			V1 was proceeding through the intersection in a north-westerly direction with green light. v2 was turning right and collided with V1. Traffic camera data has been checked and V1 did not proceed through a red light. Driver of V2 stated that she had a green arrow. Nil witnesses remained at scene and Police are unable to establish whether V2 proceeded through a red light or not.		

Find	Matched	Crash Report	Vehicle / Driver	Unmatched				
Rep#	State	Vehicle Type	Make	List of Vehicles Model	Colour	Passengers/Injured	Lic Number	Lic State
	ACT	Car or station wagon	Suzuki	Swift	Silver			ACT
	ACT	Car or station wagon	Hyundai	Accent	Grey			ACT

**Save** **Delete Vehicle Record**

Vehicle Type: Car or station wagon  Value: 1

Direction: **North bound**  Value: 4

Lane: 1st (kerb or left) lane  Value: 1

Position: Within intersection  Value: 2

On Street:

Movement: Straight ahead  Value: 1

Action: Proceeding normally  Value: 1

Licence state: ACT  Value: 01

Licence type: Full  Value: F

Licence class: **Car - Motor Vehicle up to 4.5 Tonnes**  Value: CA

Lic conditions:

Driver Gender: Female

Driver Age:  Date of Birth:

Breath Test Type:

Blood Alcohol Count:

State: ACT  Value: 01

Vehicle Year: 2014

Damage: **Minor damage**  Value: 5

Visibility: Not obstructed  Value: 1

Headlights: Lights Off  Value: 1

Occupant Count:

Safety Device: Not known  Value: 7

Injury type: **Not injured**  Value: 0

Driver Injuries: Was routinely checked by ambulance at the scene and released shortly after.

88800620150511210770 (v1)

Car or station wagon

North West

1st (kerb or left) lane

Within intersection

Straight ahead

Proceeding normally

ACT

Full

CAR (MOTOR VEHICLE UP TO 4.5 TONNES)

Female

Date of Birth:

ACT

2014

Major damage  Towed?

Not obstructed

Unknown

1

Unknown

Received medical treatment on the scene

Was routinely checked by ambulance at the scene and released shortly after.

Passengers

Age	Birth date	Gender	Injured?	Injuries
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="list"/>	<input type="text"/>

**Save**

Find	Matched	Crash Report	Vehicle / Driver	Unmatched				
Rego #	State	Vehicle Type	Make	List of Vehicles Model	Colour	Passengers Injured	Lic Number	Lic State
[Redacted]	ACT	Car or station wagon	Suzuki	Swift	Silver		[Redacted]	ACT
	ACT	Car or station wagon	Hyundai	Accent	Grey		[Redacted]	ACT

Accident Vehicle				Crash Vehicles			
<b>Delete Vehicle Record</b>				88900620150511210770 (v2)			
Vehicle Type	Car or station wagon	List	Value 1	Car or station wagon			
Direction	East bound	List	Value 3	South			
Lane	Right turn lane	List	Value 4	Right turn lane			
Position	Within intersection	List	Value 2	Within intersection			
On Street							
Movement	Right turn	List	Value 2	Right turn			
Action	Proceeding normally	List	Value 1	Proceeding normally			
Licence state	ACT	List	Value 01	ACT			
Licence type	Full	List	Value F	Full			
Licence class	Car, Motor Vehicle up to 4.5 tonne	List	Value CA	CAR (MOTOR VEHICLE UP TO 4.5 TONNES)			
Lic conditions							
Driver Gender	Female			Female			
Driver Age		Date of Birth	[Redacted]		Date of Birth	[Redacted]	
Breath Test Type							
Blood Alcohol Count							
State	ACT	List	Value 01	ACT			
Vehicle Year	2011			2011			
Damage	Minor Towed	List	Value 3	Minor damage	Towed? <input checked="" type="checkbox"/>		Towed? <input type="checkbox"/>
Visibility	Not obstructed	List	Value 1	Not obstructed			
Headlights	Lights Off	List	Value 1	Unknown			
Occupant Count	1			1			
Safety Device	Not known	List	Value 7	Unknown			
Injury type	Not injured	List	Value 0	Received medical treatment on the scene			
Driver Injuries	Was routinely checked by ambulance at the scene and released shortly after.			Was routinely checked by ambulance at the scene and released shortly after.			

Passengers			
Age	Birth date	Gender	
Injured?		List	Value
Injuries			

Regards,  
Gosia





**SITE REPORT**

**History Location:** CANBERRA/HINDMARSH/NEWCASTLE

**Report Date Range:** 05/05/2015 12:00:00 AM -> 05/05/2015 11:59:59 PM

Location : Chainage	Police Reference	Date/Time Direction	Severity Lane	Injury Type Position	Crash Type Movement	Number of Casualties Visibility	Number of Vehicles	Road Surface	Weather	Rum Code
CANBERRA/HINDMARSH/NEWC	2015-2210770	5/05/2015 16:00	Property Damage Only	Within intersection	Straight ahead	1	0	2 Good dry surface	Cloudy or	202
	Vehicle 1	West bound	1st (kerb or left) lane	Within intersection	Right turn	Not obstructed				
	Vehicle 2	East bound	Right turn lane	Within intersection		Not obstructed				

**Total Crashes = 1**