



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 20-037

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)	18 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



ACT
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and City Services

REQUEST UNDER

Freedom of Information Act 1989

Privacy Notice

This form is to be used for requesting information from the Transport Canberra and City Services Directorate (TCCS) under the *Freedom of Information Act 1989*. The personal information you supply on this form will only be used for the purpose of processing your request. If all or some of this information is not collected, TCCS may not be in a position to process your request. Your personal information will not be disclosed to a third party without your consent unless statutory obligations require otherwise.

The TCCS Information Privacy Policy contains information on how you can access or seek to correct any of your personal information that is held by the Directorate, as well as the process for lodging a complaint about an alleged breach of the *Information Privacy Act 2014*. The TCCS Information Privacy Policy is available on the TCCS website, www.tccs.act.gov.au.

Online Freedom of Information Policy

Please be aware that under the ACT Government's Online FOI Publication Policy, information released to you under this FOI application may be publicly released on the internet.

PART 1: YOUR DETAILS

Name:	[REDACTED]
Address:	[REDACTED]
Telephone contact:	[REDACTED]
Email contact:	[REDACTED]

PART 2: DETAILS OF FOI REQUEST

Please provide as much information as you can about the specific documents that you are seeking to access.

I would like a copy of all document(s) related to the following:

- When the Weston Park lake loop shared-use pathway used for walking and cycling was last inspected prior to 3 May 2020, including the outcome/reports of any inspections.
- Details of maintenance repairs carried out on the Weston Park shared-use pathway in the last 5 years
- Details of all incidents and complaints lodged in the last 5 years about hazards on the Weston Park shared-use pathway.

PART 3: REMISSION OF FEES

There is no application fee. Processing charges may still be levied for work in excess of 10 hours processing time and/or 200 A4 photocopies. Applicants may wish to bear this in mind when formulating their request. You will be notified if charges apply to your request.

In relation to this request, I seek remission of any processing charges pursuant to section 29 of the *Freedom of Information Act*, on the grounds of:

Public Interest <input type="checkbox"/>	Financial Hardship <input type="checkbox"/>	Personal Affairs <input type="checkbox"/>
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Post to:
FOI Coordinator
Transport Canberra and City
Services Directorate
GPO Box 158
CANBERRA ACT 2601

Deliver to:
Attention: FOI Coordinator
Transport Canberra and City Services
Directorate
490 Northbourne Avenue
DICKSON ACT 2602

Email to:
tccs.foi@act.gov.au

Phone:
(02) 6205 5408

[REDACTED]

Dear [REDACTED]

Freedom of Information Request - Reference 20-037

I refer to your application made under the *Freedom of Information Act 2016* (the Act), which was received by Transport Canberra and City Services (TCCS) on 26 May 2020. It is my understanding that you are seeking access to information about a shared path in Weston park, specifically:

- a. When the Weston Park lake loop shared use pathway used for walking and cycling was last inspected prior to 3 May 2020, including the outcome/reports of any inspections;
- b. Details of maintenance repairs carried out on the Weston Park shared-use pathway in the last 5 years; and
- c. Details of all incidents and complaints lodged in the last 5 years about hazards on the Weston Park.

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.

A decision is due on your application by 25 June 2020.

Decision on access

A search has been conducted to identify all records held by TCCS which relate to your request. From this search, seven records (totalling twelve pages) have been identified.

In accordance with section 17 of the Act, I have considered the public interest in relation to information within these documents, and have decided to provide you with:

- Partial access to two records; and
- Full access to five records.

I have refused access to information identified as contrary to the public interest, in accordance with section 35(1)(c) of the Act. My decision is detailed further in the following statement of reasons.

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

A schedule of these documents is at [Attachment A](#) and a copy of the records is at [Attachment B](#).

Statement of Reasons

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

Factors favouring disclosure in the public interest (Schedule 2.1)

- Schedule 2.1(a)(ii) contribute to positive and informed debate on important issues or matters of public interest;
- 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 dealings with members of the community;
- Schedule 2.1(a)(iv) ensure effective oversight of expenditure of public funds.

Factors favouring non-disclosure (Schedule 2.2)

- 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*.

I have considered the public interest in relation to information on the state of maintenance of a footpath and have found that this information is in the public interest to disclose. However, one document contains information which has been identified as personal information.

Personal information means information or an opinion whether true or not about an individual whose identity is apparent or can be ascertained from the information or opinion. The *Information Privacy Act 2014* prescribes the way in which government collects, uses, shares and stores this information.

In this instance I have found that the protection of personal information holds significant weight and is paramount. In reviewing your request, I am confident that it can be satisfied while protecting the information of third parties. As such, I have decided to provide you with a copy for the seven records, with deletions applied to information which is contrary to the public interest to disclose.

Charges

No fee applies as the number of pages you are being provided access to is within the fee-free threshold.

Disclosure Log

In accordance with section 28 of the Act, TCCS maintains an online record of access applications called a disclosure log, which is accessible at https://www.cityservices.act.gov.au/about-us/freedom_of_information/disclosure-log.

Your access application, this notice of decision and records released to you will be published on the disclosure log within 3 – 10 working days from the date of this

notice. Your personal information will be removed from the documents prior to publication.

Ombudsman review

My decision on your access application is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek an Ombudsman review my decision under section 73 of the Act within 20 working days from the day that my decision is made or a longer period if 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
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.

Yours sincerely



Cherie Hughes
Information Officer

23 June 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 www.tccs.act.gov.au/about-us/freedom_of_information

Factors favouring non-disclosure:

- Schedule 2.2 (a)(ii), prejudice the protection of an individual's right to privacy.

File No		WHAT ARE THE PARAMETERS OF THE REQUEST				
20-037		Share Path, Weston Park				
Record Number	Page Number	Description	Date	Status	Reason for non-release or deferral	Open Access release status
1	1	ACT Roads Search - CRM	Undated	Full Access	N/A	Documents to be published on the TCCS Disclosure Log
2	2-5	Fix My Street Desktop Quick Report Submission	04/06/2020	Partial Access	Schedule 2.2 (a)(ii)	
3	6-8	Copy of Docs summary - Weston Park	Undated	Partial Access	Schedule 2.2 (a)(ii)	
4	9	Defect 53601	20/02/2015	Full Access	N/A	
5	10	Defect 60576	04/03/2016	Full Access	N/A	
6	11	Defect 60578	04/03/2016	Full Access	N/A	
7	12	Defect 73843	16/02/2018	Full Access	N/A	
Total No of Records: 7						

ACT Roads Jobs Search

Reference No	Date Created	Subject	Address	Suburb	Queue
160907-002129	07/09/2016 02.49 PM	Shared Paths (walk/bike) : Fix My Street Desktop Quick Report Submission	111 Weston Park Rd, Yarralumla ACT 2600, Australia	Yarralumla	RoadsACT Claims

Record Count: 8

From: [Ludvigson, Paula](#)
To: [Ludvigson, Paula](#)
Subject: FWD: Shared Paths (walk/bike) : Fix My Street Desktop Quick Report Submission
Date: Thursday, 4 June 2020 3:02:33 PM

ACT Government logo



Forwarded By: Paula Ludvigson - paula.ludvigson@act.gov.au

Incident Reference # 160907-002129

Subject: Shared Paths (walk/bike) : Fix My Street Desktop Quick Report Submission

Date Created: 07/09/2016 02.49 PM

Note By (Paula Ludvigson) (20/12/2016 12.16 PM)

No mention of a claim. NFA required.

Response By Email (Michelle) (13/09/2016 02.43 PM)

Dear [REDACTED],

Thank you for contacting the ACT Government regarding this street sweeping issue. Your service request has been placed into the Roads ACT work program. It will be addressed, either during the next scheduled service of the location, or earlier where appropriate.

A copy of the street sweeping schedule is available at http://www.tams.act.gov.au/roads-transport/Road_Infrastructure_and_Maintenance.

We thank you for bringing this matter to our attention and we will endeavour to have the issue resolved as soon as possible. To update your submission with any further details you may reopen it within 60 days via the 'Your Account' section at www.accesscanberra.act.gov.au.

Regards,
Municipal Services Team
Customer Services
Access Canberra

Customer By CSS Web ([REDACTED]) (07/09/2016 02.49 PM)

Despite the recent installation of kerbing/guttering adjacent to the parking area near the dog exercise enclosure in Banks street, the gravel continues to wash down the road and collect in the spoon drain crossing the bike path at the start of Weston Drive. This is a real hazard for cyclists especially those who are casual and inexperienced.

Remedial work on the loose road base etc in the parking area still needs urgent attention I should point out that my wife had a serious bicycle accident at the crossing in Nov 2015, sustaining broken ankle and ligament damage.

She still has not recovered completely from this .

Additional Incident Details

Status: Resolved

Category: Shared Paths (walk/bike)

Type of Correspondence: Request for Service

Incident Address: 111 Weston Park Rd, Yarralumla ACT 2600, Australia

If this is not for you/your area please forward this email to accessCBR@act.gov.au to advise that it is not the correct area. The correspondence can then be re-directed appropriately.





Roads ACT FOI DOCS SUMMARY for Doc Title : '%weston park%'

Doc Id	Unique Enquirer Count	Defect Id	Doc Title	Class	Enquiry Type	Complaint Priority	Description	Complaint Location	Responsibility Of	Action	Incident Date	Completion Date
890886	1		YARRALUMLA, , YARRALUMLA: WESTON PARK ROAD.	PATH	DMG	Medium	<p>Caller was exiting the toilet block near the Yarralumla Nursery and slipped on the footpath and broke her ankle. She said it was the footpath that goes to the nursery from the toilet block.</p> <p>She is seeking compensation to pay her medical bills and wants the footpath fixed because apparently it is very slippery and she has seen other people fall there.</p>	Yarralumla: Weston Park Road.	ASSETMAINT ENANCE	yarralumla nurse land, referred to Chris ware // 12/02/2015 Chris has referred this matter back to [REDACTED]	2/02/15	
894318	1	53601	WESTON, , WESTON PARK ROAD, WESTON	PATH	DMG	Medium	Pathway that runs from the nursery west bound towards the Governer Generals house - in the section approximately 100 to 150metres west of the two ponds at the bottom of Yarralumla Nursery. The worst of the problem is on the lake side of the path rather than the Royal Canberra Golf Course side. This is becoming particularly dangerous for traffic heading east from the Government House to Yarralumla.	Weston Park Road, Weston	DDOWNES	defects raised	17/02/15	7/07/16
947952	1		YARRALUMLA, , 111-115 WESTON PARK RD, YARRALUMLA	PATH	NEW	Medium	Each year the Canberra After Suicide Support Group conducts a remembrance ceremony at this seat. My daughter and I attended for the first time this year on November 21st. She is confined to a wheelchair for mobility and it was extremely difficult to gain access to the area around the seat. I think most elderly people would also find access precarious. There is no path to the seat. Access from the top path is steep and slippery, likewise from the bottom path. This is complicated further by the amount of bark, gumnuts, fallen branches and leaf litter surrounding the chair. Firstly, a path would be most appreciated. Secondly, a general cleanup of the area just prior to the ceremony would be very helpful. It looked to me that the area does get a cleanup occasionally and maybe it could be strategically timed. The ceremony is usually conducted on the Saturday before American Thanksgiving. I would really appreciate some consideration being given to my concerns. Thank you in anticipation of your response.	111-115 Weston Park Rd, Yarralumla	SPDCAPITAL	22/6/15- YZ phoned complainant. Completed	8/12/15	23/06/16
965214	1	60576	083963, , 111 WESTON PARK RD, YARRALUMLA	PATH	DMG	Medium	<p>Hazard on the shared path in Weston Park, Yarralumla</p> <p>There is a large bump in the shared path that goes round Weston Park. It is located just beside the park gate. It appears to be caused by a tree root. It is large enough to be a hazard to cyclists and walkers.</p> <p>Please could it be levelled out?</p>	111 Weston Park Rd, Yarralumla	MROOTSEY		2/03/16	24/01/17
965214	1	60578	083963, , 111 WESTON PARK RD, YARRALUMLA	PATH	DMG	Medium	<p>Hazard on the shared path in Weston Park, Yarralumla</p> <p>There is a large bump in the shared path that goes round Weston Park. It is located just beside the park gate. It appears to be caused by a tree root. It is large enough to be a hazard to cyclists and walkers.</p> <p>Please could it be levelled out?</p>	111 Weston Park Rd, Yarralumla	MROOTSEY		2/03/16	24/01/17
1007640	1		YARRALUMLA, , 115 WESTON PARK RD, YARRALUMLA	PATH	BGLS	PCL - Broken Glass - 3 Days	Adjacent to the picnic area on the east side of the park, about 200 metres north of the park gate There was also broken glass on the cycle path nearby.	115 Weston Park Rd, Yarralumla	HORT	nothing found, scott	12/12/16	23/12/16

Doc Id	Unique Enquirer Count	Defect Id	Doc Title	Class	Enquiry Type	Complaint Priority	Description	Complaint Location	Responsibility Of	Action	Incident Date	Completion Date
1021666	1		YARRALUMLA, , WESTON PARK, YARRALUMLA	PATH	NEW	Medium	There is a section of pathway 'missing' (never constructed) at Weston park. The missing section is a 10m gap between an existing pathway. The gap is filled with orange scoria gravel which makes it difficult and uneven footing when walking/riding or pushing a pram along the pathway - onto scoria - then back onto pathway. Can the pathway please be joined. (NW of Pescott Ln)	Weston Park, Yarralumla	SPDCAPITAL		1/05/17	
1022526	1		YARRALUMLA, , 111 WESTON PARK RD, YARRALUMLA	PATH	DEF	Medium	I have noticed for several months that water from the drinking fountain adjacent to the path is leaking across the bike path around Lake Burley-Griffin where it passes the Yarralumla Nursery. The drinking fountain is cracked around its base, as can be seen clearly in the attached photo. Now that overnight temperatures are falling below zero, this presents a danger early in the morning if the water across the path has turned to ice. **Job has been raised with HORT to fix drinking fountain** Image attached to file.	111 Weston Park Rd, Yarralumla	ASSETMAINT ENANCE	on inspection no leaking found, path dry	11/05/17	16/05/17
1038693	1		YARRALUMLA, , WESTON PARK, YARRALUMLA	PATH	LITT	Medium	The shared path along the western side of Weston Park (Lake Burley Griffin) is covered in loose gravel and uneven surfaces. Dangerous for cyclists. Can it be please be cleaned, or better sealed like all other cycle tracks?	Weston Park, YARRALUMLA	HORT	reassigned to parks pres team 22-11	16/11/17	17/01/19
1048204	2	73843	YARRALUMLA, , WESTON PARK ROAD, YARRALUMLA	PATH	DMG	Medium	Centre post on bike path has been removed anchor bolts exposed and dangerous. Images attached.	Weston Park Road, Yarralumla	MROOTSEY		15/02/18	22/05/18
1050370	1		YARRALUMLA, , 111 WESTON PARK RD, YARRALUMLA	PATH	DMG	Medium	Hello, My name is [REDACTED] And I have a query about a bridge / footpath in between two water holding ponds that we extract water from. Attached is a map showing the location and another picture showing the problem. The problem been erosion is starting to leave a dip or hole next to the bike path which is getting worse. So looking for information on how I can go about to get this fixed, if there's a process I have to follow. Only because this is next to a path I thought I better check before I organised any works in the area.	111 Weston Park Rd, Yarralumla	ASSETMAINT ENANCE	sspoke to [REDACTED] 7/3/18, he avised that they had caused the embankment erosion when accessing tjhe transfer valve, I suggested that they fix the problem and seek a engineering solution , also to check with place management as they own the dirt , cycleway is unaffected , also advised to make site safe with fencing, Dean	5/03/18	7/03/18
1064726	1		YARRALUMLA, , SHARED TRACK DOWN WESTERN SIDE OF WESTON PARK,	PATH	LITT	Medium	This is a gravel track, currently covered in loose gravel washed down by rain. It needs cleaning. Dangerous for cyclists since wheels get stuck. Better still, tar seal it like all the other shared tracks! Verify Email Address: xxxxxxxxxx@anu.edu.au	Shared track down western side of Weston Park, Yarralumla	HORT	Re-assigned to parks presentation	8/12/18	1/02/19

Doc Id	Unique Enquirer Count	Defect Id	Doc Title	Class	Enquiry Type	Complaint Priority	Description	Complaint Location	Responsibility Of	Action	Incident Date	Completion Date
1067303	1		YARRALUMLA, , WESTON PARK RD, YARRALUMLA	PATH	TMSF	Medium	My husband and I have been walking around Canberra and the ACT for over 40 years. We are finding it increasingly less pleasant both around the lake and along the river because of the aggressive behaviour of many bike riders. We are 75 and 80 years of age and certainly not as agile as we were 40 years ago. Seldom do bike riders give way to us and there are often near collisions because my husband is legally blind and doesn't see them coming - they of course assume that he can see and shout when he doesn't move. A favourite walk of ours is the loop in Weston Park from the nursery down to the lake and back. This is not a commuter route for bikes and I therefore request that this path should be made a walking only path (obviously toddlers on bikes would be most welcome). It would be good to have a community discussion about these shared paths in general as we are not alone in our concerns.	Weston Park Rd, Yarralumla	IAMS	Please refer this enquiry to the Better Suburbs Team (sue Marriage).	31/01/19	

Defect Id Order By

Page 9 [View Asset](#)

Asset YAR-50083-CYCL-C

Road Section XSP Start Chain

Road Desc

Location

Special Instr

Activity

Defect Type

Defect Desc

Defect Status

Inspector Inspection Batch

Initiation Type Inspection Id

Priority SISS

Superseded ? By

Roadstud Type

X

Y

Update Inv ?

Date Inspected Notice Printed

Date Recorded Notice Id

Repair

Category Perm Imm Temp

Repair Desc

Treatment

Total Cost

Date Repair Due Work Status

Date Instructed Work Order

Target Complete Work Sheet

Date Completed Check Batch

Check Date

Date Paid

Check Result

Payment Id

BOQ Items

Item Code	Description	Dim 1	Dim 2	Dim 3	Quantity	Unit	Rate	Cost
PA10	Asphalt 25mm thick	2.50	25.00		62.50	SQ.M	90.00	5625.00

[Summary](#) [Print](#)

[Create WO](#) [Edit Defect](#)

Defect Id Order By

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Asset

Road Section XSP Start Chain

Road Desc

Location

Special Instr

Activity

Defect Type

Defect Desc

Defect Status

Recharge

Notify

Inspector Inspection Batch

Initiation Type Inspection Id

Priority SISS

Superseded? By

Roadstud Type

X

Y

Update Inv?

Date Inspected

Date Recorded

Notice Printed

Notice Id

Repair

Category Perm Imm Temp

Repair Desc

Treatment

Total Cost

Date Repair Due

Date Instructed

Target Complete

Date Completed

Check Date

Date Paid

Work Status

Work Order

Work Sheet

Check Batch

Check Result

Payment Id

BOQ Items

Item Code	Description	Dim 1	Dim 2	Dim 3	Quantity	Unit	Rate	Cost
PA09	Coldmix					LIN.M		

[Summary](#) [Print](#)
[Create WO](#) [Edit Defect](#)

Defect Id Order By

Page 11 View Asset

Asset

Road Section XSP Start Chain

Road Desc

Location

Special Instr

Activity

Defect Type

Defect Desc

Defect Status

Inspector Inspection Batch

Initiation Type Inspection Id

Priority SISS

Superseded ? By

Roadstud Type

X

Y

Update Inv ?

Recharge

Notify

Date Inspected

Date Recorded

Notice Printed

Notice Id

Repair

Category Perm Imm Temp

Repair Desc

Treatment

Total Cost

Date Repair Due

Date Instructed

Target Complete

Date Completed

Check Date

Date Paid

Work Status

Work Order

Work Sheet

Check Batch

Check Result

Payment Id

BOQ Items

Item Code	Description	Dim 1	Dim 2	Dim 3	Quantity	Unit	Rate	Cost
PA10	Asphalt 25mm thick	1.00	1.00		1.00	SQ.M	90.00	90.00

Summary Print

Create WO Edit Defect

Defect Id Order By

Asset

Road Section XSP Start Chain

Road Desc

Location

Special Instr

Activity

Defect Type

Defect Desc

Defect Status

Inspector Inspection Batch

Initiation Type Inspection Id

Priority SISS

Superseded ? By

Roadstud Type

X

Y

Update Inv ?

Recharge

Notify

Date Inspected

Date Recorded

Notice Printed

Notice Id

Repair

Category Perm Imm Temp

Repair Desc

Treatment

Total Cost

Date Repair Due Work Status

Date Instructed Work Order

Target Complete Work Sheet

Date Completed Check Batch

Check Date Check Result

Date Paid Payment Id

BOQ Items

Item Code	Description	Dim 1	Dim 2	Dim 3	Quantity	Unit	Rate	Cost
PA23	Concrete Bollard					ITEM		