



FREEDOM OF INFORMATION COVERSHEET

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

FOI reference: 23-071

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)	36 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](#)
Cc: [REDACTED]
Subject: RE: FOIs (23-071-74) - Clarification and extension request
Date: Thursday, 10 August 2023 10:24:41 AM
Attachments: [image001.png](#)

Hi Samantha,

23-071, 23-073 and 23-074 are fine.

For the wording of the scope of 23-072 could we just say “23-072: Reports or records capturing the results of any traffic, road or parking studies or quantitative assessments undertaken in Kaleen since 2020 around Maribyrnong School and Alberga Street, including documents produced by consultants engaged by TCCS in 2022 and 2023 to review existing footpath connectivity and feasibility of additional footpath connections and crossings near the school.

Kind Regards,

[REDACTED]

From: TCCS_FreedomOfInformation <TCCS.FOI@act.gov.au>
Sent: Thursday, 10 August 2023 10:02 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: FOIs (23-071-74) - Clarification and extension request

OFFICIAL

Dear [REDACTED],

Thank you for taking the time to speak with me yesterday in regard to [REDACTED] FOI access applications reference 23-071 – 23-074.

To ensure I have understood our conversation correctly, can you please advise if the following description of the information sought in these applications are correct?

23-071: Reports or records capturing the results of any traffic, road or parking studies or quantitative assessments undertaken in Lyneham since 2020.

23-072: Reports or records capturing the results of any traffic, road or parking studies or quantitative assessments undertaken in Kaleen since 2020 particularly around Maribyrnong School and Alberga Street, including the outcome of the below referenced review:

“No traffic studies or detailed investigations have been carried out near Maribyrnong Primary School since 2018, however TCCS is planning to engage a consultant in 2022 to review the existing footpath connectivity near Maribyrnong Primary School. This will

include considering the feasibility of additional footpath connections and crossings near the school.” (From an email dated 8/4/2022).

23-073: Access to the following referenced reports, referenced in Legislative Assembly on 23 November 2021 (<https://www.hansard.act.gov.au/hansard/10th-assembly/2021/PDF/20211123.pdf#page=46>):

1. Bowman Street between Redfern street and Wiseman street, Maquarie; and
2. Bowman Street between Redfern street and Catchpole street, Maquarie.

23-074: A copy of the “Pedestrian Movement Survey” undertaken on Delamere St after 15 May 2023, as well as traffic surveys referenced in <https://www.hansard.act.gov.au/hansard/10th-assembly/2021/HTML/week03/769.htm>.

If the above scopes are incorrect, please reply to this email with a correct or call me on (02) 6207 9242 to discuss further.

I thank you for agreeing to additional time for a decision to be made on FOI 23-071. To allow us to process the request under the new scope, we kindly request an extension of 10 business days for FOIs 23-072, 23-073 and 23-074.

Kind regards,

Samantha | Assistant Director

Phone: 6207 2987 | Email: TCCS.FOI@act.gov.au

Freedom of Information and Subpoenas | TCCS Legal & Contracts | Transport Canberra and City Services Directorate | ACT

Level 4, 480 Northbourne Avenue, Dickson 2602 |

From: [REDACTED]
Sent: Wednesday, 9 August 2023 2:01 PM
To: Irons, Samantha <Samantha.Irons@act.gov.au>
Subject: Relevant references for FOIs

Jamison - <https://www.hansard.act.gov.au/hansard/10th-assembly/2021/PDF/20211123.pdf#page=46>

Kaleen – (From correspondence) – “No traffic studies or detailed investigations have been carried out near Maribyrnong Primary School since 2018, however TCCS is planning to engage a consultant in 2022 to review the existing footpath connectivity near Maribyrnong Primary School. This will include considering the feasibility of additional footpath connections and crossings near the school.” (From an email dated 8/4/2022).

Hawker – after 15 May 2023 a “Pedestrian Movement Survey” was undertaken on Delamere St as well as traffic surveys referenced in [“https://www.hansard.act.gov.au/hansard/10th-assembly/2021/HTML/week03/769.htm”](https://www.hansard.act.gov.au/hansard/10th-assembly/2021/HTML/week03/769.htm)



From: [TCCS_FreedomOfInformation](#)
To: [REDACTED]
Subject: FOI 23-071 | Clarification of scope
Date: Thursday, 6 July 2023 3:07:00 PM

OFFICIAL

Dear [REDACTED]

As per our discussion, thank you for confirming that you are only seeking reports that were initiated or undertaken by Transport Canberra and City Services and that you are agreeable to refine the scope to exclude any reports initiated via the development planning statutory process.

Please confirm if the new scope below is correct:

“Any traffic, road or parking studies or related assessments undertaken or initiated by Transport Canberra and City Services in Lyneham since 2020”

Regards

Nicole Bruan | Freedom of Information Coordinator

Phone: 6205 5408 | Email: TCCS.FOI@act.gov.au

**Freedom of Information and Subpoenas | TCCS Legal & Contracts |
Transport Canberra and City Services Directorate | ACT Government**

Level 4, 480 Northbourne Avenue, Dickson 2602 |

From: TCCS_FreedomOfInformation
Sent: Wednesday, 5 July 2023 3:22 PM
To: [REDACTED]
Subject: FOI 23-071 | ACKNOWLEDGEMENT OF ACCESS APPLICATION

OFFICIAL

Dear [REDACTED]

FREEDOM OF INFORMATION (FOI) REQUEST – 23-071

I refer to your application received by Transport Canberra and City Services (TCCS) on 4 July 2023 in which you sought access to information under the *Freedom of Information Act 2016* (the FOI Act).

In your application you have requested information relating to the following documents which may be in possession of the Transport Canberra and City Services directorate:

“Any traffic, road or parking studies or related assessments undertaken in Lyneham since 2020”

TCCS is now processing your request. In accordance with section 40 of the FOI Act, we must make a decision on your application within 30 working days of receipt, being 15 August 2023. This period may, however, be extended if we need to consult third parties or for other reasons set out in the FOI Act. We will notify you if this is the case. Otherwise, you should expect a decision from us within 3 business days from the date a decision is made. Please contact our office if you do not receive a notice of decision within this timeframe.

Third Party Consultation

In processing your application, consultation with relevant third parties may be required. If this is the case, you will be notified to this effect and advised of a revised decision due date in respect of your application. In line with the Act, if third party consultation is required, the due date may be extended by 15 working days.

Charges

Please be aware that processing charges may be payable in relation to your request. Should you be liable to pay a processing charge, you will be notified in writing of the preliminary assessment and given an opportunity to make an application that the charge should be remitted in whole or in part. This may affect the time within which your application is processed.

TCCS Disclosure Log

The FOI Act requires that details regarding your request such as your application, decision notices, and information released to you, must be recorded in the agency disclosure log and be made publicly available three working days after a decision on access has been given to you. Please be aware that while no personal information will be included in the published information all other information will be published on https://www.cityservices.act.gov.au/about-us/freedom_of_information.

TCCS is not required to publish applications on its disclosure log where it relates to a request to access personal information.

Should you have any queries about the processing of your access application, please contact the FOI and subpoena team at tccs.foi@act.gov.au or by telephone on 6207 2987.

Yours sincerely,

Toma Ahmed | Administrative Service Officer

Phone: 620 79953 | Email: TCCS.FOI@act.gov.au

Freedom of Information and Subpoenas | TCCS Legal & Contracts | Transport Canberra and City

Services Directorate | ACT Government
Level 4, 480 Northbourne Avenue, Dickson 2602 |



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

04 Jul 2023 2:19:08 PM

J2PDRTL5

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

[Redacted]

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? *

Any traffic, road or parking studies or related assessments undertaken in Lyneham since 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

[REDACTED]

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

[REDACTED]

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

[REDACTED]

Attach additional documents to support your application (optional)



Dear 

Freedom of Information Request - Reference 23-071

I refer to your application for access to government information received by Transport Canberra and City Services (TCCS) on 4 July 2023. It is my understanding that you sought access to the following government information:

“Any traffic, road or parking studies or related assessments undertaken in Lyneham since 2020.”

I thank you for working with our office on interpreting the scope of your request. On 6 July 2023 your application was refined to include only relevant studies or assessments undertaken or initiated by TCCS.

On 10 August 2023, your application was further refined to:

“Reports or records capturing the outcome of any traffic, road or parking studies or quantitative assessments”.

Timeframes

A decision was due on your access application by 15 August 2023. I thank you for agreeing to additional time to decide your application until 29 August 2023.

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.

Decision on access

In accordance with the FOI Act, a search of TCCS records has been completed and two records have been identified as relevant to your application.

Upon reviewing the information within the records and applying the public interest test under section 17 of the FOI Act, I have decided to provide you with:

- Full access to one record; and
- Partial access one record.

The records identified as relevant to your application are listed in the schedule enclosed at Attachment A. A copy of the records with deletions applied to the information I have found to be contrary to the public interest is enclosed at Attachment B.

I have been advised that a Transport Impact Assessment for Brigalow Street (between Mouat Street and Wattle Street), Lyneham, looking at operations during school peak periods has been procured under contract TC2222641. As this process is still in progress, no records capturing the outcome exists. However, the final report is anticipated to be delivered by 31 October 2023.

Statement of Reasons

In making my decision on disclosing the relevant government information, I must identify all relevant factors in schedule 1 and 2 of the FOI Act and determine, on balance, where the public interest lies. I have taken the following into account:

- The FOI Act; and
- The *Human Rights Act 2016*.

Schedule 1:

- No relevant sections identified.

Schedule 2:

Factors favouring disclosure (Schedule 2.1)

- Schedule 2.1(a)(i) - promote open discussion of public affairs and enhance the government's accountability;
- Schedule 2.1(a)(iv) - ensure effective oversight of expenditure of public funds;
- Schedule 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 2.2)

- Schedule 2.2(a)(ii) - prejudice the protection of an individual's right to privacy or any other right under the *Human Rights Act 2016*.

In reviewing the relevant records, I have identified third party personal, such as names or other identifiers. I have considered that this information is not readily available to the public and the disclosure of this information is likely to prejudice the protection of an individual's right to privacy under the *Human Rights Act 2004*. I have attributed significant weight to this factor and find the disclosure of personal information to be, 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 B.

Charges

In accordance with [Freedom of Information \(Fees\) Determination 2018](#), a fee of \$0.35 per page of information disclosed, except for the first 50 pages, may be applied to an access

application. No fee is applicable to your application, as the total number of pages 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. In accordance with section 28, your application, my decision and the information disclosed to you will be published within 3 – 10 business days. Your personal information will be removed prior to publication. You may view the TCCS' disclosure log [here](#).

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 an 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 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) 6207 2987 or email to tccs.foi@act.gov.au.

Yours sincerely



Cherie Hughes
Information Officer

23 August 2023

ATTACHMENT A - ACCESS APPLICATION SCHEDULE, FREEDOM OF INFORMATION

Reference Number: 23-071

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.cityservices.act.gov.au/about-us/freedom_of_information/disclosure-log

Factors favouring non-disclosure:

Schedule 2.2(a)(ii) - prejudice the protection of an individual's right to privacy or any other right under the *Human Rights Act 2016*.

Reference number	Page number	Description	Date	Status	Reason for non-release or deferral	Open Access release status
1	1 - 2	Site Investigation Notes – WR22086	1 November 2021	Full disclosure	Not applicable	Decision to be published on the TCCS Disclosure Log .
2	3 – 4	RG21082 WO-06 Brigalow St, Lyneham	April 2023	Partial access	Schedule 2.2(a)(ii)	Applicant personal information has been removed prior to publication.

Total number of documents: 2

Site Investigation Notes – WR22086

Request new pedestrian crossing.

At the Next Gen car park on Ellenborough street, cars frequently turn into the car park, using it as a short cut when the lights at Rigall Place turn red. They often turn unexpectedly and without significant warning endangering cyclists, including children.

Traffic Speeds and Volume

Speed limit on Ellenborough is 60km/h. Next Gen car park is posted as 10km/h.

Road Geometry and Layout

T intersection left in left out only. Proximity to the roadway makes a zebra unsuitable, would require a realignment of the path. Road reserve not very wide.

Surrounding Environment

Residential/commercial/sporting facilities. Principal cycle route is on the other side of the street.



Collision Statistics

Between 2013 and 2020 there was one reported crash related to the driveway entrance to the Next Gen Car Park off Ellenborough:

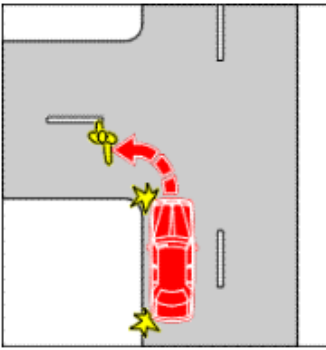
- 2019 – PDO – RUM type 408 (manoeuvring from footway).

Intersection layout and site constraints (overhead powerlines etc.) would make installation of a zebra crossing very difficult and dangerous.

Road Rules

Example 3

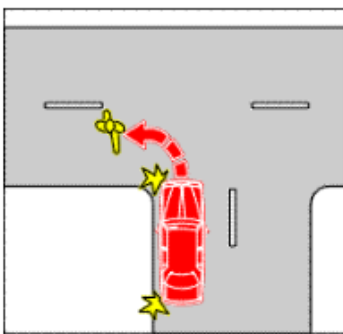
Driver turning left (except if the driver is using a slip lane) from the continuing road giving way to a pedestrian on the terminating road



In this example, the vehicle must give way to the pedestrian.

Example 2

Driver turning left (except if the driver is using a slip lane) from the terminating road giving way to a pedestrian on the continuing road



In this example, the vehicle must give way to the pedestrian.

A driver turning left from Ellenborough Street into the Next Gen Car Park entry must give way to a crossing pedestrian.

Action/Response

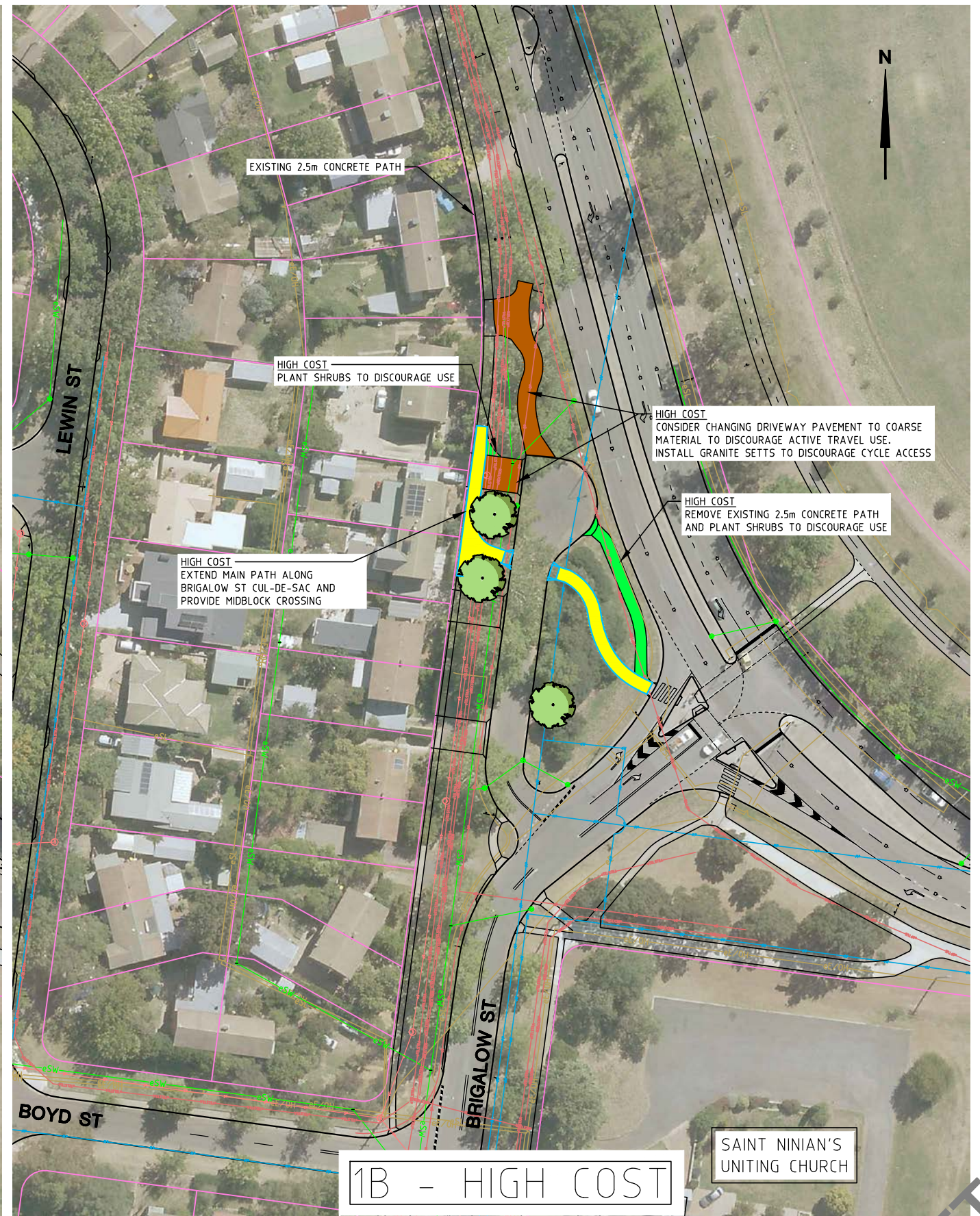
The ACT Road Rules states that a driver turning left from the continuing road at a T intersection (except if the driver is using a slip lane) must give way to a pedestrian that is crossing the terminating road. This rule applies to the crossing manoeuvre mentioned in your request. If drivers are not giving way to pedestrians at this location, this is an enforcement matter for ACT Policing.

I have been monitoring this site via our Traffic Monitoring Camera at Set 53 and from my observations, pedestrians and cyclists moving northbound and/or southbound along Ellenborough Street tended to use the shared path on western side of Ellenborough Street rather than footpath on the eastern side. I note the shared path on the western side of Ellenborough Street is part of a designated Principal Cycle Route. Given the proximity to the intersection and other site constraints, installation of a zebra crossing would not be appropriate at this time.

Based on the findings above, Roads ACT has no immediate plans to install a pedestrian crossing facility at this location at this time.

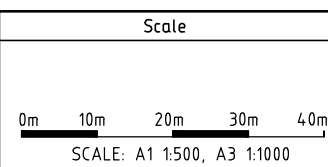


1A - LOW COST



1B - HIGH COST

AMENDMENTS		
AMENDMENT	APPROVAL	DATE
DRAWING STAGE - LATEST DATE INDICATES DRAWING STATUS		
Conceptual Design: 04/04/23	Final Sketch Plan: --/--/--	Final Design: --/--/--
For tendering purposes only: --/--/--	Issued for construction: --/--/--	W.A.E.: --/--/--



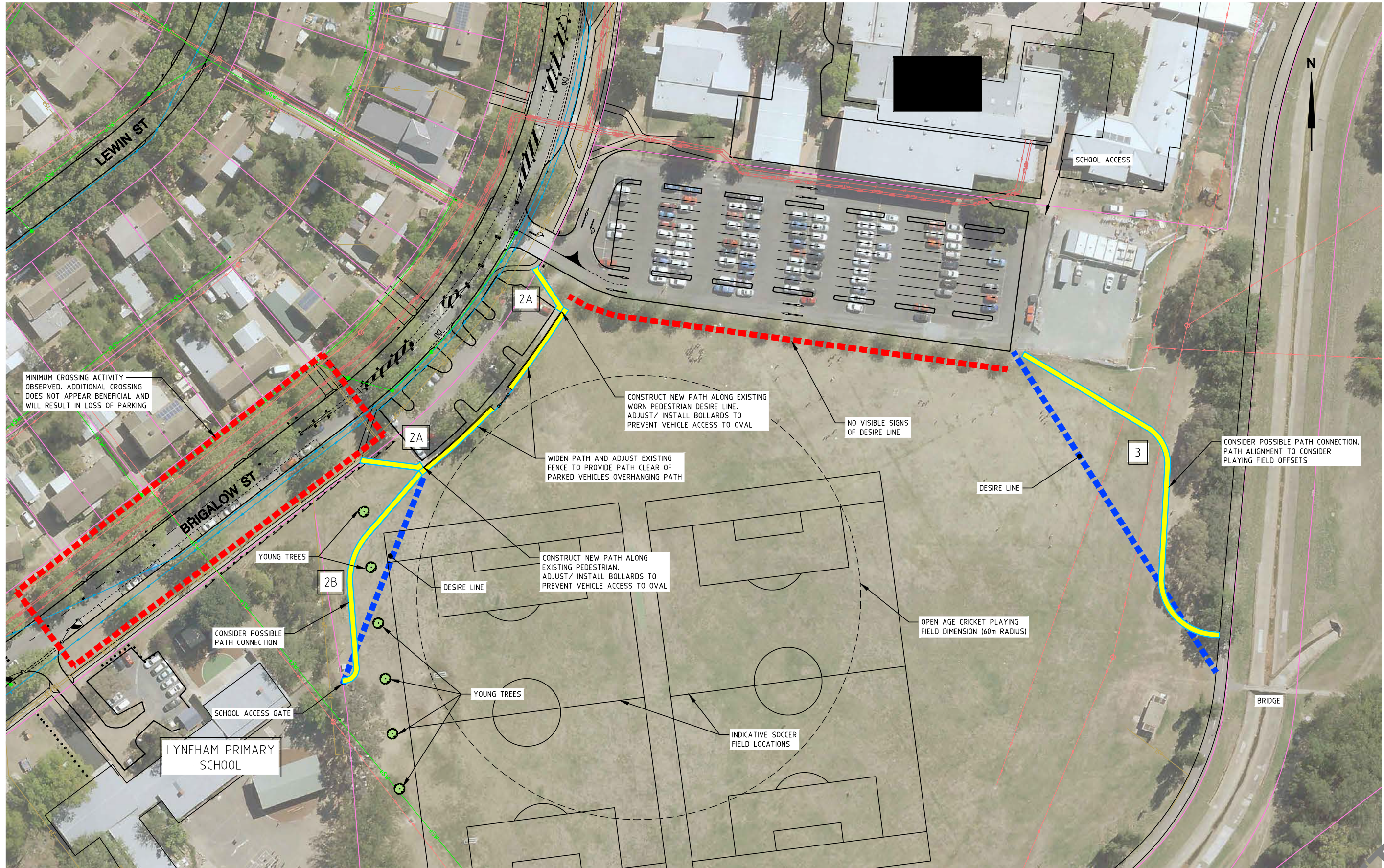
Design Agent
Designed by
Drawn by
Checked by
Approved by

Client

Project Officer: Andrew Crichton
Project Number: TBA

Project
ACTIVE STREETS AND SCHOOL SAFETY UPGRADE PROGRAM
Date: 04/04/23

Drawing Title		
[Redacted]		
Drg. No.	Sheet	Revision
RG 21082	WO-06-1	0



MINIMUM CROSSING ACTIVITY OBSERVED. ADDITIONAL CROSSING DOES NOT APPEAR BENEFICIAL AND WILL RESULT IN LOSS OF PARKING

CONSTRUCT NEW PATH ALONG EXISTING WORN PEDESTRIAN DESIRE LINE. ADJUST/ INSTALL BOLLARDS TO PREVENT VEHICLE ACCESS TO OVAL

NO VISIBLE SIGNS OF DESIRE LINE

WIDEN PATH AND ADJUST EXISTING FENCE TO PROVIDE PATH CLEAR OF PARKED VEHICLES OVERHANGING PATH

CONSIDER POSSIBLE PATH CONNECTION. PATH ALIGNMENT TO CONSIDER PLAYING FIELD OFFSETS

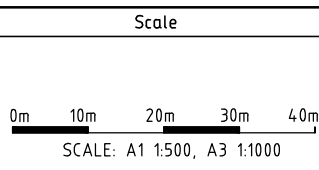
CONSTRUCT NEW PATH ALONG EXISTING PEDESTRIAN. ADJUST/ INSTALL BOLLARDS TO PREVENT VEHICLE ACCESS TO OVAL

OPEN AGE CRICKET PLAYING FIELD DIMENSION (60m RADIUS)

INDICATIVE SOCCER FIELD LOCATIONS

LYNEHAM PRIMARY SCHOOL

AMENDMENTS		
AMENDMENT	APPROVAL	DATE
DRAWING STAGE - LATEST DATE INDICATES DRAWING STATUS		
Conceptual Design: 04/04/23	Final Sketch Plan: --/--/--	Final Design: --/--/--
For tendering purposes only: --/--/--	Issued for construction: --/--/--	W.A.E.: --/--/--



Design Agent

Designed by
RD

Checked by

Approved by

Client

Project Officer: Andrew Crichton
Project Number: TBA

Project

ACTIVE STREETS AND SCHOOL SAFETY UPGRADE PROGRAM

Date: 04/04/23

Drawing Title

Dr. No. **RG 21082**

Sheet **WO-06-2**

Revision **0**