



**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 20-099

Information to be published	Status
1. Access application	Published
2. Decision notice and schedule	Published
3. Documents	Published
4. Additional information identified	n/a
5. Fees	n/a
6. Processing time (in working days)	19 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



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## Freedom of Information – Access Application Form

### Privacy notice

The personal information you supply on this form will only be used for the purpose of processing your request. Your application must include an email or postal address to which the respondent can send notices under the *Freedom of Information Act 2016* (the Act). If all or some of this information is not collected, Transport Canberra and City Services may not be able to communicate with you, inhibiting their obligations under the Act. This could mean the request cannot be dealt with. Your personal information will not be disclosed to a third party without your consent unless statutory obligations require otherwise.

The Transport Canberra and City Services Privacy Policy contains information on how you can access or seek to correct any of your personal information that is held by the Transport Canberra and City Services, as well as the process for lodging a complaint about an alleged breach of the *Information Privacy Act 2014*. The Privacy Policy can be found at [www.cityservices.act.gov.au](http://www.cityservices.act.gov.au).

### Applicant details

I wish to make an access application to Transport Canberra and City Services under the *Freedom of Information Act 2016*.

<b>Name</b>	[REDACTED]
<b>Address</b> (where notices relating to this request can be sent – either postal or electronic)	[REDACTED]
<b>Telephone</b> (Business hours)	[REDACTED]
<b>Telephone</b> (Mobile)	[REDACTED]
<b>Email</b>	[REDACTED]

### What documents are you requesting under the Act?

[Complete this section with enough detail so that Transport Canberra and City Services can fully understand the government information you want and process your request.

You may wish to include a statement about how the release of information is in the public interest.

If your application is for access to your own personal information you must include evidence of your identity. If you are an agent acting for an applicant, please supply evidence of your authorisation and evidence of the identity of the agent.

If for reasons in section 30 of the Act is not compliant and your application cannot be processed, Transport Canberra and City Services will take reasonable steps to assist you and give you reasonable time to amend your application if you wish.]

Any and all reports of fallen or dangerous trees or branches near or on the shared cycle path surrounding Federal Golf course in Yarralumla, between the Governor General's residence and Heritage Nursery.

Incidents or complaints lodged about hazards on the shared pathway described above.

When the trees along this shared pathway were last inspected, any tree management reports or associated work requests.

## Fee waiver


If you wish to apply for a fee waiver, the Act sets out a number of provisions to do so:

- The information being requested was previously publicly available but no longer is.
- The information being requested is of special benefit to the public (Ombudsman guidelines see Section 66).
- The applicant is a concession card holder and demonstrates a material connection with the information requested (concession cards include a current health care or pensioner card issued under the [Social Security Act 1991](#); a current pensioner concession card issued in relation to a pension under the [Veterans' Entitlements Act 1986](#) or the [Military Rehabilitation and Compensation Act 2004](#); a current gold card; or a card prescribed by regulation).
- The applicant is a not-for-profit organisation and the application relates to the activities or purposes of the organisation.
- The applicant is a member of the Legislative Assembly.

Transport Canberra and City Services must waive any fees for providing information if the information was not publicly available and the agency makes the information publicly available before or within 3 working days after giving it to the applicant.

To apply for a fee waiver please complete the following.

I would like to apply for a fee waiver because (state reason/s from the list above). [provide details and evidence of how this reason applies]	
<b>I would like</b>	a copy of these documents sent to the above address

Applicant's signature	Date of request
	4/12/2020



**ACT**  
Government

Transport Canberra and  
City Services

By email: [REDACTED]@gmail.com

Dear [REDACTED]

**Freedom of information request:** Reference 20-099

I refer to your application made under the *Freedom of Information Act 2016* (the FOI Act), received by Transport Canberra and City Services (TCCS) on 29 December 2020. It is my understanding that you are seeking access to the following government information:

- *“Any and all reports of fallen or dangerous trees or branches near or on the shared cycle path surrounding Federal Golf course in Yarralumla, between the Governor General’s residence and Heritage Nursery.”*
- *“Incidents or complaints lodged about hazards on the shared pathway described above.”*
- *“When the trees along this shared pathway were last inspected, any tree management reports or associated works.”*

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. TCCS is required to decide on your application by 28 January 2021.

#### **Decision on access**

A document search of TCCS records has been completed and three documents have been found that are within the scope of your request. I have found that it is, on balance, in the public interest to provide you with:

- Full access to two documents; and
- Partial access to one document.

The reasons for my decision are detailed further below in the statement of reasons.

#### **Statement of Reasons**

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

- the FOI Act
- the content of the documents that fall within the scope of your request; and
- the *Human Rights Act 2004*.

The FOI Act has a presumption in favour of disclosure. This means that information should be disclosed unless doing so would be contrary to the public interest. As an Information Officer, I must decide where, on balance, public interest lies in the disclosure of government information. Section 17(1) of the Act sets out the steps for

completing the public interest test. As part of this process I must identify all relevant factors in schedules 1 and 2 of the FOI Act.

Taking into consideration the information contained in the documents found to be within the scope of your request, I have identified that the following public interest factors are relevant to determine if release of the information contained within these documents is within the public interest.

**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)(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.

**Factors favouring non-disclosure (Schedule 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 2004.

I have considered the public interest in relation to information about requests for maintenance of urban trees managed by Transport Canberra and City Services. I have considered that the disclosure of the information may provide increased transparency about the government's operations and can reveal the reason for a government decision.

In assessing the public interest on the disclosure of some information in the document, personal information about third parties were identified. 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 how government collects, uses, shares and stores this information.

I have considered the likelihood that disclosing this information would prejudice an individual's right to privacy or any other right under the *Human Rights Act 2004* (Human Rights Act). In this instance, I find that the disclosure of the personal information within this document is contrary to the public interest. The records enclosed at [Attachment A](#) are provided with deletions applied to information I consider is contrary to the public interest to disclose.

**Charges**

No fee is applicable as the number of documents and pages does not exceed the threshold where fees are payable.

**Online publishing – 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



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[https://www.cityservices.act.gov.au/about-us/freedom\\_of\\_information/disclosure-log](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 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  
[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 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) 6207 2987 or email to [tccs.foi@act.gov.au](mailto:tccs.foi@act.gov.au).

Yours sincerely

Cherie Hughes  
Information Officer  
26 January 2021

## 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](http://www.tccs.act.gov.au/about-us/freedom_of_information)

Factors favouring non-disclosure:

- Section 2.2 (a)(ii) – prejudice the protection of an individual’s right to privacy or any other right under the Human Rights Act 2004.

File No				WHAT ARE THE PARAMETERS OF THE REQUEST			
20-099				Trees maintenance near Federal Golf course in Yarralumla			
Folio Number	Record Number	Page Number	Description	Date	Status	Reason for non-release or deferral	Open Access release status
1	1	1 - 11	Screen shots of Customer Service Management System	Various	Partial access	Section 2.2 (a)(ii)	Documents will be published on the <a href="#">TCCS Disclosure Log</a>
	2	12	Map of removals	Undated	Full access	N/A	
2	3	-	Removed trees extract from ArcGIS	Various	Full access	N/A	
<b>Total No of Records: 3</b>							

- Home
- Customer Correspondence
- FSME
- Contact Details
- Assessment Details
- Location Details
- Attachments
- Audit Log

### Incident Details

Reference # 201206-000113

Queue FMS Trees

Subject FixMyStreet Submission: Trees, Grass & shrubs; Trees & shrubs; Remove fallen branch;

Status\* Resolved

Assigned [No Value]

- Assessment Details
- Map
- Save Job
- Print

### Tree Details

Suburb list\* Yarralumla

Street eastern side of footbridge lake burley griffin walk between golf course and g

Closest address No nearby address

Contact [Redacted]

View contact details

Job Type\* Fallen Branch / Tree

Job Process [No Value]

### Further Action

Technical Officer Required No

Claim? [No Value]

Watering/Planting [No Value]

DTRP [No Value]

Development [No Value]

Work Comments

Home Customer Correspondence FSME Contact Details Assessment Details Location Details Attachments Audit Log

## Customer Correspondence

Select Value

Add as response to customer
Add as private note

Send On Save
 



 SmartAssistant
 

 Search Knowledgebase
 

 Standard Text
 

 Options

System Default

Private Note No Channel

Response Email Des Gatt, 15/12/2020 07:28 AM

Dear [REDACTED]

Thank you for submitting your tree-related request and for your patience while we inspected the situation and undertook tree removal.

Your incident 201206-000113 - Fallen Branch / Tree has now been resolved and all appropriate action has been taken.

Thank you for your inquiry.

Kind Regards,  
ACT Government, Urban Treescapes

Private Note  No Channel Des Gatt, 15/12/2020 07:28 AM

11/12/20-Removed fallen tree

Auto Note  No Channel Administrator, 06/12/2020 10:57 AM

Positional data at time of incident submissions was:  
Latitude: -35.302535647077455  
Longitude: 149.08334997627412  
Google Url: <http://maps.google.com.au/maps?q=loc:-35.302535647077455,149.08334997627412&z=17>  
Google Address: No nearby address

Customer Entry Phone Samata Yagnambhat, 06/12/2020 10:57 AM

Trees, Grass & shrubs  
Trees & shrubs  
Remove fallen branch  
Is it located on private or public land? \*  
Public  
Was this caused by a recent storm? \*  
Yes  
Has it caused damage to private property? \*  
No  
Is the tree blocking a road? \*  
No  
Is it causing traffic or cyclists to swerve? \*  
No  
Is it causing an obstruction to a driveway or footpath? \*  
No  
Could it cause a trip, fall or injury? \*  
No  
Please provide more information  
A cyprus tree is leaning heavily towards the ground and held up by a neighbouring tree and might fall on the ground. A large branch of the tree is broken and nearly fallen across the footpath (held up against neighbouring tree)

Home Customer Correspondence FSME Contact Details Assessment Details Location Details Attachments Audit Log

Incident Details		Tree Details	
Reference #	201116-001852	Suburb list *	Yarralumla
Queue	FMS Trees	Street	behind yarralumla nursery on bike track
Subject	FixMyStreet Submission: Parks & public spaces &gt; Shelters/shade &gt; Report safety conc	Closest address	No nearby address
Status *	Resolved	Contact	[REDACTED]
Assigned	[No Value]		<a href="#">View contact details</a>
	<a href="#">Assessment Details</a>	Job Type *	Fallen Branch / Tree
	<a href="#">Map</a>	Job Process	[No Value]
	<a href="#">Save Job</a>	<b>Further Action</b>	
	<a href="#">Print</a>	Technical Officer Required	No
		Claim?	[No Value]
		Watering/Planting	[No Value]
		DTRP	[No Value]
		Development	[No Value]
		Work Comments	

Home Customer Correspondence FSME Contact Details Assessment Details Location Details Attachments Audit Log

### Customer Correspondence

Select Value

Add as response to customer Add as private note

Send On Save  SmartAssistant Search Knowledgebase Standard Text Options

System Default

Private Note No Channel

Response Email Des Gatt, 15/12/2020 07:29 AM

Dear [REDACTED]

Thank you for submitting your tree-related request and for your patience while we inspected the situation and undertook removal of hanging branches.

Your incident #201116-001852 - Fallen Branch / Tree has now been resolved and all appropriate action has been taken.

Thank you for your inquiry.

Kind Regards  
ACT Government, Urban Treescapes

Private Note  No Channel Des Gatt, 15/12/2020 07:29 AM

11/12/20-Removed hanging branches

Private Note  No Channel T-C-C-S FME Integ User, 08/12/2020 08:36 AM

Assetic Work Request WR8444 has been rejected by Jody Friend  
Comments: please send to trees woden - trees not on assetic

Private Note  No Channel T-C-C-S FME Integ User, 16/11/2020 01:01 PM

Assetic Work Request WR8444 has been created

Auto Note  No Channel Administrator, 16/11/2020 12:50 PM

Positional data at time of incident submissions was:  
Latitude: -35.295935193894  
Longitude: 149.08779369881  
Google Url:  
Google Address: No nearby address

Auto Response  No Channel Administrator, 16/11/2020 12:50 PM

Thank you for your correspondence which has been received and referred to the relevant ACT Government business unit.

If you have requested a response you should expect to be contacted within 10 working days.

Your reference number is: #201116-001852

Customer CSS Web [REDACTED] 16/11/2020 12:50 PM

Can you provide any additional information about the location of the job to help us find the issue (i.e., intersections, buildings, landmarks, features)?

Lake side of path  
What is the issue?:  
Report safety concern  
What are you reporting?:  
Other  
Please provide more information  
A dead pine tree fell near bike/foot path so close that I was hit with debris. There may be others.  
Phone Number: [REDACTED]  
Verify Email Address: [REDACTED]

- Home
- Customer Correspondence
- FSME
- Contact Details
- Assessment Details
- Location Details
- Attachments
- Audit Log

### Incident Details

Reference #

Queue

Subject

Status\*

Assigned

- Assessment Details
- Map
- Save Job
- Print

### Tree Details

Suburb list\*

Street

Closest address

Contact

[View contact details](#)

Job Type\*

Job Process

### Further Action

Technical Officer Required

Claim?

Watering/Planting

DTRP

Development

Work Comments

Home Customer Correspondence FSME Contact Details Assessment Details Location Details Attachments Audit Log

## Customer Correspondence

Select Value

Add as response to customer
Add as private note

Send On Save
 Add
SmartAssistant
Search Knowledgebase
Standard Text
Options

System Default
B
I
U
A
X<sub>1</sub>
X<sub>2</sub>
Plain Text

Private Note No Channel Brent Schwartzkoff, 18/11/2020 07:34AM

Bicycle path inspected. One large Quercus sp. dead placed on DTRP.

Response Email Des Gatt, 26/02/2020 06:58AM

Dear [REDACTED]

Thank you for your tree related request for service. An assessment has been carried out and the work has been categorised as medium priority. During peak periods the trees and shrubs team receive over 200 public requests per week. To effectively manage this workload, service requests are categorised into high (aim to complete within 6 weeks), medium (up to 6 months) and low priority (up to 12 months). This work will now be scheduled for one of our work crews to action and you will be notified when the work has been completed.

Regards,

Urban Trees Team

Auto Note No Channel Administrator, 21/02/2020 11:51AM

Positional data at time of incident submissions was  
 Latitude: [REDACTED]  
 Longitude: [REDACTED]  
 Google Lit:  
 Google Address: No nearby address

Auto Response No Channel Administrator, 21/02/2020 11:51AM

Thank you for your correspondence which has been received and referred to the relevant ACT Government business unit.

If you have requested a response you should expect to be contacted within 10 working days.

Your reference number is #200221-001018

Customer CSS Web [REDACTED], 21/02/2020 11:51AM

What is the issue?  
 Remove fallen tree  
 Is it located on private or public land?  
 Public  
 Was this caused by a recent storm?  
 No  
 Has it caused damage to private property?  
 No  
 Is the tree blocking a road?  
 No  
 Is it causing traffic or cyclists to swerve?  
 Yes  
 Is it causing an obstruction to a driveway or footpath?  
 No  
 Could it cause a trip, fall or injury?  
 Yes

Please provide more information  
 There are a lot of fallen dead trees along the bike path between Yarralumla Nursery and Government House that are a hazard to evening cyclists as right up against edge of path and no lights in this area. One tree is leaning over, about to fall.

Phone Number:  
 [REDACTED]  
 Verify Email Address:  
 [REDACTED]

Home	Customer Correspondence	FSME	Contact Details	Assessment Details	Location Details	Attachments	Audit Log
Incident Details				Tree Details			
Reference #	181214-000971			Suburb list *	Yerralumla		
Queue	FMS Trees			Street			
Subject	Tree Assessment			Closest address	Royal Canberra Golf Course		
Status *	Resolved			Contact	[Redacted]		
Assigned	[No Value]			<a href="#">View contact details</a>			
<a href="#">Assessment Details</a>				Job Type *	Fallen Branch / Tree		
<a href="#">Map</a>				Job Process	[No Value]		
<a href="#">Save Job</a>				Further Action			
<a href="#">Print</a>				Technical Officer Required	No		
<a href="#">Complete Job</a>				Claim?	[No Value]		
				Watering/Planting	[No Value]		
				DTRP	[No Value]		
				Development	[No Value]		
				Work Comments	Fallen branch		

Home Customer Correspondence FSME Contact Details Assessment Details Location Details Attachments Audit Log

### Customer Correspondence

Select Value

Add as response to customer Add as private note

Send On Save Add SmartAssistant Search Knowledgebase Standard Text Options

System Default Plain Text

Private Note	No Channel	Private Note No Channel	Des Gatt, 04/04/2019 07.45 AM
		03/04/19-Cleaned up storm damage	
		Auto Note No Channel	Administrator, 14/12/2018 11.27 AM
		Positional data at time of incident submissions was: Latitude: Longitude: Google Url: Google Address: Royal Canberra Golf Course	
		Customer Entry Phone	Andrew Diehm, 14/12/2018 11.27 AM
		Customer request trees have fallen across footpath and next to fence requires branch clean up.	

<a href="#">Home</a>	<a href="#">Customer Correspondence</a>	<a href="#">FSME</a>	<a href="#">Contact Details</a>	<a href="#">Assessment Details</a>	<a href="#">Location Details</a>	<a href="#">Attachments</a>	<a href="#">Audit Log</a>
Incident Details				Tree Details			
Reference #	201117-000320			Suburb list*	Yarralumla		
Queue	FMS Trees			Street	between the nursery and the footbridge on the cycle path.		
Subject	FixMyStreet Submission: Cycle & footpaths &gt; Shared paths &gt; Debris on path			Closest address	No nearby address		
Status*	Waiting for Customer			Contact	[REDACTED]		
Assigned	[No Value]			<a href="#">View contact details</a>			
<a href="#">Assessment Details</a>				Job Type*	Public Liability Claims		
<a href="#">Map</a>				Job Process	[No Value]		
<a href="#">Save Job</a>				Further Action			
<a href="#">Print</a>				Technical Officer Required	Yes		
				Claim?*	Yes		
				Watering/Planting*	No		
				DTRP*	No		
				Development*	No		
				Work Comments	[REDACTED]		

Home | Customer Correspondence | FSME | Contact Details | Assessment Details | Location Details | Attachments | Audit Log

### Customer Correspondence

Select Value

Add as response to customer
Add as private note

Send On Save | Add | SmartAssistant | Search Knowledgebase | Standard Text | Options

System Default | **B** *I* U | Plain Text

Private Note | No Channel | Private Note No Channel Andrew Diehm, 14/12/2020 12.22 PM

14/12/2020 [REDACTED] rang back mentioned he didn't get the details of the injured lady.

Private Note No Channel Andrew Diehm, 14/12/2020 11.42 AM

Dear [REDACTED]

I refer to your request of bicycle incident between the nursery and the footbridge on the cycle path in Yarralumla. I have left a voice message on your phone today 14/12/2020

Attached is a claim procedure-Tree damage to private property.

If you have any concerns relating to this claim, please feel free to respond to this message.

Kind regards,

Andrew Diehm

Private Note No Channel T-C-C-S FME Integ User, 08/12/2020 08.36 AM

Assetic Work Request WR8570 has been rejected by Jody Friend  
 Comments: Please sent to trees Woden - trees not currently using assetic

Private Note No Channel T-C-C-S FME Integ User, 17/11/2020 09.04 AM

Assetic Work Request WR8570 has been created

Auto Note No Channel  Attachment(s) (1) • Administrator, 17/11/2020 08.51 AM

Positional data at time of incident submissions was:  
 Latitude: [REDACTED]  
 Longitude: [REDACTED]  
 Google Uri:  
 Google Address: No nearby address

Auto Response No Channel  Attachment(s) (1) • Administrator, 17/11/2020 08.51 AM

Thank you for your correspondence which has been received and referred to the relevant ACT Government business unit.

If you have requested a response you should expect to be contacted within 10 working days.

Your reference number is: #201117-000320

Home Customer Correspondence FSME Contact Details Assessment Details Location Details Attachments Audit Log

### Customer Correspondence

Select Value

Add as response to customer Add as private note

Send On Save Add SmartAssistant Search Knowledgebase Standard Text Options

System Default Plain Text

Private Note No Channel Private Note No Channel T-C-C-S-FME Integ User, 08/12/2020 08.36 AM

Assetic Work Request WR8570 has been rejected by Jody Friend  
Comments: Please sent to trees Woden - trees not currently using assetic.

Private Note No Channel T-C-C-S-FME Integ User, 17/11/2020 09.04 AM

Assetic Work Request WR8570 has been created

Auto Note No Channel Attachment(s) (1) Administrator, 17/11/2020 08.51 AM

Positional data at time of incident submissions was:  
Latitude: -35.298682780155  
Longitude: 149.08548857486  
Google Uri:  
Google Address: No nearby address

Auto Response No Channel Attachment(s) (1) Administrator, 17/11/2020 08.51 AM

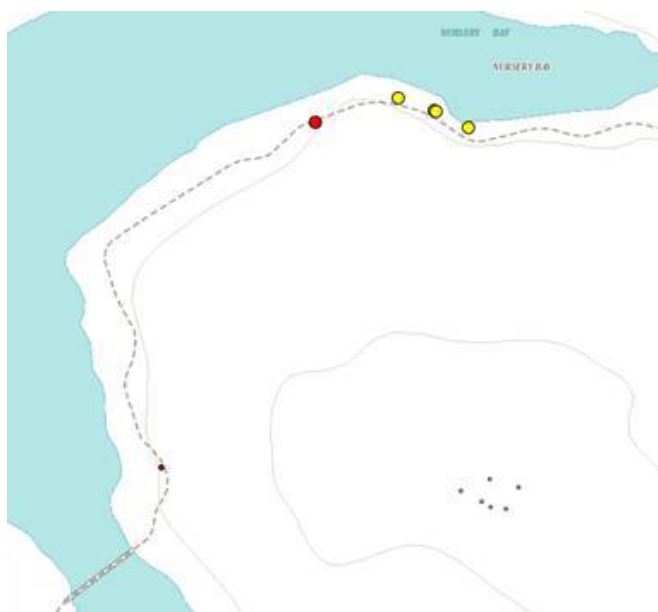
Thank you for your correspondence which has been received and referred to the relevant ACT Government business unit.

If you have requested a response you should expect to be contacted within 10 working days.

Your reference number is: #201117-000320

Customer CSS Web Attachment(s) (1) [REDACTED] 17/11/2020 08.51 AM

Can you provide any additional information about the location of the job to help us find the issue (i.e., intersections, buildings, landmarks, features)?  
Lady broken arm. Ambulance attending  
What is the issue?  
Debris on path  
What is the debris or material?  
Tree. Very dangerous.  
Could it cause a trip, fall or injury?:  
Yes  
Is it causing traffic or cyclists to swerve?:  
Yes  
Phone Number:  
[REDACTED]  
Verify Email Address:  
[REDACTED]



Red dot – DTRP

Yellow dots – In-house