



FREEDOM OF INFORMATION COVERSHEET

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

FOI reference: 24-134

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Schedule	Not Applicable
4. Documents	Published
5. Additional information identified	Not Applicable
6. Fees	Not Applicable
7. Processing time (in working days)	29 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: [Stuart, Katharine](#)
Subject: TCCS Request for FOI - reporting infringements
Date: Monday, 16 September 2024 1:30:32 PM

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

> Good morning team,
>
> I am requesting the following statistics under FOi.
>
> All complaints received through regulated channels including fix my street for regulated illegal activities enforced by TCCS through LPR and or physical engagement “human operator” opposite the following abodes;
>
> - 70 Harold whit avenue Coombs 2611
> - 1 Bedbrook street Coombs 2611
> - 2 Bedbrook street Coombs 2611
>
> Date range to cover - Jan 2019 to current date September 16 2024
>
> The above parameters should be captured at the time of receiving a complaint and may assist in retrieving stats through reporting and or other methods engaged by TCCS or Infringements team.
>
> Please note this is not a request for the particulars of the compliant but a tally and total number received, this is to reduce the workload and allow the FOI to be processed more quicker hopefully.
>
> If they could be arranged in yearly columns that would be helpful.
>
> Thank you
> [REDACTED]
>
> Sent from my iPhone



Dear

Freedom of Information Request - Reference 24-134

I refer to your application for access to government information received by Transport Canberra and City Services (TCCS) on 16 September 2024. It is my understanding that you are seeking access to the following government information under the *Freedom of Information Act 2016* (FOI Act):

“All complaints received through regulated channels including fix my street for regulated illegal activities enforced by TCCS through LPR and or physical engagement “human operator” opposite the following abodes;

- 70 Harold whit avenue Coombs 2611
- 1 Bedbrook street Coombs 2611
- 2 Bedbrook street Coombs 2611

Date range to cover - Jan 2019 to current date September 16, 2024

The above parameters should be captured at the time of receiving a complaint and may assist in retrieving stats through reporting and or other methods engaged by TCCS or Infringements team. Please note this is not a request for the particulars of the compliant but a tally and total number received, this is to reduce the workload and allow the FOI to be processed more quicker hopefully. If they could be arranged in yearly columns that would be helpful.”

Timeframes

In accordance with section 40 of the FOI Act, TCCS is required to decide on your application by 29 October 2024. I note that your application was also made to the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) who will provide you with a separate notice of decision.

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 for the information that you are seeking has been completed and compiled into the table at Attachment A consistent with your application.

Upon reviewing the information identified and applying the public interest test under section 17 of the FOI Act, I have decided to provide you with full access to the information. The reasons for my decision are detailed 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 *Human Rights Act 2016*.

In making my decision on disclosing the relevant government information, I must identify all relevant factors in schedule 1, which contains a list of information types that are deemed to be contrary to the public interest. Where schedule 1 does not apply to some or all of the information within relevant records, I must consider the public interest test set out in section 17 of the FOI Act, whereby factors favouring disclosure (schedule 2, section 1) and factors favouring non-disclosure (schedule 2, section) are weighed to determine on balance, where the public interest lies. In making my decision, I also confirm that I have not considered any of the factors listed in section 17(2) of the FOI Act which contains a list of factors which must not be taken into consideration.

Schedule 1:

- No relevant factors identified.

Public Interest test:

Factors favouring disclosure in the public interest (Schedule 2.1)

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

- Not applicable.

I have identified that the information you seek access to relates to complaints received by Transport Canberra and City Services about activities reported to have occurred on public land. Access to the information may provide contextual information around government operations and promotes open discussion of public affairs and enhances government's accountability generally. Further, I also acknowledge that the pro-disclosure bias requires the public interest test to be approached on the basis that there are not simply empty scales in equilibrium, waiting for arguments to be put on each side. Rather, the scales are loaded in favour of disclosure.

In my review of the remaining information, I did not identify any factors favouring non-disclosure. In this instance, I find that disclosure is, on balance, in the public interest and provide you with full access.

A copy of the relevant information is enclosed at [Attachment A](#).

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 as the total number of pages disclosed to you falls 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. Your original access application, my decision and documents will be published in the TCCS disclosure log between 3 – 10 business days from the date of this decision. Your personal information will be removed from these copies 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
GPO Box 370
CANBERRA CITY ACT 2601
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



Lisa Johnson
Information Officer
25 October 2024

The following table has been compiled consistent with your request, and relates to complaints received by Transport Canberra and City Services (TCCS):

- Between Jan 2019 and September 16, 2024;
- Regarding illegal activities on public land opposite the following residential opposite the following abodes;
 - 70 Harold whit avenue Coombs 2611
 - 1 Bedbrook street Coombs 2611
 - 2 Bedbrook street Coombs 2611
- Which were actioned by TCCS through physical attendance by authorised officers (human operators). Transport Canberra and City Services do not currently haver licence plate recognition equipped vehicles in its fleet.

Location	Month/Year	Number of complaints received	
Opposite 70 Harold Whit avenue Coombs 2611	2020 (Sept)	1	
	2024 (June)	1	
	2024 (Sept)	1	
TOTAL number of complaints received		3	

No complaints were received in the location opposite to:

- 1 Bedbrook street Coombs 2611
- 2 Bedbrook street Coombs 2611