



Dear [REDACTED]

### Freedom of Information – Additional Information

I refer to your application under section 30 of the [Freedom of Information Act 2016](#) (the FOI Act), received by the City and Environment Directorate (CED) on 2 December 2025. It is my understanding you sought access to the following information:

- *All records held by the ACT government in relation to a) the inspection of work carried out, and b) complaints and other feedback reported (including but not limited to Access Canberra's Fix My Street form) relating on the section of bike path along Athllon Drive that lies immediately southbound of Sulwood Drive, up to the fork in the bike path which indicates the C4 Tuggeranong and Erindale Centre routes. This is since 1 January 2020 up until the present.*

On 20 January 2026, I wrote to you advising that no information relevant to your application was identified by CED. In an email dated 23 January 2026 you provided a photograph containing markings in the location. Further searches for information held by CED were conducted and ten records were identified within the scope of your original application. In accordance with section 36 of the FOI Act, CED may make a further decision under section 35 of the Act in relation to this additional government information.

### Authority

I am an Information Officer appointed by the Director-General of the City and Environment Directorate under section 18 of the FOI Act to deal with access applications made under Part 5 of the FOI Act.

### Decision on access

The ten identified records are listed in the schedule at [Attachment A](#).

I have decided to:

- grant **full** access to four records.
- grant **partial** access to six records.

The reasons for my decision are detailed in the *Statement of reasons* section below. The records being released to you are provided at [Attachment B](#) with redactions applied to any information contrary to the public interest to release.

## Statement of reasons

The FOI Act has a pro-disclosure bias, which requires information to be disclosed unless doing so would be contrary to the public interest. As an Information Officer, I am responsible for determining whether disclosure of the information within the scope of your application would be contrary to the public interest.

My assessment begins with Schedule 1 of the FOI Act, which outlines categories of information that are taken to be contrary to the public interest to disclose. If the information does not fall within any of these categories, I must then apply the public interest test under section 17 of the FOI Act. This test involves weighing the factors favouring disclosure against those favouring nondisclosure, as set out in Schedule 2.

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

- the FOI Act
- the information that falls within the scope of your application
- the *Human Rights Act 2004*
- the ACT Ombudsman FOI Guidelines

I confirm that I have not considered any of the factors listed in section 17(2) of the FOI Act, which outlines a list of considerations that must not be taken into account when applying the public interest test.

### Schedule 1 – Information taken to be contrary to the public interest

- No relevant sections identified.

### Schedule 2 – Public interest test

#### *Factors favouring disclosure (Schedule 2.1)*

- *Section 2.1(a)(i) - promote open discussion of public affairs and enhance the government's accountability.*
- *Section 2.1(a)(iii) - inform the community of the government's operations, including policies, guidelines and codes of conduct followed followed by the government in its dealings with members of the community.*

In reviewing the information within the scope of your application, I have considered that disclosure promotes open discussion of public affairs and enhances government's accountability generally. I have placed moderate weight on this factor.

#### *Factors favouring nondisclosure (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*.

Six records contain personal information being the names and contact details of other Fix My Street users. I have considered that this information is not readily available to the public and has not otherwise been disclosed by CED. I further consider that this information has come to be held by CED with the expectation that it is handled in accordance with CED privacy policies and the *Information Privacy Act 2014*. It is my view that the disclosure of this information could reasonably be expected to prejudice the protection of an individual's right to privacy under section 12 of the *Human Rights Act 2004*. I have placed significant weight against this factor.

### *Balancing the factors*

Having applied the public interest test outlined in section 17 of the FOI Act, I have concluded that some information contained in the records is not in the public interest to disclose. Accordingly, I have redacted this specific information under section 50(2) of the FOI Act.

Consistent with the pro-disclosure intent of the FOI Act, I am satisfied that redacting only the information that is contrary to the public interest ensures compliance with the FOI Act while still providing access to the majority of the information held by CED within the scope of your application.

### **Charges**

Processing charges are not applicable for this application because the number of pages released to you is below the charging threshold of 50 pages.

### **Online publishing – Disclosure Log**

Under section 28 of the FOI Act, CED maintains a disclosure log, which is a public record of access applications and decisions. Your original access application and my decision will be published on the CED disclosure log. Your personal contact details will not be published.

### **ACT Ombudsman Review**

My decision on your access application is a reviewable decision as identified in Schedule 3 of the FOI Act. You have the right to seek ACT Ombudsman review of this outcome under section 73 of the FOI Act within 20 working days from the day that my decision is provided to you, or a longer period allowed by the ACT Ombudsman. If you wish to request a review of my decision, you may write to the ACT Ombudsman at:

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

### **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  
GPO Box 370  
Canberra City ACT 2601  
Telephone: (02) 6207 1740  
<https://www.acat.act.gov.au/>

Please contact the CED Information Access team if you have any queries in relation to your application via 6207 2987 or [CEDFOI@act.gov.au](mailto:CEDFOI@act.gov.au).

Yours sincerely

Signed electronically

Jodie Vaile  
Information Officer  
City and Environment Directorate  
6 March 2026