



## FREEDOM OF INFORMATION COVERSHEET

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

FOI reference: 24-132

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Schedule	Published
4. Documents	Not Applicable
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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# 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

16 Sep 2024 8:35:49 AM

Reference code

2SLQF2MS

Transport Canberra and City Services  
(TCCS)

GPO Box 158  
Canberra City, ACT 2601

Phone: 02 6207 2987  
TCCS.FOI@act.gov.au

## Applicant details

Title

 ▾

Given name

Family name

Preferred name

Preferred method of contact

Phone

Email

Post

Contact phone number

Contact email address

Contact postal address

Address line 1

[Redacted]

Address line 2

[Redacted]

Suburb

CANBERRA

State

ACT

Postcode

2601

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?\*

A copy of any arborists reports and/or accompanying documents relating to the removal of trees on the corner of Brisbane and Wentworth avenues

Attach a description or additional details about the information you are requesting access to (optional)

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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)

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

Attach additional documents to support your application (optional)

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Dear 

### Freedom of Information Request - Reference 24-132

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 sought access to the following government information under the *Freedom of Information Act 2016* (FOI Act):

*“A copy of any arborists reports and/or accompanying documents relating to the removal of trees on the corner of Brisbane and Wentworth avenues.”*

I thank you for working with our office on interpreting the scope of your request. On 26 September 2024 your application was clarified as follows:

*“The relevant trees have already been removed and I understand their removal to have started on the 26th of July. The locations of the removed trees can be seen on google here: <https://maps.app.goo.gl/bogpMMSZ14qcibTUA> and here: <https://maps.app.goo.gl/ZAq72L32qU8Bmt2K9>”*

### Timeframes

In accordance with section 40 of the FOI Act, a decision on your application is due by 29 October 2024.

### 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 four records have been identified as relevant to your application.

Following a review of 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:

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

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

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.

### 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.
- the *Human Rights Act 2004*.

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 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 schedule 1 of the FOI Act. If no factor in schedule 1 is found relevant, I must then consider the factors listed in schedule 2 of the FOI Act and determine, on balance, where the public interest lies.

#### **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)(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 information falling in scope of your application, I recognise that the information relates to the assessment of trees located on public land and the reasons behind their removal. I have identified that the disclosure of information is likely to provide you with contextual information relating to a government decision and may promote open discussion of public affairs. I also identify that disclosure is likely to enhance transparency in a government process and government accountability. 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 reviewing the relevant records, I have also identified personal information relating to third parties. I find that factor 2.2(a)(ii) is relevant to this information and I must consider if the disclosure is likely to prejudice the protection of an individual's right to privacy under the *Human Rights Act 2004*. I have considered that this personal information has been provided to TCCS for a specific purpose, and with an expectation that the information is treated confidentially. I find that the protection of an individual's right to privacy under the *Human Rights Act 2004* carries significant weight. In this instance, I have found 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 with deletions applied 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](mailto: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](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



Lisa Johnson  
Information Officer

28 October 2024

## ATTACHMENT A - ACCESS APPLICATION SCHEDULE, FREEDOM OF INFORMATION

**Reference Number: 24-132**

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](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	01. Case Number- 00282767	7 March 2023	Partial access	Schedule 2.2(a)(ii)	Decision to be published on the <a href="#">TCCS Disclosure Log</a> .
2	12	02. 0E9511D2-24BE-43E2-B03E-DDE02CC7984E	7 March 2023	Full access	Not applicable	
3	13	03. 784D8BCC-389B-43C2-B561-0333A784842C	7 March 2023	Full access	Not applicable	
4	14	04. Urban Trees - Tree Operations - Central - Brisbane Ave	Multiple	Full access	Not applicable	

**Total number of documents: 4**

## Case Information

<b>Case Officer:</b>	0052P000000hgnJQAQ
<b>Case Owner:</b>	Trees
<b>Reassignment Reason:</b>	9/3/23 - Ash Musgrave Updated fieldmaps & attached images for CTRP 2x Euc. globulus located beDTRP remove 2 blue gums! inspected both trees from travel tower found defects of pockets of rot in major unions of both trees pruning will not rectifier 7/3/23.

## Case Overview

<b>Case Number:</b>	00282767
<b>Case Owner:</b>	00674271
<b>Feedback Type:</b>	Operations
<b>Job Type</b>	Tree Removal
<b>Status:</b>	Case Closed
<b>Technical Officer Required?:</b>	No
<b>Sub Status:</b>	Program of Work
<b>Suburb:</b>	Barton
<b>Priority:</b>	Medium
<b>Storm Damage:</b>	No
<b>Prioritisation Status:</b>	Incident prioritised
<b>Claim Region:</b>	
<b>Response Required?:</b>	No
<b>Depot Region:</b>	Central
<b>Correspondence History:</b>	No

## Description Trees

<b>Case Officer:</b>	Fix My Street > Grass, trees & shrubs > Trees & shrubs > Request inspection
<b>ACTCCS Description:</b>	<p><b>More Information</b></p> <p>Reported a tree in need of looking at a year or so ago, that tree actually fell after I had reported it luckily not causing harm it fell on the median strip but these other large trees on need to be looked at before someone gets seriously injured.</p> <p><b>Would you like to retain this tree in a safe way?</b> No</p> <p><b>What is the issue with the tree</b> It is dead, diseased or dying</p>

	<b>Was this caused by a recent storm?</b> No
	<b>Is it located on private or public land?</b> Public

## Duplicate Case

<b>Related Case</b>	
<b>Is Duplicate</b>	false

## Resident Details

<b>Account ID:</b>	
<b>Contact Email:</b>	
<b>Contact Phone:</b>	
<b>Contact Mobile:</b>	

## ACTCCS Contact Details

<b>ACTCCS Contact First Name:</b>	
<b>ACTCCS Contact Last Name:</b>	
<b>ACTCCS Contact Phone:</b>	
<b>ACTCCS Contact Mobile:</b>	
<b>ACTCCS Contact Email:</b>	

## Citizen Communication Details

<b>Citizen Opted For Comms</b>	false
<b>Comms Sent</b>	

## Tree Details

<b>Asset ID:</b>	
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<b>Communicated with the Customer?:</b>	
<b>Communication Comment:</b>	

## Claims

<b>ACTIA/TAMS Identification No.:</b>	
<b>Claim Number:</b>	
<b>Claims Case:</b>	false
<b>Claim Amount Threshold:</b>	
<b>Is Claim Being Honoured?:</b>	false
<b>Claim Amount:</b>	

## Assessment Details

<b>Assessor:</b>	Michael Huntley
<b>Diameter at Brest Height (DBH):</b>	120
<b>Date Assessed:</b>	2023-03-07
<b>Tree Height:</b>	20
<b>Calling Card:</b>	No
<b>Work Comments:</b>	DTRP remove 2 blue gums! inspected both trees from travel tower found defects of pockets of rot in major unions of both trees pruning will not rectifier
<b>Added to Field Maps:</b>	true

## Field Work Comments

<b>Field Work Comments:</b>	9/3/23 - Ash Musgrave Updated fieldmaps & attached images for CTRP 2x Euc. globulus located beside 2 Brisbane Ave on Bowen Dr
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## Equipment Required

<b>Chipper:</b>	No
<b>Mini Tower:</b>	No
<b>Crane Truck:</b>	No
<b>Pole Saw:</b>	No
<b>Flying Crew:</b>	No
<b>Travel Tower:</b>	Yes
<b>Gang:</b>	No
<b>Climber:</b>	No

## Work Type

<b>Removal:</b>	Yes
<b>Line of Site:</b>	No
<b>GP/DW:</b>	No
<b>Lift:</b>	No
<b>Branch Pick Up:</b>	No
<b>Street Pruning:</b>	
<b>Habitat Prune:</b>	No
<b>No Action:</b>	No
<b>Mulch:</b>	
<b>Streetlight Pruning:</b>	
<b>Log:</b>	

## Case Details

<b>Source:</b>	Access Canberra
<b>Incident Address:</b>	3-9 BOWEN DR, BARTON ACT 2600
<b>Origin:</b>	FMS Form
<b>ACTCCS Latitude:</b>	-35.30793289
<b>Created Date:</b>	02/22/2023 07:09:24
<b>ACTCCS Longitude:</b>	149.13842415
<b>Closed Date:</b>	2024-05-30T06:42:55.000Z

## System Information

<b>Created By:</b>	AC TCCS Integration
<b>Last Modified By:</b>	Sandip Bijlwan 07-01-2024 09:23:28
<b>Date Created in FMS:</b>	2023-02-22T07:09:00.000Z
<b>Case Sharing ID ACTCCS:</b>	TRS

## Case History

Created By	Created Date	Field	Old Value	New Value

Sandip Bijlwan	05-30-2024 04:42:55	ACTCCS_Status_ _c	In Progress	Program of Work
Sandip Bijlwan	05-30-2024 04:42:55	Status	Assigned	Case Closed
Sandip Bijlwan	04-26-2024 11:53:18	Owner	Thomas Hopper	Trees
Sandip Bijlwan	04-26-2024 11:53:18	Owner	0052P000000hgn JQAQ	00G2P000000OO QQUA4
Andrew Forster	03-14-2024 08:20:38	ACTCCS_Reassign ment_Reason__c		9/3/23 - Ash Musgrave Updated fieldmaps & attached images for CTRP 2x Euc. globulus located beDTRP remove 2 blue gums! inspected both trees from travel tower found defects of pockets of rot in major unions of both trees pruning will not rectifier 7/3/23.
Andy Bennett	07-11-2023 08:17:33	Owner	0058w000000J3IB AAS	0052P000000hgn JQAQ

Andy Bennett	07-11-2023 08:17:33	Owner	Andy Bennett	Thomas Hopper
Andy Bennett	07-11-2023 08:04:15	Owner	00G2P0000000O QQUA4	0058w000000J3IB AAS
Andy Bennett	07-11-2023 08:04:15	Owner	Trees	Andy Bennett
Ash Musgrave	03-09-2023 10:43:37	Field_Work_Com ments__c		
Michael Huntley	03-07-2023 11:37:15	ACTCCS_Work_C omments__c	remove 2 blue gums! inspected both trees from travel tower found defects of pockets of rot in major unions of both trees pruning will not rectifier	DTRP remove 2 blue gums! inspected both trees from travel tower found defects of pockets of rot in major unions of both trees pruning will not rectifier
Michael Huntley	03-07-2023 11:36:02	ACTCCS_Assess or__c		0052P000000hgn 2QAA
Michael Huntley	03-07-2023 11:36:02	Status	Unassigned	Assigned

Michael Huntley	03-07-2023 11:36:02	Priority		Medium
Michael Huntley	03-07-2023 11:36:02	ACTCCS_Assess or__c		Michael Huntley
Michael Huntley	03-07-2023 11:36:02	ACTCCS_Date_A ssessed__c		2023-03-07
Michael Huntley	03-07-2023 11:36:02	ACTCCS_Status_ _c	Unresolved	In Progress
Michael Huntley	03-07-2023 11:36:02	ACTCCS_Work_C omments__c		remove 2 blue gums! inspected both trees from travel tower found defects of pockets of rot in major unions of both trees pruning will not rectifier
AC TCCS Integration	02-22-2023 06:09:24	created		
AC TCCS Integration	02-22-2023 06:09:24	Feedback_Type__ c		Operations

AC TCCS Integration	02-22-2023 06:09:24	Case_Sharing_ID _ACTCCS__c		TRS
AC TCCS Integration	02-22-2023 06:09:24	ACTCCS_Status_ _c		Unresolved
AC TCCS Integration	02-22-2023 06:09:24	Owner	0052P000000e2q bQAA	00G2P000000OO QQUA4
AC TCCS Integration	02-22-2023 06:09:24	Owner	AC TCCS Integration	Trees
AC TCCS Integration	02-22-2023 06:09:24	Priority	Medium	
AC TCCS Integration	02-22-2023 06:09:24	Origin		FMS Form
AC TCCS Integration	02-22-2023 06:09:24	RecordType	0122P0000004Oq sQAE	0122P0000004Oq tQAE

AC TCCS Integration	02-22-2023 06:09:24	RecordType	TCCS General	Trees
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## Case Feed

Created By	Michael Huntley
Created Date	03/07/2023 11:36:53
Body	██████████ remove 2 blue gums! inspected both trees from travel tower found defects of pockets of rot in major unions of both trees pruning will not rectifier DTRP.
Created By	██████████
Created Date	03/21/2023 03:15:23
Body	@Michael Huntley have these been marked up in the maps?

## Case Notes

Created By	AC TCCS Integration
Created Date	02-22-2023 06:09:54
Title	Customer Entry (Auto Note)
Content	<p>This is an auto note of the original customer submission.</p> <p><b>Subject:</b> Fix My Street &gt; Grass, trees &amp; shrubs &gt; Trees &amp; shrubs &gt; Request inspection</p> <p><b>Category:</b></p>

	<p>Fix My Street &gt; Grass, trees &amp; shrubs &gt; Trees &amp; shrubs &gt; Request inspection</p> <p><b>AC Description (forms):</b> <b>More Information</b> Reported a tree in need of looking at a year or so ago, that tree actually fell after I had reported it luckily not causing harm it fell on the median strip but these other large trees on need to be looked at before someone gets seriously injured.</p> <p><b>Would you like to retain this tree in a safe way?</b> No</p> <p><b>What is the issue with the tree</b> It is dead, diseased or dying</p> <p><b>Was this caused by a recent storm?</b> No</p> <p><b>Is it located on private or public land?</b> Public</p> <p><b>Plain Description:</b></p> <p><b>Location Data:</b> Address: 3-9 BOWEN DR, BARTON ACT 2600 Latitude: -35.30793289 Longitude: 149.13842415</p>

## Case Attachments

Created By	Created Date	Title	File Type
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Ash Musgrave	03-09-2023 10:44:12	784D8BCC-389B-43C2 JPEG -B561-0333A784842C	
Ash Musgrave	03-09-2023 10:44:06	0E9511D2-24BE-43E2- JPEG B03E-DDE02CC7984E	

## Case Emails






Home ▾ Urban Trees - Tree Operations - Central

Details Add | Edit Basemap |

Share Print | Measure Bookma



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**Urban Tree Assessment New Symbology (Features: 4, Selected: 0)**

WORKS	STATUS	CANOPY_REMOVED_D	BARREL_REMOVED_D	STUMP_REMOVED_D	COMMENTS	TCCS_COMMENTS	TTM
Removal	Job completed		30/7/2024	29/8/2024	Major defects in main unions	replant with Eucalyptus bicostata	Yes
Removal	Job completed		30/7/2024	29/8/2024	Major defects in unions advance decay in trunk (may be heritage)?	replant with Eucalyptus bicostata	
Removal	Job completed		30/7/2024	30/7/2024			Planting
Removal	Job completed	29/8/2024	30/7/2024	16/7/2024	Please level out ground, fill divots and spread some grass seed.	replant with Eucalyptus bicostata	

