



**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 2018-079

Information to be published	Status
1. Access application	Published
2. Decision notice and schedule	Published
3. Documents	Published
4. Additional information identified	No
5. Fees	n/a
6. Processing time (in working days)	21 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



18-079

**Bruan, Nicole**

---

**From:** Zuzek, Joe  
**Sent:** Monday, 3 September 2018 3:19 PM  
**To:** Bruan, Nicole  
**Subject:** RE: Sly Fox Coffee investigation [SEC=UNCLASSIFIED]

Hello Nicole

Sorry I may have mislead you. There is no attachment. I meant the email thread.

Kind regards

Joe

---

**From:** Bruan, Nicole  
**Sent:** Monday, 3 September 2018 2:03 PM  
**To:** Zuzek, Joe <Joe.Zuzek@act.gov.au>  
**Subject:** RE: Sly Fox Coffee investigation [SEC=UNCLASSIFIED]

Can you add the attachment? Thanks Joe

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**From:** Zuzek, Joe  
**Sent:** Monday, 3 September 2018 11:49 AM  
**To:** TCCS\_FreedomOfInformation <TCCS.FOI@act.gov.au>  
**Cc:** Bruan, Nicole <Nicole.Bruan@act.gov.au>; Gerrard, Darren <Darren.Gerrard@act.gov.au>  
**Subject:** FW: Sly Fox Coffee investigation [SEC=UNCLASSIFIED]

Hello Nicole

Issue relates to breaches of the permit to use Public Unleased land in O'Connor by [REDACTED]

Please find attached the FOI request which has been received by MLA Mick Gentlemen from [REDACTED] [REDACTED]. It appears Mr Gentlemen had forwarded the request directly to the Land Use Team.

I have arranged for all documentation to be collated and can have this to you by COB tomorrow.

For your consideration, the matter is still under investigation and involves further discussion with Access Canberra which issued [REDACTED] the Permit under the Public Unleased Lands Act 2013.

I have concerns about releasing information before L&C have had the opportunity to coordinate with access Canberra with regards to appropriate regulatory response.

Any questions, please call Darren Gerrard.

Kind regards

Joe Zuzek

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**From:** TCCS\_LC PermitApprovals  
**Sent:** Monday, 3 September 2018 9:24 AM  
**To:** Zuzek, Joe <Joe.Zuzek@act.gov.au>  
**Subject:** FW: Sly Fox Coffee investigation [SEC=UNCLASSIFIED]

Hi Joe

Please see below FOI request – Sly Fox Coffee and [REDACTED]

Kind Regards,

**Pam Ellis**

A/g Public Use Coordinator

Phone 02 6205 8538 | Fax 6207 7133

Licensing and Compliance | City Services | Transport Canberra and City Services Directorate

ACT Government

Ground Floor, 255 Canberra Avenue, Fyshwick ACT 2609 | GPO Box 158 Canberra ACT 2601

[www.act.gov.au](http://www.act.gov.au) | [www.tccs.act.gov.au](http://www.tccs.act.gov.au) | [@tccs\\_act](https://twitter.com/tccs_act)



Connected services for the people of Canberra

From: [REDACTED]  
Sent: Saturday, 1 September 2018 2:50 PM  
To: GENTLEMAN <[GENTLEMAN@act.gov.au](mailto:GENTLEMAN@act.gov.au)>; TCCS\_LC PublicLandUse <[TCCS.PublicLandUse@act.gov.au](mailto:TCCS.PublicLandUse@act.gov.au)>  
Subject: Re: Sly Fox Coffee investigation

This is my request for all information gathered about Sly Fox Coffee and [REDACTED] also specifically about any complaints made to Canberra Connect or Access Canberra or information gathered by park rangers and TCCS, public land use team and any following up that has already occurred. this application is for the purposes of the FOI Act.

thank you [REDACTED]

On Aug 31, 2018 11:36 AM, "TCCS\_LC PublicLandUse" <[TCCS.PublicLandUse@act.gov.au](mailto:TCCS.PublicLandUse@act.gov.au)> wrote:

Dear [REDACTED]

Further to our discussion at 2:03pm Thursday, 30 August 2018.

Licensing and Compliance is currently investigating the unapproved structures and activities in the area around [REDACTED] Sly Fox Coffee Hawkers site, within O'Connor.

Although, every effort will be made to expedite the process, the investigation may require a couple of weeks to complete. Upon completion, [REDACTED] will be advised of any decisions, required actions or possible permitting options.

Currently, [REDACTED] authorised to serve food & coffee as per [REDACTED] Hawkers permit. However, this does not include the placement of customer seating (left overnight), a fire drum, any other structures not specifically required to serve food & coffee or the access to 'Urban Open Space' via a vehicle.

Additional, I have been made aware that [REDACTED] have been promoting a community market at the site. Currently, [REDACTED] not have approval for this activity.

Licensing and Compliance must grant approval for any proposed markets on public land, managed by Transport Canberra and City Services. Until the current matters are finalise, any proposed community market will not be considered, therefore please reframe from promoting future market activities.

We will respond further as soon as possible, however I hope this clarifies [REDACTED] current onsite operating parameters and obligations until we can finalise the matter.

Regards

**Darren | Manager L&C Licensing**

**P 02 62057245 | F 02 6207 5956**

**City Services | Transport Canberra and City Services Directorate | ACT Government**

Level 1, 255 Canberra Avenue, Fyshwick ACT 2609| GPO Box 158 Canberra ACT 2601

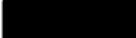
[www.act.gov.au](http://www.act.gov.au) | [www.tccs.act.gov.au](http://www.tccs.act.gov.au)



**ACT**  
Government


Transport Canberra and  
City Services



Dear 

### Freedom of Information Request – Reference 18-079

I refer to your application made under the *Freedom of Information Act 2016* (the Act), received by Transport Canberra and City Services Directorate (TCCS) on 3 September 2018, in which you sought access to:

- all information gathered about Sly Fox Coffee  also specifically any complaints made to Canberra Connect or Access Canberra or information gathered by park rangers and TCCS' public land use team and any following up that has already occurred.

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 was required to provide a decision on your access application by 2 October 2018, however, I note you agreed to an extension until 4 October 2018.

#### Decision on access

Searches were completed for relevant documents and 34 documents (112 pages) have been identified that fall within the scope of your request.

I have included at [Attachment A](#) to this decision the schedule of the 34 identified documents. This schedule provides a description of each document that falls within the scope of your request and the access decision for each of these documents.

Documents identified as relevant to your request contain information that I consider to be, on balance, contrary to the public interest to disclose under the test set out in section 17 of the Act.

I have decided to grant access, under section 50 of the Act, to copies of documents ([Attachment B](#)) with deletions applied to information that I consider would be contrary to the public interest to disclose.

#### Statement of Reasons

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

- the Act; in particular
  - Schedule 2, Section 2.2 (a)(ii) – Prejudice the Protection of an Individual's Right to Privacy,

- *Information Privacy Act 2014*; and
- the content of the documents that fall within the scope your request.

As an Information Officer I am required to decide where, on balance, public interest lies.

As part of this process I must consider factors favouring disclosure and non-disclosure.

Factors favouring disclosure (Schedule 2.1):

- promotion of open discussion of public affairs and enhancement of government accountability;
- informing the community of the government's operations, including the policies, guidelines and code of conduct followed by the government in its dealings with members of the public, or reveal the reason for a government decision and any background or contextual information that informed the decision.

Factors favouring non-disclosure (Schedule 2.2):

- prejudice the protection of an individual's right to privacy or other right under the *Human Rights Act 2004*.

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Documents referenced 1, 5, 6, 16, 19-22, 25, 27 and 29 contains personal information about individuals, including names and contact details. As a general rule an agency that holds personal information about an individual that has been collected for a particular purpose must not disclose the information to a third party without consent (*Information Privacy Act 2014* (Territory Privacy Principle 6)). Considering the type of information, I am satisfied that the factors in favour of release can still be met while protecting the personal information of the individuals involved, therefore, I have decided to release the information with deletions applied to information that I consider would be contrary to the public interest to disclose, including pictures of third parties.

**Charges**

I have decided not to charge fees for the release subject to this decision as you have a personal interest in the information.

**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 from 3 days after the date of this decision. Your personal details will not be published.

You may view TCCS' disclosure log at [www.tccs.act.gov.au/about-us/freedom\\_of\\_information](http://www.tccs.act.gov.au/about-us/freedom_of_information).

**Ombudsman review**

My decision on your access request is a reviewable decision 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(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 questions concerning the directorate's processing of your request, or would like further information, please contact the directorate's FOI Coordinator on 6205 5408 or email [tccs.foi@act.gov.au](mailto:tccs.foi@act.gov.au).

Yours sincerely



Cherie Hughes  
Information Officer

3 October 2018



**ACT**  
Government

Transport Canberra and  
City Services

Attachment A

## FREEDOM OF INFORMATION 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: [HTTP://WWW.TCCS.ACT.GOV.AU/ABOUT-US/FREEDOM\\_OF\\_INFORMATION](http://www.tccs.act.gov.au/about-us/freedom_of_information)

FILE REFERENCE NO		WHAT ARE THE PARAMETERS OF THE REQUEST				
TCCS FOI 18-079		SLY FOX COFFEE				
REF NO	NO OF FOLIOS	DESCRIPTION	DATE	STATUS	REASON FOR NON-RELEASE OR DEFERRAL	OPEN ACCESS RELEASE STATUS
1	1-2	INCIDENT REFERENCE	27 JULY 2018	PARTIAL ACCESS		PARTIAL ACCESS
2	3-5	PHOTOGRAPHS	UNDATED	FULL ACCESS		PARTIAL ACCESS
3	6-7	INVESTIGATION NOTES	14 AUGUST 2018	FULL ACCESS		PARTIAL ACCESS
4	8-9	EMAIL	14 AUGUST 2018	FULL ACCESS		PARTIAL ACCESS
5	10-11	PHOTOGRAPHS	UNDATED	PARTIAL ACCESS	INFORMATION PRIVACY ACT 2014 SCHEDULE 2, SECTION 2.2 (A)(II)	PARTIAL ACCESS
6	12-27	SOCIAL MEDIA ADVERTISING/PHOTOGRAPHS	VARIOUS	PARTIAL ACCESS	INFORMATION PRIVACY ACT 2014 SCHEDULE 2, SECTION 2.2 (A)(II)	PARTIAL ACCESS
7	28-52	PHOTOGRAPHS	26 AUGUST 2018	FULL ACCESS		PARTIAL ACCESS
8	53	COMMUNITY MARKET ADVERTISING	UNDATED	FULL ACCESS		PARTIAL ACCESS

9	54	FIELD NOTES	28 AUGUST 2018	FULL ACCESS		PARTIAL ACCESS
10	55	EMAIL	29 AUGUST 2018	FULL ACCESS		PARTIAL ACCESS
11	56-62	PUBLIC UNLEASED LAND PERMIT	1 FEBRUARY 2018 TO 31 JANUARY 2019	FULL ACCESS		PARTIAL ACCESS
12	63	EMAIL	29 AUGUST 2018	FULL ACCESS		PARTIAL ACCESS
13	64-70	PUBLIC UNLEASED LAND PERMIT	1 FEBRUARY 2018 TO 31 JANUARY 2019	FULL ACCESS		PARTIAL ACCESS
14	71	EMAIL	29 AUGUST 2018	FULL ACCESS		PARTIAL ACCESS
15	72-78	PUBLIC UNLEASED LAND PERMIT	1 FEBRUARY 2018 TO 31 JANUARY 2019	FULL ACCESS		PARTIAL ACCESS
16	79	EMAIL	29 AUGUST 2018	PARTIAL ACCESS	INFORMATION PRIVACY ACT 2014  SCHEDULE 2, SECTION 2.2 (A)(II)	PARTIAL ACCESS
17	80	EMAIL	30 AUGUST 2018	FULL ACCESS		PARTIAL ACCESS
18	81-82	TIMELINE	30 AUGUST 2018	FULL ACCESS		PARTIAL ACCESS
19	83-84	EMAIL	30 AUGUST 2018	PARTIAL ACCESS	INFORMATION PRIVACY ACT 2014  SCHEDULE 2, SECTION 2.2 (A)(II)	PARTIAL ACCESS
20	85-86	EMAIL	30 AUGUST 2018	PARTIAL ACCESS	INFORMATION PRIVACY ACT 2014  SCHEDULE 2, SECTION 2.2 (A)(II)	PARTIAL ACCESS
21	87-88	EMAIL	30 AUGUST 2018	PARTIAL ACCESS	INFORMATION PRIVACY ACT 2014  SCHEDULE 2, SECTION 2.2 (A)(II)	PARTIAL ACCESS

22	89	EMAIL	30 AUGUST 2018	PARTIAL ACCESS	INFORMATION PRIVACY ACT 2014 SCHEDULE 2, SECTION 2.2 (A)(II)	PARTIAL ACCESS
23	90	EMAIL	30 AUGUST 2018	FULL ACCESS		PARTIAL ACCESS
24	91-93	TIMELINE	30 AUGUST 2018	FULL ACCESS		PARTIAL ACCESS
25	94-95	EMAIL	31 AUGUST 2018	PARTIAL ACCESS	INFORMATION PRIVACY ACT 2014 SCHEDULE 2, SECTION 2.2 (A)(II)	PARTIAL ACCESS
26	96-98	PHOTOGRAPHS	UNDATED	FULL ACCESS		PARTIAL ACCESS
27	99	EMAIL	31 AUGUST 2018	PARTIAL ACCESS	INFORMATION PRIVACY ACT 2014 SCHEDULE 2, SECTION 2.2 (A)(II)	PARTIAL ACCESS
28	100-101	TIMELINE	30 AUGUST 2018	FULL ACCESS		PARTIAL ACCESS
29	102	EMAIL	31 AUGUST 2018	PARTIAL ACCESS	INFORMATION PRIVACY ACT 2014 SCHEDULE 2, SECTION 2.2 (A)(II)	PARTIAL ACCESS
30	103-105	TIMELINE	30 AUGUST 2018	FULL ACCESS		PARTIAL ACCESS
31	106	EMAIL	31 AUGUST 2018	FULL ACCESS		PARTIAL ACCESS
32	107	EMAIL	31 AUGUST 2018	FULL ACCESS		PARTIAL ACCESS
33	108-111	TIMELINE	VARIOUS	FULL ACCESS		PARTIAL ACCESS
34	112	EMAIL	31 AUGUST 2018	FULL ACCESS		PARTIAL ACCESS



**Access  
Canberra.**

**Incident Reference # 180727-001972**

**Subject:** Illegal Parking/Coffee stall Operator - O'Connor Parklands

**Date Created:** 27/07/2018 08.22 PM

Response By Email ( P.M ) ( 01/08/2018 01.42 PM)

Thank you for your notification, an authorised officer from Territory and Municipal Services Directorate will undertake a site visit. Further compliance action may be undertaken after site inspection. Inspection will be programmed to occur within the next 5 days.

Note By ( William ) ( 30/07/2018 10.45 AM)

Sent to City Rangers to investigate this use of public land.

Auto Note By ( Administrator ) ( 27/07/2018 08.22 PM)

Positional data at time of incident submissions was:

Latitude: -35.261295354598126

Longitude: 149.12678010898435

Google Url: <http://maps.google.com.au/maps?>

[q=loc:-35.261295354598126,149.12678010898435&z=17](http://maps.google.com.au/maps?q=loc:-35.261295354598126,149.12678010898435&z=17)

Google Address: 7 Bagot St, O'Connor ACT 2602, Australia

Customer By CSS Web [REDACTED] ( 27/07/2018 08.22 PM)

"Sly Fox" is a coffee provider who sets up for several hours each week day adjacent to the bike path that runs between David Street (at the Turner Primary school crossing) and Macarthur Avenue alongside of Sullivan's Creek.

Lately the operator has been accessing the area with a Kombi van from the end of Bagot Street, leaving it parked beside the coffee stall for the duration of operations. There is a permanent installation of a ramshackle vegetable/flower garden bed, half of which was claimed by the recent floods - causing dirt, manure and timber sleepers to pollute the stormwater drain. During summer school holidays the bed is not maintained and the weeds flourish.

Another recent change has been to leave unsightly permanent wooden seating in situ. Previously, temporary seating was provided with plastic milk crates which were removed and stacked nearby each day.

Also this winter has seen a fire pit introduced which burns for several hours each day, contributing to air pollution.

The regular access by vehicle, coffee stall setup and permanent seating has turned the area into an unsightly dust bowl.

It is time for this operator's licence to be reviewed and conditions enforced before an even greater area of public parkland is destroyed.

---

### **Additional Incident Details (if available)**

**Status:** Resolved

**Category:** Naturestrips

**Type of Correspondence:** Complaint

**Street:**

**Suburb:** O'Connor O'Connor

**Postal Code:**

**Routine:**

**Reporting party:** Member of Public

**Priority:**

**Assigned:** Fernando Canellas

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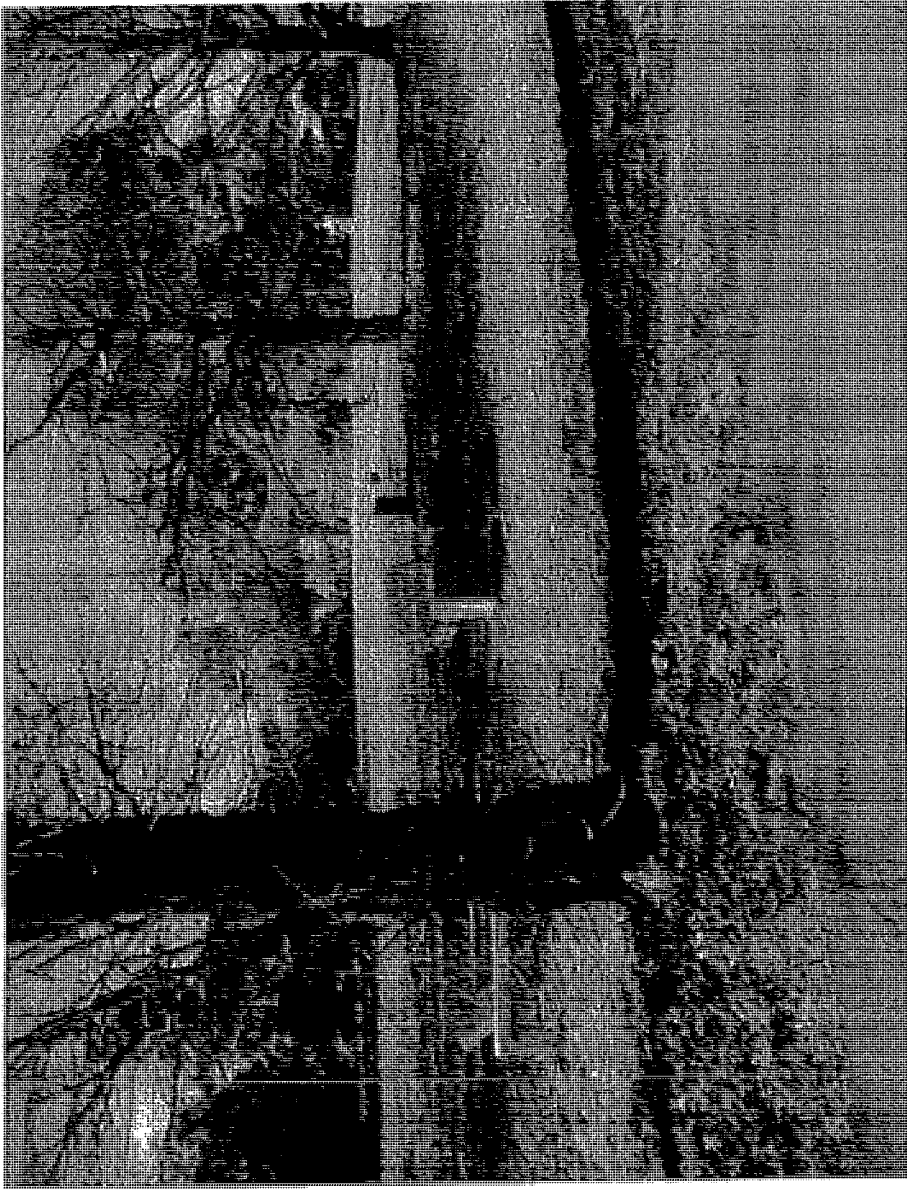
### **Contact Information**

**First Name:** [REDACTED]

**Last Name:** [REDACTED]

**Email Address:** [REDACTED]

**Phone Number:**







<b>Inspecting Ranger:</b> Michelle Jenkins	<b>Date Created:</b> 14/08/2018 04.29
<b>Investigation ID:</b> 3859	<b>Reference No:</b> No Value
<b>Item Type:</b> Unapproved Obj	<b>Sign Type:</b>
<b>Owner Name:</b>	<b>Retailer:</b> No Value
<b>Vehicle Description:</b>	<b>Owner Phone:</b>
<b>Owner Address:</b>	
<b>Item Location:</b> Macarthur Avenue	
<b>Item Suburb:</b> O'Connor	
<b>Item Description:</b>	
<b>Customer Complaint:</b> No Value	

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<b>Impound Item Value:</b> No Value	
<b>Impound Start:</b> No Value	
<b>Impound Request:</b> No Value	
<b>MVR Check Date:</b> No Value	<b>Rego Expiry:</b> No Value
<b>Police Check Date:</b> No Value	
<b>Police History Req:</b> No Value	<b>Police History Re:</b> No Value
<b>Vehicle Reported:</b> No Value	

### Investigation Notes

<b>Date Created:</b> 14/08/2018 04.35 PM
<b>Thread Text:</b> Items belong to [REDACTED] hawkers license # [REDACTED] Checked with Sarah (79592) at Ministers Cabinet Licensing and she stated that the furniture is not covered under the permit so it can be dealt with as unapproved object on PUL.

---

<b>Date Created:</b> 30/08/2018 03.06 PM
<b>Thread Text:</b> 26/8/18 at 8.40 am Ranger attended and conducted inspection, to find furniture (homemade chairs, blue fridge, red table and chair and a letter box). There is a garden bed as well. Photos taken. While I was there I had found a leaflet for a Sly Fox Community Market. I have attached a copy of it.

---

04/09/2018

**Date Created:** 30/08/2018 04.51 PM

**Thread Text:** 28/8/19 at 4.45 pm I made a call to [REDACTED] to ask about Wooden chairs, Garden bed, Red desk and red chair, Blue fridge and Letter box.

[REDACTED] said that he owned the wooden chairs and that member of the public owner the other items. He said that he would be happy to give the names to me. At this point he started to get quite vocal wanting to know what the issues was. I stated to him that all I was after was who owned the items. He then asked for a meeting to which I was happy to have with him. As the phone call went on he got more vocal with me. He then went on to say that he would like everything to be sent as a email.

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**Date Created:** 04/09/2018 10.04 AM

**Thread Text:** 30/8/18 at 12.43 pm [REDACTED] called to say that he would like everything via email as he doesn't trust ACT Gov.

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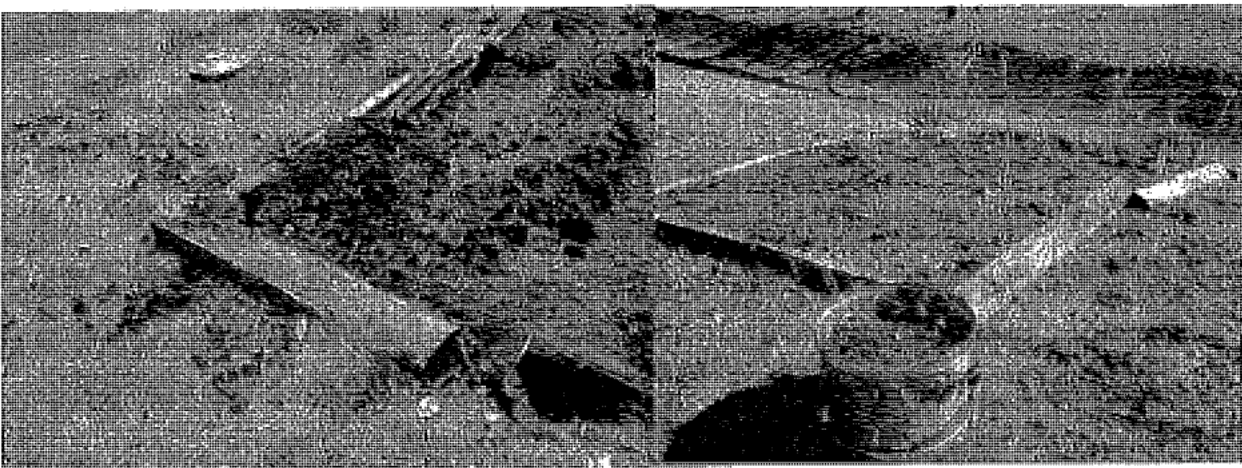
**From:** Adrian, Tristan  
**Sent:** Tuesday, 14 August 2018 3:28 PM  
**To:** TCCS\_CP CityRangers  
**Cc:** Garbode, Julie; Sheather, Sarah; Bathgate, Brian; Walker, Shannon  
**Subject:** Unapproved objects - Sly Fox hawkers permit site [SEC=UNOFFICIAL]

Hi City Rangers,

Place Management has received a complaint regarding the 'Sly Fox' hawker's area in O'Connor. I have been to the site and can confirm there are a number of unapproved objects on public land including wooden crates being used as furniture, a fridge, a letter box and an unapproved garden bed used for growing vegetables (please see images below). There is also evidence that they have been having small fires at the location.

I have met with the owner of Sly Fox in the past regarding storing milk crates as furniture on public land. He explains that members of the public put objects there not him. Ideally the furniture may be able to stay if he is willing to put them on a public land use permit and comply with its conditions.

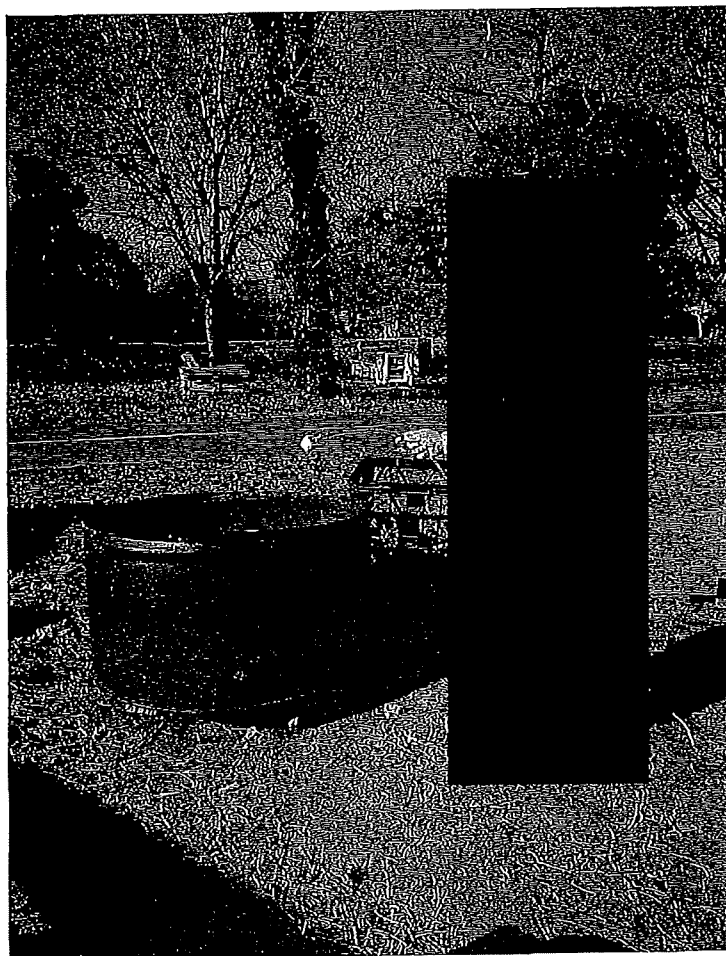
Can City Rangers please inspect the site with the view of removing the unapproved objects or placing them on a public land use permit?

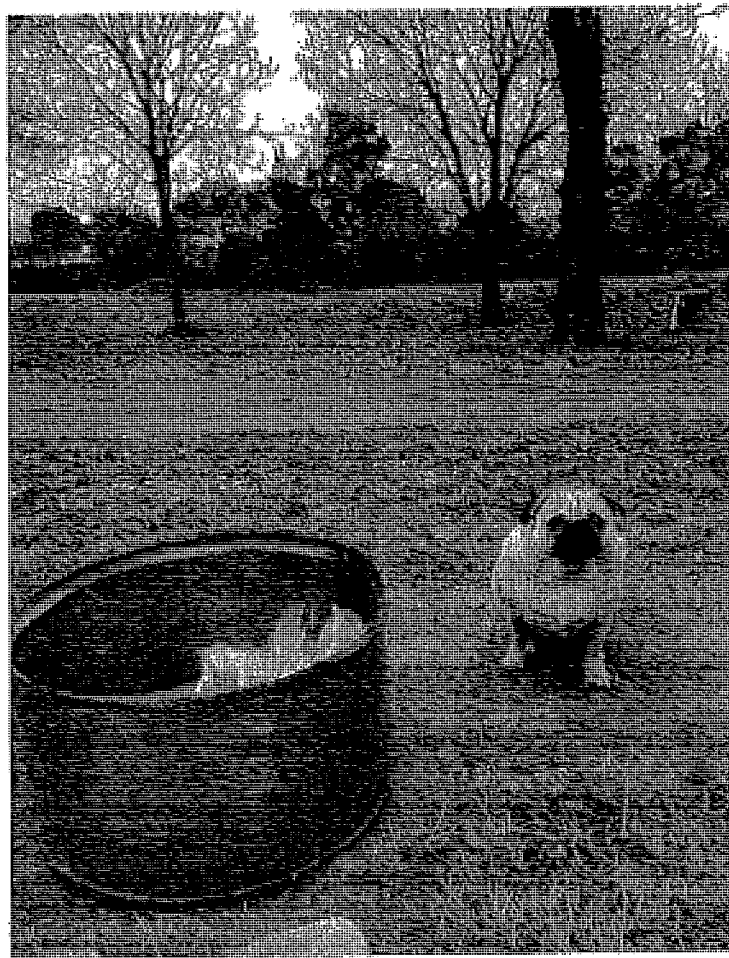


Thank you, your assistance is appreciated.

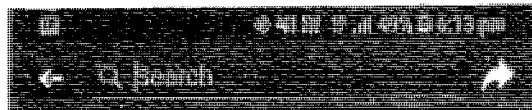
Tristan Adrlan | Central Support Officer , Place Management  
Phone 02 6207 0940 | Email [tristan.adrlan@act.gov.au](mailto:tristan.adrlan@act.gov.au)  
Place Management, City Presentation, Roads and Infrastructure Division, Transport Canberra and City Services Directorate | ACT  
Government  
Level 2, Watso House, 490 Northbourne Avenue, Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

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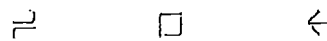


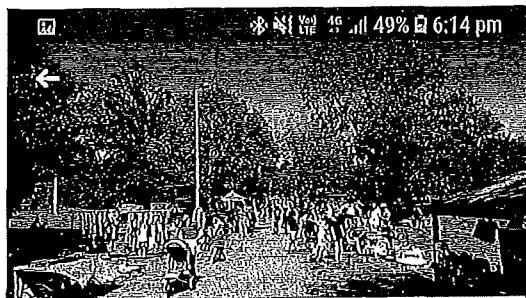
Home Shop About Photos Videos Events



**Sly Fox Coffee** was live.

2 Jun. at 10:22am • 🌐







JUN. 2 Sly Fox Community Market  
Sly Fox Coffee

- Interested
- Going
- Save
- More

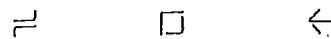
🕒 Sat, 2 Jun. at 10 am - 4 pm AEST  
Event started 2 months ago

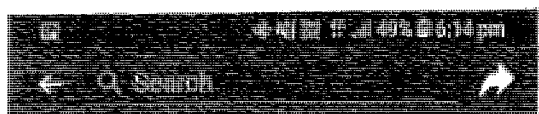
📍 Sly Fox  
Canberra, Australian Capital Territory 2602

ABOUT      DISCUSSION

 Say something... 

 Camera       Go Live





Home Shop About Photos Videos Events



**Sly Fox Coffee**

29 May at 1:50pm · 🌐

Market day this Saturday open on the bike path today



👍❤️ 31

2 Comments · 1 Share

👍 Like

💬 Comment

➦ Share



**Sly Fox Coffee**

25 May at 9:02pm · 🌐







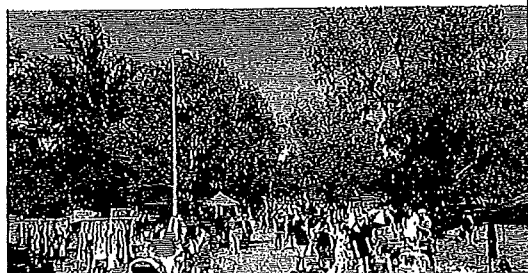
Home Shop About Photos Videos Ev



**Sly Fox Coffee added an event.** ...

3 May at 12:11pm · 🌐

Come sell your wares and join the fun. A day of market stalls, flea markets, food, friends, coffee, music, fun, community and excitement.



SAT, JUN 2

**Sly Fox Community Market**

Sly Fox · Canberra

INTERESTED

👤 You like Sly Fox Coffee

👍👍 35

7 Comments

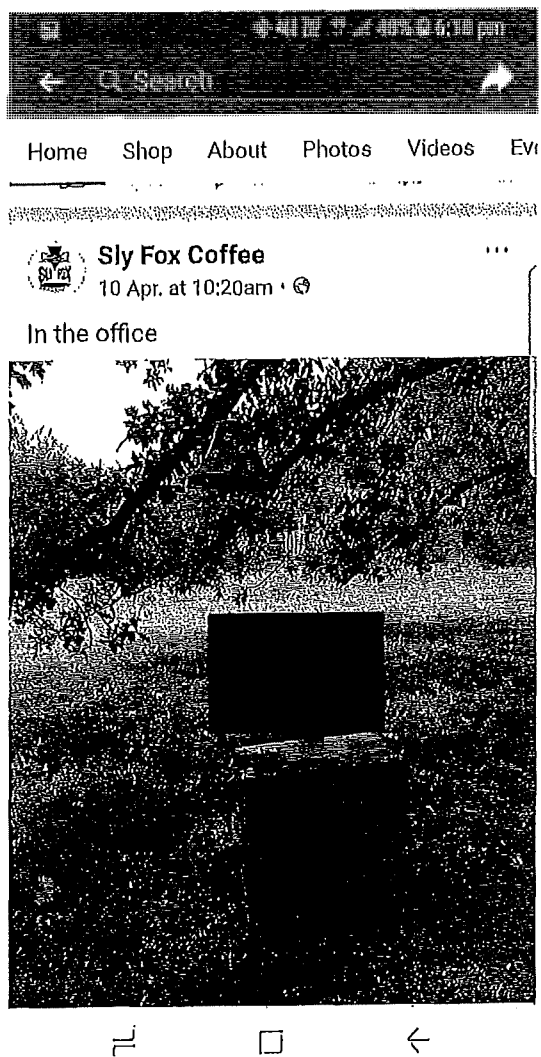
👍 Like

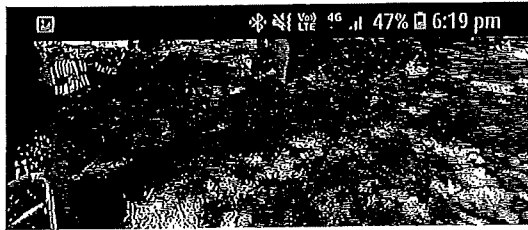
💬 Comment

➦ Share

Sly Fox Coffee

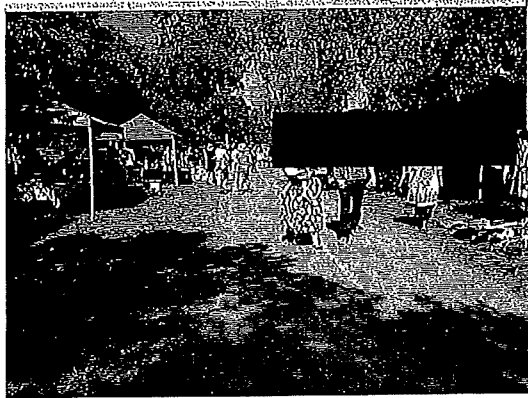






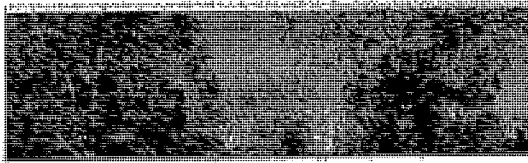
1

Like Comment Share



3

Like Comment Share



Navigation icons: a home icon, a square icon, and a left-pointing arrow.



Home Shop About Photos Videos Evt

 **Sly Fox Coffee** ...  
8 Mar. at 10:16pm • 🌐

Closed Friday for market preparation,  
Saturday Saturday Saturday!!!  
[https://m.facebook.com/story.php?story\\_fbid=1677162662364425&id=397992763614761](https://m.facebook.com/story.php?story_fbid=1677162662364425&id=397992763614761)



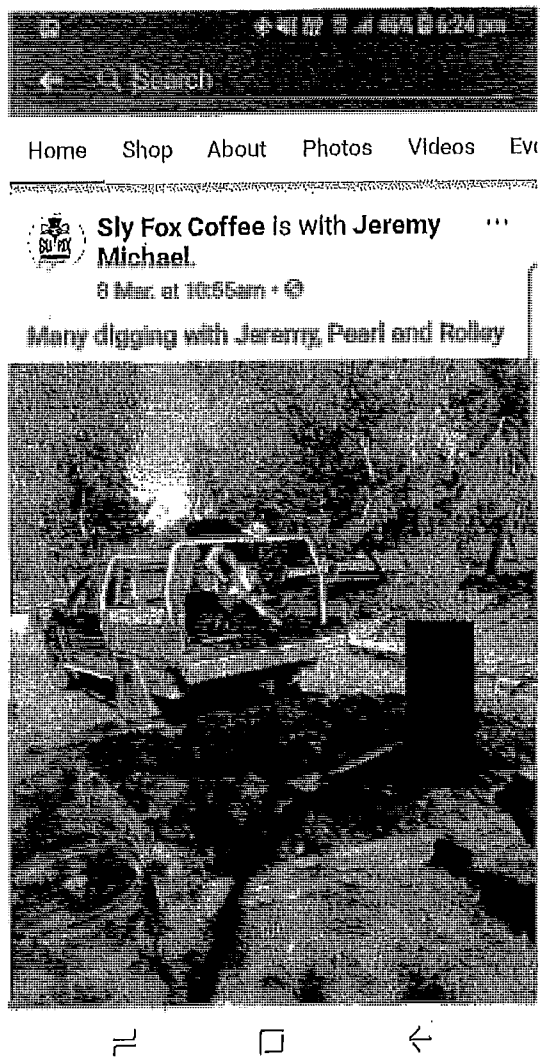
SAT, MAR 10 ·  
**SlyFox Community Markets**  
Slyfoxcoffee · Canberra

👤 You like Sly Fox Coffee

👤 22 2 Comments

👍 Like    💬 Comment    ➦ Share







Home Shop About Photos Videos Events



**Sly Fox Coffee**

1 Mar. at 10:17am · 🌐

Not this Saturday next Saturday. Open on the bike path

# SLY FOX COMMUNITY MARKET

come down to the bike path to soak up the sun, sights and sounds while you enjoy a variety of stalls featuring beautiful handmade goods, secondhand bargains, live music and plenty of goodies to eat and drink.

- hot coffee, delicious food, unique stalls
- great live music, sign up for open mic
- donate to take part in the flea market.

**SATURDAY 10th  
MARCH**

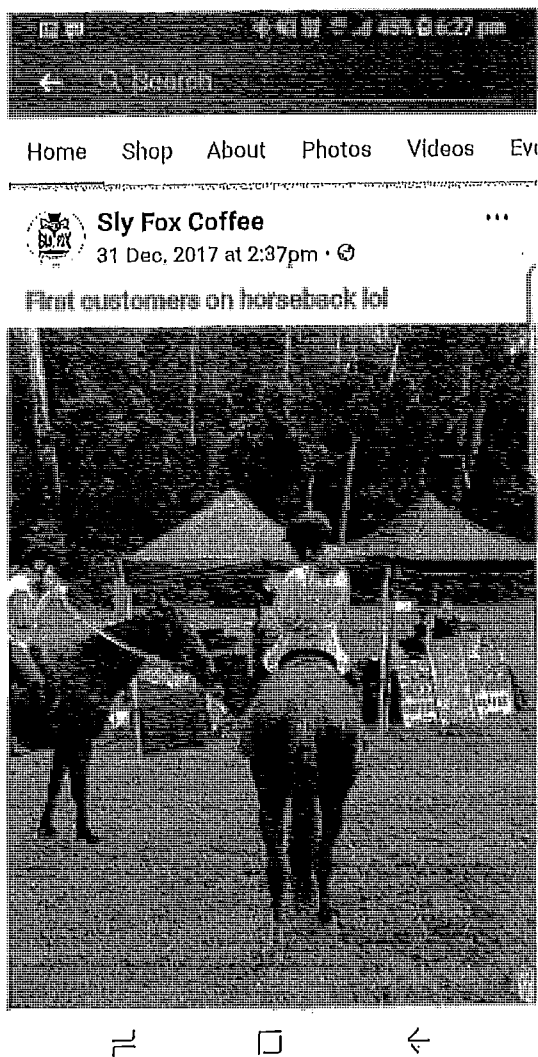
**10:00 AM  
04:00 PM**

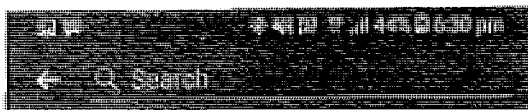
📷 16

4 Shares









Home Shop About Photos Videos Events

We will be closed on Thursday for an event and market prep looking like a perfect sunny day this Saturday!!

# SLY FOX COMMUNITY MARKET

come down to the bike path to soak up the sun, sights and smells of spring while you enjoy a variety of stalls featuring beautiful handmade goods, secondhand bargains and plenty of goodies to eat and drink

- hot coffee, delicious food, unique stalls
- great live music, sign up for open mic
- donate to take part in the flea market

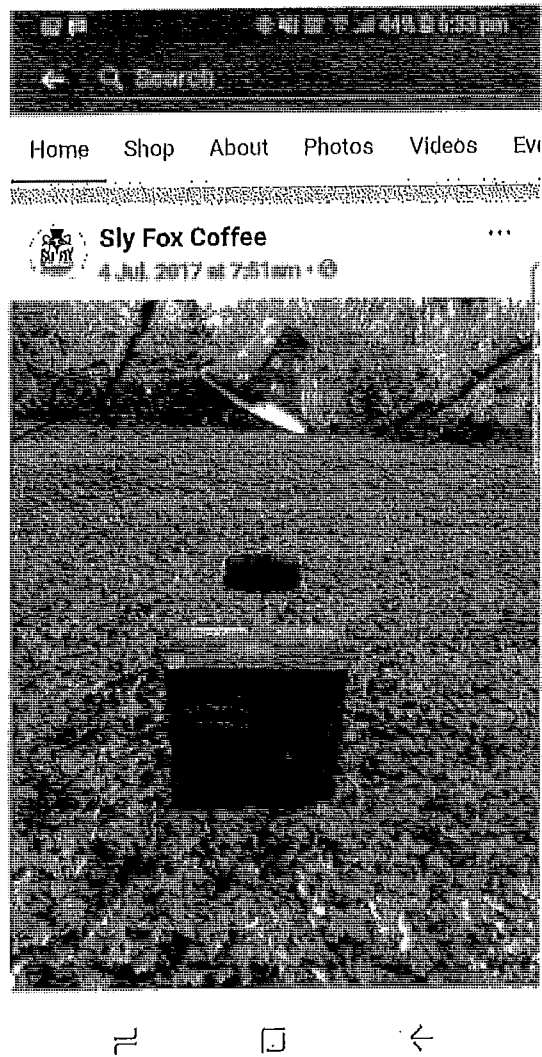
**SATURDAY 21ST  
OCTOBER**

10:00 AM

04:00 PM

FOR UPDATES ON THE EVENT VISIT  
THE SLY FOX FACEBOOK PAGE

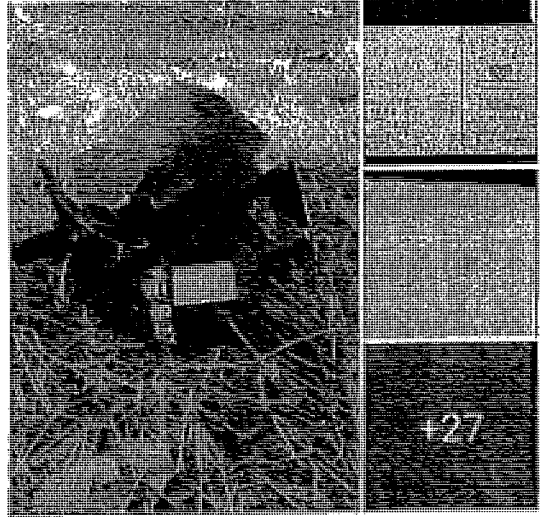




Home Shop About Photos Videos Ev

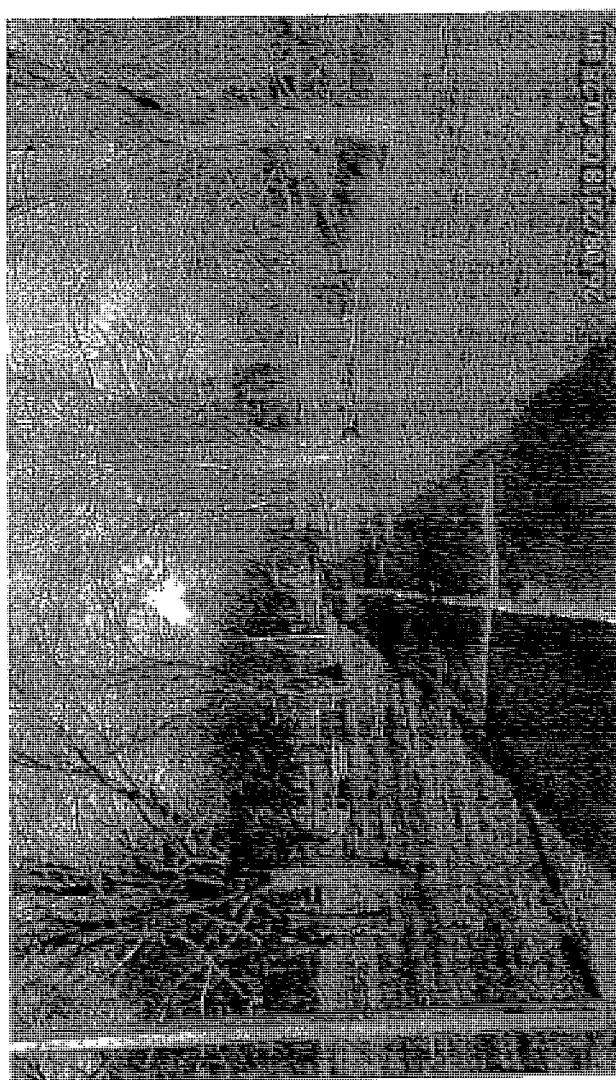
**Sly Fox Coffee** added 30 new photos.  
17 Feb. 2017 at 2:46pm · ©

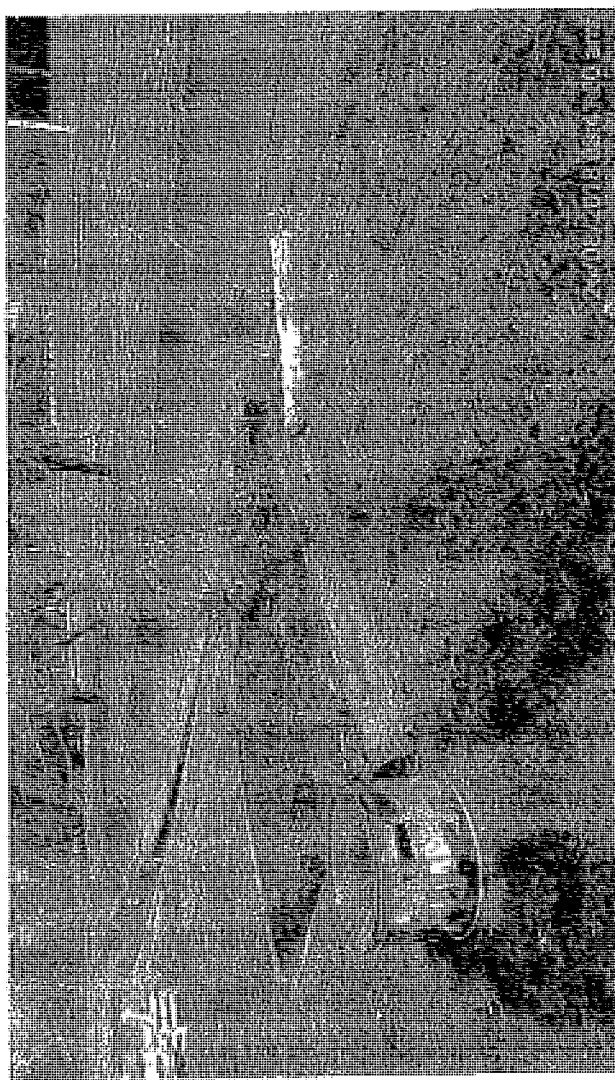
Love box got smashed yesterday, but the love will come back even stronger than before...

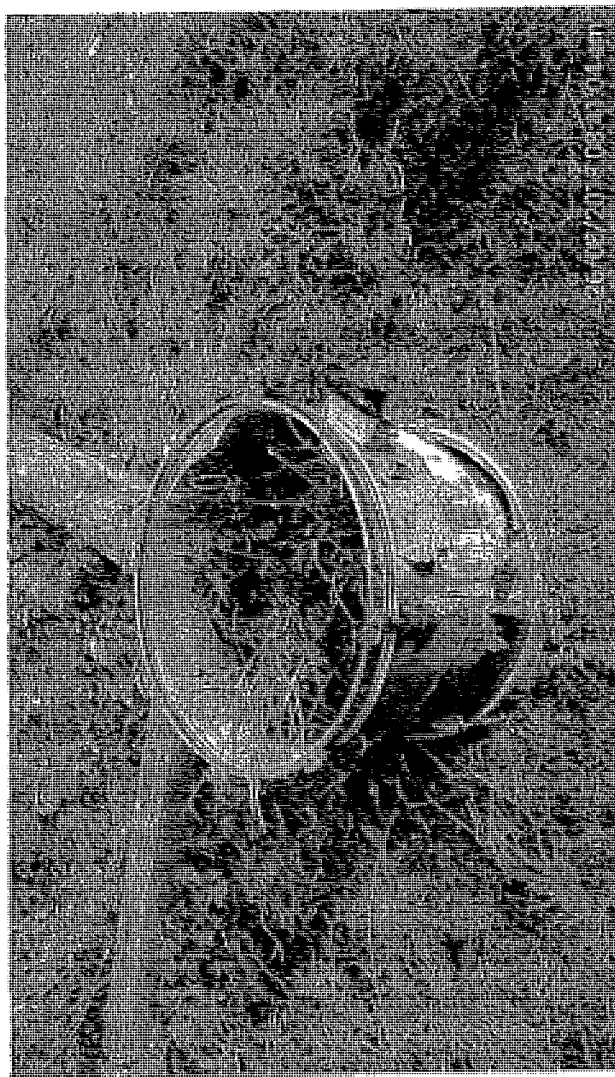


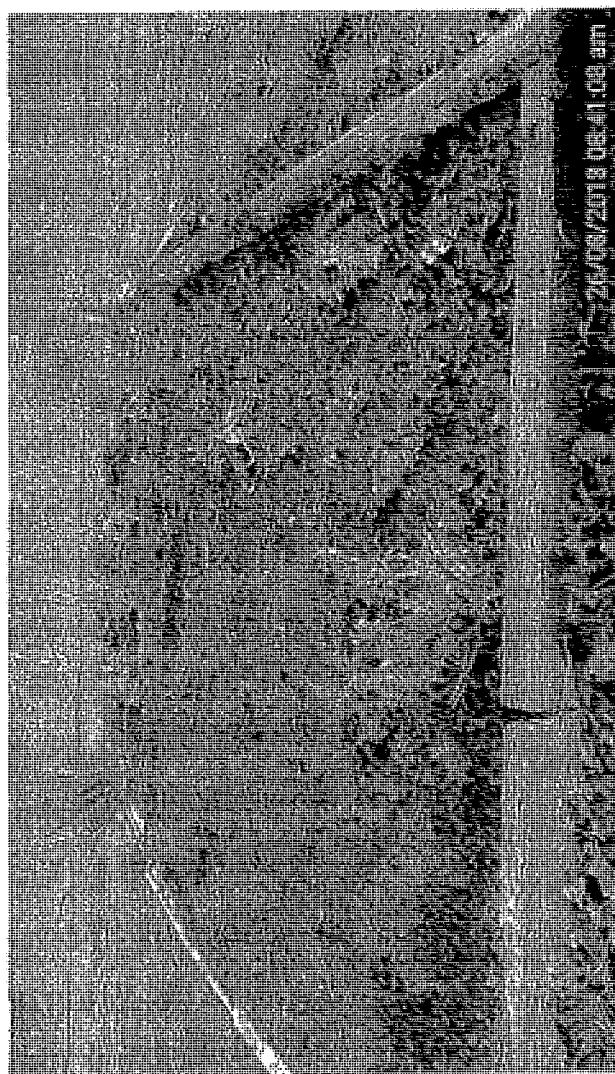
49 18 Comments • 2 Shares

⌂ □ ←



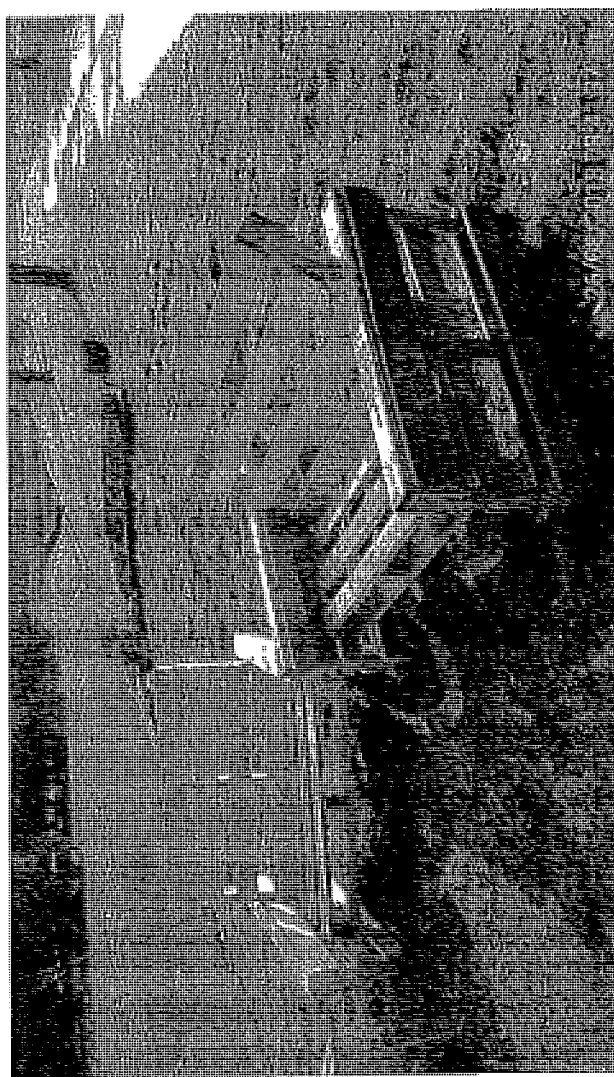


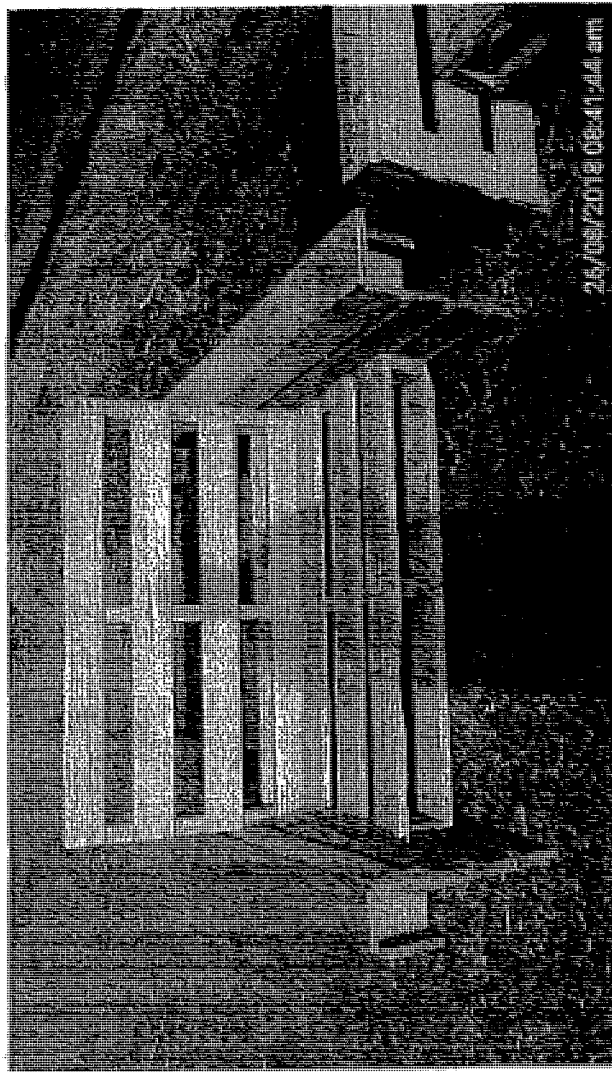


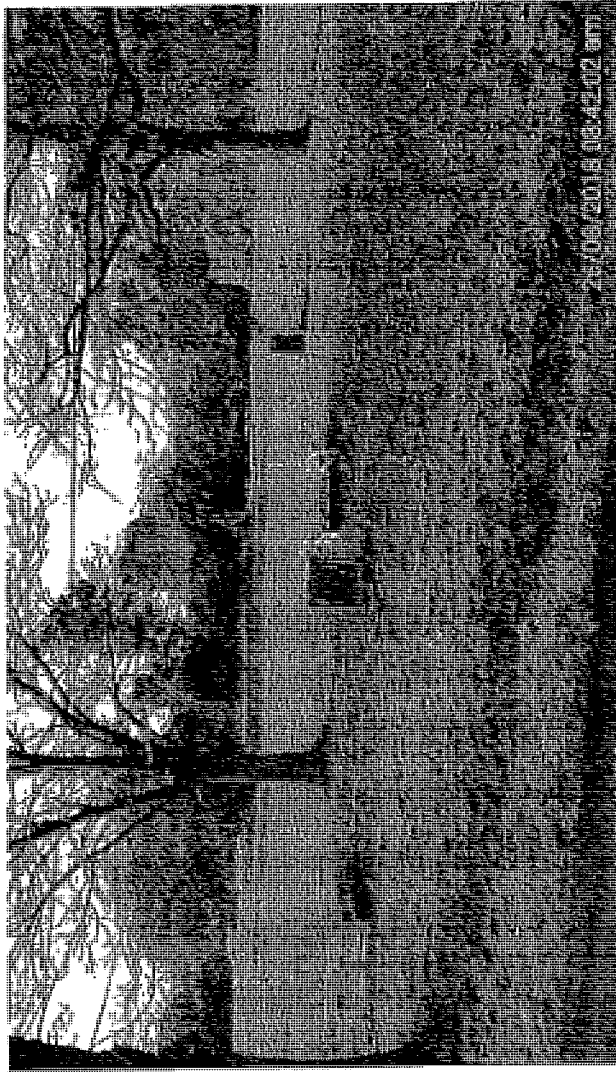


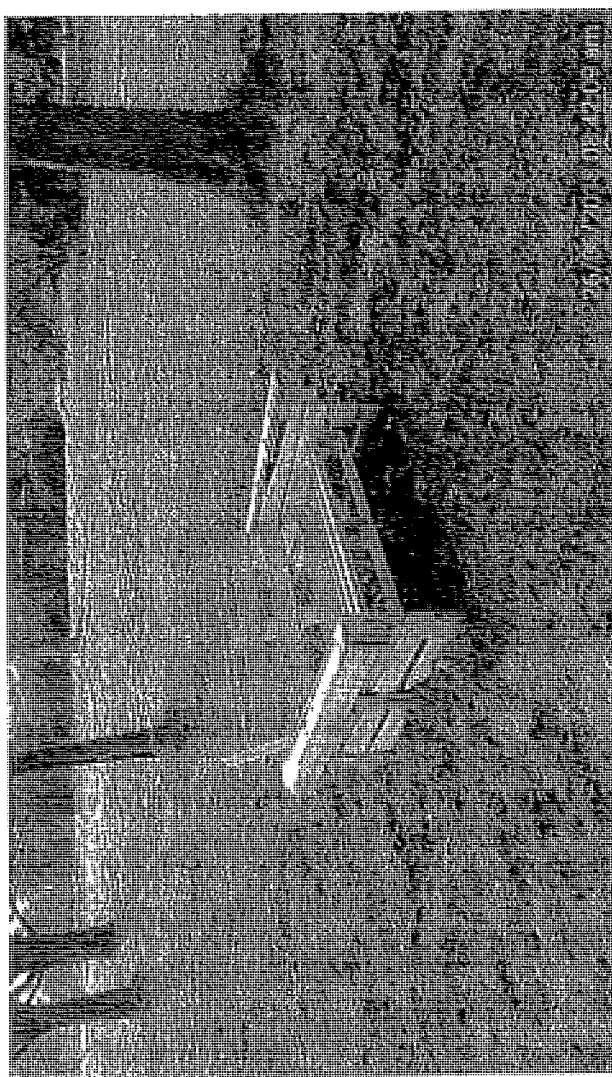


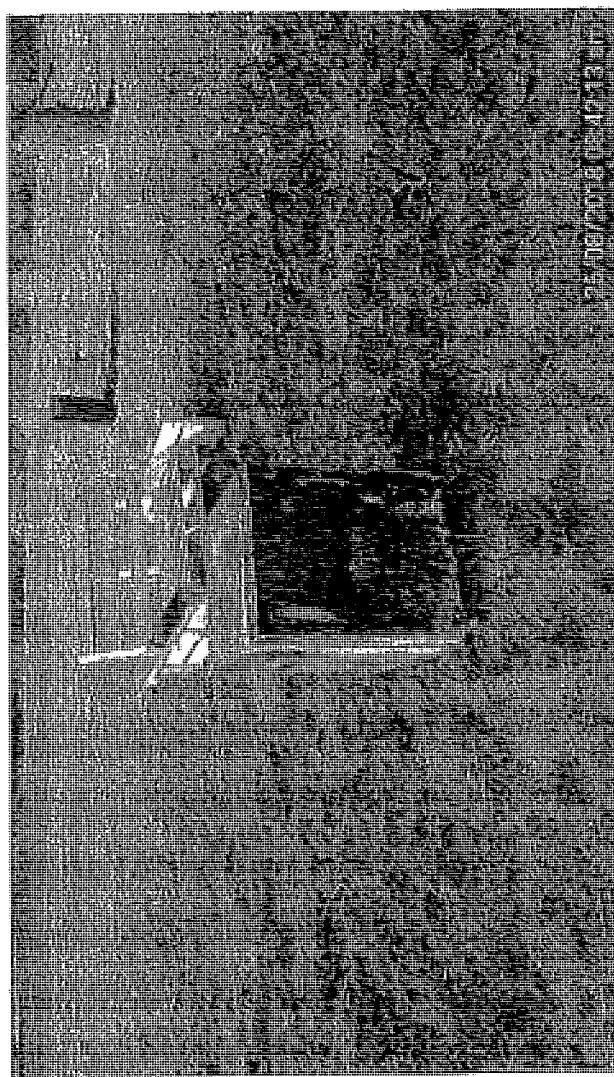


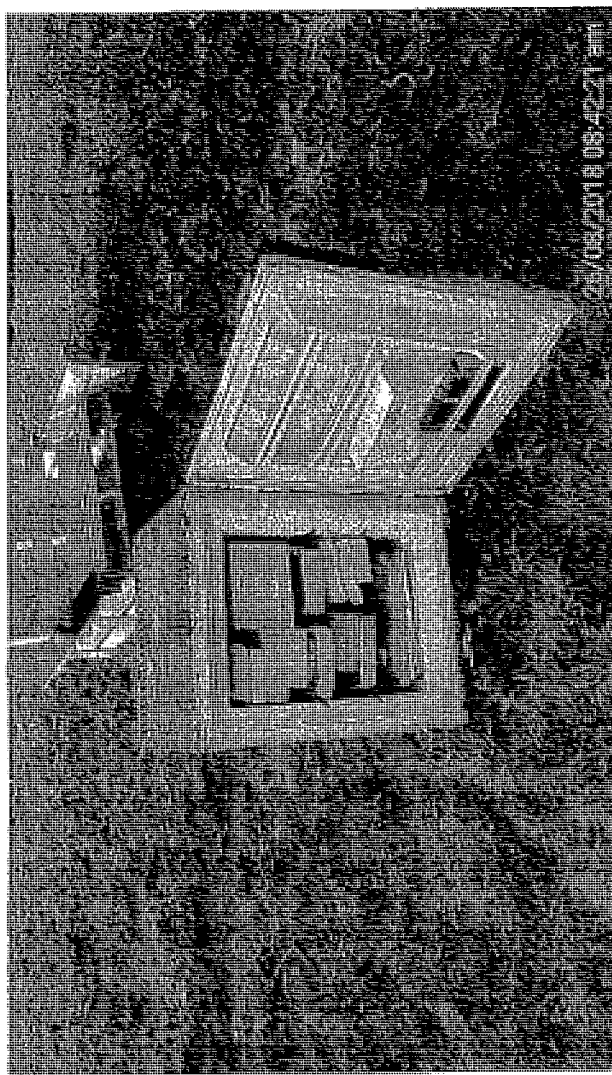


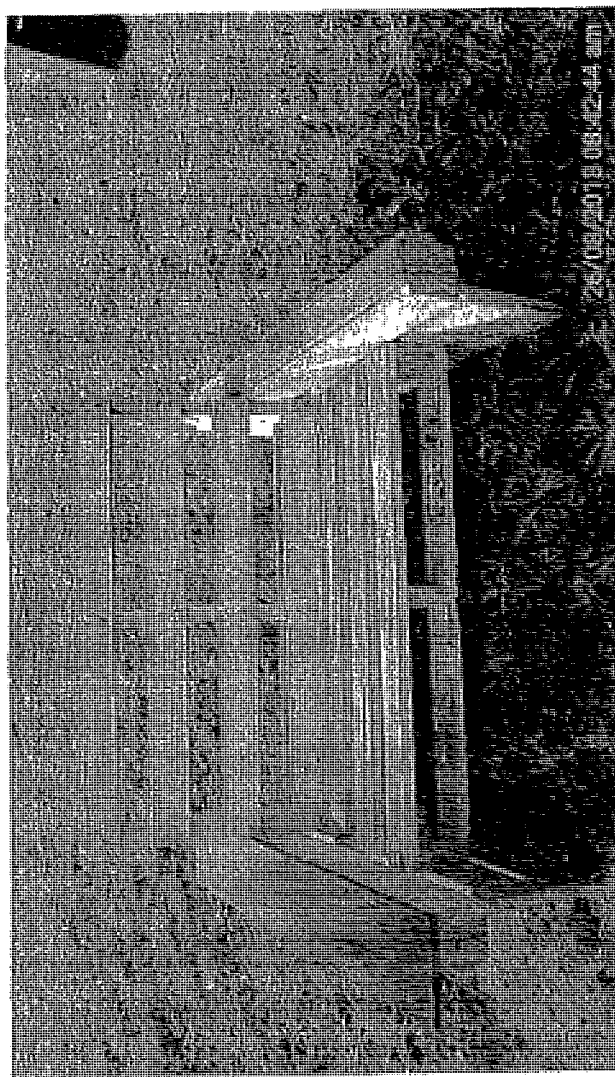


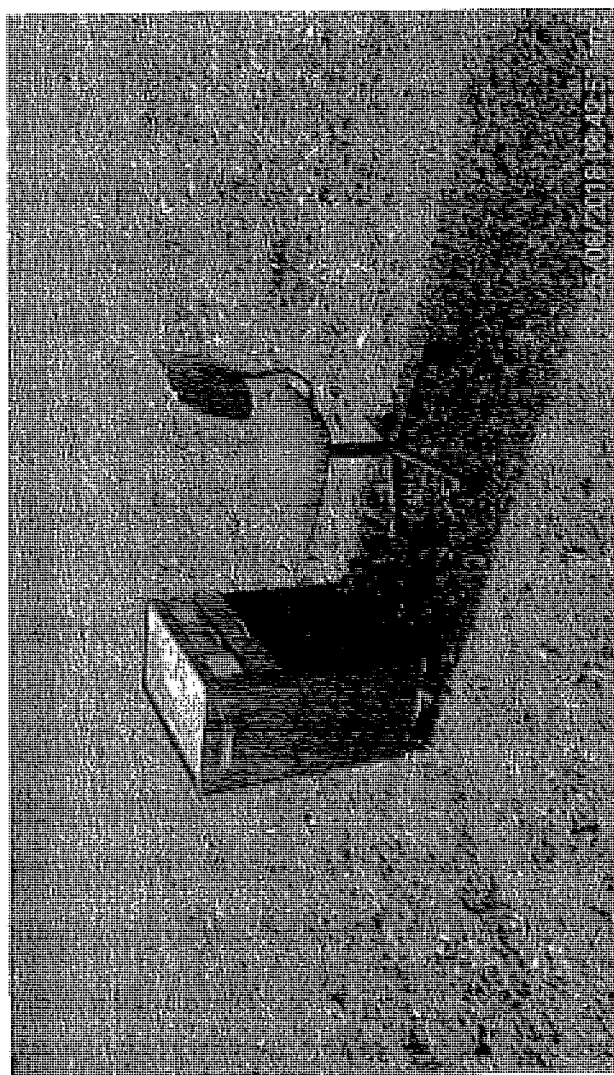






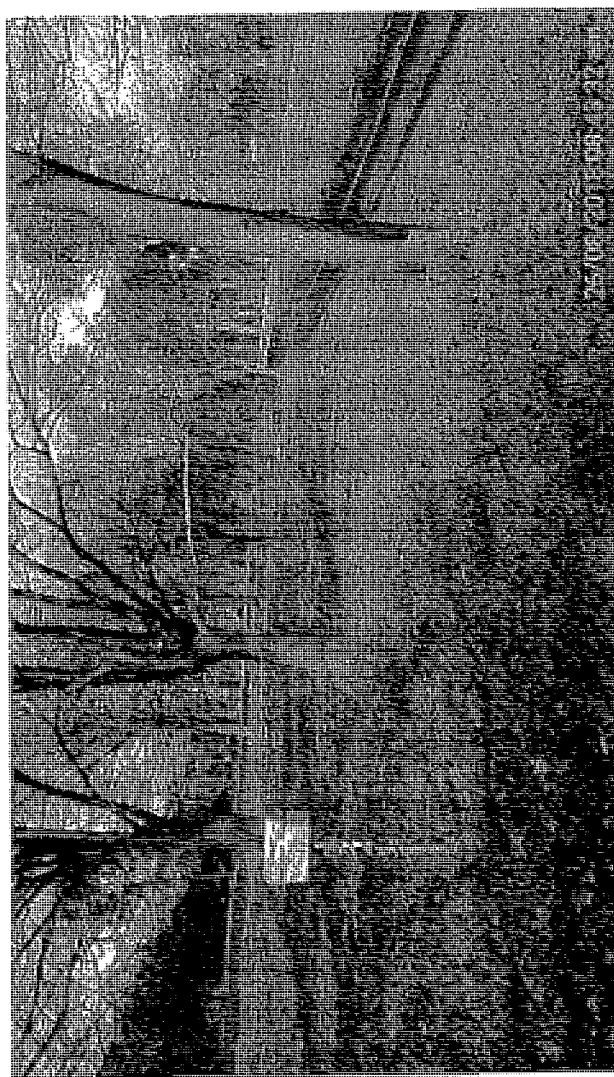




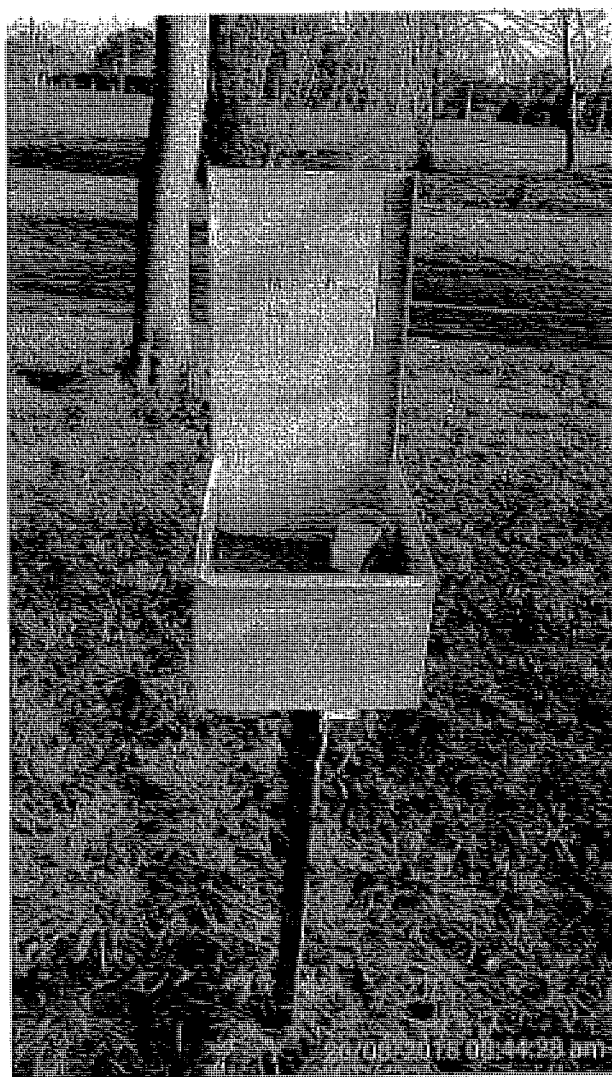






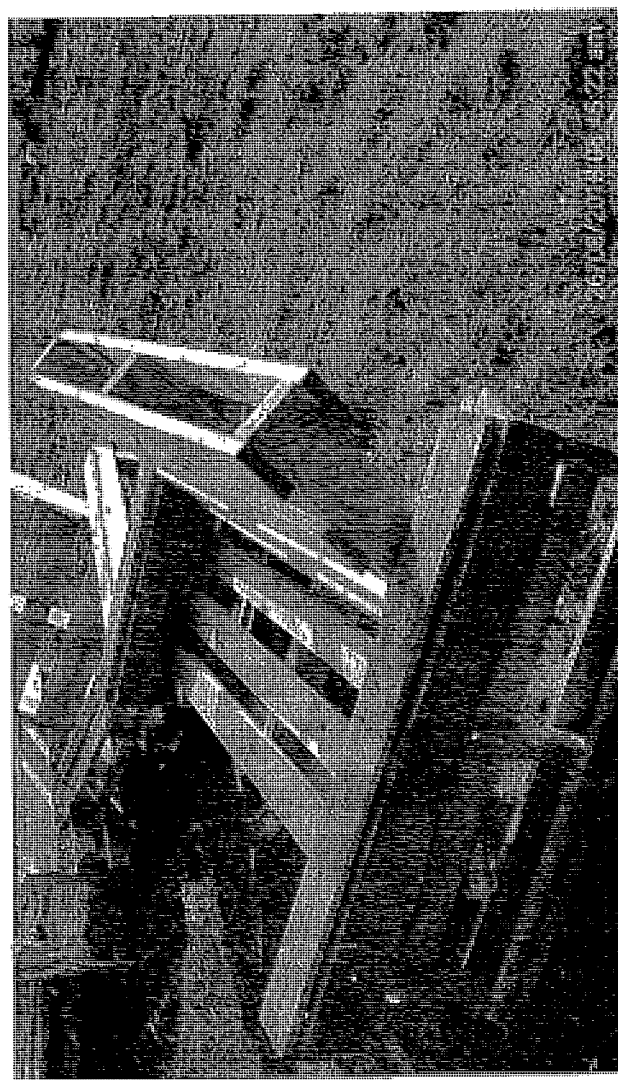




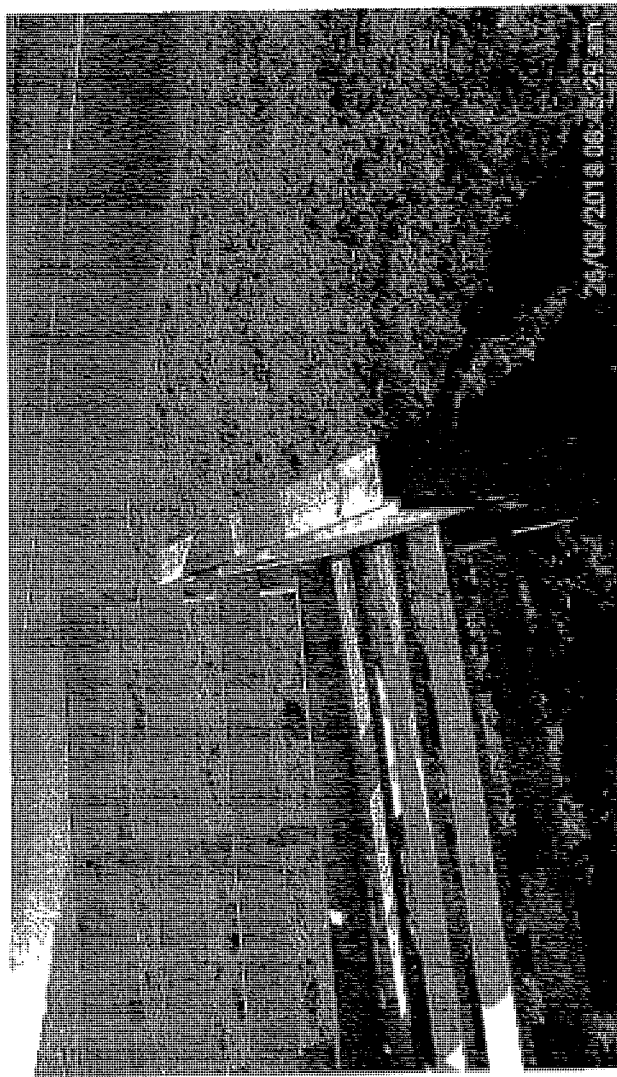


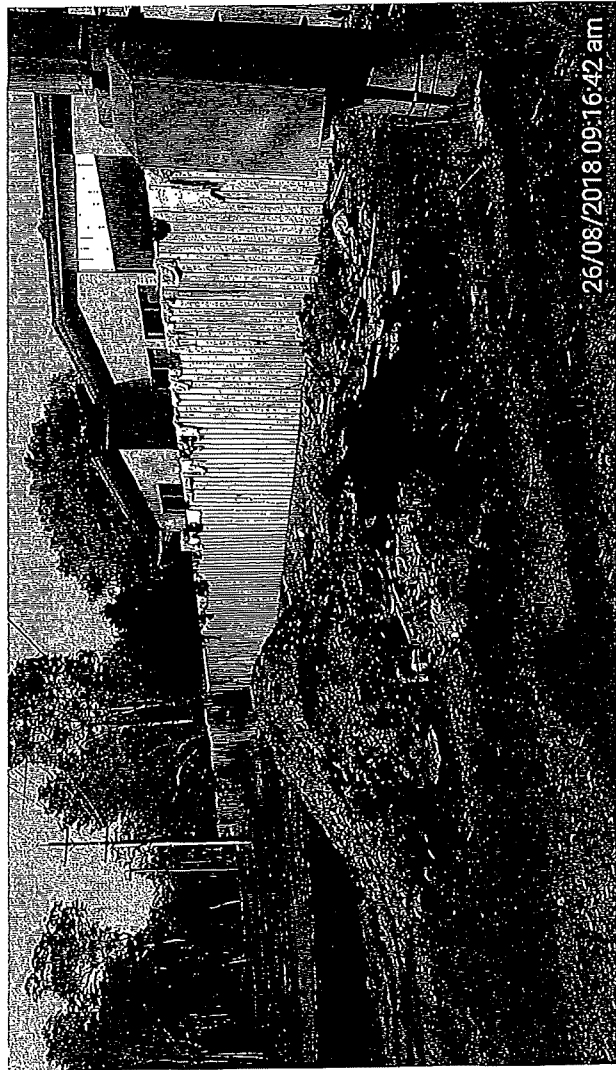












# SLY FOX COMMUNITY MARKET

come down to the bike path to soak up the sun  
sights and sounds while you enjoy a variety of  
stalls featuring beautiful handmade goods,  
secondhand bargains, live music and plenty of  
goodies to eat and drink

- . hot coffee . delicious food . unique stalls .
- . great live music . sign up for open mic .
- . donate to take part in the flea market .

**SATURDAY 2ND  
JUNE**

**10:00 AM  
T  
04:00 PM**

FOR UPDATES ON THE EVENT VISIT  
THE SLY FOX FACEBOOK PAGE

28-8-18 4:45pm

Spoke to [REDACTED] about chairs and to the other items at the Cycle Path in O'Connor.

[REDACTED] said the he owns the chairs but member of the public owns the other item and would be happy to give me there names and number.

30-8-18 12:43pm

[REDACTED] called to say that he wants everything in a email as he doesn't trust Act Sev. Then he hung up the phone.

---

**From:** Sheather, Sarah  
**Sent:** Wednesday, 29 August 2018 1:48 PM  
**To:** Gerrard, Darren  
**Subject:** Sly Fox - Current Permit [SEC=UNCLASSIFIED]  
**Attachments:** 17220047 - [REDACTED] Locations.pdf; 17220047 - Hawkers Certificate.pdf

Hi Darren,

As discussed please find attached the current permit for Sly Fox, no seating is included in the permit.

If the customer was to apply for an amendment to the hawkers permit, along with a TTM approval and provided a Plan of the business setup showing the location of the coffee kart/ chairs and vehicle if used (this was to remain the same everyday) I would be able to include these objects on the permit conditional that the objects must be removed outside of permitted operating hours every day.

Kind Regards,

Sarah Sheather

Licensing Officer | Liquor & Gaming Licensing Unit

Access Canberra | ACT Government

Phone: 6207 9592

GPO Box 158 Canberra ACT 2601 | [www.act.gov.au/accesscbr](http://www.act.gov.au/accesscbr)



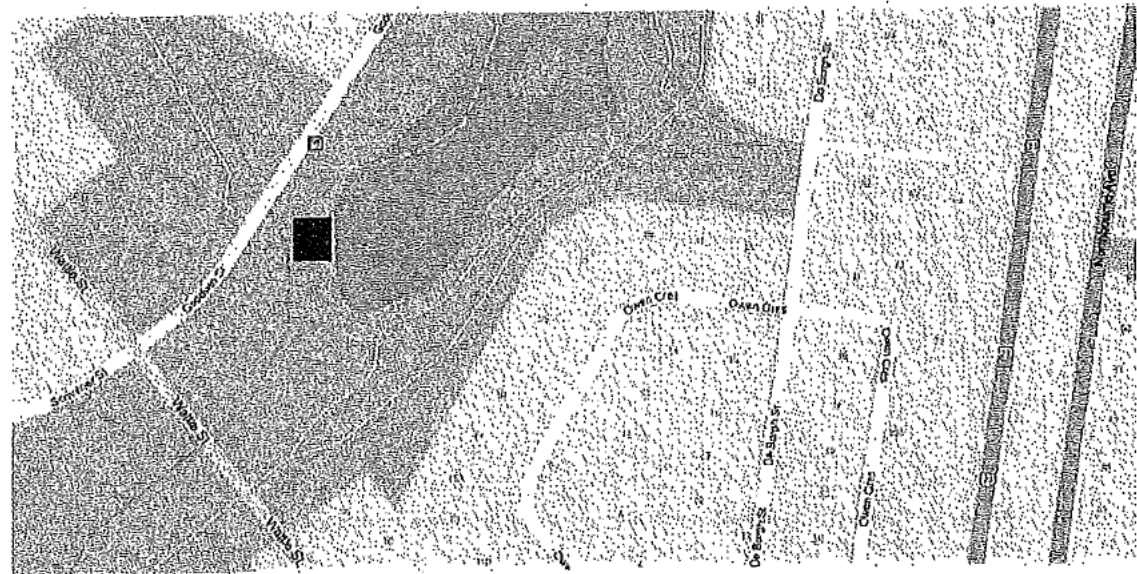
Access Canberra | Chief Minister, Treasury and Economic Development Directorate | ACT Government



Access  
Canberra.

**PUBLIC UNLEASED LAND PERMIT**  
*Public Unleased Land Act 2013*

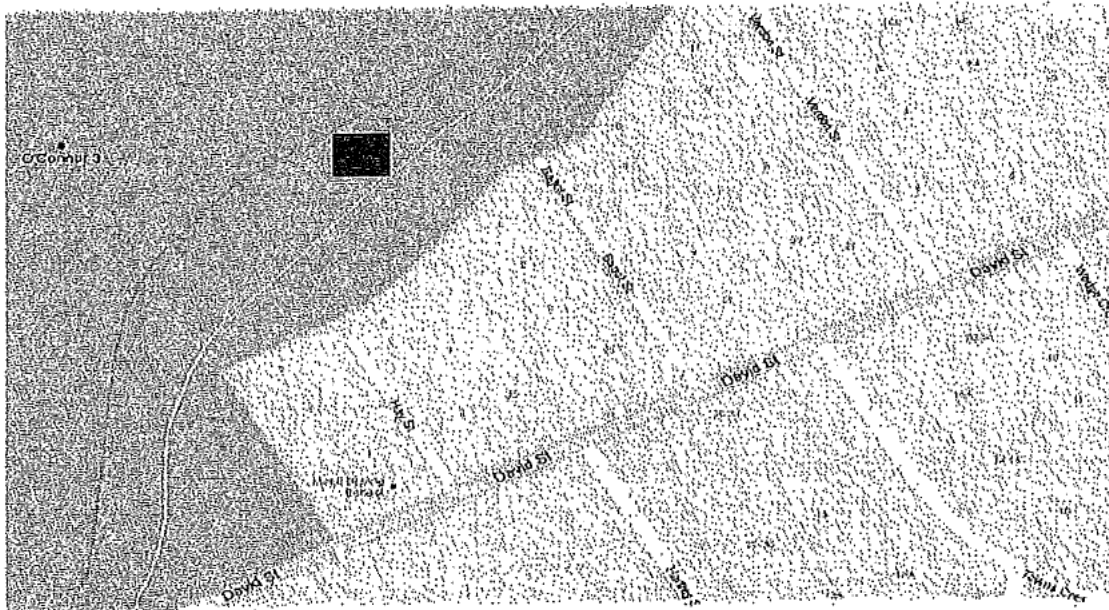
Permit number: [REDACTED]  
Permit holder: [REDACTED]  
Location 1: Cycle path, Lyneham Wetlands LYNEHAM





**PUBLIC UNLEASED LAND PERMIT**  
*Public Unleased Land Act 2013*

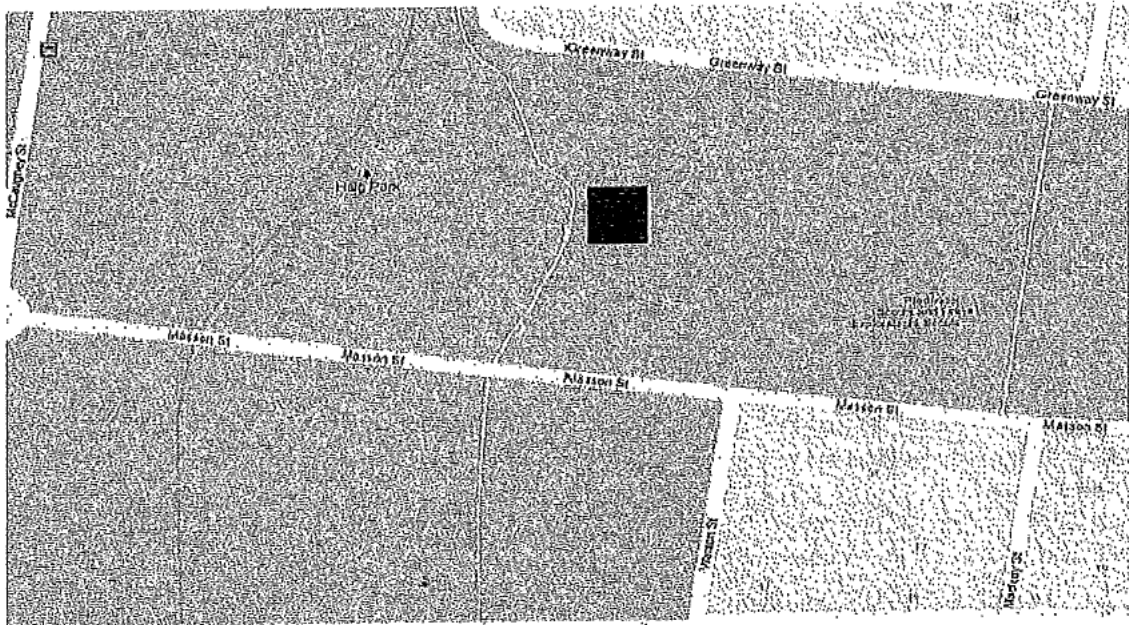
Permit number: [REDACTED]  
Permit holder: [REDACTED]  
Location 2: Cycle path, David Street Wetlands O'CONNOR ACT 2602





**PUBLIC UNLEASED LAND PERMIT**  
*Public Unleased Land Act 2013*

Permit number: [REDACTED]  
Permit holder: [REDACTED]  
Location 3: Cycle path, Haig Park TURNER ACT 2612





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Canberra.

## PUBLIC UNLEASED LAND PERMIT

*Public Unleased Land Act 2013*

Permit number: [REDACTED]  
 Permit holder: [REDACTED]  
 Locations: Location 1 - Cycle path, Lyneham Wetlands LYNEHAM ACT 2602  
             Location 2 - Cycle path, David Street Wetlands O'CONNOR ACT 2602  
             Location 3 - Cycle path, Haig Park TURNER ACT 2612  
 Permit activity: Hawker  
 Permitted times: 6am to 8:30pm  
 Term of permit: 01 February 2018 to 31 January 2019  
 Type of goods or services that may be sold under this permit: Food & coffee  
 Vehicle registration: N/A - Goods may not be sold from a vehicle.

### TERMS AND CONDITIONS

#### 1. Insurance

The grantee will, for the full period of this permit:

- effect and maintain a public liability insurance to the value of at least TWENTY MILLION DOLLARS and;
- indemnify and keep indemnified the Australian Capital Territory, its officers, servants and agents ("those indemnified") against:
  - all actions, proceedings, claims and demands whatsoever which may be brought, made or prosecuted against them or any of them in respect of loss, damage, death or injury to persons or property occurring in the permitted area or arising out of the presence of use of the furnishings in the permitted area; and
  - all costs, damages and expenses which may be incurred by those indemnified in defending, or settling such actions, proceedings, claims and demands.

#### 2. Safety

A person carrying on the business of a hawker in a public place must not adversely affect:

- public safety;
- the free movement of people and vehicles;
- the accessibility of premises, including commercial premises;
- the accessibility of public amenities; or
- the appearance or amenity of a public place.

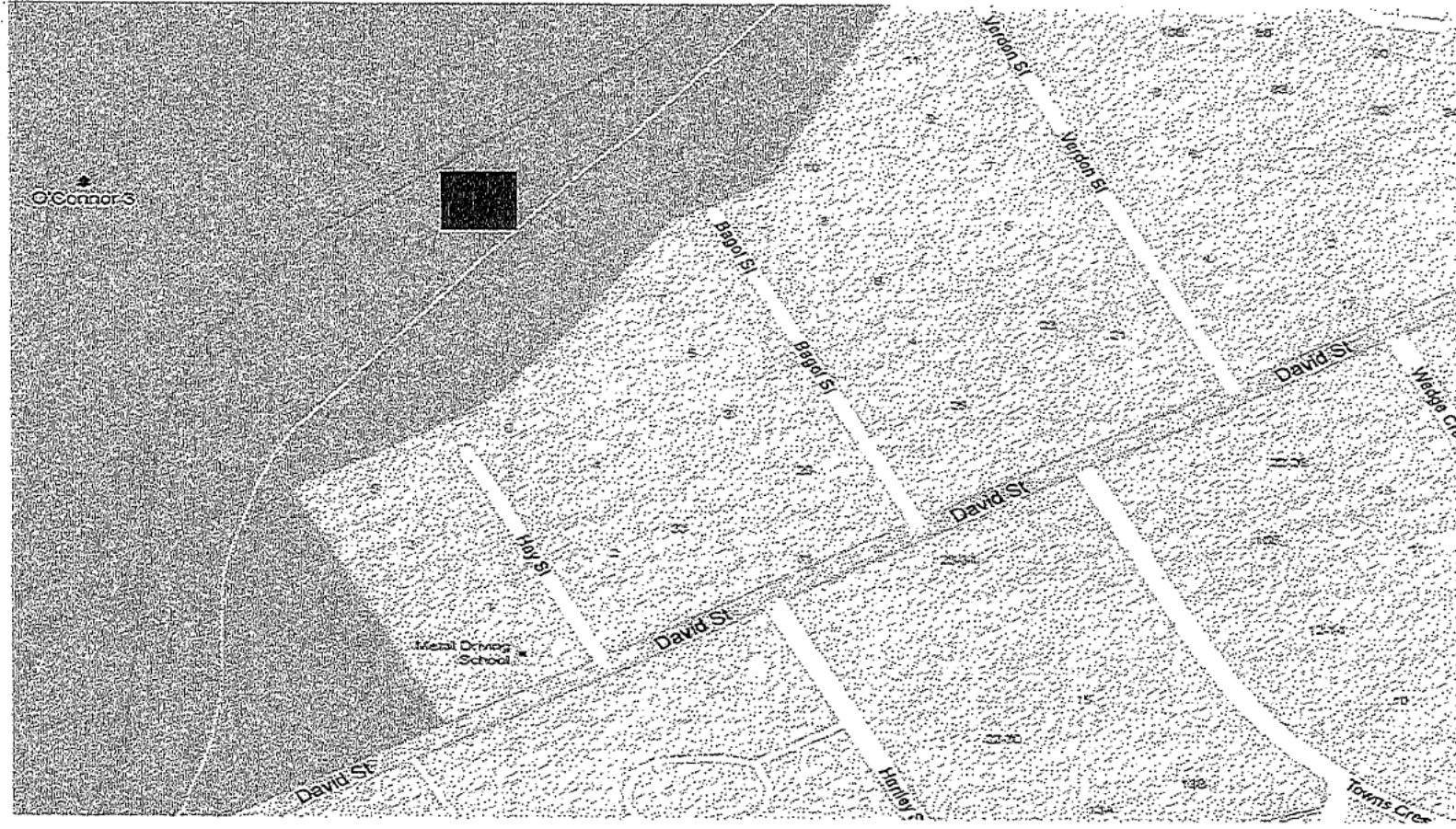
Vehicles, stands, displays or goods must not be positioned within 6 metres of a roadway or within 100 metres of an intersection junction.

3. The locations utilised while operating this permit must be managed in an orderly and safe manner and left in a tidy condition.
4. Any damage to the locations specified in the permit will be fully restored by the permit holder to the complete satisfaction of the Territory, and at no expense of the Territory.
5. It is the responsibility of the person carrying on the business of a hawker to:
  - observe all relevant laws, regulations and codes of practice;
  - display the hawker's permit at the point of sale
6. Access Canberra reserves the right to modify or remove this permit at any time if required due to non-compliance, consideration of serious complaints received or public safety concerns.
7. The approved plan for the location(s) forms part of this permit. To obtain a copy of your approved plan(s) or to vary the permit area, please contact Access Canberra and request a re-assessment.
8. The locations specified in the permit must be made available, without notice, for maintenance and upkeep by Territory employees or contractors.
9. The locations specified in the permit must not be used on days where the Territory has been placed on Total Fire Ban or a Bushfire Danger rating of Extreme or Catastrophic.
10. Consult with the Environmental Protection Agency (EPA) in relation to decibel limits in residential areas.

Hawkers Permit - [REDACTED]  
Location 1 - Cycle path, Lyneham Wetlands LYNEHAM



Hawker Permit - [REDACTED]  
Location 2 - Cycle path, David Street Wetlands O'CONNOR ACT 2602



Hawkers Permit [REDACTED]  
Location 3 - Cycle path, Haig Park TURNER ACT 2612



---

**From:** Gerrard, Darren  
**Sent:** Wednesday, 29 August 2018 3:00 PM  
**To:** Jenkins, Michelle  
**Subject:** RE: Sly Fox  
**Attachments:** [REDACTED] Hawkers Certificate.pdf; [REDACTED] Locations.pdf

Hi Michelle

Can you please arrange a meeting with Sly Fox for Tuesday, mid-afternoon.

Attendees:

Joe

Myself

Sarah Sheather

We need all relevant information, such as Photos, Correspondence by Monday Morning, Joe and I review.  
I have attached a copy of the Hawkers permit for your info.

Regards

**Darren Gerrard | Manager I.&C Licensing**

**P 02 62057245 | F 02 6207 5956**

**City Services | Transport Canberra and City Services Directorate | ACT Government**

**Level 1, 255 Canberra Avenue, Fyshwick ACT 2609 | GPO Box 158 Canberra ACT 2601**

**[www.act.gov.au](http://www.act.gov.au) | [www.tccs.act.gov.au](http://www.tccs.act.gov.au)**



ACT  
Government

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Canberra.

## PUBLIC UNLEASED LAND PERMIT

*Public Unleased Land Act 2013*

Permit number: [REDACTED]  
 Permit holder: [REDACTED]  
 Locations: Location 1 - Cycle path, Lyneham Wetlands LYNEHAM ACT 2602  
 Location 2 - Cycle path, David Street Wetlands O'CONNOR ACT 2602  
 Location 3 - Cycle path, Haig Park TURNER ACT 2612  
 Permit activity: Hawker  
 Permitted times: 6am to 8:30pm  
 Term of permit: 01 February 2018 to 31 January 2019  
 Type of goods or services that may be sold under this permit: Food & coffee  
 Vehicle registration: N/A - Goods may not be sold from a vehicle.

### TERMS AND CONDITIONS

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The grantee will, for the full period of this permit:

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- indemnify and keep indemnified the Australian Capital Territory, its officers, servants and agents ("those indemnified") against:
  - all actions, proceedings, claims and demands whatsoever which may be brought, made or prosecuted against them or any of them in respect of loss, damage, death or injury to persons or property occurring in the permitted area or arising out of the presence of use of the furnishings in the permitted area; and
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- the accessibility of public amenities; or
- the appearance or amenity of a public place.

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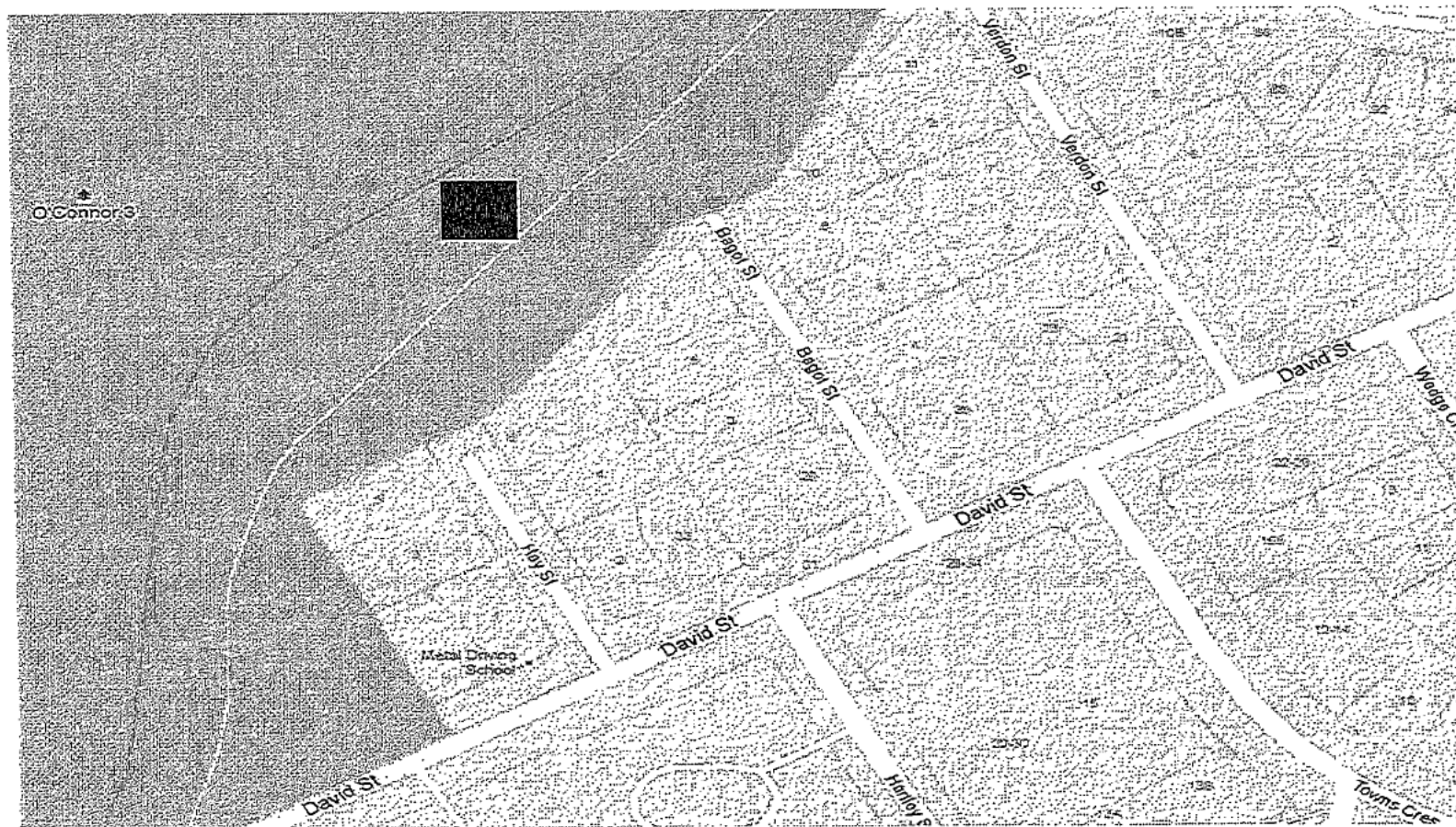
3. The locations utilised while operating this permit must be managed in an orderly and safe manner and left in a tidy condition.
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Hawkers Permit - [REDACTED]

Location 1 - Cycle path, Lyneham Wetlands LYNEHAM



Hawker Permit - [REDACTED]  
Location 2 - Cycle path, David Street Wetlands O'CONNOR ACT 2502



Hawkers Permit [REDACTED]

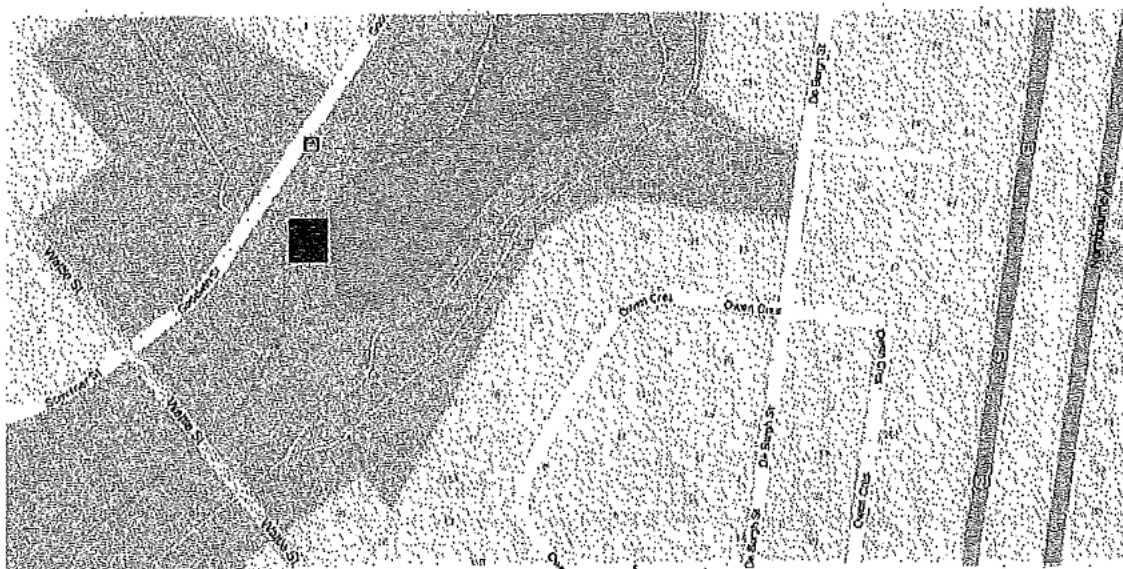
Location 3 - Cycle path, Haig Park TURNER ACT 2612





**PUBLIC UNLEASED LAND PERMIT**  
*Public Unleased Land Act 2013*

Permit number: [REDACTED]  
Permit holder: [REDACTED]  
Location 1: Cycle path, Lyneham Wetlands LYNEHAM

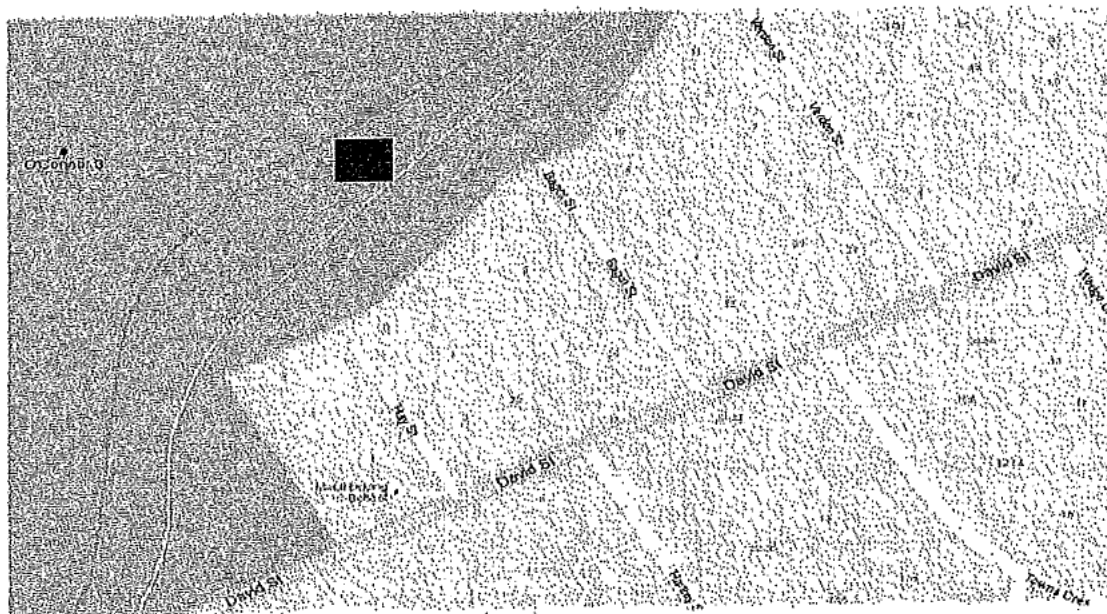




### PUBLIC UNLEASED LAND PERMIT

*Public Unleased Land Act 2013*

Permit number: [REDACTED]  
Permit holder: [REDACTED]  
Location 2: Cycle path, David Street Wetlands O'CONNOR ACT 2602





**PUBLIC UNLEASED LAND PERMIT**  
*Public Unleased Land Act 2013*

Permit number: [REDACTED]  
Permit holder: [REDACTED]  
Location 3: Cycle path, Haig Park TURNER ACT 2612



---

**From:** Gerrard, Darren  
**Sent:** Wednesday, 29 August 2018 3:00 PM  
**To:** Jenkins, Michelle  
**Subject:** RE: Sly Fox  
**Attachments:** [REDACTED] Hawkers Certificate.pdf; [REDACTED] Locations.pdf

Hi Michelle

Can you please arrange a meeting with Sly Fox for Tuesday, mid-afternoon.

Attendees:

Joe

Myself

Sarah Sheather

We need all relevant information, such as Photos, Correspondence by Monday Morning, Joe and I review. I have attached a copy of the Hawkers permit for your info.

Regards

**Darren Gerrard | Manager L&C Licensing**

**P 02 62057245 | F 02 6207 5956**

**City Services | Transport Canberra and City Services Directorate | ACT Government**

Level 1, 255 Canberra Avenue, Fyshwick ACT 2609 | GPO Box 158 Canberra ACT 2601

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Canberra.

## PUBLIC UNLEASED LAND PERMIT

*Public Unleased Land Act 2013*

Permit number: [REDACTED]

Permit holder: [REDACTED]

Locations: Location 1 - Cycle path, Lyneham Wetlands LYNEHAM ACT 2602

Location 2 - Cycle path, David Street Wetlands O'CONNOR ACT 2602

Location 3 - Cycle path, Halg Park TURNER ACT 2612

Permit activity: Hawker

Permitted times: 6am to 8:30pm

Term of permit: 01 February 2018 to 31 January 2019

Type of goods or services that may be sold under this permit: Food & coffee

Vehicle registration: N/A - Goods may not be sold from a vehicle.

### TERMS AND CONDITIONS

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The grantee will, for the full period of this permit:

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  - all actions, proceedings, claims and demands whatsoever which may be brought, made or prosecuted against them or any of them in respect of loss, damage, death or injury to persons or property occurring in the permitted area or arising out of the presence of use of the furnishings in the permitted area; and
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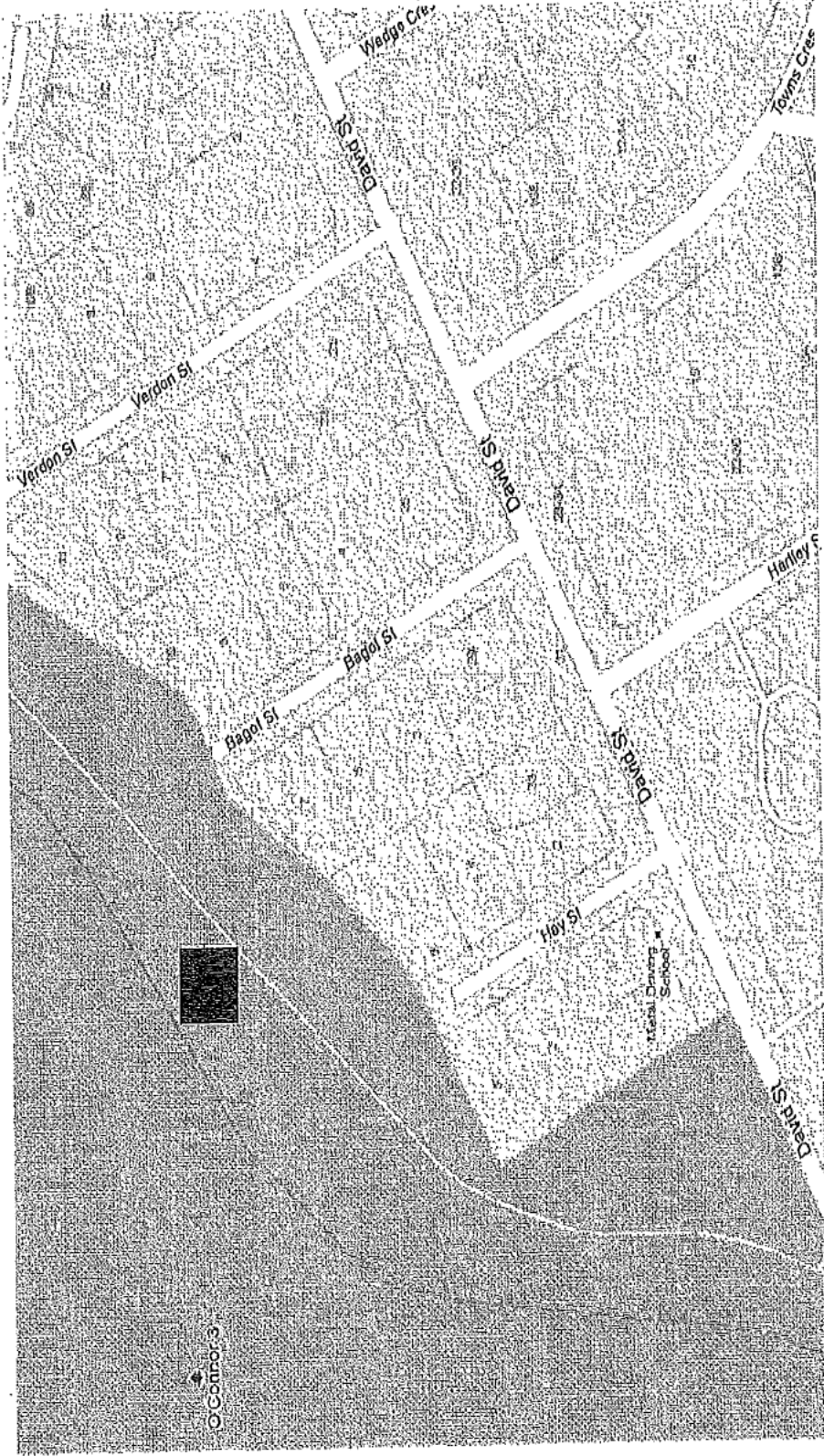
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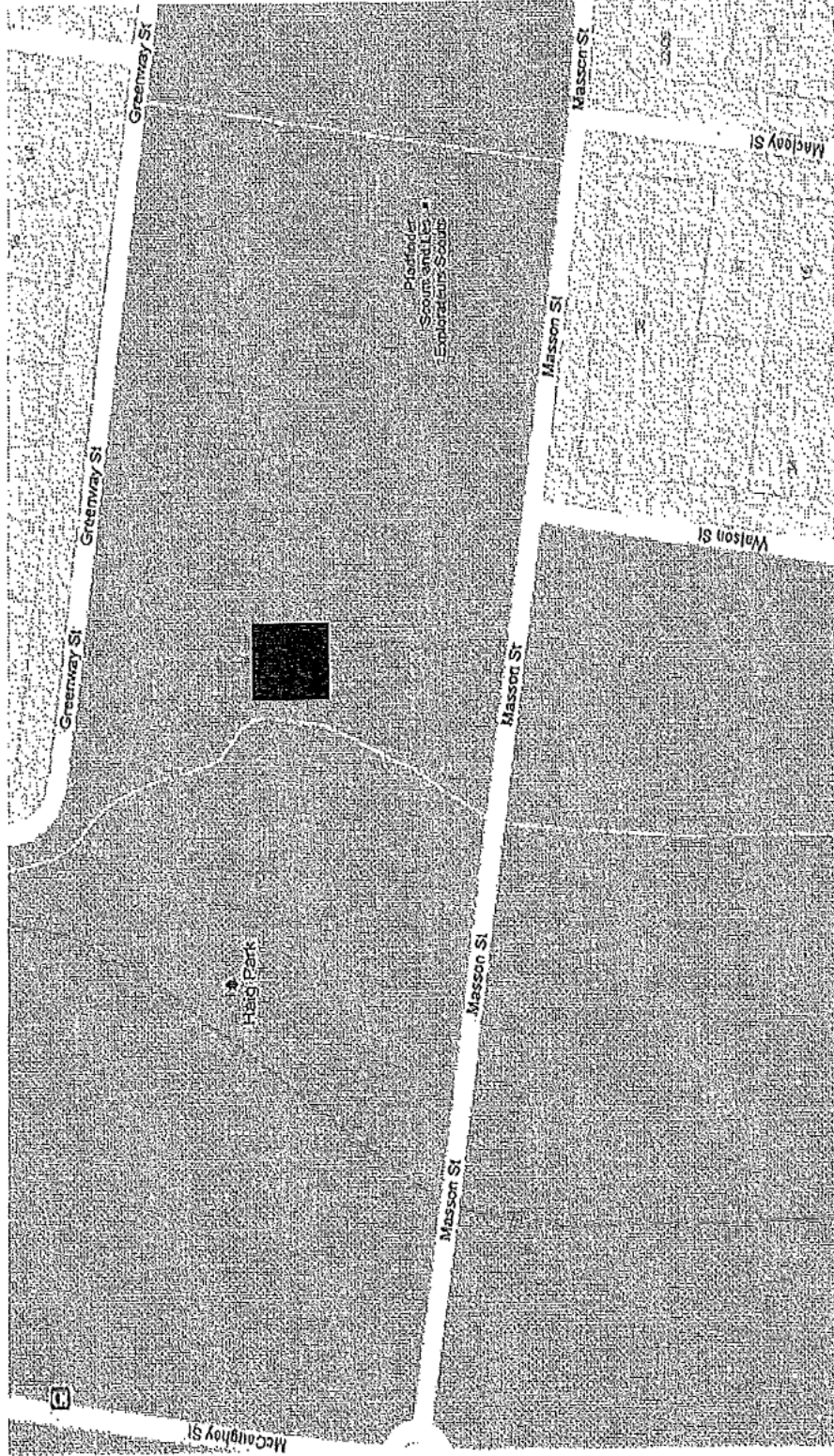
Hawkers Permit - [Redacted]  
Location 1 - Cycle path, Lyneham Wetlands LYNEHAM



Hawker: Permit [Redacted]  
Location 2 - Cycle path, David Street Wetlands O'CONNOR ACT 2602



Hawkers [Redacted]  
Location 3 - Cycle path, Haig Park TURNER ACT 2612





**PUBLIC UNLEASED LAND PERMIT**  
*Public Unleased Land Act 2013*

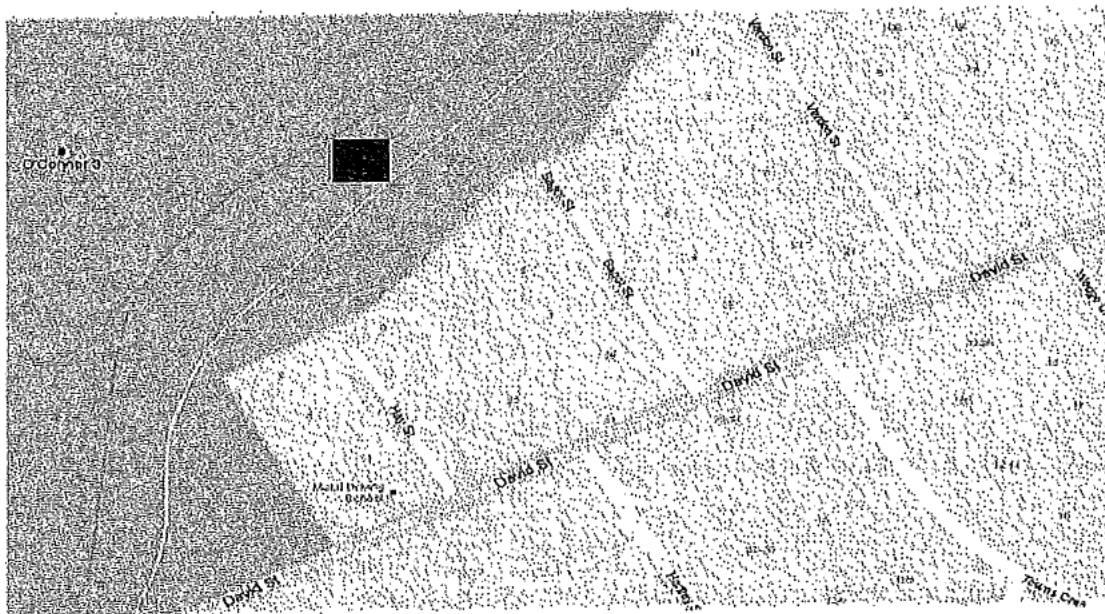
Permit number: [REDACTED]  
Permit holder: [REDACTED]  
Location 1: Cycle path, Lyneham Wetlands LYNEHAM





**PUBLIC UNLEASED LAND PERMIT**  
*Public Unleased Land Act 2013*

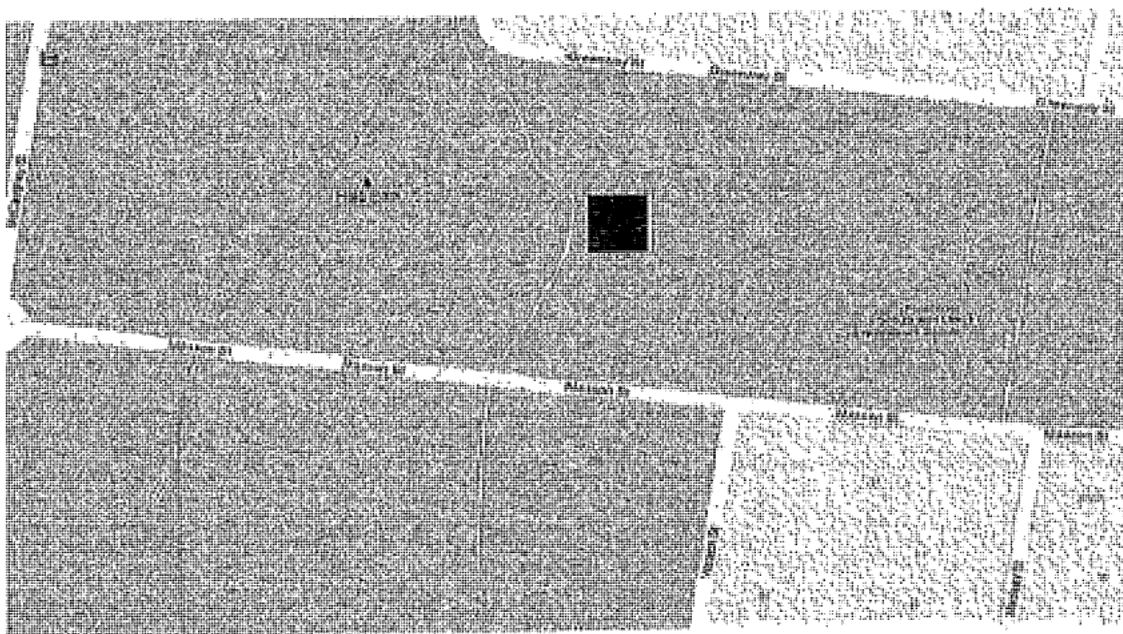
Permit number: [REDACTED]  
Permit holder: [REDACTED]  
Location 2: Cycle path, David Street Wetlands O'CONNOR ACT 2602





**PUBLIC UNLEASED LAND PERMIT**  
*Public Unleased Land Act 2013*

Permit number: [REDACTED]  
Permit holder: [REDACTED]  
Location 3: Cycle path, Halg Park TURNER ACT 2612



---

**From:** Jenkins, Michelle  
**Sent:** Wednesday, 29 August 2018 3:38 PM  
**To:** [REDACTED]  
**Subject:** Meeting with City Rangers. [SEC=UNCLASSIFIED]

Good Afternoon [REDACTED]

As you discussed yesterday on the phone that you would like to have a meeting with the City Rangers to talk about the items that are on public land at the cycle path in O'Connor.

I would like to set up a meeting for Tuesday at 1 pm, 255 Canberra Ave, Fyshwick. Would you let me know if you are available for this time.

Regards,

*Michelle Jenkins*

Michelle Jenkins | City Ranger  
Phone 02 62077132 | Fax 02 62077133 | Mobile [REDACTED]  
City Services | Transport Canberra and City Services | ACT Government  
Ground Floor, 255 Canberra Ave, Fyshwick | GPO Box 158 Canberra ACT 2601

---

**From:** Gerrard, Darren  
**Sent:** Thursday, 30 August 2018 11:07 AM  
**To:** Jenkins, Michelle  
**Subject:** Timeline.Gerrard.docx  
**Attachments:** Timeline.Gerrard.docx

Can you please add the attached to the Sly Fox file.

Regards

**Darren Gerrard | Manager L&C Licensing**  
**P 02 62057245 | F 02 6207 5956**  
**City Services | Transport Canberra and City Services Directorate | ACT Government**  
Level 1, 255 Canberra Avenue, Fyshwick ACT 2609 | GPO Box 158 Canberra ACT 2601  
[www.act.gov.au](http://www.act.gov.au) | [www.tccs.act.gov.au](http://www.tccs.act.gov.au)



**ACT**  
Government

Transport Canberra  
and City Services

### Licensing Manager

ADDRESS	Cycle path, David Street Wetlands O'CONNOR ACT 2602
JOB #	

### TIMELINE

TIME	DATE	DESCRIPTION	NAME
	30/8/18	<p>Incident: It has come to the attention of Licensing and Compliance that possible breaches under the <i>Public Unleased Land Act 2013</i> have occurred, associated with an existing Hawker, known as SlyFox.</p> <p>Location: Cycle path, David Street Wetlands O'CONNOR ACT 2602</p> <p>Specifically, the placement of objects, such as chairs, Tables, fire drum, letterbox and vehicles without approval.</p> <p>This timeline is for inclusion into ongoing investigation.</p>	
8:09am	30/8/18	I was driving eastbound on Macarthur Av which intersects the cycle path. From my vehicle, I was able to observe a white commercial vehicle directly adjacent to the SlyFox Coffee operation, with its rear door open.	Gerrard
8:15am	30/8/18	<p>I parked my vehicle and crossed the Macarthur Av. The white commercial vehicle was still onsite, now with its rear door closed.</p> <p>See below photo, taken at 8:15am</p>	Gerrard



---

**From:** [REDACTED]  
**Sent:** Thursday, 30 August 2018 1:15 PM  
**To:** Jenkins, Michelle  
**Subject:** Re: Meeting with City Rangers. [SEC=UNCLASSIFIED]

Just to clarify I will require all correspondence to be done via email  
Thanks [REDACTED] Sly Fox Coffee

On Wed, Aug 29, 2018, 3:37 PM Jenkins, Michelle <[Michelle.Jenkins@act.gov.au](mailto:Michelle.Jenkins@act.gov.au)> wrote:

Good Afternoon [REDACTED]

As you discussed yesterday on the phone that you would like to have a meeting with the City Rangers to talk about the items that are on public land at the cycle path in O'Connor.

I would like to set up a meeting for Tuesday at 1 pm, 255 Canberra Ave, Fyshwick. Would you let me know if you are available for this time.

Regards,

*Michelle Jenkins*

Michelle Jenkins | City Ranger

Phone 02 62077132 | Fax 02 62077133 | Mobile [REDACTED]

City Services | Transport Canberra and City Services | ACT Government

Ground Floor, 255 Canberra Ave, Fyshwick | GPO Box 158 Canberra ACT 2601

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should not copy or use it for any purpose, nor disclose its contents to any other person.

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---

**From:** Jenkins, Michelle  
**Sent:** Thursday, 30 August 2018 2:57 PM  
**To:** [REDACTED]  
**Subject:** RE: Meeting with City Rangers. [SEC=UNCLASSIFIED]

Good Afternoon [REDACTED]

As discussed on the phone all I am investigating is the ownership of the below items,  
Wooden chairs  
Garden bed  
Red desk and red chair  
Blue fridge  
Letter box

If you are aware of the owners would you be able to supply their names and contact details? Otherwise would you be happy to give my details to them.

Regards

Michelle Jenkins | City Ranger  
Phone 02 62077132 | Fax 02 62077133 | Mobile [REDACTED]  
City Services | Transport Canberra and City Services | ACT Government  
Ground Floor, 255 Canberra Ave, Fyshwick | GPO Box 158 Canberra ACT 2601

**From:** [REDACTED]  
**Sent:** Thursday, 30 August 2018 1:15 PM  
**To:** Jenkins, Michelle <Michelle.Jenkins@act.gov.au>  
**Subject:** Re: Meeting with City Rangers. [SEC=UNCLASSIFIED]

Just to clarify I will require all correspondence to be done via email  
Thanks [REDACTED]

On Wed, Aug 29, 2018, 3:37 PM Jenkins, Michelle <Michelle.Jenkins@act.gov.au> wrote:

Good Afternoon [REDACTED]

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I would like to set up a meeting for Tuesday at 1 pm, 255 Canberra Ave, Fyshwick. Would you let me know if you are available for this time.

Regards,

*Michelle Jenkins*

Michelle Jenkins | City Ranger

Phone 02 62077132 | Fax 02 62077133 | Mobile [REDACTED]

City Services | Transport Canberra and City Services | ACT Government

Ground Floor, 255 Canberra Ave, Fyshwick | GPO Box 158 Canberra ACT 2601

-----  
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-----

---

**From:** [REDACTED]  
**Sent:** Thursday, 30 August 2018 1:30 PM  
**To:** Jenkins, Michelle  
**Subject:** Re: Meeting with City Rangers. [SEC=UNCLASSIFIED]

These communications will not remain confidential. Thanks [REDACTED]

On Thu, Aug 30, 2018, 1:14 PM [REDACTED] wrote:

Just to clarify I will require all correspondence to be done via email  
Thanks [REDACTED]

On Wed, Aug 29, 2018, 3:37 PM Jenkins, Michelle <[Michelle.Jenkins@act.gov.au](mailto:Michelle.Jenkins@act.gov.au)> wrote:

Good Afternoon [REDACTED]

As you discussed yesterday on the phone that you would like to have a meeting with the City Rangers to talk about the items that are on public land at the cycle path in O'Connor.

I would like to set up a meeting for Tuesday at 1 pm, 255 Canberra Ave, Fyshwick. Would you let me know if you are available for this time.

Regards,

*Michelle Jenkins*

Michelle Jenkins | City Ranger

Phone 02 62077132 | Fax 02 62077133 | Mobile [REDACTED]

City Services | Transport Canberra and City Services | ACT Government

Ground Floor, 255 Canberra Ave, Fyshwick | GPO Box 158 Canberra ACT 2601

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-----

---

**From:** Jenkins, Michelle  
**Sent:** Thursday, 30 August 2018 2:39 PM  
**To:** Gerrard, Darren

Good Afternoon [REDACTED]

As discussed on the phone all I am investigating is the ownership of the below items

Wooden chairs

Garden bed

Red desk and red chair

Blue fridge

Letter box

If you are aware of the owners would you be able to supply their names and contact details? Otherwise would you be happy to give my details to them.

Regards

*Michelle Jenkins*

Michelle Jenkins | City Ranger

Phone 02 62077132 | Fax 02 62077133 | Mobile [REDACTED]

City Services | Transport Canberra and City Services | ACT Government

Ground Floor, 255 Canberra Ave, Fyshwick | GPO Box 158 Canberra ACT 2601

---

**From:** Gerrard, Darren  
**Sent:** Thursday, 30 August 2018 4:29 PM  
**To:** Jenkins, Michelle  
**Subject:** Timeline.Gerrard.docx  
**Attachments:** Timeline.Gerrard.docx

Record of conversation.

For file

Regards

**Darren Gerrard | Manager L&C Licensing**

**P 02 62057245 | F 02 6207 5956**

**City Services | Transport Canberra and City Services Directorate | ACT Government**

**Level 1, 255 Canberra Avenue, Fyshwick ACT 2609 | GPO Box 158 Canberra ACT 2601**

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**ACT**  
Government


Transport Canberra  
and City Services

### Licensing Manager

ADDRESS	Cycle path, David Street Wetlands O'CONNOR ACT 2602
JOB #	

### TIMELINE

TIME	DATE	DESCRIPTION	NAME
	30/8/18	<p>Incident: It has come to the attention of Licensing and Compliance that possible breaches under the <i>Public Unleased Land Act 2013</i> have occurred, associated with an existing Hawker, known as Sly Fox.</p> <p>Location: Cycle path, David Street Wetlands O'CONNOR ACT 2602</p> <p>Specifically, the placement of objects, such as chairs, Tables, fire drum, letterbox and vehicles without approval.</p> <p>This timeline is for inclusion into ongoing investigation.</p>	
8:09am	30/8/18	I was driving eastbound on Macarthur Av which intersects the cycle path. From my vehicle, I was able to observe a white commercial vehicle directly adjacent to the Sly Fox Coffee operation, with its rear door open.	Gerrard
8:15am	30/8/18	<p>I parked my vehicle and crossed the Macarthur Av. The white commercial vehicle was still onsite, now with its rear door closed.</p> <p>See below photo, taken at 8:15am</p>	Gerrard

			
2:03pm	30/08/18	<p>Received a call from the operator of Sly Fox Coffee [REDACTED]. He has an existing Hawkers permit and enquired regarding approval for the existing seating that he has placed onsite. The seats remain on an ongoing basis.</p> <p>I advised [REDACTED] that TCCS do not support the overnight placement of private seating on public land, on the following grounds:</p> <ul style="list-style-type: none"> <li>• Public Safety</li> <li>• Aesthetics</li> <li>• Unwanted precedence</li> </ul> <p>Although, the seats are constructed for wooden pallets. He believes they are better constructed than a number of other publicly available seats.</p> <p>I advised that if he finds a public seat that if damaged, he can advise the Government through "Fix My Street"</p> <p>I advised that if he wished to bring seating to service his customers whilst operating, changes could be made to his existing Hawkers permit. However, all seating would need to be removed outside of the approved permit period. He reiterated this is not what he wanted.</p> <p>[REDACTED] made claim that the "Government had approved similar seating by City Renewal Authority within the City", therefore he should be also allowed to do the same. I advised that I was unaware of this arrangement but if it was approved I would ask the appropriate questions.</p> <p><i>{I have since determined that the City Renewal Authority has an agreement with TCCS to place commercial grade</i></p>	

	<p><i>benches and tables within the City for the use of the general public as a replacement or supplement to existing seating. The majority of locations are covered by the existing security camera system.)</i></p> <p>I also raised that there are several photos available showing a fire drum next to the seating. ██████ admitted he would bring the fire drum each day for his customers.</p> <p>I advised that this is a serious risk and concern for the Government. He advised he believed it was no more a concern than a BBQ, I advised there is a significant difference between the two regarding risk.</p> <p>Additionally, I indicated a photo was available showing the entire area under floodwater, raising significant contamination and debris concerns. ██████ again didn't sound overly concerned.</p> <p>██████ requested a response to our conversation in writing, I agreed that the Government will respond as soon as practical.</p>	
--	--	--

**From:** Young, Shannon  
**Sent:** Friday, 31 August 2018 8:25 AM  
**To:** Jenkins, Michelle  
**Subject:** FW: Details of Job# 3733 for the Sly Fox Coffee stand. [SEC=UNCLASSIFIED]  
**Attachments:** P1110097.JPG; P1110098.JPG; P1110099.JPG

Shannon Young | A/g Senior City Ranger | Licensing and Compliance  
 P [REDACTED] | P 02 6205 3576 | F 02 6207 5956 | E [shannon.young@act.gov.au](mailto:shannon.young@act.gov.au)  
 City Services | Transport Canberra and City Services Directorate | ACT Government  
 Level 1, 255 Canberra Avenue, Fyshwick ACT 2609 | GPO Box 158 Canberra ACT 2601  
[www.act.gov.au](http://www.act.gov.au) | [www.tccs.act.gov.au](http://www.tccs.act.gov.au) | [@tccs\\_act](https://twitter.com/tccs_act)



Connected services for the people of Canberra

**From:** Canellas, Fernando  
**Sent:** Thursday, 30 August 2018 2:38 PM  
**To:** Young, Shannon <[Shannon.Young@act.gov.au](mailto:Shannon.Young@act.gov.au)>  
**Subject:** Details of Job# 3733 for the Sly Fox Coffee stand. [SEC=UNCLASSIFIED]

Good afternoon Shannon

The above job has all the details of when I attended and spoke to the hawker license Holder for the Sly Fox Coffee stand, [REDACTED]

09:15 hrs Ranger attended and inspected location. Ranger spoke with the stall holder, [REDACTED]. He was spoke to about the issue and produced an electronic copy of his Hawkers Licence: [REDACTED] which allows him to run his coffee stall from the location and having his vehicle at the same. The only thing of issue was the milk crates which he will remove today but the seating he stated has been allowed by PPU to be left at the location. Client contacted and advised, he thanked ranger for prompt attention. NFA

Due to work volume I did not have the time to ask the staff in PPU if they had any contact with him for the chairs as mentioned by [REDACTED]. A few days later I spoke with the staff at PPU and no one could remember or had any information about having spoken to [REDACTED] about approving or allowing the chairs at the location. However I did drive past a few days later for another job and noticed that he had removed all of the milk crates as requested.

Having looked at the electronic copy of his hawkers licence there was a part about having a vehicle as part of the permit which stated something like that he was allowed a vehicle as long as it was at a certain distance from intersections, etc.

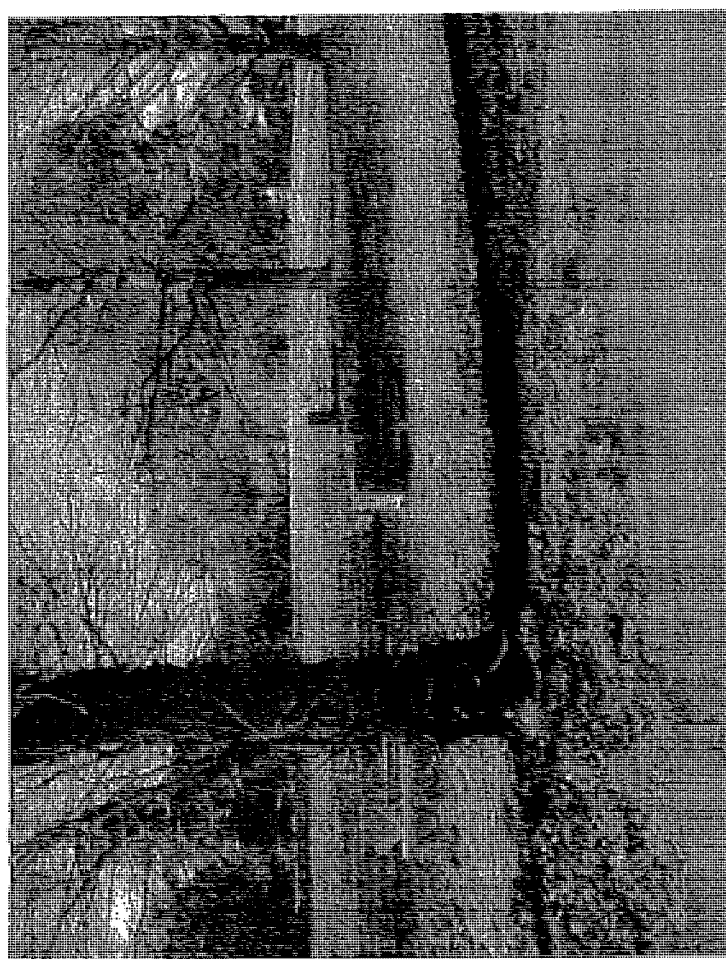
Regards

**Fernando Canellas | Licensing and Compliance**  
 P 02 6207 7132 | F 02 6207 7133  
 City Services | Transport Canberra and City Services Directorate | ACT Government  
 Ground Floor, 255 Canberra Avenue, Fyshwick ACT 2609 | GPO Box 158 Canberra ACT 2601

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**From:** Jenkins, Michelle  
**Sent:** Friday, 31 August 2018 8:43 AM  
**To:** Jenkins, Michelle  
**Subject:** FW: Timeline.Gerrard 1 [SEC=UNCLASSIFIED]  
**Attachments:** Timeline.Gerrard.docx

Michelle Jenkins | City Ranger  
Phone 02 62077132 | Fax 02 62077133 | Mobile [REDACTED]  
City Services | Transport Canberra and City Services | ACT Government  
Ground Floor, 255 Canberra Ave, Fyshwick | GPO Box 158 Canberra ACT 2601

---

**From:** Gerrard, Darren  
**Sent:** Thursday, 30 August 2018 11:07 AM  
**To:** Jenkins, Michelle <Michelle.Jenkins@act.gov.au>  
**Subject:** Timeline.Gerrard.docx

Can you please add the attached to the Sly Fox file.

Regards

**Darren Gerrard | Manager L&C Licensing**  
**P 02 62057245 | F 02 6207 5956**  
**City Services | Transport Canberra and City Services Directorate | ACT Government**  
Level 1, 255 Canberra Avenue, Fyshwick ACT 2609 | GPO Box 158 Canberra ACT 2601  
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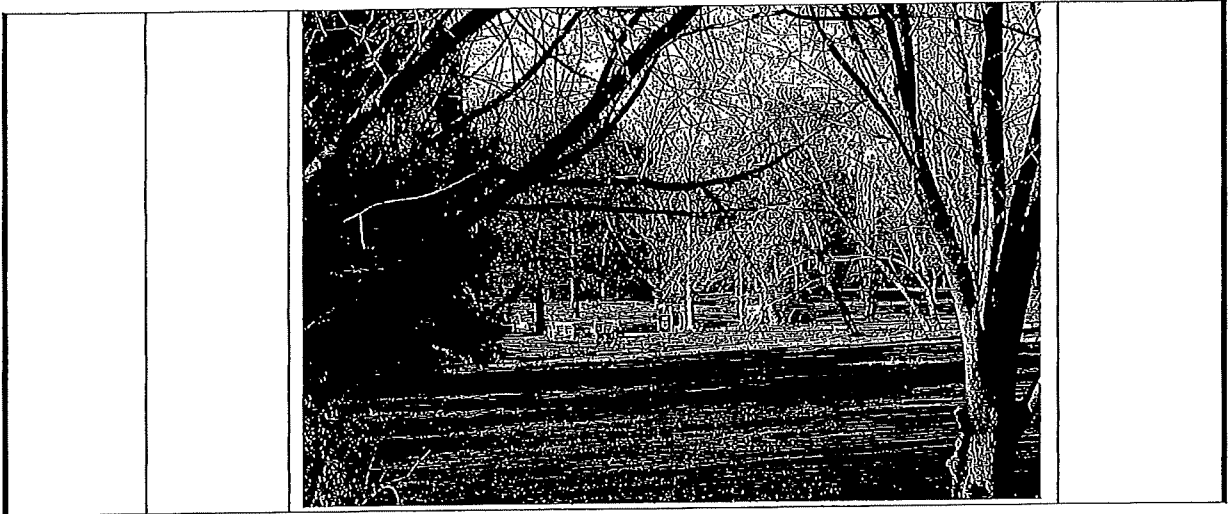
Transport Canberra  
and City Services

### Licensing Manager

ADDRESS	Cycle path, David Street Wetlands O'CONNOR ACT 2602
JOB #	

### TIMELINE

TIME	DATE	DESCRIPTION	NAME
	30/8/18	<p>Incident: It has come to the attention of Licensing and Compliance that possible breaches under the <i>Public Unleased Land Act 2013</i> have occurred, associated with an existing Hawker, known as SlyFox.</p> <p>Location: Cycle path, David Street Wetlands O'CONNOR ACT 2602</p> <p>Specifically, the placement of objects, such as chairs, Tables, fire drum, letterbox and vehicles without approval.</p> <p>This timeline is for inclusion into ongoing investigation.</p>	
8:09am	30/8/18	I was driving eastbound on Macarthur Av which intersects the cycle path. From my vehicle, I was able to observe a white commercial vehicle directly adjacent to the SlyFox Coffee operation, with its rear door open.	Gerrard
8:15am	30/8/18	<p>I parked my vehicle and crossed the Macarthur Av. The white commercial vehicle was still onsite, now with its rear door closed.</p> <p>See below photo, taken at 8:15am</p>	Gerrard



---

**From:** Jenkins, Michelle  
**Sent:** Friday, 31 August 2018 8:44 AM  
**To:** Jenkins, Michelle  
**Subject:** FW: Timeline.Gerrard 2 [SEC=UNCLASSIFIED]  
**Attachments:** Timeline.Gerrard.docx

Michelle Jenkins | City Ranger  
Phone 02 62077132 | Fax 02 62077133 | Mobile [REDACTED]  
City Services | Transport Canberra and City Services | ACT Government  
Ground Floor, 255 Canberra Ave, Fyshwick | GPO Box 158 Canberra ACT 2601

---

**From:** Gerrard, Darren  
**Sent:** Thursday, 30 August 2018 4:29 PM  
**To:** Jenkins, Michelle <Michelle.Jenkins@act.gov.au>  
**Subject:** Timeline.Gerrard.docx

Record of conversation.

For file

Regards

**Darren Gerrard | Manager L&C Licensing**  
**P 02 62057245 | F 02 6207 5956**  
City Services | Transport Canberra and City Services Directorate | ACT Government  
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### Licensing Manager

ADDRESS	Cycle path, David Street Wetlands O'CONNOR ACT 2602
JOB #	

### TIMELINE

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<p>2:03pm</p>	<p>30/08/18</p>	<p>Received a call from the operator of Sly Fox Coffee [REDACTED]. He has an existing Hawkers permit and enquired regarding approval for the existing seating that he has placed onsite. The seat remain on an ongoing basis.</p> <p>I advised [REDACTED] that TCCS do not support the overnight placement of private seating on public land, on the following grounds:</p> <ul style="list-style-type: none"> <li>• Public Safety</li> <li>• Aesthetics</li> <li>• Unwanted precedence</li> </ul> <p>Although, the seats are constructed for wooden pallets. He believes they are better constructed than a number of other publicly available seats.</p> <p>I advised that if he finds a public seat that if damaged, he can advise the Government through "Fix My Street"</p> <p>I advised that if he wished to bring seating to service his customers whilst operating, changes could be made to his existing Hawkers permit. However, all seating would need to be removed outside of the approved permit period. He reiterated this is not what he wanted.</p> <p>[REDACTED] made claim that the "Government had approved similar seating by City Renewal Authority within the City", therefore he should be also allowed to do the same. I advised that I was unaware of this arrangement but if it was approved I would ask the appropriate questions.</p> <p><i>{I have since determined that the City Renewal Authority has an agreement with TCCS to place commercial grade</i></p>	

	<p><i>benches and tables within the City for the use of the general public as a replacement or supplement to existing seating. The majority of locations are covered by the existing security camera system.}</i></p> <p>I also raised that there are several photos available showing a fire drum next to the seating. ██████ admitted he would bring the fire drum each day for his customers.</p> <p>I advised that this is a serious risk and concern for the Government. He advised he believed it was no more a concern than a BBQ, I advised there is a significant difference between the two regarding risk.</p> <p>Additionally, I indicated a photo was available showing the entire area under floodwater, raising significant contamination and debris concerns. ██████ again didn't sound overly concerned.</p> <p>██████ requested a response to our conversation in writing, I agreed that the Government will respond as soon as practical.</p>	
--	--	--

---

**From:** TCCS\_LC PublicLandUse  
**Sent:** Friday, 31 August 2018 11:36 AM  
**To:** [REDACTED]  
**Cc:** Zuzek, Joe  
**Subject:** RE: Sly Fox Coffee investigation

Dear [REDACTED]

Further to our discussion at 2:03pm Thursday, 30 August 2018.

Licensing and Compliance is currently investigating the unapproved structures and activities in the area around [REDACTED] Sly Fox Coffee Hawkers site, within O'Connor.

Although, every effort will be made to expedite the process, the investigation may require a couple of weeks to complete. Upon completion, you will be advised of any decisions, required actions or possible permitting options.

Currently, [REDACTED] authorised to serve food & coffee as per your Hawkers permit. However, this does not include the placement of customer seating (left overnight), a fire drum, any other structures not specifically required to serve food & coffee or the access to 'Urban Open Space' via a vehicle.

Additional, I have been made aware that [REDACTED] been promoting a community market at the site. Currently, [REDACTED] approval for this activity.

Licensing and Compliance must grant approval for any proposed markets on public land, managed by Transport Canberra and City Services. Until the current matters are finalise, any proposed community market will not be considered, therefore please refrain from promoting future market activities.

We will respond further as soon as possible, however I hope this clarifies your current onsite operating parameters and obligations until we can finalise the matter.

Regards

**Darren | Manager L&C Licensing**  
P 02 62057245 | F 02 6207 5956  
City Services | Transport Canberra and City Services Directorate | ACT Government  
Level 1, 255 Canberra Avenue, Fyshwick ACT 2609 | GPO Box 158 Canberra ACT 2601  
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---

**From:** Gerrard, Darren  
**Sent:** Friday, 31 August 2018 11:53 AM  
**To:** Jenkins, Michelle  
**Subject:** Timeline.Gerrard.docx Version 3  
**Attachments:** Timeline.Gerrard.docx

Please attach to CRM.

Regards

**Darren Gerrard | Manager L&C Licensing**  
**P 02 62057245 | F 02 6207 5956**  
**City Services | Transport Canberra and City Services Directorate | ACT Government**  
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and City Services

### Licensing Manager

ADDRESS	Cycle path, David Street Wetlands O'CONNOR ACT 2602
JOB #	

### TIMELINE

TIME	DATE	DESCRIPTION	NAME
	30/8/18	<p>Incident: It has come to the attention of Licensing and Compliance that possible breaches under the <i>Public Unleased Land Act 2013</i> have occurred, associated with an existing Hawker, known as Sly Fox.</p> <p>Location: Cycle path, David Street Wetlands O'CONNOR ACT 2602</p> <p>Specifically, the placement of objects, such as chairs, Tables, fire drum, letterbox and vehicles without approval.</p> <p>This timeline is for inclusion into ongoing investigation.</p>	
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<p>2:03pm</p>	<p>30/08/18</p>	<p>Received a call from the operator of Sly Fox Coffee [REDACTED]. He has an existing Hawkers permit and enquired regarding approval for the existing seating that he has placed onsite. The seat remain on an ongoing basis.</p> <p>I advised [REDACTED] that TCCS do not support the overnight placement of private seating on public land, on the following grounds:</p> <ul style="list-style-type: none"> <li>• Public Safety</li> <li>• Aesthetics</li> <li>• Unwanted precedence</li> </ul> <p>Although, the seats are constructed for wooden pallets. He believes they are better constructed than a number of other publicly available seats.</p> <p>I advised that if he finds a public seat that if damaged, he can advise the Government through "Fix My Street"</p> <p>I advised that if he wished to bring seating to service his customers whilst operating, changes could be made to his existing Hawkers permit. However, all seating would need to be removed outside of the approved permit period. He reiterated this is not what he wanted.</p> <p>[REDACTED] made claim that the "Government had approved similar seating by City Renewal Authority within the City", therefore he should be also allowed to do the same. I advised that I was unaware of this arrangement but if it was approved I would ask the appropriate questions.</p> <p><i>{I have since determined that the City Renewal Authority has an agreement with TCCS to place commercial grade</i></p>	

		<p><i>benches and tables within the City for the use of the general public as a replacement or supplement to existing seating. The majority of locations are covered by the existing security camera system.}</i></p> <p>I also raised that there are several photos available showing a fire drum next to the seating. ██████ admitted he would bring the fire drum each day for his customers.</p> <p>I advised that this is a serious risk and concern for the Government. He advised he believed it was no more a concern than a BBQ, I advised there is a significant difference between the two regarding risk.</p> <p>Additionally, I indicated a photo was available showing the entire area under floodwater, raising significant contamination and debris concerns. ██████ again didn't sound overly concerned.</p> <p>██████ requested a response to our conversation in writing, I agreed that the Government will respond as soon as practical.</p>	
11:36am	31/08/18	<p>Sent a holding email to ██████ as below:</p> <p>Dear ██████</p> <p>Further to our discussion at 2:03pm Thursday, 30 August 2018.</p> <p>Licensing and Compliance is currently investigating the unapproved structures and activities in the area around ██████ Sly Fox Coffee Hawkers site, within O'Connor.</p> <p>Although, every effort will be made to expedite the process, the investigation may require a couple of weeks to complete. Upon completion, you will be advised of any decisions, required actions or possible permitting options.</p> <p>Currently, ██████ authorised to serve food &amp; coffee as per your Hawkers permit. However, this does not include the placement of customer seating (left overnight), a fire drum, any other structures not specifically required to serve food &amp; coffee or the access to 'Urban Open Space' via a vehicle.</p>	Gerrard

	<p>Additional, I have been made aware that [REDACTED] been promoting a community market at the site. Currently, [REDACTED] do not have approval for this activity.</p> <p>Licensing and Compliance must grant approval for any proposed markets on public land, managed by Transport Canberra and City Services. Until the current matters are finalise, any proposed community market will not be considered, therefore please reframe from promoting future market activities.</p> <p>We will respond further as soon as possible, however I hope this clarifies your current onsite operating parameters and obligations until we can finalise the matter.</p> <p>Regards</p>	
	<p>Darren   Manager L&amp;C Licensing  P 02 62057245   F 02 6207 5956  City Services   Transport Canberra and City Services  Directorate   ACT Government  Level 1, 255 Canberra Avenue, Fyshwick ACT 2609   GPO  Box 158 Canberra ACT 2601  <a href="http://www.act.gov.au">www.act.gov.au</a>   <a href="http://www.tccs.act.gov.au">www.tccs.act.gov.au</a></p>	

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**From:** TCCS\_LC PublicLandUse  
**Sent:** Friday, 31 August 2018 11:36 AM  
**To:** [REDACTED]  
**Cc:** Zuzek, Joe  
**Subject:** RE: Sly Fox Coffee investigation

Dear [REDACTED]

Further to our discussion at 2:03pm Thursday, 30 August 2018.

Licensing and Compliance is currently investigating the unapproved structures and activities in the area around [REDACTED] Sly Fox Coffee Hawkers site, within O'Connor.

Although, every effort will be made to expedite the process, the investigation may require a couple of weeks to complete. Upon completion, you will be advised of any decisions, required actions or possible permitting options.

Currently [REDACTED] authorised to serve food & coffee as per [REDACTED] Hawkers permit. However, this does not include the placement of customer seating (left overnight), a fire drum, any other structures not specifically required to serve food & coffee or the access to 'Urban Open Space' via a vehicle.

Additional, I have been made aware that [REDACTED] promoting a community market at the site. Currently, [REDACTED] do not have approval for this activity.

Licensing and Compliance must grant approval for any proposed markets on public land, managed by Transport Canberra and City Services. Until the current matters are finalised, any proposed community market will not be considered, therefore please refrain from promoting future market activities.

We will respond further as soon as possible, however I hope this clarifies your current onsite operating parameters and obligations until we can finalise the matter.

Regards

Darren | Manager L&C Licensing  
P 02 62057245 | F 02 6207 5956  
City Services | Transport Canberra and City Services Directorate | ACT Government  
Level 1, 255 Canberra Avenue, Fyshwick ACT 2609 | GPO Box 158 Canberra ACT 2601  
[www.act.gov.au](http://www.act.gov.au) | [www.tccs.act.gov.au](http://www.tccs.act.gov.au)