



FREEDOM OF INFORMATION COVERSHEET

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

FOI reference: 24-010

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Schedule	Not Applicable
4. Documents	Published
5. Additional information identified	Not Applicable
6. Fees	Not Applicable
7. Processing time (in working days)	25 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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ACT
Government

Transport Canberra
and City Services

Freedom of Information – Access Application Form

Privacy notice

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

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

Applicant details

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

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

What documents are you requesting under the Act?

I write to request under the Freedom of Information Act 2016 (FOI Act), the most recent version of the Community Path Infill Program List as well as any documents that may assist in interrogating the list. These documents may include, but are not limited, to the following:

- Metrics that guide how a path entry in the list is prioritised.
- Descriptions of any colour coding used in the list.

Fee waiver

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

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

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

To apply for a fee waiver please complete the following.

I make this request pursuant to section 30 of the FOI Act.	
As a member of the [REDACTED] I note that any fees and charges associated with this request will be waived in pursuant to section 107 (2)(e) of the Act.	
Should you require any further information or clarification about my request, please contact my office on [REDACTED]	
I would like	a copy of these documents sent to the above address

Applicant's signature	Date of request
[REDACTED]	25 January 2024



Dear [REDACTED]

Freedom of Information Request - Reference 24-010

I refer to your application for access to government information received by Transport Canberra and City Services (TCCS) on 25 January 2024. It is my understanding that you are seeking access to the following government information:

“The most recent version of the Community Path Infill Program List as well as any documents that may assist in interrogating the list. These documents may include, but are not limited, to the following:

- Metrics that guide how a path entry in the list is prioritised.
- Descriptions of any colour coding used in the list.”

Timeframes

A decision is due on your access application by 8 March 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 one record has been identified as relevant to your application. The record identified as relevant to your application is enclosed at [Attachment A](#).

Upon reviewing the information within this record and applying the public interest test under section 17 of the FOI Act, I have found it to be, on balance, in the public interest to provide you with full access. The reasons for my decision are detailed below in the statement of reasons.

The list being disclosed in response to this FOI differs from the list disclosed in 2022, reference 22-074. This is because the internal assessment methodology has changed between these versions to align with the new Active Travel Plan.

TCCS currently use a Strategic Merit Test (SMT), which is considered in three stages:

1. Initial assessment for enquiries received from the community where objectives for strategic path network are achieved.
2. Appraisal of identified improvement for paths (or network of paths) that are identified for the next stage.
3. detailed appraisal and assessment of identified links considered for construction.

Tables of the metrics considered in the first level of assessment can be found in the first excel spreadsheet (Criteria), with headings “Criteria”, “Ranking System” and “Score”. Information relating to colour codes used are in the second excel page (Current list).

The current missing links list does not include priority order ranking (e.g. first to last) and the SMT is a first pass assessment as captured in the Australian Transport Assessment and Planning (ATAP) Guidelines, Australian Government, published [here](#).

Statement of Reasons

In making my decision on disclosing the relevant government information, I must identify all relevant factors in schedule 1 and 2 of the FOI Act and determine, on balance, where the public interest lies. I have taken the following into account:

- The FOI Act; and
- The *Human Rights Act 2016*.

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)(ii) - contribute to positive and informed debate on important issues or matters of public interest.
- Schedule 2.1(a)(iii) - inform the community of the government’s operations, including the policies, guidelines and codes of conduct followed by the government in its dealings with members of the community
- 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)

- No relevant factors identified.

In reviewing the relevant record, I have considered the relevance of several factors favouring disclosure, including that the information is likely to promote open discussion of public affairs, contribute to a positive and informed debate, and inform the community about the government’s operations. My review did not identify any relevant factors favouring non-disclosure.

I have found that disclosure is, on balance, in the public interest. A copy of the relevant information is enclosed at [Attachment A](#).

Charges

In accordance with [Freedom of Information \(Fees\) Determination 2018](#), a fee of \$0.35 per page of information disclosed, except for the first 50 pages, may be applied to an access application. No fees are applicable to this application in accordance with section 107 of the FOI Act.

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

ACT Civil and Administrative Tribunal (ACAT) review

Under section 84 of the Act, if a decision is made under section 82 on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision.

Further information may be obtained from ACAT at:

ACT Civil and Administrative Tribunal
GPO Box 370
CANBERRA CITY ACT 2601
Telephone: (02) 6207 1740
www.acat.act.gov.au

If you have any queries concerning the directorate's processing of your request, or would like further information, please contact the TCCS FOI team on (02) 6207 2987 or email to tccs.foi@act.gov.au.

Yours sincerely



Lisa Johnson
Information Officer

1 March 2024