



ACT
Government

City and Environment

OFFICIAL

Our ref: CED FOI 26-063

Dear [REDACTED]

Freedom of Information – Notice of Decision

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the FOI Act), received by the City and Environment Directorate (CED) on 2 March 2026. It is my understanding you are seeking access to the following information:

All guidelines, directions, or the like (however they might be described and in whatever form they may exist), which are intended and/or used to guide, direct, instruct, or otherwise assist in any manner, ACT Government / Access Canberra Electrical Inspectors, when in carrying out inspections of residential electrical installations or upgrades (however described), relevant to the following areas:

- actions electrical inspectors must or should take prior to an inspection being conducted, to inform the occupant(s) of a residence that an inspection is to be conducted;*
- efforts electrical inspectors must or should make to ascertain whether any person is present at a residence which is to be the subject of an inspection, at the time of the intended inspection;*
- course(s) of action electrical inspectors must or should take in the event that they are unable to ascertain whether any person is present at a residence which is to be the subject of an inspection, at the time of the intended inspection; and*
- course(s) of action electrical inspectors must or should take in the event they believe that no person is present at a residence which is to be the subject of an inspection, at the time of the intended inspection.*

thank you for providing the following context in your application:

On 24 February 2026 an inspection of the nature described in this request was conducted at my residence, well within the property boundary. I was not informed of the intended inspection.

The inspector conducting the inspection did so without making all reasonable efforts to ascertain whether I was at the premises, despite me being at the residence and easily contactable by telephone. (The inspector had my telephone number at all times, and in fact used it at the completion of his inspection).

I discovered that, what I subsequently learned was an inspection, was underway when I firstly heard the sounds of someone apparently interfering with newly installed solar electrical equipment attached to one of the walls of my residence, and secondly,

as I observed an unidentified person clearly dismantling a component of that newly installed solar electrical equipment. This was a personally alarming and distressing incident for me, as I believed at the time that a criminal offence was being committed against me and my property.

When confronted by me, the inspector claimed to be following “guidelines” under which he was required to operate, and that those guidelines extended to mandating that he carry out the inspection without my knowledge, as he was able to access the equipment, despite it being well within the property boundary and attached to my house.

If such “guidelines” (however described) do in fact exist, then it is my opinion that they are deficient and/or defective and are likely to result in inspectors venturing outside the authority provided to them under the Electrical Safety Act 1971, which I believe was the case on 24 February 2026 at my residence.

If such “guidelines” as described by the inspector do in fact exist, it is my intention to make representations to the appropriate authority/authorities to have them amended.

Timeframes

In accordance with section 40 of the FOI Act, CED is required to provide a decision on your access application within 30 working days. Therefore, a decision is due on or by 17 April 2026.

Authority

I am an Information Officer appointed by the Director-General of CED under section 18 of the FOI Act to deal with access applications made under part 5 of the FOI Act.

Decision on access

A search for records held by CED has been completed and five records within the scope of your application have been identified. The records are listed in the schedule at **Attachment A**.

I have decided to grant full access to all five records.

The reasons for my decision are detailed in the *statement of reasons* section below. The records being released to you are provided at **Attachment B**.

Statement of reasons

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

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

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

- the FOI Act
- the information that falls within the scope of your application
- your views regarding the public interest in releasing the requested information
- the ACT Ombudsman FOI Guidelines.

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

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

- *No relevant sections identified.*

Schedule 2 – Public interest test

Factors favouring disclosure (Schedule 2.1)

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

In reviewing the information within the scope of your application, I consider that disclosure promotes open discussion of public affairs and enhances government's accountability generally. I have also considered the value in disclosing procedures that relate to government staff dealings with members of the community. I have placed significant weight on these factors.

Factors favouring nondisclosure (Schedule 2.2)

- *No relevant factors have been identified.*

Having applied the public interest test outlined in section 17 of the FOI Act, I have concluded that the information contained in the records is in the public interest to disclose. Accordingly, I have decided to provide you with full access to the records.

Charges

Processing charges are applicable for this application because the total number of pages to be released to you exceeds the charging threshold of 50 pages. However, I have decided not to impose a fee in response to your application.

Online publishing – Disclosure Log

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

ACT Ombudsman Review

My decision on your access application is a reviewable decision as identified in Schedule 3 of the FOI Act. You have the right to seek the ACT Ombudsman's review of this outcome under section 73 of the FOI Act within 20 working days from the day that my decision is provided to you, or a longer period allowed by the 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 FOI Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

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

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

Yours sincerely

Signed electronically

Adam Roach
Information Officer
City and Environment Directorate
15 April 2026