



ACT
Government

City and Environment

OFFICIAL

Our ref: CED FOI 26-167

By email: [REDACTED]

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 15 June 2026, in which you seek access to the following information:

“There is a traffic island located on Ipswich St, Fyshwick. Please find a copy of the location marked on the enclosed image. As at 18 October 2025, there was a traffic sign marked “KEEP LEFT” extruding from the centre of the island (“the Sign”). The Sign was damaged and extended into the path of southbound traffic, striking my car. I cordially request that you locate and provide to me, copies of the following documents in relation to the Sign:

- 1. Any document recording a complaint received by you in relation to the Sign;*
- 2. Any document drawing the damage to the Sign to your attention;*
- 3. Any document drawing the risk posed by the Sign to road users to your attention.”*

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.

Timeframe for decision

In accordance with section 40 of the FOI Act, a decision is required to be made on your access application within 30 working days of receipt. Therefore, a decision is due by **27 July 2026**.

Decision on access

A search for records held by CED has been completed, with one record identified as being within the scope of your application, which is provided at **Attachment A**. I have decided to grant partial access to the record, with redactions applied to the information that I have determined to be contrary to the public interest to release.

Statement of reasons

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

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

Section 17(2) lists the factors that I must *not* take into account when applying the public interest test. I confirm that I have not considered any of these factors. In reaching my decision on access to information, I have taken the following into account:

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

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

- No categories of information listed in Schedule 1 were identified as being applicable to your access application.

Schedule 2 - Factors to be considered when deciding the public interest

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

In reviewing the information/data identified within the scope of your application, I have considered the relevance of the above 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.

Factors favouring nondisclosure (Schedule 2.2)

- Section 2.2(a)(ii) - prejudice the protection of an individual's right to privacy or any other right under the *Human Rights Act 2004*.

In reviewing the information within the scope of your application, I must consider information relating to any third parties and the likelihood that disclosure may prejudice a person's right to privacy under the *Human Rights Act 2004*. To this extent, the record relevant to your application contains personal information of an individual. It is my view that this information, if disclosed, could reasonably be expected to prejudice the protection of an individual's right to privacy under section 12 of the *Human Rights Act 2004*. I have applied significant weight to this factor.

Balancing the factors

Having applied the public interest test outlined in section 17 of the FOI Act, on balance, I have given greater weight to the factor favouring nondisclosure than to the factors favouring disclosure. I have determined that disclosure of the personal information contained in the record is contrary to the public interest and could reasonably be expected to prejudice the privacy of the individuals concerned. Accordingly, I have redacted this information under section 50(2) of the FOI Act.

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

Charges

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

Online publishing – Disclosure log

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

ACT Ombudsman Review

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

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601
Via email: actfoi@ombudsman.gov.au

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 by phone 6207 2987 or email CEDFOI@act.gov.au.

Yours sincerely

(signed electronically)

Craig Weller
Information Officer
City and Environment Directorate

27 July 2026