



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: 23-0134

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Schedule	Not applicable
4. Documents	Not Applicable
5. Additional information identified	Not applicable
6. Fees	Not applicable
7. Processing time (in working days)	40 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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Bruan, Nicole

From: CMTEDD FOI
Sent: Monday, 13 November 2023 2:02 PM
To: TCCS_FreedomOfInformation
Subject: FW: Freedom of Information request

Categories: Application

OFFICIAL

Good afternoon team

CMTEDD FOI has received the below request for information which is believed to be a matter for TCCS.

Can you please confirm acceptance of a transfer for this application?

Jess Pupulkovski | Freedom of Information Coordinator | Information Access Team
Phone: 02 6207 7754 | Email: CMTEDDFOI@act.gov.au
Corporate | Chief Minister, Treasury and Economic Development Directorate | ACT Government
Level 1, 220 London Circuit, Canberra ACT 2601 | GPO Box 158 Canberra ACT 2601 | act.gov.au

From: no-reply@act.gov.au <no-reply@act.gov.au>
Sent: Monday, November 13, 2023 1:58 PM
To: CMTEDD FOI <CMTEDDFOI@act.gov.au>
Subject: Freedom of Information request

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe. [Learn why this is important](#)

Please find online enquiry details below. Please ensure this enquiry is responded to within fourteen working days.

Your details

All fields are optional, however an email address OR full postal address must be provided for us to process your request. An email address and telephone contact number will assist us to contact you quickly if we need to discuss your request.

Title: [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

Request for information

(Please provide as much detail as possible, for example subject matter and relevant dates, and also provide details of documents that you are not interested in.)

Under the Freedom of Information Act 2016 I want to access the following document/s (*required field):

I am seeking details of the total number of infringement notices that have been served for Nuisance Dog Barking in the ACT, over the entire history of the Domestic Animal Act 2000. Further detail and breakdown would be desirable i.e. by year and suburb.

I do not want to access the following documents in relation to my request::

Thank you.

Freedom of Information Coordinator



ACT
Government

Transport Canberra and
City Services

[REDACTED]

[REDACTED]

Freedom of Information Request - Reference 23 – 134

I refer to your application for access to government information received by Transport Canberra and City Services (TCCS) on 13 November 2023 seeking the following government information under the *Freedom of Information Act 2016 (the Act)*:

“...details of the total number of infringement notices that have been served for Nuisance Dog Barking in the ACT, for the past 7 years of the Domestic Animal Act 2000. Further detail and breakdown would be desirable i.e. by year and suburb”.

Timeframes

A decision on your access application was due on 4 January 2024. I thank you for agreeing to an extension to 18 January 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 the number of nuisance notices issued have been identified. However, nuisance notices have not been broken down by reason (e.g. barking) as only the offence is recorded. A copy of the data has been inserted into this letter as follows:

Section 112(7) Contravention of nuisance notice

15/06/2018	ACTON
28/06/2018	FISHER
13/07/2018	CURTIN
17/06/2020	GILMORE
19/06/2020	GILMORE
27/06/2020	GILMORE
26/01/2021	MONCRIEFF
02/08/2023	GORDON
04/09/2023	PALMERSTON

No nuisance notices were issued in 2017, 2019 or 2022.

Upon reviewing the information and applying the public interest test under section 21 of the FOI Act, I have decided to provide you with full access to the data. The reasons for my decision are provided below under the heading 'statement of reasons'.

Statement of Reasons

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

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

Schedule 1

- No relevant factors identified.

Schedule 2

Factors favouring disclosure in the public interest (Schedule 2, Section 2.1)

- Schedule 2.1(a)(i) - promote open discussion of public affairs and enhance the government's accountability; and
- 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, Section 2.2)

- No relevant factors identified.

In reviewing the records, no factors favouring non-disclosure were identified. Therefore, I find disclosure, on balance, to be in the public interest and have inserted a copy of the data as outlined above.

Charges

No fee is applicable as the number of pages being released is within the fee-free threshold.

Online publishing – disclosure log

Under section 28 of the Act, TCCS maintains an online record of access applications called a disclosure log. Your access application and this notice of decision will be published on the disclosure log within 3 – 10 business days. Your personal information will be removed from these documents prior to publication in the [TCCS Disclosure Log](#).

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
Level 4, 1 Moore Street
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

11 January 2024