

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 17 November 2025. It is my understanding you are seeking access to the following information:

**1) All customer-initiated reports, complaints, service requests, FixMyStreet submissions, and Access Canberra logged enquiries relating to:**

- *poor lighting in the Gilmore pedestrian underpass/tunnel under the Monaro Highway*
- *unsafe tunnel conditions (visibility, vandalism, lack of CCTV, lack of lighting)*
- *inadequate or missing footpaths in Gilmore, specifically the informal access path leading toward the Hume paddocks*
- *illegal dumping within the Gilmore reserve/open space area*
- *stolen vehicles dumped in the Gilmore reserve/open space area*
- *antisocial behaviour or crime within the Gilmore reserve or tunnel*
- *fire hazards, slashing frequency concerns, or grass overgrowth in the Gilmore reserve*
- *time period: 1 January 2015 – present*

**2) Internal Notes & Responses - for each of the above customer requests, I request:**

- *officer notes*
- *internal comment*
- *customer service responses*
- *internal assessment*
- *notes*
- *categorisation of priority and status (actioned, closed, rejected, referred)*

**3) Internal Correspondence & Decision-Making - any internal communications relating to:**

- *assessment of these complaints*
- *reasons for decision-making or non-action*
- *internal discussions on priority of maintenance or upgrades*
- *correspondence between Access Canberra, TCCS, City Presentation, Active Travel, and any other relevant business units regarding these issues*
- *any refusals, deprioritisation, or justifications for not undertaking works*

#### **4) Location Clarification**

- *To ensure accurate retrieval, please interpret “Gilmore reserve” as the urban open space area: TUGGERANONG GILMORE Section 76 Block 1, TUGGERANONG GILMORE Section 76 Block 3, TUGGERANONG Section 0 Block 1563 including the informal dirt access track into the Hume paddocks, and the pedestrian underpass/tunnel under the Monaro Highway connecting Gilmore to Hume.*

I thank you for providing the following statement on the public interest in your application. Your views have been considered in reaching my decision on your application:

*Release of the requested information is in the public interest because it relates directly to public safety, infrastructure maintenance, and equitable service delivery within the Tuggeranong district. The Gilmore reserve, the Monaro Highway tunnel, and the informal access track to the Hume paddocks are all areas frequently used by local residents, schoolchildren, cyclists, and commuters. These locations have a documented history of poor lighting, unsafe conditions, vehicle dumping, antisocial activity, and inadequate footpath infrastructure, which present ongoing risks to community safety.*

*Understanding how government agencies have responded to public requests, complaints, safety concerns, and maintenance issues is essential for ensuring that the ACT Government meets its obligations for the management of public land, infrastructure upkeep, and risk mitigation. Access to internal assessments, officer notes, and decision-making processes will enable the community to determine whether concerns were properly addressed, whether risks were minimised in a timely manner, and whether resources were allocated fairly and transparently compared to other districts.*

*This information will assist the community in advocating for safer infrastructure, improved access to local reserves, and more accountable management of public open space. It will also support initiatives such as safer pedestrian links, improved lighting, and long-term planning for active travel connections, including alignment with future projects like the Monaro Rail Trail.*

*Given that the requested information concerns community welfare, equitable investment, prevention of crime, and the safe use of public land, the public interest in transparency outweighs any potential contrary considerations.*

#### **Timeframes**

In accordance with section 40 of the FOI Act, CED was required to provide a decision on your access application within 30 working days. Under section 41 of the FOI Act, an additional amount of time to decide your application was requested. As no response was received, the request was taken to be agreed under section 41(4)(a). Therefore, a decision is due on or by **28 January 2026**.

#### **Authority**

I am an Information Officer appointed by the Director-General of the City and Environment Directorate 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 CED records has been completed and seven 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 one record.
- grant **partial** access to six 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** with redactions applied to any information 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.

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
- the *Human Rights Act 2004*
- the ACT Ombudsman FOI Guidelines
- information already publicly available.

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)(ii) - contribute to positive and informed debate on important issues or matters of public interest.*

In reviewing the information within the scope of your application and taking into account your views in relation to the public interest, I have decided that disclosure promotes open discussion of public affairs and enhances government's accountability generally.

*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.

Some of the information within scope includes the names, addresses and contact details of members of the public. I have considered that the information has been provided to CED with the expectation that it is handled in accordance with published privacy statements and policies. I consider that this information is not readily available to the public and has not otherwise been disclosed by CED. It is my view that the information if disclosed, could reasonably be expected to prejudice the protection of an individual's right to privacy. I have placed significant weight on this factor.

*Balancing the factors*

Having applied the public interest test outlined in section 17 of the FOI Act, I have concluded that some information contained in the records is not in the public interest to disclose. Accordingly, I have redacted this specific 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 the information that is contrary to the public interest 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.

**Additional Information**

The Infrastructure Planning area of CED has provided the following additional information and context in response to your application.

The path from the underpass on Monaro Highway from the blocks: TUGGERANONG GILMORE Section 76 Block 1 and Section 76 Block 3, to the reserve is in the category of 'local path network'. This local path terminates at the Section 0 Block 1563 where it connects to the recreational trail to connect to the open space area to suit general recreational purpose for walkers, hikers, runners, dog walkers and field naturalists. There are no requirements within the Municipal Infrastructure Standards (MIS05) to provide sealed or any other granular surface of these tracks for the hills, ridges and buffer areas. Further information for MIS05 is available on CED website:  
[https://www.cityservices.act.gov.au/\\_data/assets/pdf\\_file/0010/1382383/Municipal-Infrastructure-Standards-05-Active-Travel-Facilities-Design.pdf](https://www.cityservices.act.gov.au/_data/assets/pdf_file/0010/1382383/Municipal-Infrastructure-Standards-05-Active-Travel-Facilities-Design.pdf)

The Road Safety and Active Travel area of CED provided the following information that may be of interest to you:

Comments to the public consultation on Active Travel Plan in 2022:  
[Active Travel Plan - Interactive cycling map](#) | [Active Travel plan](#) | [YourSay ACT](#)  
[Active Travel Plan - Interactive walking map](#) | [Active Travel plan](#) | [YourSay ACT](#)

**Charges**

Processing charges are not applicable for this 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 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](mailto: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](mailto:CEDFOI@act.gov.au).

Yours sincerely

Signed electronically

Craig Weller  
Information Officer  
City and Environment Directorate  
28 January 2026