



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## Freedom of Information Publication Coversheet

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

FOI Reference: CMTEDDFOI 2019-052

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	Published
4. Additional information identified	No
5. Fees	N/A
6. Processing time (in working days)	4
7. Decision made by Ombudsman	N/A
8. Additional information identified by Ombudsman	N/A
9. Decision made by ACAT	N/A
10. Additional information identified by ACAT	N/A



**ACT**  
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Justice and Community Safety

## 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 Act. If all or some of this information is not collected, the Justice and Community Safety (JACS) Directorate 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 JACS Directorate Privacy Policy contains information on how you can access or seek to correct any of your personal information that is held by the JACS Directorate, 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 on the JACS Directorate website at <http://www.justice.act.gov.au/privacy>.

### Applicant details

I wish to make an access application to Justice and Community Safety Directorate under the [Freedom of Information Act 2016](#).

<b>Name</b>	[REDACTED]
<b>Address</b> (where notices relating to this request can be sent – either postal or electronic)	[REDACTED]
<b>Telephone Contact Residential</b>	[REDACTED]
<b>Telephone Contact Mobile</b>	[REDACTED]
<b>Email Contact</b>	[REDACTED]

### What documents are you requesting under the Act?

- To help the JACS Directorate process your request, please include enough detail in your application so that we can fully understand what government information you want.
- You may wish to include a statement about how the release of information is in the public interest.
- If your application is for access to your own personal information you must include evidence of your identity. If you are an agent acting for an applicant, please supply evidence of your authorisation and evidence of the identity of the applicant.
- If for reasons in section 30 of the Act is not compliant and your application cannot be processed, the JACS Directorate will take reasonable steps to assist you and give you reasonable time to amend your application if you wish.



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**Documents requested:**

All footage held of the intersection of Northbourne Ave and London Circuit (adjacent to the Sydney Building) from 6.40am to 6.50am 26 February 2019. For example, I note there is a traffic camera focused on this corner:



**Background**

I was on a bicycle riding down Northborne Avenue towards parliament at a similar pace to a vehicle, a grey SUV (YLL 77S) between 6.40am and 6.50am this morning (26/2/2019). I was on the bike path which has recently been converted to a raised section. I was wearing a high visibility (yellow fluro jacket). I dropped down onto the road consistent with the bike path. The vehicle turned across my path turning from Northborne Avenue into London Circuit (adjacent to the Sydney Building). There was either no or late indication of the vehicle turning. I yelled out, braked and a collision occurred. After colliding with the vehicle I slid down part of the side of the vehicle on my shoulder and hit the mirror.

Police report filed 476CP3.



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### 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 (Identified by the Ombudsman under section 66 of the Act).
- 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.

The JACS Directorate 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.

### Fee waiver application (fill in if applicable. Otherwise leave blank)

I would like to apply for a fee waiver because (state reason/s from the list above).

Not applied for

I would like

a copy of these documents sent to the above address

OR

to inspect these document

APPLICANTS SIGNATURE

DATE OF REQUEST



26 February 2019



**ACT**  
Government

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Justice and Community Safety




**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

Our ref: CMTEDDFOI 2019-052



via email: 

Dear 

### **FREEDOM OF INFORMATION REQUEST**

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 26 February 2019, in which you sought access to all footage held of the intersection of Northbourne Avenue and London Circuit (adjacent to the Sydney Building) from 6.40am to 6.50am 26 February 2019.

#### **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 Act.

#### **Timeframes**

In accordance of section 40 of the Act, CMTEDD was required to provide a decision on your access application by 2 April 2019.

#### **Decision on access**

Searches were completed for relevant footage and 1 video file has been identified that falls within the scope of your request.

I have included as **Attachment A** to this decision the schedule of the relevant video file.

I have decided to grant full access to the relevant video file. The video file released to you is provided as **Attachment B** to this letter.

#### **Charges**

Pursuant to *Freedom of Information (Fees) Determination 2017 (No 2)* processing charges are not applicable for this request because as the video file being released to you is below the charging threshold.

#### **Online publishing – Disclosure Log**

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents released to you in response to your access application will be published in the CMTEDD disclosure log three days after the date of my decision. Your personal contact details will not be published.

### **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 Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in the CMTEDD 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](mailto: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(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

Level 4, 1 Moore St

GPO Box 370

Canberra City ACT 2601

Telephone: (02) 6207 1740

<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact me by telephone on 6207 7754 or email [CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au).

Yours sincerely,



Daniel Riley

Information Officer

Information Access Team

Chief Minister, Treasury and Economic Development Directorate

8 March 2019



**ACT**  
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Chief Minister, Treasury and  
Economic Development

## FREEDOM OF INFORMATION REQUEST SCHEDULE

NAME	WHAT ARE THE PARAMETERS OF THE REQUEST	Reference NO.
[REDACTED]	Access to all footage held of the intersection of Northbourne Avenue and London Circuit (adjacent to the Sydney Building) from 6.40am to 6.50am 26 February 2019	CMTEDDFOI2019-052

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1	Video File	25 Feb 2019	Full release	N/A	No
Total No of Docs						
4						