



ACT
Government

Chief Minister, Treasury and
Economic Development

Freedom of Information Disclosure Log Publication Coversheet

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

Application Details	
Ref. No.	CMTEDDFOI 2024-045
Date of Application	13 February 2024
Date of Decision	21 March 2024
Processing time (in working days)	26
Fees	N/A
Decision on Access	No Documents Found
Information Requested (summary)	Information relating to accident on footpath.
Publication Details	
Original application	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Decision notice	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Documents and schedule	<input type="checkbox"/> Published <input checked="" type="checkbox"/> N/A
Decision made by Ombudsman	N/A
Additional information identified by Ombudsman	N/A
Decision made by ACAT	N/A
Additional information identified by ACAT	N/A

From: no-reply@act.gov.au
To: [CMTEDD.FOI](#)
Subject: CMTEDDFOI 2024-045 Freedom of Information request
Date: Tuesday, 13 February 2024 6:07:18 PM

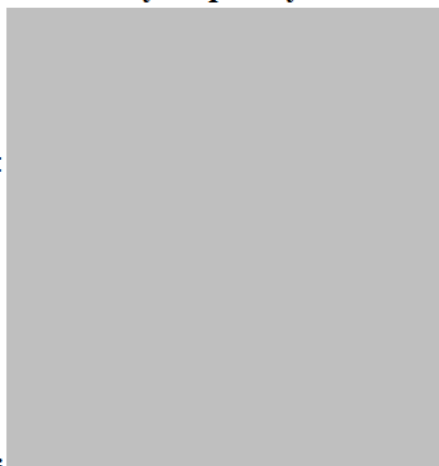
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Please find online enquiry details below. Please ensure this enquiry is responded to within fourteen working days.

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:
First Name:
Last Name:
Business/Organisation:
Address:
Suburb:
Postcode:
State/Territory:
Phone/mobile:
Email address:

A large grey rectangular area redacting the user's personal details in the form fields.

Request for informati

(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):

We act for [redacted] with respect to an accident which occurred on the footpath [redacted] on 39 Ainslie Place, Canberra ACT 2601 on 31 August 2023 ("the Accident"). 1. Any documents in your possession in relation to the Accident on 31 August 2023; 2. Internal procedures with respect to the maintenance of the Premises and procedures that are or should be adopted to ensure the potential hazards are removed; 3. Internally generated reports or all documentation including file notes, investigation notes/reports and statements relating to the Accident or the area where our client sustained injury; 4. Maintenance/repair records for the relevant footpath area where our client tripped over from two years prior to the Accident to date including subsequent to the Accident; 5. Any photos and reports, notes or complaints made on 31 August 2023 in relation to the Accident; 6. Any complaints made about the Premises prior to 31 August 2023; 7. Any internally generated reports or all documentation relating to any injuries sustained on the Premises prior to 31 August 2023; 8. Any and all photos of the relevant footpath area where our client tripped over on the date of the

Accident; 9. Document relating to any complaints that were made regarding the Premises where our client fell; and 10. Any CCTV video surveillance from 6 hours before the Accident to 6 hours after the Accident.

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

Thank you.
Freedom of Information Coordinator



ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI 2024-045



FREEDOM OF INFORMATION REQUEST – NOTICE OF DECISION

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 13 February 2024.

Specifically, you have sought access to the following information: *We act for [redacted] with respect to an accident which occurred on the footpath [redacted] on 39 Ainslie Place, Canberra ACT 2601 (“the Premises”) on 31 August 2023 (“the Accident”). The accident occurred at approximately 12:50pm.*

1. Any documents in your possession in relation to the Accident on 31 August 2023;
2. Internal procedures with respect to the maintenance of the Premises and procedures that are or should be adopted to ensure the potential hazards are removed;
3. Internally generated reports or all documentation including file notes, investigation notes/reports and statements relating to the Accident or the area where our client sustained injury;
4. Maintenance/repair records for the relevant footpath area where our client tripped over from two years prior to the Accident to date including subsequent to the Accident;
5. Any photos and reports, notes or complaints made on 31 August 2023 in relation to the Accident;
6. Any complaints made about the Premises prior to 31 August 2023;
7. Any internally generated reports or all documentation relating to any injuries sustained on the Premises prior to 31 August 2023;
8. Any and all photos of the relevant footpath area where our client tripped over on the date of the Accident;
9. Document relating to any complaints that were made regarding the Premises where our client fell; and
10. Any CCTV video surveillance from 30 minutes before the Accident to 30 minutes after the Accident.

Please note that points 4 and 10 were transferred in full to other directorates within the ACT Government.

Authority

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

Timeframes

In accordance with section 40 of the Act, CMTEDD is required to provide a decision on your access application within 30 days. Therefore, a decision is due by **27 March 2024**.

Decision on access

A search of CMTEDD records has failed to identify any documentation in relation to your request. I am satisfied that appropriate searches were completed and that no documents relevant to your request are held by CMTEDD.

Charges

Pursuant to *Freedom of Information (Fees) Determination 2017 (No 2)* processing charges are not applicable for this request as no documents are being released to you.

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 and my decision will be published on the CMTEDD disclosure log. 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 provided to you, or a longer period allowed by the Ombudsman.

We recommend using this form [Applying for an Ombudsman Review](#) to ensure you provide all of the required information. Alternatively, 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(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
<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.

Yours sincerely



Katharine Stuart
Information Officer
Chief Minister, Treasury and Economic Development Directorate

21 March 2024