



**ACT**  
Government

Territory and Municipal Services

Dear

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## Freedom of information request – Traffic Management in Holt

I refer to your application made under the *Freedom of Information Act 1989* (the FOI Act) received on 12 December 2012, in which you sought access to documents held by the Territory and Municipal Services Directorate in 2012 in relation to traffic management in Holt.

### Decision

I am an officer authorised under section 22 of the FOI Act to make a decision in relation to your request.

Seventy-eight documents have been located that fall within the scope of your request. To assist you, I have included a schedule of documents at [Attachment A](#).

I have decided to release documents 9, 11, 13, 16, 18-25, 39-41, 43, 46, 48-56, 66, 68, 71-72, 74 and 78 to you in full.

I have decided to partially exempt material from documents 1-8, 12, 14-15, 17, 26-38, 45, 57-65, 67 pursuant to section 41 of the FOI Act, which provides:

#### **41 Documents affecting personal privacy**

- (1) A document is an exempt document if its disclosure under this Act would involve the unreasonable disclosure of information relating to the personal affairs of any person (including a deceased person).

The exempt material contains information relating to the personal information of residents of Holt, including their names, addresses and other contact details. I have also deleted some out of scope information from document 27.

I have partially exempted documents 10, 42, 44, 47, 69-70, 73, 75-77 from release pursuant to section 43(1)(c)(i) of the Act, which provides:

**43 Documents relating to business affairs**

(1) A document is an exempt document if its disclosure under this Act would disclose—

[...]

(c) information [...] concerning a person in respect of his or her business or professional affairs or concerning the business, commercial or financial affairs of an organisation or undertaking, being information—

(i) the disclosure of which would, or could reasonably be expected to, unreasonably affect that person adversely in respect of his or her lawful business or professional affairs or that organisation or undertaking in respect of its lawful business, commercial or financial affairs[.]

The exempt material contains pricing information of a third party contractor, and I have decided that the release of this information would unreasonably affect that third party's business affairs, particularly if released to its competitors.

**Fees and charges**

Freedom of information requests attract fees and charges for time spent searching and retrieving documents, decision-making time and photocopying.

You have asked for remission of any applicable charges on the basis that the release of the documents is in the public interest. I accept that, in this instance, there is a public interest in the release of these documents and I have agreed to remit all charges incurred in relation to this request.

**Right of review**

If you are dissatisfied with my decision, you have the right to seek an internal review. If you wish to seek an internal review you should write to:

The Director-General  
Territory and Municipal Services Directorate  
C/- Freedom of Information Officer  
GPO Box 158  
CANBERRA ACT 2601

You have 28 days from the date of the decision letter to seek a review of the outcome or such other period as the Director-General permits.

### **ACT Civil and Administrative Tribunal**

If you are still dissatisfied after the directorate has conducted an internal review, you can seek an independent review of the decision by the ACT Civil and Administrative Tribunal. You have 28 days from the date of the internal review decision to seek a review from the Tribunal.

The Tribunal is an independent body. It can agree with, change or reject the original decision, substitute its own decision or send the matter back to the decision maker for reconsideration in accordance with Tribunal recommendations.

To apply to the Tribunal for a review you can obtain an application form from the Tribunal ([www.acat.act.gov.au](http://www.acat.act.gov.au)). The postal address of the Tribunal is:

ACT Civil and Administrative Tribunal  
GPO Box 370  
CANBERRA ACT 2601

### **Ombudsman**

You also have the right to complain to the Ombudsman about the processing of your request. If you wish to lodge a complaint you should write to:

The ACT Ombudsman  
GPO Box 442  
CANBERRA ACT 2601

### **Further information**

If you have any questions in relation to your request please contact the Directorate's FOI Coordinator on 6205 5408 or [tamsfoi@act.gov.au](mailto:tamsfoi@act.gov.au).

Yours sincerely



Paul Peters  
Executive Director  
Roads and Public Transport

21 February 2013