



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 2024-391
Date of Application	29 November 2024
Date of Decision	17 December 2024
Processing time (in working days)	12
Fees	N/A
Decision on Access	Full Release
Information Requested (summary)	How many infringement notices issued for centre of Lonsdale Street.
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 checked="" type="checkbox"/> Published <input 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: [TCCS_FreedomOfInformation](#)
To: [CMTEDD_FOI](#)
Subject: Transfer check - TCCS 24-073 - Freedom of Information
Date: Friday, 29 November 2024 9:05:46 AM
Attachments: [JWQNZJ3T.pdf](#)

OFFICIAL: Sensitive - Personal Privacy

Good morning team,

TCCS has received the attached application requesting access to the following information:

“In the last 2 years:

How many parking infringement notices has the ACT Government issued for vehicles parked in the centre section (vertical middle) of Lonsdale Street in Braddon ACT 2612, and;

How many of these infringement notices have been disputed?”

Can you please advise if CMTEDD are likely to hold information, and if so, accept full transfer of this application?

Kind regards,

Sam

Samantha Irons | Director

Phone: 02 6207 9242 | Email: TCCS.FOI@act.gov.au

Information Access | Procurement, Legal and Information Access | Transport Canberra and City Services Directorate | ACT Government

480 Northbourne Avenue, Dickson 2602 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: smartforms@act.gov.au <smartforms@act.gov.au>

Sent: Wednesday, 27 November 2024 3:19 PM

To: TCCS_FreedomOfInformation <TCCS.FOI@act.gov.au>

Subject: 24-073 - Freedom of Information - Access Application to Transport Canberra and City Services, JWQNZJ3T, [SEC=UNCLASSIFIED, DLM=Sensitive: Personal]

Freedom of Information - Access Application to Transport Canberra and City Services

Form data summary

Type of information	Other information
Reference code	JWQNZJ3T

For issues or questions relating to SmartForms please contact the Payment Services Integration Team on *5 4607 or email smartforms.admin@act.gov.au.

Freedom of Information - Access Application to Transport Canberra and City Services - Submission confirmation

Your submission has been successful. Please keep a copy of this receipt for your records.

Date and time

27 Nov 2024 3:16:01 PM

Reference code

JWQNZJ3T

Transport Canberra and City Services
(TCCS)

GPO Box 158
Canberra City, ACT 2601

Phone: 02 6207 2987
TCCS.FOI@act.gov.au

Applicant details

Title

Given name

Family name

Preferred name

Preferred method of contact

Phone

Email

Post

Contact phone number

Contact email address

Contact postal address

Address line 1

Address line 2

Suburb

State

Postcode

Preferred method to receive information*

Email

Post

Same as contact email address

Information request

Who are you making the request on behalf of?

Myself

What type of information are you requesting access to?*

Other information

What information are you requesting access to under the Act?*

In the last 2 years: How many parking infringement notices has the ACT Government issued for vehicles parked in the centre section (vertical middle) of Lonsdale Street in Braddon ACT 2612, and; How many of these infringement notices have been disputed?

Attach a description or additional details about the information you are requesting access to (optional)

Do you have a similar or identical request currently under review by another ACT Government Directorate?

Yes

No

Are you enquiring as

A member of the public



Do you wish to apply for a waiver of fees associated with processing your application?

Yes

No

Do you hold a valid concession card?

Yes

No

Please provide your reason for requesting a fee waiver

I am requesting this information in an effort to perform a dutiful public service. As a member of the community who frequents the area I continue to see parking infringements issued which I suspect are done so illegally, or at least with poor judgement, due to the lack thereof/incessant number of contradictory and confusing parking signs.

Provide a statement about how the release of information is in the public interest (optional)

As above. I have raised this with the relevant department but continue to be disappointed with their responses, or lack thereof.

Would you like to provide any additional information? (optional)

No, I believe my reasoning is sufficiently reflected above. Thank you.

Attach additional documents to support your application (optional)



ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI 2024-391



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 29 November 2024.

Specifically, you have sought access to the following information:

- *In the last 2 years:*
 - *How many parking infringement notices has the ACT Government issued for vehicles parked in the centre section (vertical middle) of Lonsdale Street in Braddon ACT 2612, and;*
 - *How many of these infringement notices have been disputed?*

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 **20 January 2025**.

Decision on access

Searches of CMTEDD records have identified one document within the scope of your request.

I have decided to grant **full access** to one document.

Release of documents

The information being released to you is provided at **Attachment A**.

Statement of Reasons

In accordance with section 54(2) of the Act a statement of reasons outlining my decisions is below. In reaching my access decisions, I have taken the following into account:

- the Act
- the information that falls within the scope of your request

As a decision maker, I am required to determine whether the information within scope is in the public interest to release. To make this decision, I am required to:

- assess whether the information would be contrary to public interest to disclose as per **Schedule 1** of the Act.
- perform the public interest test as set out in section 17 of the Act by balancing the factors favouring disclosure and factors favouring non-disclosure in **Schedule 2** of the Act.

Exemptions claimed

Schedule 1: Information taken to be contrary to the public interest.

My reasons for deciding not to grant access to the identified documents and components of these documents are as follows:

- *No relevant sections identified.*

Public Interest Test

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interests lies. As part of this process I must consider factors favouring disclosure and non-disclosure.

In *Hogan v Hinch* (2011) 243 CLR 506, [31] French CJ stated that when ‘used in a statute, the term [public interest] derives its content from “the subject matter and the scope and purpose” of the enactment in which it appears’. Section 17(1) of the Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and Schedule 2 of the Act.

Schedule 2: Factors to be considered when deciding the public interest.

Taking into consideration the information contained in the documents found to be within the scope of your request, I have identified that the following public interest factors are relevant to determine if release of the information contained within these documents is within the ‘public interest’.

Factors favouring disclosure (Section 2.1)

- *Section 2.1(a)(ii) - contribute to positive and informed debate on important issues or matters of public interest.*

I am satisfied that these factors favouring disclosure carry some weight. However, these factors are to be balanced against the factors favouring nondisclosure.

Factors favouring non disclosure (Section 2.2)

- *No relevant sections identified*

Charges

Processing charges are not applicable for this request because the number of pages released to you is below the charging threshold of 50 pages.

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

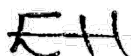
Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

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 the CMTEDD FOI Team by telephone on 6207 7754 or email CMTEDDFOI@act.gov.au.

Yours sincerely



Emma Hotham
Information Officer
Chief Minister, Treasury and Economic Development Directorate

17 December 2024

1. In the last 2 years (01/01/2023 to 05/12/2024): How many parking infringement notices has the ACT Government issued for vehicles parked in the centre section (vertical middle) of Lonsdale Street in Braddon ACT 2612?

Access Canberra does not hold this information. However, 707 parking infringement notices were issued with the location of Lonsdale Street, Braddon between 01 January 2023 and 05 December 2024.

2. How many of these infringement notices have been disputed?

Between 01 January 2023 and 05 December 2024, 46 disputes of liability were received regarding a parking infringement notice issued with the location of Lonsdale Street, Braddon.