



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 2021-339

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents	Published
4. Additional information identified	No
5. Fees	N/A
6. Processing time (in working days)	4 working days
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

From: [REDACTED]
To: [Yule, Kelly-Jane](#)
Subject: 2021-339 Freedom of Information request
Date: Saturday, 27 November 2021 8:47:29 AM
Attachments: [2021.10.18 VS20089 B32, S19 Campbell C.11\[8\].pdf](#)

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Kelly,

I have placed the following request via the Access Canberra portal, but I'm also sending it directly to you in the hope that it will help to get it started.

I am requesting information via FOI regarding any communication provided by the EDP to the National Capital Authority that might have informed the temporary traffic management plan that has been authorised for construction at 71 Constitution Avenue. Specifically I need any communication regarding public safety aspects that would impact the street at Getting Crescent which is now totally unsafe for pedestrians and cyclists. Although the NCA had authority and granted the TTMP, they were required to consult the EDP and I need any records of this consultation. So far, my contact with EDP has been with Zebedee Mahoney | Team Leader – DA Lodgement who simply forwarded my request for information to the NCA. I attach the authorised TTMP for clarification of the site and details.

Regards,

[REDACTED]



ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI 2021-339



FREEDOM OF INFORMATION REQUEST

I am writing to you in response 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 2021, in which you sought access to:

- “...any communication provided by the EDP to the National Capital Authority that might have informed the temporary traffic management plan that has been authorised for construction at 71 Constitution Avenue. Specifically, I need any communication regarding public safety aspects that would impact the street at Getting Crescent which is now totally unsafe for pedestrians and cyclists. Although the NCA had authority and granted the TTMP, they were required to consult the EDP and I need any records of this consultation. So far, my contact with EDP has been with Zebedee Mahoney | Team Leader– DA Lodgement who simply forwarded my request for information to the NCA.

Authority

As an appointed Information Officer under section 18 of the Act, I am authorised to make a decision on access or amendment to government information in the possession or control of CMTEDD.

Timeframes

In accordance with section 40 of the Act, CMTEDD is required to provide a decision on your access application by 29 December 2021.

Decision on access

A search was conducted with Zebedee Mahoney using the information you provided in your request and two documents were found. Mr Mahoney advised that you were copied into both these documents (emails). I have provided these as a courtesy as Attachment A.

Transport Canberra and City Services (TCCS) and Environment, Planning and Sustainable Development Directorate (EPSDD) were also contacted as asked if they hold any

information. Both Directorates advised they hold no documents in the scope of your request.

I am satisfied that no additional documents other than what is provided to you as Attachment A are held by CMTEDD.

Additional Information

You may wish to write to the National Capital Authority as they may hold further information in relation to your request. You can write to them at foi@nca.gov.au.

Charges

Pursuant to *Freedom of Information (Fees) Determination 2017 (No 2)* processing charges are not applicable for this request.

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 notice will be published in the CMTEDD disclosure log after 3 days after the date of my decision. Your personal contact details will not be published.

You may view CMTEDD disclosure log at <https://www.cmtedd.act.gov.au/functions/foi>.

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 made, 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
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.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K Stuart'.

Katharine Stuart
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate
3 December 2021

From: [AC, EPD Customer Services](#)
To: [TCCS_DC DevelopmentCoordination](#)
Cc: [REDACTED]
Subject: RE: FW: Temporary traffic management plans for construction at Block 32 Section 19, 71 Constitution Avenue
Date: Friday, 26 November 2021 4:33:00 PM
Attachments: [image001.png](#)

Good Afternoon,

Could you please assist [REDACTED] with her questions regarding a traffic management plans for 32/19 Campbell. National Capital Authority (NCA) are building an apartment building on this site, so we are unable to provide plans. Hopefully, there will be a traffic management plan specifically for Getting Crescent that was supplied to you.

Thanks so much!

Kind Regards,

Zebedee Mahoney | Team Leader – DA Lodgement

Phone: 02 6207 1923 | Email: ACepdcustomerservices@act.gov.au

Chief Minister Treasury and Economic Development Directorate | Access Canberra – Land, Planning and Building Services

8 Darling Street Mitchell ACT 2911 | GPO BOX 158 Canberra ACT 2601 |

www.act.gov.au/accessCBR



From: [REDACTED]
Sent: Friday, 26 November 2021 2:09 PM
To: AC, EPD Customer Services <ACEPDCustomerServices@act.gov.au>
Subject: Re: FW: Temporary traffic management plans for construction at Block 32 Section 19, 71 Constitution Avenue

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Good Afternoon,

Obviously the ACT is responsible for Getting Crescent. Otherwise why would you have the DA plans that you sent me earlier?

Regards,

[REDACTED]

On Fri, Nov 26, 2021 at 1:56 PM AC, EPD Customer Services

<ACEPDCustomerServices@act.gov.au> wrote:

Good Afternoon [REDACTED]

Upon further investigation, this build is being handled by the National Capital Authority which I have cc'd in. In this case, a development application is not required.

NCA – Can you please assist Lisa with concerns relating to public pedestrian and cyclist safety.

For your convenience, I have copied her original request here.

Hi ACEPD Customer Services,

Would you please provide copies of all TTMPs for this construction site? In particular, any documentation regarding how they planned to address issues of safety for pedestrians and cyclists. I've been provided some plans by Hindmarsh, but I want to ensure that I have a copy of all of the plans and any background regarding public safety. Also, we have noticed a couple of

errors in the approved plans that Hindmarsh have provided us. How can we get these errors corrected on the approved plans?

Kind Regards,

Zebedee Mahoney | Team Leader – DA Lodgement

Phone: 02 6207 1923 | Email: ACepdcustomerservices@act.gov.au

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From: [REDACTED]

Sent: Friday, 26 November 2021 12:54 PM

To: AC, EPD Customer Services <ACEPDCustomerServices@act.gov.au>

Subject: Re: Temporary traffic management plans for construction at Block 32 Section 19, 71 Constitution Avenue

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Hi Zebedee,

Also, the DA states

A development application cannot be lodged if the development proposal meets one of the triggers and the application does not include the pre-DA lodgement community consultation form.

Do you have the pre-DA lodgement community consultation form regarding Getting Crescent or did I miss that?

Regards,

[REDACTED]

On Fri, Nov 26, 2021 at 12:43 PM [REDACTED] > wrote:

Hi Zebedee,

Thank you. Can you let me know the process to get the plans corrected/amended?

Regards,

[REDACTED]

On Fri, Nov 26, 2021 at 12:31 PM AC, EPD Customer Services

<ACEPDCustomerServices@act.gov.au> wrote:

Good Afternoon [REDACTED]

I have attached all documentation we have in relation to 201834687.

Please let me know if I can assist further.

Kind Regards,

Zebedee Mahoney | Team Leader – DA Lodgement

Phone: 02 6207 1923 | Email: ACepdcustomerservices@act.gov.au

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www.act.gov.au/accessCBR



From: [Redacted]

Sent: Friday, 26 November 2021 11:25 AM

To: AC, EPD Customer Services <ACEPDCustomerServices@act.gov.au>

Subject: Re: Temporary traffic management plans for construction at Block 32 Section 19, 71 Constitution Avenue

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Hi Zebedee,

I need all of the plans and background documentation regarding public safety to do with the site detailed on the attached TTMP.

Regards,



On Fri, Nov 26, 2021 at 10:34 AM AC, EPD Customer Services

<ACEPDCustomerServices@act.gov.au> wrote:

Good Morning,

Can I please confirm this for 32/19 Campbell 201834687?

Kind Regards,

Zebedee Mahoney | Team Leader – DA Lodgement

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Sent: Friday, 26 November 2021 10:30 AM

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Regards,



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Yule, Kelly-Jane

From: AC, EPD Customer Services
Sent: Friday, 26 November 2021 1:57 PM
To: [REDACTED]
Cc: 'worksapproval@nca.gov.au'
Subject: FW: Temporary traffic management plans for construction at Block 32 Section 19, 71 Constitution Avenue

Good Afternoon [REDACTED],

Upon further investigation, this build is being handled by the National Capital Authority which I have cc'd in. In this case, a development application is not required.

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