



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 2019-151

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)	3
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



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Transport Canberra
and City Services

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, Transport Canberra and City Services 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 Transport Canberra and City Services Privacy Policy contains information on how you can access or seek to correct any of your personal information that is held by the Transport Canberra and City Services, 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 Transport Canberra and City Services website at www.tccs.act.gov.au.

Applicant details

I wish to make an access application to Transport Canberra and City Services under the *Freedom of Information Act 2016*.

Name

Address

(where notices relating to this request can be sent – either postal or electronic)

Telephone Contact (Business Hours)

Telephone Contact (Mobile)

Email Contact

What documents are you requesting under the Act?

- To help Transport Canberra and City Services 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 agent.
- If for reasons in section 30 of the Act is not compliant and your application cannot be processed, Transport Canberra and City Services will take reasonable steps to assist you and give you reasonable time to amend your application if you wish.

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 (Ombudsman guidelines see Section 66).
- 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.

Transport Canberra and City Services 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).

[provide details and evidence of how this reason applies]

I would like

a copy of these documents sent to the above address

OR

to inspect these document

APPLICANTS SIGNATURE

DATE OF REQUEST



3 17 19

[REDACTED]

2 July 2019

Transport Canberra & City Services
Freedom of Information Request
GPO Box 158
Canberra City ACT 2601

Dear Sir/Madam

[REDACTED]

We act for the [REDACTED]

We are instructed that [REDACTED] was involved in an MVA on 2 March 2018 at approximately 10:20 PM at the roundabout on Gundaroo Drive and Barton Highway. The accident occurred on the eastern end of the roundabout involving a car in which [REDACTED] was a passenger in.

Our research indicates that there is a traffic camera location just prior to that roundabout/intersection and we would like to obtain that footage and any relevant footage that any traffic camera within the roundabout may have captured, if there is a camera so located. We seek to obtain the footage from the relevant cameras for the period of 9 PM on 2 March 2018 to 12 AM on 3 March 2018.

The details of the camera we have identified are as follows:

Barton Hwy, Crace ACT 2911, Australia
CAMERA TYPE: MOBILE SPEED CAMERA
CAMERA LOCATION CODE: 4000
Location: (-35.202827°, 149.096463°)

To assist we have enclosed herewith [REDACTED] Motor Accident Notification form as well as our client's authority.

If you have any further questions, please contact our offices.

Yours faithfully

[REDACTED]

Encl.

[REDACTED]

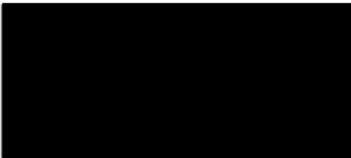


ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI2019-151

Your ref: [REDACTED]



via email: [REDACTED]

Dear [REDACTED]

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 4 July 2019, in which you sought access to any relevant camera footage from a mobile speed camera that was situated at the roundabout on Gundaroo Drive and Barton Highway on 2 March 2018 at approximately 10:20PM.

Specifically, you are seeking: *"...Our research indicates that there is a traffic camera location just prior to that roundabout/intersection and we would like to obtain that footage and any relevant footage that any traffic camera within the roundabout may have captured, if there is a camera so located. We seek to obtain the footage from the relevant cameras for the period of 9 PM on 2 March 2018 to 12 AM on 3 March 2018."*

"The details of the camera we have identified are as follows:

Barton Hwy, Crace ACT 2911, Australia

CAMERA TYPE: MOBILE SPEED CAMERA

CAMERA LOCATION CODE: 4000 Location: (-35.202827°, 149.096463°)"

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 1 August 2019.

Decision on access

A search of the CMTEDD records has failed to identify any documentation in relation to your request. In conducting searches for this information, the Transport Licensing and Infringements review team advised that no mobile speed cameras were in operation at the specified site (camera location code 4000) on 2 March 2018. As a result, there are no images or documentation in the possession of CMTEDD.

I am satisfied that appropriate searches were completed and that no documents relevant to your request exist.

Charges

Pursuant to *Freedom of Information (Fees) Determination 2017 (No 2)* processing charges are not applicable for this request because no information is 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. A description of the access application and my decision will be published in the CMTEDD disclosure log after 8 July 2019. Your personal contact details will not be published.

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

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 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

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 be 'DR', written in a cursive style.

Daniel Riley
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate

a July 2019