



**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 2022-385

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)	25
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:** [CMTEDD FOI](#)  
**Cc:** [REDACTED]  
**Subject:** RE: CLARIFICATION: 2022-385 - Freedom of Information request  
**Date:** Friday, 9 December 2022 12:32:57 PM

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Hi Aaron,

Further to our conversation of this morning, I'd like to clarify my request as follows:

I'd like to request, under the Freedom of Information Act 2016, all documentation in relation to:

1. the fluctuation in manpower to Access Canberra's Infringement Management section from the **12 months prior to the recalibration from 60kph to 40kph of speed cameras 1001, 1002 and 1020 up to November 2022.**
2. correspondence between Minister Chris Steel's office and Access Canberra Management pertaining to the installation of cameras 1001, 1002 and 1020 - specifically relating to general public feedback and comments made by Access Canberra to the Minister relating to feedback and any responses from the Minister's office. I don't expect copies of actual correspondence from the public but an actual number of Requests for Withdrawal of Notices within the same time spans as above will suffice, along with comments by the Minister to the Chief Minister and relevant responses that relate to public backlash. This is a specific and serious request as I am interested to know what was discussed between the departments when they realised the effect of these speed zones and how they have rationalised the continuance of them (if they HAVE in fact done that).
3. I also request a breakdown of the number, speeds and type of infringements issued including the number of **non-Canberra registrations** that these numbers include both before and after the recalibration of the speeds.
4. I also request a comparison of the most productive speed camera in camera (both in number and dollar terms) prior to the recalibration of the same aforementioned cameras on Northbourne and Barry Drive and the forecast income from these speed cameras over the next 12 months compared with the previously most productive camera (income-generating wise)
5. I also request copies of any internal memos between the Chief Minister's office and Chris Steel's office pertaining to the decision-making to recalibrate the cameras in question in those specific areas and the subsequent public response. I am not interested in the general 40 kph zoning in and around the city - only on Northbourne Ave and Barry Drive.
6. Comments by Access Canberra and the Minister's office relating to the imposition of the across-the-board speed 40kph restrictions zones throughout Canberra's main centres i.e. the new Vision that the ACT Government has in relation to slowing traffic down throughout the centres and their rationalisation applying a generic policy. Statistics included please.

Please note: When considering this request, if it will help in clarifying, I am establishing a case against the government for applying the 40 kph speed zones in the areas that these cameras relate to. I am totally transparent about this as I want the government to show how they have

justified these restrictions and the 'data' that they are using to support this 'vision'!

Please contact me if you require further information.

Regards,

[REDACTED]

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**From:** CMTEDD FOI <CMTEDDFOI@act.gov.au>  
**Sent:** Thursday, 8 December 2022 5:57 PM  
**To:** [REDACTED]  
**Cc:** CMTEDD FOI <CMTEDDFOI@act.gov.au>  
**Subject:** CLARIFICATION: 2022-385 - Freedom of Information request

OFFICIAL

CMTEDDFOI2022-385

Dear [REDACTED]

Thank you for submitting a Freedom of Information (FOI) request with Chief Minister, Treasury and Economic Development Directorate (CMTEDD) for the following information:

"I'd like to request, under the Freedom of Information Act 2016, all documentation in relation to:

- the fluctuation in manpower to Access Canberra's Infringement Management section from the 12 months prior to the installation of speed cameras 1001, 1002 and 1020 up to November 2022.
- correspondence between Minister Chris Steel's office and Access Canberra Management pertaining to the installation of cameras 1001, 1002 and 1020 - specifically relating to general public feedback and comments made by Access Canberra to the Minister relating to feedback and any responses from the Minister's office.
- I also request a breakdown of the number and type of infringements issued including the number of infringements challenged and withdrawn over the same time period.
- I also request a comparison of the most productive speed camera in camera (both in number and dollar terms) prior to the installation of the cameras on Northbourne and Barry Drive (specifically cameras 1001, 1002 & 1020) and the forecast income from these speed cameras over the next 12 months compared with the previously most productive camera (income-generating wise)
- I also request copies of any internal memos between the Chief Minister's office and Chris Steel's office pertaining to the decision-making to install the cameras in question in those specific areas and the subsequent public response. I am not interested in the general 40 kph zoning in and around the city - only on Northbourne Ave and Barry Drive."

I am writing to you to seek clarification of scope.

Your request focusses on speed cameras 1001, 1002 and 1020 and you have asked for information going back 23 years (speed cameras 1001, 1002 and 1020 were installed 2000, 2002

and 2002 respectively). This is a large volume of data and the business area has asked me to clarify if it is 23 years' worth of data you are after or if it is something more specific / shorter time frame?

Please be advised that in accordance with section 34(4) of the *Freedom of Information Act 2016* processing of this request has been suspended as of today, until such time as you have an opportunity to advise on how you would like to proceed.

Please do not hesitate to contact me should you wish to discuss further.

Kind regards

**Aaron Neeves | Freedom of Information Coordinator | Information Access Team**

Ph: 6207 7754 | Email: [CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au)

**Corporate | Chief Minister, Treasury and Economic Development Directorate | ACT Government**

Level 5, 220 London Circuit, Canberra ACT 2601 | GPO Box 158 Canberra ACT 2601 | [act.gov.au](http://act.gov.au)

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**From:** [no-reply@act.gov.au](mailto:no-reply@act.gov.au)  
**To:** [CMTEDD FOI](#)  
**Subject:** 2022-385 - Freedom of Information request  
**Date:** Friday, 2 December 2022 12:12:12 PM

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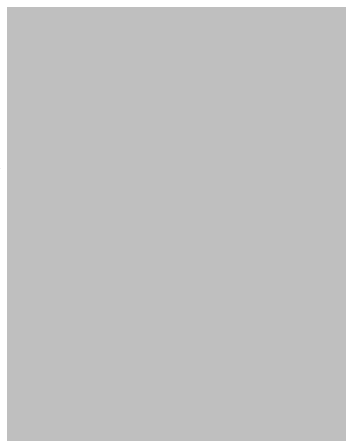
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Please find online enquiry details below. Please ensure this enquiry is responded to within fourteen working days.

### 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 box redacting the contact details provided in the form.

### Request for information

**(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):

I'd like to request, under the Freedom of Information Act 2016, all documentation in relation to: - the fluctuation in manpower to Access Canberra's Infringement Management section from the 12 months prior to the installation of speed cameras 1001, 1002 and 1020 up to November 2022. - correspondence between Minister Chris Steel's office and Access Canberra Management pertaining to the installation of cameras 1001, 1002 and 1020 - specifically relating to general public feedback and comments made by Access Canberra to the Minister relating to feedback and any responses from the Minister's office. I also request a breakdown of the number and type of infringements issued including the number of infringements challenged and withdrawn over the same time period. I also request a comparison of the most productive speed camera in camera (both in number and dollar terms) prior to the installation of the cameras on Northbourne and Barry Drive (specifically cameras 1001, 1002 & 1020) and the forecast income from these speed cameras over the next 12 months compared with the previously most productive camera (income-generating wise) I also request copies of any internal memos between the Chief Minister's office and Chris Steel's office pertaining to the

decision-making to install the cameras in question in those specific areas and the subsequent public response.

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

I am not interested in the general 40 kph zoning in and around the city - only on Northbourne Ave and Barry Drive.

Thank you.  
Freedom of Information Coordinator



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

Our ref: CMTEDDFOI2022-385



Dear 

## 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 02 December 2022. Specifically, you were seeking:

*"All documentation in relation to: - the fluctuation in manpower to Access Canberra's Infringement Management section from the 12 months prior to the installation of speed cameras 1001, 1002 and 1020 up to November 2022. - correspondence between Minister Chris Steel's office and Access Canberra Management pertaining to the installation of cameras 1001, 1002 and 1020 - specifically relating to general public feedback and comments made by Access Canberra to the Minister relating to feedback and any responses from the Minister's office. I also request a breakdown of the number and type of infringements issued including the number of infringements challenged and withdrawn over the same time period. I also request a comparison of the most productive speed camera in camera (both in number and dollar terms) prior to the installation of the cameras on Northbourne and Barry Drive (specifically cameras 1001, 1002 & 1020) and the forecast income from these speed cameras over the next 12 months compared with the previously most productive camera (income-generating wise) I also request copies of any internal memos between the Chief Minister's office and Chris Steel's office pertaining to the decision-making to install the cameras in question in those specific areas and the subsequent public response. I am not interested in the general 40 kph zoning in and around the city - only on Northbourne Ave and Barry Drive."*

On 8 December 2022 an information coordinator contacted you regarding a rescope. On 9 December 2022 you agreed to a new scope:

*"I'd like to request, under the Freedom of Information Act 2016, all documentation in relation to:*

- 1. the fluctuation in manpower to Access Canberra's Infringement Management section from the 12 months prior to the recalibration from 60kph to 40kph of speed cameras 1001, 1002 and 1020 up to November 2022.*
- 2. correspondence between Minister Chris Steel's office and Access Canberra Management*

*pertaining to the installation of cameras 1001, 1002 and 1020 - specifically relating to general public feedback and comments made by Access Canberra to the Minister relating to feedback and any responses from the Minister's office. I don't expect copies of actual correspondence from the public but an actual number of Requests for Withdrawal of Notices within the same time spans as above will suffice, along with comments by the Minister to the Chief Minister and relevant responses that relate to public backlash. This is a specific and serious request as I am interested to know what was discussed between the departments when they realised the effect of these speed zones and how they have rationalised the continuance of them (if they HAVE in fact done that).*

- 3. I also request a breakdown of the number, speeds and type of infringements issued including the number of non-Canberra registrations that these numbers include both before and after the recalibration of the speeds.*
- 4. I also request a comparison of the most productive speed camera in camera (both in number and dollar terms) prior to the recalibration of the same aforementioned cameras on Northbourne and Barry Drive and the forecast income from these speed cameras over the next 12 months compared with the previously most productive camera (income-generating wise)*
- 5. I also request copies of any internal memos between the Chief Minister's office and Chris Steel's office pertaining to the decision-making to recalibrate the cameras in question in those specific areas and the subsequent public response. I am not interested in the general 40 kph zoning in and around the city - only on Northbourne Ave and Barry Drive.*
- 6. Comments by Access Canberra and the Minister's office relating to the imposition of the across-the-board speed 40kph restrictions zones throughout Canberra's main centres i.e. the new Vision that the ACT Government has in relation to slowing traffic down throughout the centres and their rationalisation applying a generic policy. Statistics included please."*

**Please note** your request was partially transferred to Transport Canberra and City Services (TCCS) as they also hold information related to this request. TCCS will respond to you separately.

### **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 with section 40 of the Act, CMTEDD was required to provide a decision on your access application by 4 January 2023. However, once the scope was clarified, the due date for a decision is now 11 January 2023.

### **Decision on access**

An information search of CMTEDD records was conducted based on information provided by you. While traditional documents were not identified, data was found and has been provided in the responses following my statement of reasons. A statement of reasons is provided in accordance with section 54(2) of the Act.



## **Statement of reasons**

### Information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act

#### Public Interest

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interest 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 [public interest] 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.

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 in the public interest:

- (a) *disclosure of the information could reasonably be expected to do any of the following:*
- (ii) *contribute to positive and informed debate on important issues or matters of public interest.*
  - (iii) *inform the community of the government’s operations, including the policies, guidelines and codes of conduct followed by the government in its dealings with members of the community.*

I have put substantial weight on the above factors favouring disclosure. I note that the information requested relates to traffic arrangements which are issues that are of interest to the community. The release of this information can reasonably be expected to provide information that will inform the community and increase their understanding of government operations.

I did not identify any factor favouring non-release and have decided to release this information to you in full.

#### **Material considered**

In reaching my access decisions, I have taken the following into account:

- the Act,
- the content of the information that falls within the scope of your request.

## Information released

1. **The fluctuation in manpower to Access Canberra's Infringement Management section from the 12 months prior to the recalibration from 60kph to 40kph of speed cameras 1001, 1002 and 1020 up to November 2022.**

Table 1 FTE for Infringement Review based on occupancy reports

Infringement Review	
Month	FTE
June 2020	32.56
December 2020	19.76
June 2021	25.8
December 2021	25.64
June 2022	38.71

2. **Correspondence between Minister Chris Steel's office and Access Canberra Management pertaining to the installation of cameras 1001, 1002 and 1020 - specifically relating to general public feedback and comments made by Access Canberra to the Minister relating to feedback and any responses from the Minister's office.**

CMTEDD does not hold any information on this point.

- **Number of Requests for Withdrawal of Notices within the same time spans**

Due to the system which operates the registration database for Road Transport, and the changing status of an infringement notice over time, we are unable to provide quality assured data to respond.

Based on the information which is available in the system from 1 June 2020 to 30 November 2022, of the infringements issued as a result of detection of traffic offences at cameras 1001,1002 & 1020, there are currently **10,147** infringements which are currently being considered by Access Canberra.

These infringement notices includes when a person has sought one or more more of the following actions or reviews of the infringement; withdrawal, disputing liability, nominating another driver, or setting up a payment plan.

- **Along with comments by the Minister to the Chief Minister and relevant responses that relate to public backlash. This is a specific and serious request as I am interested to know what was discussed between the departments when they realised the effect of these speed zones and how they have rationalised the continuance of them (if they HAVE in fact done that).**

CMTEDD does not hold any information on this point.

3. **I also request a breakdown of the number, speeds and type of infringements issued including the number of non-Canberra registrations that these numbers include both before and after the recalibration of the speeds.**

Information on the number and type of infringements is available on ACT Open Data (Link: <https://www.data.act.gov.au/Transport/Traffic-camera-offences-and-fines/2sx9-4wg7>). The Offence Description contains a range of speeds detected for all speed related offences. The speed recorded for each individual infringement issued is not, and will not, be provided as it could contain operationally sensitive information.

- 4. I also request a comparison of the most productive speed camera in camera (both in number and dollar terms) prior to the recalibration of the same aforementioned cameras on Northbourne and Barry Drive and the forecast income from these speed cameras over the next 12 months compared with the previously most productive camera (income-generating wise)**

There has not been an analysis of this nature conducted, including forecasting at an individual camera level. However, you will be able to compare the values and volumes between cameras themselves using the data on ACT Open Data.

Information publicly available to an applicant is identified under section 45 (a) of the FOI Act. Information found under section 45 is not required to be provided to an applicant pursuant to section 43 (1)(d) as the information is available to an applicant.

- 5. I also request copies of any internal memos between the Chief Minister's office and Chris Steel's office pertaining to the decision-making to recalibrate the cameras in question in those specific areas and the subsequent public response. I am not interested in the general 40 kph zoning in and around the city - only on Northbourne Ave and Barry Drive.**

CMTEDD does not hold any information on this point.

- 6. Comments by Access Canberra and the Minister's office relating to the imposition of the across-the-board speed 40kph restrictions zones throughout Canberra's main centres i.e. the new Vision that the ACT Government has in relation to slowing traffic down throughout the centres and their rationalisation applying a generic policy. Statistics included please.**

CMTEDD does not hold any information on this point.

### **Charges**

Pursuant to the *Freedom of Information (Fees) Determination 2017* (No 2) processing charges are not applicable for this request because the total number of pages to be released to you does not exceed 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. A description of the access application and my decision 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**

All decisions made under the Act are reviewable 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 on the CMTEDD disclosure log, 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:

The ACT Ombudsman  
GPO Box 442  
CANBERRA ACT 2601

Via email: [actfoi@ombudsman.gov.au](mailto: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:

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](mailto:CMTEDDFOI@act.gov.au).

Yours sincerely



Katharine Stuart  
Information Officer  
Chief Minister, Treasury and Economic Development Directorate  
11 January 2023