



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 2023-435
Date of Application	15 December 2023
Date of Decision	21 December 2023
Processing time (in working days)	5
Fees	N/A
Decision on Access	Full Release
Information Requested (summary)	Statistics on parking information, including infringements, for parking spaces on Bunda 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 type="checkbox"/> Published <input checked="" 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



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

Reference code

01 Dec 2023 11:48:22 AM

Transport Canberra and City Services (TCCS)

GPO Box 158
Canberra ACT 2601

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

Applicant details

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? *

The number of public street parking spaces along Bunda Street, City including the number of disabled permit parking spaces

Information created between 1 January 2022 and 1 November 2023

(1) The number of parking infringements relating to street parking spaces on Bunda Street and their monetary value

(2) The number of parking tickets sold for street parking on Bunda Street and their monetary value

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

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

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

Attach additional documents to support your application (optional)



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Our ref: CMTEDD FOI 2023-435

Amendment to Decision letter

Amendment to the date the Freedom of information request was received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD).

The date of receipt of the access application recorded in the decision letter should be **15 December 2023**, not 20 November 2023.

The decision letter was sent to the applicant on 22 December 2023.

Emma Hotham

Information Officer

Chief Minister, Treasury and Economic Development Directorate

15 January 2024



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 **20 November 2023**. Specifically, you have sought access to the following information:

Information created between 1 January 2022 and 1 November 2023:

- *The number of parking infringements relating to street parking spaces on Bunda Street and their monetary value*
- *The number of parking tickets sold for street parking on Bunda Street and their monetary value*

Authority

As an appointed Information Officer under section 18 of the Act by the Director General of CMTEDD, 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 was required to provide a decision within 30 working days. A decision and response are due on **06 February 2024**.

Decision on access

Searches were completed for relevant information and the business area has generated a written response, specifically addressing each section of your application. I have decided to grant **full access** to the material within scope.

<i>Information created between 1 January 2022 and 1 November 2023:</i>	
<i>The number of parking infringements relating to street parking spaces on Bunda Street and their monetary value.</i>	<i>There have been 3,259 parking infringements issued on Bunda Street with a monetary value of \$522,118.00.</i>
<i>The number of parking tickets sold for street parking on Bunda Street and their monetary value.</i>	<i>Total number of pay parking transactions – 122,050 – with a monetary value - \$151,027.73.</i>

Infringement and Pay Parking data can be sourced from ACT Government Open Data [Portal](#).

In accordance with section 54(2) of the Act a statement of reasons outlining my decisions is below.

Statement of Reasons

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, and
- 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.
- I did not identify any Schedule 1 provisions as relevant to this request.

The public interest information under schedule 2 of the Act

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 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.

Factors favouring disclosure in the public interest:

- (a) *disclosure of the information could reasonably be expected to do any of the following:*
- (i) *promote open discussion of public affairs and enhance the government’s accountability;*
 - (ii) *contribute to positive and informed debate on important issues or matters of public interest.*

I have placed substantial weight on the above factors favouring disclosure. It is reasonable to expect that information about this topic may be of interest to others within the Canberra community and contribute to informed debate about issues of interest.

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

Charges

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

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. You may view CMTEDD disclosure log at

<https://www.cmtedd.act.gov.au/functions/foi/disclosure-log-2023>

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 on the 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 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
15 Constitution Avenue
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,



Emma Hotham
Information Officer
Chief Minister, Treasury and Economic Development Directorate
21 December 2023