



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 2042-182
Date of Application	28 May 2024
Date of Decision	9 July 2024
Processing time (in working days)	29
Fees	N/A
Decision on Access	Full Release
Information Requested (summary)	The number of parking infringement notices issued for vehicles parking on verges in the suburb of Griffith ACT for the period 1 June 2023 to 27 May 2024.
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: [REDACTED]
To: [CMTEDD FOI](#)
Subject: RE: CMTEDDFOI 2024-182 - Freedom of Information request
Date: Tuesday, 28 May 2024 1:33:08 PM

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Yes, thank you!

From: CMTEDD FOI <CMTEDDFOI@act.gov.au>
Sent: Tuesday, 28 May 2024 11:08 AM
To: [REDACTED]
Subject: FW: CMTEDDFOI 2024-182 - Freedom of Information request

OFFICIAL

Hi [REDACTED]

Thank you for your prompt reply. I think the best approach would be the first option.

“The number of parking infringement notices issued for vehicles parking on verges in the suburb of Griffith ACT for the period 1 June 2023 to 27 May 2024.”

Can you please respond by return email as soon as possible if you agree to the above scope.

Please don't hesitate to contact me if you require further information.

Thanks

Sue

Sue I Freedom of Information Coordinator | Information Access Team

Phone: 02 6207 7754 | Email: CMTEDDFOI@act.gov.au

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

Level 1, 220 London Circuit, Canberra ACT 2601 | GPO Box 158 Canberra ACT 2601 | act.gov.au

From: [REDACTED]
Sent: Tuesday, May 28, 2024 10:20 AM
To: CMTEDD FOI <CMTEDDFOI@act.gov.au>

Subject: RE: CMTEDDFOI 2024-182 - Freedom of Information request

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Many thanks, Sue, for getting back to me regarding my FOI request. It is much appreciated.

I've decided that it would be less work for those providing the information if we simply dropped the reference to excluding the Manuka area, as long as my request regarding 'vehicles parking on verges' is clearly understood. My understanding of a "verge" is publicly-owned land, sometimes called a nature strip. If that automatically excludes street parking in Manuka, then that is all I need. My focus is on vehicles parking on verges in residential areas and damaging street trees.

I hope this makes sense. If not, I am happy to provide street boundaries for Manuka and Griffith shops:

1. Manuka: Arthur Circle, Furneaux street, Empire Circuit, Canberra Avenue, Murray Crescent, Stuart Street, Evans Crescent, Lefroy Street.
2. Griffith shops: Blaxland Crescent, Stuart Street, Throsby Crescent.

If you need me to amend or resubmit my FOI request, please let me know, and I will do so later today.

Regards and thanks, [REDACTED]

From: CMTEDD FOI <CMTEDDFOI@act.gov.au>

Sent: Tuesday, 28 May 2024 9:18 AM

To: [REDACTED]

Subject: RE: CMTEDDFOI 2024-182 - Freedom of Information request

OFFICIAL

Good morning [REDACTED]

Thank you for speaking with me just now and submitting a Freedom of Information request with the Chief Minister, Treasury and Economic Development Directorate (CMTEDD).

As discussed, if you could be more specific for the streets in Griffith you wish to receive information on parking infringements.

Please don't hesitate to contact me if you require further clarification.

Kind regards

Sue

Sue | Freedom of Information Coordinator | Information Access Team

Phone: 02 6207 7754 | Email: CMTEDDFOI@act.gov.au

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

Level 1, 220 London Circuit, Canberra ACT 2601 | GPO Box 158 Canberra ACT 2601 | act.gov.au

From: no-reply@act.gov.au <no-reply@act.gov.au>

Sent: Monday, May 27, 2024 9:14 AM

To: CMTEDD FOI <CMTEDDFOI@act.gov.au>

Subject: Freedom of Information request

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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:

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 be most grateful for the number of parking infringement notices issued for vehicles parking on verges in the suburb of Griffith ACT, excluding the area immediately around the Manuka shopping centre, from June 2023 to May 2024.

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

Thank you.
Freedom of Information Coordinator

This email, and any attachments, may be confidential and also privileged. If you are not
the intended recipient, please notify the sender and delete all copies of this transmission
along with any attachments immediately. You should not copy or use it for any purpose,
nor disclose its contents to any other person.



ACT
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Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI 2024-182



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 27 May 2024.

Specifically, you have sought access to the following information:

- *The number of parking infringement notices issued for vehicles parking on verges in the suburb of Griffith ACT for the period 1 June 2023 to 27 May 2024.*

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 **10 July 2024**.

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.

The records identified as relevant to your application are listed in the schedule enclosed at **Attachment A**. This provides a description of each document that falls within the scope of your request and the access decision for each of those documents.

Release of documents

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

Exemptions considered

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

No relevant sections were 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)(iii) - inform the community of the government’s operations, including the policies, guidelines and codes of conduct followed followed by the government in its dealings with members of the community.*

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

Factors favouring nondisclosure (Section 2.2)

I did not identify any factors favouring nondisclosure.

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 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

9 July 2024

A total of 687 parking infringements were issued from 1 June 2023 to 27 May 2024 in the suburb of Griffith, relating to a vehicle stopping on a footpath, dividing strip, nature strip, painted island or traffic island.

These infringements were issued via licence plate recognition and foot patrol.

Background information

The relevant Road legislation for this offence states -

'197 - Stopping on path, dividing strip, nature strip, painted island or traffic island'

(1) A driver must not stop on a bicycle path, footpath, shared path or dividing strip, or a nature strip adjacent to a length of road in a built-up area, unless—

(a) the driver stops at a place on a length of road, or in an area, to which a parking control sign applies; and

(b) the driver is permitted to stop at that place under this regulation.