



ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDD 5/16-17



Dear 

Freedom of Information Request – Oaks Estate

I am writing in relation to your request for documents relating to Oaks Estate, made under the ACT *Freedom of Information Act 1989* (the Act) and received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 26 July 2016.

You have requested the following information, with reference to comments made by the Chief Minister on ABC Radio on 22 July 2016:

"...ACT Policing conducted an audit on its activities in Oaks Estate which was based on year-to-date averages, and showed similar levels of activity there, in relation for example the traffic infringement notices, and there was a small increase in traffic targeting and crime targeting activities from ACT Policing as a result of that work."

- *I request that audit, and all briefing or information provided for all ministers and/or their offices but especially the Chief Minister related to that audit.*
- *I request all related briefing or information provided to all ministers and/or their offices about the subsequent police operations in Oaks Estate which flowed as a result of that audit.*

'Railway St in Oaks Estate has been moved up the warrant system since these meetings by 104 places in advance of a range of other projects as a result of this lobbying. RoadsACT has completed an investigation of Railway St, looking at traffic volume and speed data, crash history, and the percentage of heavy vehicles, as well as surrounding land use and the presence of course of the shops and other community facilities. The assessment indicated that Railway St carries approximately 4,100 vehicles per day travelling at an average speed of 54km/h.'

- *I request all information provided for all ministers and/or their offices that is related to that investigation of Railway St.*
- *I request all information provided for all ministers and/or their offices about the subsequent elevation by 104 places of Railway St.*

Chief Minister, Treasury and Economic Development

'RoadsACT completed an investigation of McEwan Avenue and Railway St, with no indication that a pedestrian crossing was needed, but will undertake a new survey after the school holidays to assess any changes in pedestrian requirements.'

- *I request all information about this investigation provided for all ministers and/or their offices."*

Decision Maker

I am authorised under section 22 of the Act to make decisions on access to documents and liability for charges.

Charges

I have decided, under section 29 of the Act, not to impose processing charges for this request.

Identification of Documents

Officers of CMTEDD have searched electronic and paper records for documents that may relate to your request. The Directorate has identified eight documents that contain information relevant to your request.

As you are aware, Transport Canberra and City Services has responded to you separately in relation to any documents or information held by that Directorate. My decision on access relates only to documents in the possession of CMTEDD.

Decision on Access

As I advised in my letter of 25 August 2016, I have been undertaking consultation with a Commonwealth agency and have now received their submission. While I am not bound by third party submissions, I have given consideration to the response provided when making my decision.

I have decided to fully release to you six documents and partially release to you two documents. My reasons for not providing access to these documents and components of documents are detailed in the following statement of reasons and in the attached schedule.

An attachment to an identified brief was determined to be irrelevant to the scope of your request and so has not been included. You will note that other documents released contain information that is also outside the scope of your request, but I have decided to release this material to provide context for the other information released.

Exemption claimed

Section 41 - Documents Affecting Personal Privacy

Refers to folios 4, 8, 9, 18, 19.

Section 41 of the Act provides:

(1) A document is an exempt document if its disclosure under this Act would involve the unreasonable disclosure of personal information about any person (including a deceased person).

I have exempted from release names of ACT Policing officers as I am satisfied that this information falls within the exemption set out under section 41 of the Act. Release of this personal information would constitute a breach of privacy.

I have also exempted from release identifying information about a person in relation to allegations of criminal activity. In making my decision to redact this personal information I have also considered that this material is not relevant to the scope of your request and removal of such material does not affect the remaining content.

Your Right of Review

Internal Review

Under section 59 (1) of the Act, you may request a review of my decision. You have 28 days after receiving notice of my decision to ask for a review, or a further period as allowed by the Director-General.

Your request should be addressed to:

Director-General
Chief Minister, Treasury and Economic Development Directorate
GPO Box 158
CANBERRA ACT 2601

Complaints to the Ombudsman

Under section 54 of the Act, you may complain to the Ombudsman about administrative matters relating to the processing of your Freedom of Information request. There is no fee for making a complaint. The Ombudsman will conduct an independent investigation into your complaint.

You can contact the Ombudsman either by telephone on 1300 362 072 or in writing to:

The Ombudsman
GPO Box 442
CANBERRA ACT 2601

Online FOI Policy

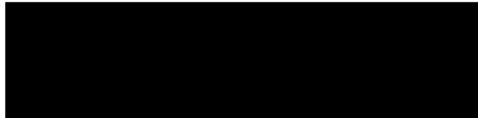
I have assessed your request for information under the ACT Government's Online Freedom of Information Publication Policy and have determined that my decision on your request will be published online. Personal Information or business information will not be made available under this policy.

A copy of the policy, with details about what information may be published on the Internet, is available online at:

http://www.cmd.act.gov.au/data/assets/pdf_file/0016/250333/FOI_Web_Release_Policy_-_Final.pdf

Should you have any queries regarding this matter, please contact me on (02) 6205 0230.

Yours sincerely



Mr Sam Engle
A/g Executive Director
Strategic Policy and Cabinet

13 September 2016