



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 2023-367

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	N/A
4. Additional information identified	No
5. Fees	N/A
6. Processing time (in working days)	5
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: [TCCS_FreedomOfInformation](#)
To: [CMTEDD FOI](#)
Subject: Access application received by MO - Parking fines on Jardine Street Kingston.
Date: Tuesday, 24 October 2023 11:47:58 AM
Attachments: [FW FOI request Kingston parking.msg](#)

OFFICIAL: Sensitive - Personal Privacy

Hi team,

I have received an email from our DLO regarding a FOI access application received by Minister Steel's office on 16 October 2023.

The scope of the application appears to be related to information on service under CMTEDD purview. Can you please advise if CMTEDD are best placed to process the application, and if so, if CMTEDD are agreeable to a full transfer of the application?

The scope is:

"...how many parking fines have been dispensed for the misleading sign at 182 (1) Stop in Taxi Zone in Jardine street Kingston in the past 12 months."

The applicant's details are below:



Kind regards,

Sam

Samantha Irons | Assistant Director

Phone: 02 6207 9242 | Email: TCCS.FOI@act.gov.au

Information Access | Procurement, Legal and Information Access | Transport Canberra and City Services Directorate | ACT Government

480 Northbourne Avenue, Dickson 2602 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: [TCCS_DLO](#)
To: [Irons, Samantha](#)
Cc: [TCCS_DLO](#); [TCCS_FreedomOfInformation](#)
Subject: FW: FOI request Kingston parking
Date: Tuesday, 24 October 2023 11:35:06 AM

OFFICIAL

Hi Sam

Please see below FOI request, noting that information will need to be sought from Access Canberra.

Kind regards
Liana

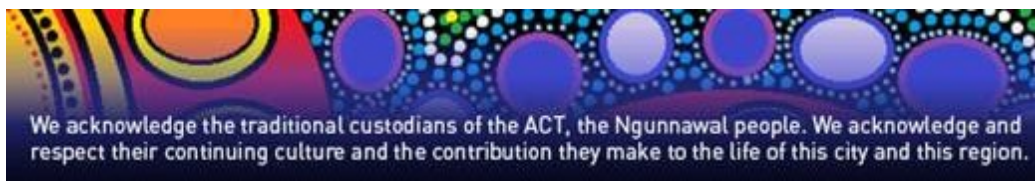
Liana Brozic | Directorate Liaison Officer

Office of Minister Steel MLA

Office of Minister Berry MLA (Sportsgrounds)

Phone: 02 6207 0804 | Email: tccs.dlo@act.gov.au

Transport Canberra and City Services Directorate | ACT Government | act.gov.au



From: STEEL <STEEL@act.gov.au>
Sent: Tuesday, October 17, 2023 8:44 AM
To: TCCS_DLO <TCCS.DLO@act.gov.au>
Subject: Fwd: FOI request Kingston parking

Liana -

We've received this one.

I have spoken with the constituent to let her know a response is coming, but she has sent in this FOI Request.

I understand this is information that should be with AC. Can I progress to you to get to the right area to commence the FOI process?

Thanks,
James

Office of Chris Steel MLA

Minister for Transport and City Services

Minister for Skills

Special Minister of State

ACT Legislative Assembly, 196 London Circuit Canberra

From: [REDACTED] >

Sent: Monday, October 16, 2023 9:47:51 AM

To: STEEL <STEEL@act.gov.au>

Subject: FOI request Kingston parking

You don't often get email from [REDACTED]. [Learn why this is important](#)

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe. [Learn why this is important](#)

Hello,

I am following up regarding my previous email requesting information and waiver for an unfair infringement notice.

I have since observed an average of 8 other vehicles per week fined for the same reason as me. I am requesting under FOI how many parking fines have been dispensed for the misleading sign at 182 (1) Stop in Taxi Zone in Jardine street Kingston in the past 12 months.

Regards

On Tue, 3 Oct 2023 at 9:41 am, STEEL <STEEL@act.gov.au> wrote:

Thank you for your email.

As I receive a large number of emails, phone calls and letters each day, I may not be able to reply immediately.

Typically, it takes around 6-8 weeks for a matter to be investigated and a Ministerial Response to be provided.

Unless you have done so already, if the matter relates to potholes, overgrown grass, footpaths etc, please report issues on Fix my street at first instance so TCCS can look into the matter as soon as possible. You can do so by calling Access Canberra on 132281 or following this

link <https://www.accesscanberra.act.gov.au/app/forms/fixmystreet>.

Thank you for taking the time to contact me.

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
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI 2023-367



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 24 October 2023, in which you sought access to parking fine information.

Specifically, you are seeking:

“...how many parking fines have been dispensed for the misleading sign at 182 (1) Stop in Taxi Zone in Jardine street Kingston in the past 12 months.”

Authority

I am an Information Officer appointed by the Director-General of CMTEDD 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 5 December 2023.

Decision on access

Searches were completed for relevant information and the business area has identified the following statistical data that falls within the scope of your request. CMTEDD makes no comment on part of your requested scope of “misleading signs”. I have decided to grant **full access** to the material. The information being released to you is provided below.

102 parking infringements have been issued in the Taxi Zone on Jardine Street, Kingston ACT for the 12-month period of 25/10/2022 – 25/10/2023.

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

Material considered

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

- the Act; and

- statistical information generated by documents relating to the scope of your request.

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.

Taking into consideration the information 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, schedule 2, section 2.1(a)(ii) of the Act:

- (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.*

I have placed substantial weight on the above factor 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

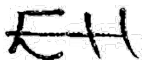
ACT Civil and Administrative Tribunal (ACAT) Review

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 the CMTEDD 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
31 October 2023