



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 2022-375

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)	18 days
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](#)
Subject: Fwd: Freedom of Information Request
Date: Friday, 25 November 2022 2:59:12 PM

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[Learn why this is important](#)

Dear FOI Officer,

Further to my FOI request below, I add the following information requests:

9. The value of all speeding fines issued and collected from used at Northbourne Avenue/Barry Drive/Cooyong Street on 12/2/2022;
10. Any faults known and rectified to that particular camera as named above;
11. Any faults known and rectified to that particular make, model, serial number from that manufacturer of the camera named above.

Kind regards,

[REDACTED]

Begin forwarded message:

From: [REDACTED]
Subject: Freedom of Information Request
Date: 25 November 2022 at 2:43:42 pm AEDT
To: CMTEDDfoi@act.gov.au

Dear FOI Officer,

I am making a Freedom of Information Request for the following information relating to Fixed Speed Camera. In particular one used at Northbourne Avenue/Barry Drive/Cooyong Street on 12/2/2022 at 3:55:31 pm:

1. I wish to be provided with all information relating to make, model, serial number and manufacturer of the above mentioned camera;
2. I wish to be provided with the entire Operating/User Manual provided to the Department which uses and manages the above mentioned camera;
4. I wish to be provided with the statistical information of how many cars were issued with speed infringement notices on that particular date (being 12/02/2022). There is no need for me to have any private information - only statistical information of the number of cars;
5. I wish to be provided with the statistical information of the speeds at which the cars that were issued with speed infringement notices on that particular date (12/02/2022) were travelling;

6. I wish to be provided with comparative statistical information of Saturdays for the year from when the abovementioned camera was installed to the 12/2/2022 (inclusive) for statistics requested in points 4 and 5 above.
7. I wish to be provided with photographic and graphic depicting the signage both as erected signs and painted on the roads from the commencement of the 40kms speed limit and leading to the position of the intersection of Northbourne Avenue/Barry Drive/ Cooyong Street;
8. I wish to be provided with photographic and graphics depicting all changes to the signage (both as erected signs and painted on the roads) from the commencement of the 40kms speed limit and leading to the position of the intersection of Northbourne Avenue/Barry Drive/ Cooyong Street, from the 12/2/2022 to the date of this email.

Please send all correspondence in hard copy to my postal address as set out below.

Kind regards,



Kind regards,





ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDD FOI 2022-375

Dear [REDACTED]

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 25 November 2022 in which you sought access to:

“Information relating to Fixed Speed Camera. In particular one used at Northbourne Avenue/Barry Drive/Cooyong Street on 12/2/2022 at 3:55:31 pm.”

Specifically, you are seeking:

- 1. I wish to be provided with all information relating to make, model, serial number and manufacturer of the above mentioned camera*
- 2. I wish to be provided with the entire Operating/User Manual provided to the Department which uses and manages the above mentioned camera*
- 3. I wish to be provided with the statistical information of how many cars were issued with speed infringement notices on that particular date (being 12/02/2022). There is no need for me to have any private information - only statistical information of the number of cars*
- 4. I wish to be provided with the statistical information of the speeds at which the cars that were issued with speed infringement notices on that particular date (12/02/2022) were travelling*
- 5. I wish to be provided with comparative statistical information of Saturdays for the year from when the abovementioned camera was installed to the 12/2/2022 (inclusive) for statistics requested in points 4 and 5 above*
- 6. I wish to be provided with photographic and graphic depicting the signage both as erected signs and painted on the roads from the commencement of the 40kms speed limit and leading to the position of the intersection of Northbourne Avenue/Barry Drive/ Cooyong Street*
- 7. I wish to be provided with photographic and graphics depicting all changes to the signage (both as erected signs and painted on the roads) from the commencement of the 40kms speed limit and leading to the position of the intersection of Northbourne Avenue/Barry Drive/ Cooyong Street, from the 12/2/2022 to the date of this email.*
- 8. The value of all speeding fines issued and collected from used at Northbourne Avenue/Barry Drive/Cooyong Street on 12/2/2022*
- 9. Any faults known and rectified to that particular camera as named above*

10. Any faults known and rectified to that particular make, model, serial number from that manufacturer of the camera named above

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 **23 December 2022**.

Decision on access

Searches were completed for relevant information that falls within the scope of your request. The information being released to you, is provided as **Attachment A**.

For parts 3, 4, 5 and 8 of your access application, the information is publicly available and can be derived from <https://www.data.act.gov.au/Transport/Traffic-camera-offences-and-fines/2sx9-4wg7>, and as such is exempt under section 43 (1)(d) to be disclosed pursuant to section 45 (a).

Parts 6 and 7 of your access application were transferred to the Transport Canberra and City Services Directorate (TCCS) on 7 December 2022 under section 57 of the Act. TCCS responded to you on 16 December 2022.

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 nondisclosure.

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 [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 under Schedule 2 s2.1:

(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.

Information concerning public safety measures, including speed cameras, used, and maintained in the community can reasonably be expected to inform public debate. I have considered the information being released and believe it could also inform the community about policies and guidelines followed by government.

There are no factors favouring nondisclosure of this information.

Charges

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. Your original access application, my decision and information released to you will be published on the CMTEDD disclosure log. Your personal contact details will not be published.

The CMTEDD disclosure log can be found <https://www.cmtedd.act.gov.au/functions/foi>

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 in 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

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.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'K Stuart', written in a cursive style.

Katharine Stuart
Information Officer
Chief Minister, Treasury and Economic Development Directorate
19 December 2022

Section of Request	Response
1. I wish to be provided with all information relating to make, model, serial number and manufacturer of the above-mentioned camera.	Make model: GATSOMETER RT3 Serial number: [REDACTED] Manufacturer: [REDACTED]
2. I wish to be provided with the entire Operating/User Manual provided to the Department which uses and manages the above-mentioned camera.	Entire Operating/User Manual: The Territory does not have any operation manuals for the Fixed Speed Cameras.
3. I wish to be provided with the statistical information of how many cars were issued with speed infringement notices on that particular date (being 12/02/2022).	Statistical information on offences and fines derived from traffic cameras is publicly available at: https://www.data.act.gov.au/Transport/Traffic-camera-offences-and-fines/2sx9-4wg7
4. I wish to be provided with the statistical information of the speeds at which the cars that were issued with speed infringement notices on that particular date (12/02/2022) were travelling.	Statistical information on offences and fines derived from traffic cameras is publicly available at: https://www.data.act.gov.au/Transport/Traffic-camera-offences-and-fines/2sx9-4wg7
5. I wish to be provided with comparative statistical information of Saturdays for the year from when the abovementioned camera was installed to the 12/2/2022 (inclusive) for statistics requested in points 3 and 4 above.	Statistical information on offences and fines derived from traffic cameras is publicly available at: https://www.data.act.gov.au/Transport/Traffic-camera-offences-and-fines/2sx9-4wg7
6. I wish to be provided with photographic and graphic depicting the signage both as erected signs and painted on the roads from the commencement of the 40kms speed limit and leading to the position of the intersection of Northbourne Avenue/Barry Drive/Cooyong Street.	This part of your request was transferred to Transport Canberra and City Services Directorate (TCCS). TCCS responded to you on 16 December 2022.
7. I wish to be provided with photographic and graphics depicting all changes to the signage (both as erected signs and painted on the roads) from the commencement of the 40kms speed limit and leading to the position of the intersection of Northbourne Avenue/Barry Drive/ Cooyong Street, from the 12/2/2022 to the date of this email.	This part of your request was transferred to Transport Canberra and City Services Directorate (TCCS). TCCS responded to you on 16 December 2022.
8. The value of all speeding fines issued and collected from used at Northbourne Avenue/Barry Drive/Cooyong Street on 12/2/2022.	Statistical information on offences and fines derived from traffic cameras is publicly available at: https://www.data.act.gov.au/Transport/Traffic-camera-offences-and-fines/2sx9-4wg7
9. Any faults known and rectified to that particular camera as named above.	No faults have been recorded or reported for the period requested.
10. Any faults known and rectified to that particular make, model, serial number from that manufacturer of the camera named above.	No faults have been recorded or reported for the period requested.