



ACT
Government

Territory and Municipal Services

Dear

Freedom of information request

I refer to your application made under the *Freedom of Information Act 1989* (the FOI Act) received on 5 October 2011, in which you sought access to documents held by the Territory and Municipal Services Directorate in relation to Kuringa Drive, Fraser, between Kingsford Smith Drive and Tillyard Drive and in particular at the S-bend midway along it during the period 1 January 2008 to date.

Decision

I am an officer authorised under section 22 of the FOI Act to make a decision in relation to your request.

Twelve documents have been located that fall within the scope of your request. I have decided to release documents 1-4 and 6-12 to you in full. To assist you, I have included a schedule of documents at [Attachment A](#).

I have decided to partially exempt material from document 5 pursuant to section 41 of the FOI Act, which provides:

41 Documents affecting personal privacy

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

The exempt material contains information relating to the personal information of a complainant, including their contact details.

Fees and charges

Freedom of information requests attract fees and charges for time spent searching and retrieving documents, decision-making time and photocopying. In relation to your request, no fee is payable as the number of hours taken to process your request and the number of documents copied did not reach the minimum charging threshold.

Right of review

My decision is reviewable. This means that if you are dissatisfied with my decision, you have a right to seek a review under section 59 of the FOI Act. The review process is explained for your information at [Attachment B](#).

You have 28 days from the date of this letter to seek a review of my decision, or such other period as the Director-General permits.

For more information on this matter, please contact the directorate's FOI officer on 6205 5408 or tamsfoi@act.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Peters', with a stylized flourish at the end.

Paul Peters
Executive Director
Roads and Public Transport

27 October 2011

Freedom of Information Act 1989 – Review Processes

Internal Review

If you are dissatisfied with a decision made under the Freedom of Information Act 1989, you have a right to seek an internal review of the decision. If you wish to seek an internal review you should write to:

The Director-General
Territory and Municipal Services Directorate
C/- Freedom of Information Officer
GPO Box 158
CANBERRA ACT 2601

You have 28 days from the date of the decision letter to seek a review of the outcome or such other period as the Director-General permits.

ACT Civil and Administrative Tribunal

If you are still dissatisfied after the agency has conducted an internal review, you can seek an independent review of the decision by the ACT Civil and Administrative Tribunal. You have 28 days from the date of the internal review decision to seek a review from the Tribunal.

The Tribunal is an independent body. It can agree with, change or reject the original decision, substitute its own decision or send the matter back to the decision maker for reconsideration in accordance with Tribunal recommendations.

To apply to the Tribunal for a review you can obtain an application form from the Tribunal (www.acat.act.gov.au). The form outlines all the information needed by the Tribunal to process a review promptly. There is a fee for lodgment of an appeal with the Tribunal. This fee may be remitted under certain circumstances.

The postal address of the Tribunal is:

ACT Civil and Administrative Tribunal
GPO Box 370
CANBERRA ACT 2601

Ombudsman

You also have the right to complain to the Ombudsman about the processing of your request. If you wish to lodge a complaint you should write to:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Further information

For further information on your right to review of an FOI decision, please contact the directorate's FOI officer on 6205 5408 or tamsfoi@act.gov.au.