

31 July 2017

Ms Elizabeth Bearup
foi+request-3656-dc29f8d6@righttoknow.org.au

Dear Ms Bearup

FREEDOM OF INFORMATION REQUEST

I refer to your request to the City of Monash ("**Council**"), received on 22 June 2017, in which you sought access under the *Freedom of Information Act 1982* (Vic) ("**FOI Act**") to a copy of the following documents ("**request**"):

"...the raw data set of parking tickets issued in the name of Monash City Council within the previous 12-month period (prior to June 15 2017) broken down by:

- a) Ticket #
- b) offence date
- c) offence time
- d) offence location (Area/Street/Suburb)
- e) offence ID (Code / Section / Description)
- f) Penalty \$
- g) officer ID
- h) vehicle registration #
- i) State of registration
- j) Make of car."

In making the decision below, I have taken into account the terms of your request and the provisions of the FOI Act and discussions with officers of the City of Monash ("**Council**") concerning your request.

Under the FOI Act every person has a right to obtain access to documents of an agency other than exempt documents, subject to the provisions of the FOI Act. That is, the right of access is limited by various provisions in the FOI Act.

Decision and reasons for decision

I have decided to grant you partial access to the document, in accordance with your request, with material deleted on the basis of s 33(1) of the FOI Act. The s 33(1) material has been deleted for the reasons set out below.

I have determined not to release information relating to part h) of your request, ie the registration number of vehicles or part g) of your request, ie the identity of the officer who issued the parking fine.

Section 33(1)

A document is exempt from disclosure under the FOI Act if it would involve the unreasonable disclosure of information relating to the personal affairs of any person.



The phrase "information relating to the personal affairs of any person" includes any information which identifies any person or discloses their address or location, or from which any person's identity, address or location can reasonably be determined (see s 33(9), FOI Act). It should be noted that this can be from the information itself or in conjunction with other information which might be available to an applicant or others.

The documents you seek include personal affairs information that, if disclosed, would enable you or others to identify certain individuals and their address or location. This personal affairs information is comprised of the name of an officer and vehicle registration.

I have determined that disclosure of that personal affairs information would be unreasonable in all of the circumstances taking into account all relevant considerations including:

- (a) the nature of the information;
- (b) the circumstances in which the Council holds that information;
- (c) the likelihood that the individuals whose information the documents relate to would not wish to have their personal affairs information (as that term is defined in s 33(9) of the Act) disclosed to you and potentially to the world at large;
- (d) the likelihood that disclosure would cause at least one person stress or anxiety;
- (e) the existence or absence of any public interest in disclosing information about those individuals;
- (f) s 33(2A) of the FOI Act, which I am required to consider in the context of a request involving access to information relating to individuals' personal affairs, even if irrelevant in present circumstances.

The document will be provided to you as in PDF format.

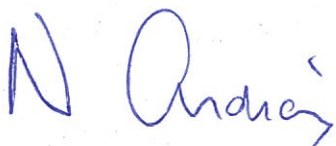
Review rights

If you are not satisfied with my decision you may, within 28 days of receiving this letter, seek review by the Freedom of Information Commissioner who may be contacted as follows:

Freedom of Information Commissioner
PO Box 24274
Melbourne Vic 3001

Tel: 1300 842 364
Email: enquiries@foicommissioner.vic.gov.au

Yours sincerely



NICK ANDRIANIS
Coordinator Civic & Governance