



Department of Transport

GPO Box 2392
Melbourne, VIC 3001 Australia
Telephone: +61 3 9651 9999
www.transport.vic.gov.au
DX 201292

Our ref: 21-16402 CS5943

Mr Gordon Alderson
8 Lloyd Court
ST ALBANS PARK VIC 3219

By email: [Gordon Alderson <foi+request-7536-310060be@righttoknow.org.au>](mailto:Gordon.Alderson<foi+request-7536-310060be@righttoknow.org.au>)

Dear Mr Alderson,

Freedom of Information - Notice of Access Decision

I refer to your request received on 23 June 2021 under the *Freedom of Information Act 1982* (FOI Act), by the Department of Transport (the Department), seeking access to:

"a copy of the independent Road Safety Audit (RSA) Report pertaining to 120 Townsend Road, St Albans Park referred to in the email sent to me by Caitlin Bryers on May 5, 2021 (PTV 2021/00070)."

Following a machinery of government change, the Public Transport Development Authority (trading as Public Transport Victoria or PTV) transitioned into the Department of Transport on 1 July 2019.¹ This decision letter is issued by the Department in place of the former PTV.

Right of access

The FOI Act establishes a general right of access to documents held by state government agencies and ministers; however, in order to protect essential public interests and the private and business affairs of individuals, this right of access does not apply to documents identified under the FOI Act as exempt.

The FOI Act also provides for documents containing exempt matter to be released in part, after the exempt matter has been redacted, where it is practicable to do so.

Document search

The Department undertook a search of its records and located one (1) document relevant to the scope of your request.

Decision

The documents were assessed in accordance with the FOI Act to determine whether they could be released to you in full, released to you in part, or whether they are exempt from release.

Access has been granted in part as summarised in the schedule of documents attached.

¹ For further information, please refer to the Victoria Government Gazette
<http://www.gazette.vic.gov.au/gazette/Gazettes2019/GG2019S258.pdf>

Section 33(1) – Documents affecting personal privacy

Section 33(1) of the FOI Act exempts from disclosure information relating to the personal affairs of a natural person, if the disclosure would be unreasonable in consideration of all relevant circumstances. Under section 33(9) of the FOI Act, information relating to the personal affairs of any person includes information that identifies any person or discloses their address or location, or from which any person's identity, address or location can reasonably be determined.

To determine whether disclosure would be unreasonable, the following factors were considered:

- The nature of the information in the document and the nature of your request;
- The circumstances in which the Department obtained the information;
- Whether the release of the information could lead to the person to whom it relates to suffer stress or anxiety; and
- The extent to which information is well known or 'known to all'.

This exemption has been applied to the names, signatures, and profiles of third-party independent consultants. Release of this information would be unreasonable as it is not apparent that the individuals concerned would expect this information to be disclosed under the FOI Act.

Access charges

Section 22 of the Act provides for certain charges which may be levied in relation to applications for access to documents. These include 20 cents per A4 size page for photocopying of any documents to which access is granted.

Due to delays experienced in processing your request, the Department has decided to waive any fees and charges under section 22 of the FOI Act. Please find attached copies of documents to which you have been granted access.

Complaint and Review rights

If you are dissatisfied with an aspect of how this request was processed, under section 61A of the FOI Act, you may make a complaint to the Victorian Information Commissioner by submitting the grounds of your complaint in writing within 60 days of the date of the action you are complaining about.

Under section 49A of the FOI Act, you also have the right to make an application to the Victorian Information Commissioner for review of the Department's decision to refuse or defer access to the requested documents. Any application for review should be made in writing and submitted within 28 days of receipt of this letter.

For further information about these processes, please visit the Commissioner's website at www.ovic.vic.gov.au or telephone 1300 006 842.

Contact

Please contact me by e-mail at ptvfoi@ptv.vic.gov.au if you have any questions about this correspondence.

Yours sincerely,

GAVIN MAK
Freedom of Information Officer

19 / AUG / 2021

Enc 1. Schedule of documents
 2. Documents released under FOI

Schedule of documents

Freedom of Information request number: 21-16402 CS5943

Document	Description	Access decision
1	211 MI701 St Albans Park Bus Stops – Existing condition road safety audit (Rev A) prepared by HDS Australia Pty Ltd	Release in part, exemptions under section 33(1)