



Mr Douglas Darlington
63 Stella Street,
LONG JETTY NSW 2261

Enquiries: Wayne Kosh
Tel: 8588 4985
Our ref: 12G2222

7 June 2012

Dear Mr Darlington,

NOTICE OF DECISION

Government Information (Public Access)
Application 12G2222

Your application for access to government information

I refer to your application, under *the Government Information Public Access Act 2009*, (GIPA Act) to Roads and Maritime Services (RMS) formerly the Roads and Traffic Authority (RTA), received on **9 May 2012**, which was in the following terms:

On 16 November, 2010 at 7.00pm the then RTA's Central Coast Manager, Glenn Weymer and Central Coast Network Manager, Craig Leckie, made a presentation on Strategic Planning for the Central Coast Highway through Long Jetty and The Entrance: to the Entrance Peninsula Community Precinct Committee. Glenn Weymer advised that the option presented was a concept design based upon aerial photography with no detailed physical survey, thus dimensions are approximate only. This information application seeks a copy of the concept layout upon which the presentation was based.

Searches conducted

Under the *Government Information (Public Access) Act 2009* (GIPA Act), agencies must conduct reasonable searches for government information requested in an access application. A search has been made for information falling within the scope of your application with the Network Management Division of the Hunter Region Branch, Central Coast Services Hunter, of RMS.

Notice of decision

I am authorised by the principal officer, for the purposes of s. 9(3) of the *GIPA Act*, to decide your access application. I have examined all of the records containing the information falling within the scope of your application, as referred to above.

I have decided, under s. 58(1)(a) of the *GIPA Act*, to provide full access to the information sought in your access application.

Reasons for decision

Under s. 9(1) of the *GIPA Act*, you have a legally enforceable right to be provided with access to the information sought, unless there is an overriding public interest against disclosure of the information.

In making such a determination, agencies must apply the public interest test under s. 13, which provides that there will only be an overriding public interest against disclosure where public interest considerations in favour of disclosure are, on balance, outweighed by those against disclosure. Under s.5 of the *GIPA Act*, there is a presumption in favour of disclosing government information.

Considerations for disclosure

Section 12 of the *GIPA Act* allows for the consideration of any public interest in favour of disclosure. I have considered the following public interest considerations for disclosure as relevant in this case:

- Disclosure of the information could reasonably be expected to promote open discussion of public affairs, enhance Government accountability or contribute to positive and informed debate on issues of public importance.
- Disclosure of the information could reasonably be expected to inform the public about the operations of agencies and, in particular, their policies and practices for dealing with members of the public.

Considerations against disclosure

Section 14 of the *GIPA Act* provides an extensive list of public interest considerations against disclosure. There are no public interest considerations against disclosure.

In balancing the relevant public interest considerations for and against disclosure, I have decided on **7 June 2012** that there is no overriding public interest against disclosure of the information sought

Form of Access

You are being provided with access to the information requested in the enclosed two (2) CD's.

Your rights of review

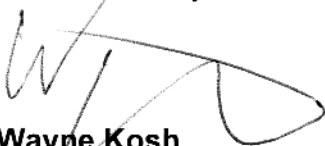
If you are aggrieved by any of the reviewable decisions in this Notice of Decision, you may seek a review under Part 5 of the *GIPA Act*. Before you do so, I would encourage you to speak with the officer responsible for your access application, whose contact details are below.

For your information, there are three avenues of review: internal review by a senior officer, external review by the Information Commissioner or external review by the Administrative Decisions Tribunal. Attached to this notice is a leaflet, which details your rights of review under the *GIPA Act*.

You should note that the time for seeking internal review is 20 working days or, for external review, 40 working days from the date you were notified of this decision. You may obtain further information about your rights under the *GIPA Act* by contacting the Office of the Information Commissioner on freecall 1800 INFOCOM (1800 463 626) or at the following website: www.oic.nsw.gov.au.

If you have any further queries regarding this application, you can contact me (02) 8588 4985 or via email at wayne.kosh@rms.nsw.gov.au.

Yours sincerely



Wayne Kosh

Manager, Government Information and Privacy
Government Information and Privacy Branch