

5 August 2026

Our ref: 27T-0069

Ms Tegan Mitchell
WalkSydney
Level 4, 68 Wentworth Avenue
SURRY HILLS NSW 2010

By email: tegan.mitchell@walksydney.org

Dear Ms Mitchell,

**Notice of decision on your access application under the
Government Information (Public Access) Act 2009 (GIPA Act)**

Applicant:	WalkSydney
File reference:	27T-0069
Decision maker:	Jarrold Whitbourn
Received date:	8 July 2026
Due date:	5 August 2026
Date of decision:	5 August 2026

1. Your access application

- 1.1. On 8 July 2026, Transport for NSW (TfNSW) received your access application under the GIPA Act for the following information:

Please see the attached document with details of our request

[I am writing on behalf of WalkSydney, NSW's peak walking advocacy organisation, to make an access application under the Government Information (Public Access) Act 2009 (NSW). I would like to access signal operations data held by Transport for NSW.

WalkSydney has written three times to Transport for NSW (TfNSW) requesting access to signal operations data (our correspondence and TfNSW responses are available here:

<https://walksydney.org/2025/09/20/why-wont-transport-for-nsw-share-scats-traffic-signal-phasing-data/>). Despite our best efforts, TfNSW has declined these

requests.

We are specifically requesting that TfNSW disclose:

1. Some signal operations data relating to pedestrian delay for representative days in one week for all signalised intersections in NSW. The exact details are specified in the following section. **[item 1]**

2. Advice provided to Howard Collins or Josh Murray relating to the WalkSydney request for signal phase data between 2025-04-16 and 2025-08-25. Emails, briefing notes, presentations, instant message logs. **[item 2]**

We would be happy to discuss this application with you to assist in collecting and providing this information prior to any determination. The details of our application as below:

Data specification and scope of request

We are requesting the disclosure of signal operations data for all signalised intersections in NSW. There are two ways that Transport for NSW could disclose this information:

1. Disclose SCATS event logs in a file format that is machine readable using open-source tools (e.g. CSV, Parquet, etc.)

2. Disclose summary statistics for each signal (TCS) site, summarised by hour and day:

a. Minimum actual cycle time recorded during the hour

b. Maximum actual cycle time recorded during the hour

c. Time-weighted mean actual cycle time recorded during the hour (this mean must be weighted by the cycle duration in order to provide a view of average pedestrian waiting time, as a simple arithmetic mean is length-biased and will over-represent shorter cycles)

d. Time-weighted mean green interval for each pedestrian movement at the intersection

e. The percentage of cycles in each hour in which demand is registered for each pedestrian movement at the intersection

Disclosure via either option 1 or 2, or via both options 1 and 2, would satisfy this application.

Disclosure via option 1 would achieve the lowest reasonable cost, and Transport for NSW should establish an overriding public interest against option 1 if it only discloses the information via option 2 at a higher cost.]

- 1.2. In your access application you indicated a preference for receiving correspondence by email at tegan.mitchell@walksydney.org.

2. Searches for information

- 2.1. Under the GIPA Act, we must conduct reasonable searches to locate the government information for which you have applied.

- 2.2. The following areas of this agency have conducted searches:

- Finance, Technology & Commercial
- Coordinator General

- Secretary Functions – Strategy Branch

3. Decision

- 3.1. I am authorised by the Principal Officer, for the purposes of section 9(3) of the GIPA Act, to decide the application.
- 3.2. In respect of item 1 of your application, I have decided that the information is already available to you under sections 58(1)(c) and 59(1)(c).
- 3.3. In respect of item 2 of your application, I have decided that no information is held by the agency.

4. Reasons for Decision

- 4.1. The agency's obligation to undertake searches for the requested information is discussed in section 53, which says:

53 Searches for information held by agency

- (1) *The obligation of an agency to provide access to government information in response to an access application is limited to information held by the agency when the application is received.*
 - (2) *An agency must undertake such reasonable searches as may be necessary to find any of the government information applied for that was held by the agency when the application was received. The agency's searches must be conducted using the most efficient means reasonably available to the agency.*
 - (3) *The obligation of an agency to undertake reasonable searches extends to searches using any resources reasonably available to the agency including resources that facilitate the retrieval of information stored electronically.*
 - (4) *An agency is not required to search for information in records held by the agency in an electronic backup system unless a record containing the information has been lost to the agency as a result of having been destroyed, transferred, or otherwise dealt with, in contravention of the State Records Act 1998 or contrary to the agency's established record management procedures.*
 - (5) *An agency is not required to undertake any search for information that would require an unreasonable and substantial diversion of the agency's resources.*
- 4.2. In making a decision whether the agency holds the requested information, I took into account the guidance from the NSW Civil and Administrative Tribunal's Appeal Panel in the decision of *Wojciechowska v Commissioner of Police* [2020] NSWCATAP 173, at [37]:

The question of whether there are reasonable grounds to believe that the information the subject of the access application exists and is held by an agency, is plainly relevant to the nature and extent of the searches required to be undertaken to discharge the obligation under s 53.
 - 4.3. As such, I need to consider the nature of the requested information, whether it is reasonable to believe that it may exist within the agency and whether this information would ordinarily relate to the agency's operational functions and practices.

Item 1

- 4.4. The requested information is for information about the operation of traffic lights and specifically, event logs, summary statistics, means and percentages of different cycles.
- 4.5. TfNSW is responsible for traffic light operation, and as such, it is not unreasonable to suspect that the information may exist and be held by the agency. At the same time, while I understand the interest in the requested information, it is not clear to me the reason why information of a statistical nature would be used by the agency in the management of this function. In any event, I requested search assistance from the three divisions that I discussed above.
- 4.6. I was advised that a variety of information regarding traffic light phasing is available for purchase at the request of the community. More information about this service is available through the following link: <https://www.transport.nsw.gov.au/trafficsignal>
- 4.7. I also understand that the traffic light phasing reports themselves are not ordinarily held by the agency, but are instead generated on request and, as such, are dealt with outside of the GIPA process.
- 4.8. I note that sections 58 and 59 of the GIPA Act relevantly provides:

58 *How applications are decided*

- (1) *An agency decides an access application for government information by —*
- (a) ...
- (c) *deciding that the information is already available to the applicant (see section 59), or*
- ...

59 *Decision that information already available to applicant*

- (1) *An agency can decide that information is already available to an applicant only if the information is —*
- (a) ...
- (c) *contained in a document that is usually available for purchase, or*
- (d) ...
- (2) *An agency is not required to provide access to information that the agency has decided is already available to the applicant, but notice of the decision must indicate why the agency believes the information is already available to the applicant and, if necessary, how the information can be accessed by the applicant.*
- 4.9. Further, I also note section 75 of the GIPA Act relevantly provides:

75 Providing access by creating new record

- (1) *An agency is not prevented from providing access in response to an access application to government information held by the agency by making and providing access to a new record of that information.*
 - (2) *An agency's obligation to provide access to government information in response to an access application does not require the agency to do any of the following –*
 - (a) *make a new record of information held by the agency,*
 - (b) *update or verify information held by the agency,*
 - (c) *create new information, or produce a new record of information, by deduction, inference or calculation from information held by the agency or by any other use or application of information held by the agency.*
- 4.10. Based on the information provided to me, and my knowledge of the provision of traffic light phasing over a number of years, I am satisfied that the requested information is already available to you – albeit for a cost. I make that statement understanding that the precise format of the information which is available may not exactly align with the terms of your request (particularly in respect of the summary statistics, means and percentages). Responses to those enquiries could however be generated upon receipt of the data

Item 2

- 4.11. I have received responses from the Office of the Coordinator General, in respect of records held by Howard Collins and Strategy Branch, in respect of records held by Josh Murray.
- 4.12. While I note the correspondence with your organisation in the records held by the Secretary, there were no emails, briefing notes, presentations, or instant messages which could be described as “advice”. To explain further, while there were emails which show that the Secretary received your correspondence and forwarded it to others, there was no indication that he received any response, nor any advice in respect of the outcome of the matter.
- 4.13. The search which was sent to Howard Collins indicated that he was not involved in the management of, or enquiry in relation to this matter.

5. Review rights

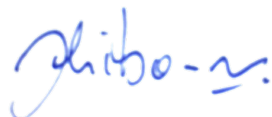
- 5.1. If you disagree with my decision, you may apply for this decision to be reviewed by seeking:
- an internal review by another officer of this agency, who is no less senior than me;
 - an external review by the NSW Information Commissioner; or
 - an external review by the NSW Civil and Administrative Tribunal (**NCAT**).

- 5.2. You have 20 working days from the date of this letter to apply for an internal review and 40 working days to apply for an external review by the NSW Information Commissioner or the NCAT.

6. Further information

- 6.1. For your information and assistance, I have enclosed a fact sheet explaining your rights to have my decision reviewed.
- 6.2. Please do not hesitate to contact me if you have any questions about this letter.

Yours sincerely,



Jarrod Whitbourn

Director, Information Access