



Andrew Terhorst

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Dear Dr Terhorst

### **FOI 23-43 - Decision on Access**

I refer to the request made under the *Freedom of Information Act 1982* (Cth) (**FOI Act**) to Airservices Australia (**Airservices**) on 31 October 2023 (**the request**). It seeks access to:

**I request documents showing correspondence between Airservices Australia, Qantas/Jetstar, and Virgin Australia related to the design and implementation of the current Runway 30 RNP-AR flight path.**

Given the your previous FOI request (FOI 23-32 dated 20 September 2023) had the same scope, this request was actioned in respect of any correspondence from 20 September 2023 to today's date.

I am authorised under section 23 of the FOI Act and the Airservices Instrument of Delegation and Authorisation to make decisions on primary requests under the FOI Act.

### **Decision**

Access refused

After a search of our records, I regret to inform you that Airservices does not hold any document relevant to your request. This decision is made pursuant to s24A of the FOI Act which provides that a request can be refused if reasonable steps have been taken to find the document and it is concluded that the document does not exist.

### **Review rights and complaints**

Information about your rights of review and how you can make a complaint about the handling of your request is at **Attachment A**.

### **Contact**

If you wish to discuss my decision please contact me at [foi@airservicesaustralia.com](mailto:foi@airservicesaustralia.com).

Yours sincerely

Marcus Bourget  
Authorised FOI Decision Maker

13 March 2024

## **ATTACHMENT A**

### **INFORMATION ON REVIEW RIGHTS**

The *Freedom of Information Act 1982* (**the FOI Act**) gives you the right to apply for a review of this decision via:

- (a) an internal review; or
- (b) the Australian Information Commissioner (**Information Commissioner**).

#### **Internal review**

If you apply for internal review, it will be carried out by a different decision-maker who will make a fresh decision on your application. An application for review must be:

- (a) made in writing;
- (b) made within 30 days of receiving this letter; and
- (c) sent to [foi@airservicesaustralia.com](mailto:foi@airservicesaustralia.com).

No particular form is required, but it is desirable to set out in the application the grounds upon which you consider the decision should be reviewed.

If the internal review results in you not being provided access to all of the documents to which you have requested access, you have the right to seek a review of that decision by the Information Commissioner.

#### **Information Commissioner review**

You can opt to instead seek external review by the Information Commissioner. To seek review you must apply to the Information Commissioner within 60 days of the receipt of this decision letter. Further details on this process can be found on their website at <https://www.oaic.gov.au/>.

You will also have the opportunity to seek Information Commissioner review of an Internal Review if you are dissatisfied with its outcome.

#### **Complaints to the Information Commissioner**

##### ***Information Commissioner***

You may also complain to the Information Commissioner concerning action taken by an agency in the exercise of powers or the performance of functions under the FOI Act. There is no fee for making a complaint. A complaint to the Information Commissioner must be made in writing. Further details on this process can be found on their website at <https://www.oaic.gov.au/>.