



Mr Andrew Terhorst

By email: foi+request-11662-02601bab@righttoknow.org.au

Office of General Counsel
GPO Box 367
CANBERRA CITY ACT 2601

www.airservicesaustralia.com

ABN 59 698 720 886

Dear Andrew

FOI 24-55 - Decision on Access

I refer to your request made under the *Freedom of Information Act 1982* (Cth) (**FOI Act**) to Airservices Australia (**Airservices**) on 10 July 2024 (**the request**). Your requests is as follows:

On 4 July at approximately 21:22, Flight QF997 from Sydney breached the NAP. I seek a complete transcript of the communication between Hobart ATC and the pilot of QF997. I want to understand why Flight QF997 used the Runway 30 RNP-AR short track when it should have used the Runway 30 RNAV longer track. The excuse that QF997 followed the short track for "operational reasons" without specifying the reason is unacceptable.

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 in full

Airservices has located one (1) document that falls within the scope of your request as follows:

Doc No.	Description
1.	<i>Audio recording</i> Subject: QF997_4JUL24

I have decided to grant access in full to the document.

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.

Yours sincerely

Nick Kordaris
Authorised FOI Decision Maker

6 September 2024

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 under section 54 of the FOI Act, 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.

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 under section 54L of the FOI Act. 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

If you are unhappy with the way we have handled your FOI request, please let us know what we could have done better. We may be able to rectify the problem.

If you are not satisfied with our response, you can make a complaint to the Information Commissioner.

Information Commissioner

You may complain to the Information Commissioner concerning action taken by Airservices 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.

Complaints can be lodged in one of the following ways:

online: https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=ICCA_1

email: foidr@oaic.gov.au

post: GPO Box 5218 Sydney 2001

More information about complaints is available on the Office of the Australian Information Commissioner at <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/make-an-foi-complaint/>.

If you are not sure whether to lodge an Information Commissioner review or an Information Commissioner complaint, the Office of the Australian Information Commissioner has more information at: <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/>.