



**Cathy Minnucci**

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Dear Ms. Minnucci

## **FOI 24-62 – Decision on access**

I refer to the request made under the *Freedom of Information Act 1982* (Cth) (**FOI Act**) to Airservices Australia (**Airservices**) on 7 August 2024 (**the request**). It seeks access to:

*I note ASA released a Flight Path Design Principles (Version 1) document on 1st October 2020.*

*1: Could I please obtain a copy of all prior Flight Path Design documents from 1 January 2015 to 30 September 2020.*

*2: Also a copy of all current Flight Path Design Principles documents after Version 1, (if applicable).*

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**

FOI located no documents that are within scope of your request in processing your request.

FOI liaised with Airservices' relevant internal stakeholder as to why this is the case and they noted the following:

- there are no flight path design documents that exist prior to 1 October 2020. This is because the Flight Path Design Principles (Version 1) was developed by Airservices as part of the airspace change process which was not established prior to 2020.
- prior to the airspace change process, flight path design and design criteria were applied by Airservices in accordance with relevant regulatory requirements (e.g. Manuals of Standards).
- the Flight Path Design Principles document (Version 1) is the current version of this document and no further updates have been proposed.

*Access refused - Documents non-existent (s 24A(1)(b)(ii) of the FOI Act)*

Based on the searches undertaken and internal stakeholder feedback summarised above, I am satisfied that the documents you have requested do not exist (section 24A(1)(b)(ii)) and refuse access on this basis.

## **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

## 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/>.