



**Australian Government**

**Department of Industry,  
Science and Resources**

Our ref: LEX 75697

Brendon

By email: [foi+request-11950-ddfcb818@righttoknow.org.au](mailto:foi+request-11950-ddfcb818@righttoknow.org.au)

Dear Brendon

**Freedom of Information Act 1982 (Cth)– Notice of intention to refuse.**

I refer to your 27 August 2024 request, to the Department of Industry, Science and Resources (the department), to seek access under the *Freedom of Information Act 1982 (Cth)* (the FOI Act) to:

*“Under the FOI Act I request a copy of all meeting invites sent or received by the FOI EL2, Pip Fairbairn, between the period of 1 March to 31 March 2024.*

*I also request a copy of all emails sent or received by the above mentioned which contains the following words between the period of 1 March to 31 March 2024: “Meeting” “decision maker” “clearance””*

Under subsection 24(1) of the FOI Act, I am satisfied that a practical refusal reason exists in relation to this request. The practical refusal reason is that the work involved in processing the request would substantially and unreasonably divert the resources of the department from its other operations.

Consistent with the objects of the FOI Act and the FOI Guidelines 3.54, your request has been interpreted as extending to any document that might reasonably be taken to be included within the description you have provided. However, we were not able to determine the exact number of documents and pages relevant to this request due to the broad search criteria you have provided in the scope of your request.

In accordance with section 24(1)(a) and 24AB of the FOI Act, I am writing to provide you with written notice that I intend to refuse your request on the grounds that a practical refusal reason exists and to initiate a request consultation process in accordance with section 24AB of the FOI Act.

**Request consultation process**

Before I make a decision to refuse your request under section 24(1)(b) of the FOI Act, I would like to provide you with the opportunity to revise the scope of your request so that a ‘practical refusal reason’ no longer exists.

Although it is your responsibility to provide ways that your request may be revised and narrowed, you may wish to consider the following suggestions to revise the scope of your FOI request (please note that these are suggestions only and do not guarantee the practical refusal reason/s will no longer exist):

- limiting your request to particular topics or correspondence between Ms Fairbairn and a particular decision maker in the department
- reducing the timeframe.

Should you wish to revise your request, you must do so **within 14 days** after the day you are given this notice (unless extended by agreement with the department). If you are unable to meet this deadline and wish to arrange an extension of time in which to consider this matter, or would like to discuss how you could best revise the scope of the request, please contact the FOI team by email at [FOI@industry.gov.au](mailto:FOI@industry.gov.au).

Under subsection 24AB (6) of the FOI Act, you must, before the end of the 14-day consultation period, do one of the following by written notice to the department:

- a) withdraw the request; or
- b) make a revised request; or
- c) indicate that you do not wish to revise the request.

Please note that under subsection 24AB (7), the request is taken to have been withdrawn at the end of the 14-day consultation period if:

- (a) the applicant does not consult the contact person during the consultation period in accordance with this notice; or
- (b) the applicant does not do one of the things mentioned in subsection (6) before the end of the consultation period.

In accordance with subsection 24AB (8) of the FOI Act, the 14-day consultation period is to be disregarded in calculating the processing period for the request.

Your written response should be addressed to:

FOI Coordinator  
Department of Industry, Science and Resources  
GPO Box 2013  
CANBERRA ACT 2601

Or by email to: [FOI@industry.gov.au](mailto:FOI@industry.gov.au)

Should you wish to discuss this matter further, please contact the FOI team by email at [FOI@industry.gov.au](mailto:FOI@industry.gov.au).

Yours sincerely

*D. Miliszewski*  
Deborah Miliszewski  
General Counsel  
Legal Branch

20 September 2024