



LEGAL, INTERNATIONAL AND REGULATORY AFFAIRS

CASA Ref: F24/28003

CR (Right to Know)

Via email: [foi+request-12037-049044f6@righttoknow.org.au](mailto:foi+request-12037-049044f6@righttoknow.org.au)

Dear CR,

### **Access to documents under the *Freedom of information Act 1982***

I refer to your email dated 9 September 2024 seeking access to documents under the *Freedom of Information Act 1982* (the Act). Your request was for:

*On 31 August 2024, a Royal Australian Air Force F/A-18F Super Hornet, a C-17A Globemaster III, and two Australian Army Tiger armed reconnaissance helicopters conducted flypasts and flying displays as part of the Brisbane Festival Riverfire event.*

*The ADF also conducted practice flights for this event on 29 and 30 August 2024.*

*I request access to the following documents under the Freedom of Information Act 1982:*

- 1. All clearance and approval documents granted for this event and practice runs.*
- 2. Safety and operational guidelines that were in place for the event and practice runs.*

On 13 September 2024, CASA acknowledged your above FOI request and noted that a decision would be made within a 30-day statutory period, with a due date by Wednesday 9 September 2024.

### **Decision**

I am the decision maker for your request. Under section 24A(1)(b)(ii) of the FOI Act, I refuse access to your request on the basis that all reasonable steps were taken to find the document, and I am satisfied that the document does not exist.

CASA does not hold information regarding flight activities conducted by the Australian Defence Force. In order to assist you with your request, I now suggest that you approach the Australian Defence Force's Freedom of Information team directly who may be able to assist you in locating any documents that may fall within the above scope.

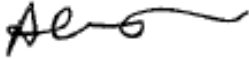
### **Further Information**

As my suggestion is to contact the Australian Defence Force regarding your above request, you may submit a FOI request through their online form found at [Freedom of information requests | About | Defence](#) or alternatively submitting a request to their email address at: [foi@defence.gov.au](mailto:foi@defence.gov.au)

**Grounds for Review**

If you disagree or are not satisfied with any part of the decision you are entitled to seek review. There are two ways you can do this. You can ask for an internal review from within the agency, or an external review by the Office of the Australian Information Commissioner (the OAIC). Further information on how to proceed with a review can be found in **Attachment A** to this notice.

Yours sincerely,



Amy George  
Freedom of Information Officer  
Advisory and Drafting Branch  
Legal, International and Regulatory Affairs Division  
Civil Aviation Safety Authority

9 October 2024

ATTACHMENT A

INFORMATION ON RIGHTS OF REVIEW

*FREEDOM OF INFORMATION ACT 1982*

**Application for review of decision**

The *Freedom of Information Act 1982* (the Act) gives you the right to apply for a review of this decision. Under sections 54 and 54L of the Act, you can apply for a review of this decision by:

- (i) an internal review officer within CASA;
- (ii) the Office of the Australian Information Commissioner (the OAIC).

**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:

- made in writing;
- made within 30 days of receiving this letter; and
- sent to the email address shown in the letter.

No particular form is required, but it is suggested to set out in the application the grounds upon which you consider the decision should be reviewed. An application for review should be addressed to the Freedom of Information Officer at the address below:

Freedom of Information  
Advisory and Drafting Branch  
Legal, International and Regulatory Affairs Division  
Civil Aviation Safety Authority  
GPO Box 2005  
Canberra ACT 2601

If the internal review officer decides not to grant you access to all of the documents which you have requested access, you have the right to seek a review of that decision by the Information commissioner. You will be further notified of your rights of review if and at the time you are notified of the internal review decision.

Please note that if you apply for an internal review and a decision is not made by an internal review officer within 30 days of receiving the application, you have the right to seek review by the Information Commissioner for a review of the original FOI decision on the basis of a 'deemed refusal;' decision. An application for Information Commissioner review in this situation must be made within 60 days of the date when the internal review decision should be made (provided an extension of time has not been applied).

**OAIC Review**

If you wish to apply to the OAIC for a review of the decision, you must do so within 60 days of the receiving the decision letter. You can lodge your application in one of the following ways:

Online: [www.oaic.gov.au](http://www.oaic.gov.au)

Post: GPO Box 5288, SYDNEY NSW 2001

E-mail: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

An application form is available on the website at [www.oaic.gov.au](http://www.oaic.gov.au) . Your application should include a copy of the notice of the decision that you are objecting to, and your contact details. You should also set out why you are objecting to the decision.

### **Complaints to the OAIC or the Commonwealth Ombudsman**

If you are unsatisfied with the action taken by CASA in relation to your FOI request, you can make a complaint to the OAIC (the Information Commissioner) or to the Commonwealth Ombudsman. The Ombudsman will consult with the Information Commissioner before investigating a complaint about the handling of an FOI request.

Your enquiries to the Information Commissioner can be directed to:

Phone: 1300 363 992 (local call charge)

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

Your enquiries to the Ombudsman can be directed to:

Phone: 1300 362 072

Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)

No particular form is required to make a complaint to the Ombudsman or to the Information Commissioner. The request should be in writing and should set out the grounds on which it is considered that the action taken in relation to the request should be investigated and identify CASA as the relevant agency.