



JS

Email: foi+request-5529-bbf38ba3@righttoknow.org.au

Dear JS

Freedom of Information Request No. 190717
Notification of practical refusal reason

I refer to your request of 24 July 2019 to the Department of the Environment and Energy (the **Department**) under the *Freedom of Information Act 1982* (the **FOI Act**). Your request seeks access to:

Under FOI I seek access to documents to which FOI applicants have been given access to since 18 December 2018. I limit the scope of the request to documents the release of which should have been subject to an entry in the disclosure log.

Practical refusal reason

I am writing to inform you of my intention to refuse the above request, as it attracts a practical refusal reason.

Read overall, the request seeks documents released to applicants since 18 December 2018. Our records show that 75 document sets have been identified that fall within the scope of the request, capturing over 10,000 pages.

I also note that these documents will shortly become publicly available. The Department is currently experiencing a back log in uploading documents on to the Department's disclosure. The Department has taken steps to reduce the back log and will continue to do so. It is anticipated that documents will continue to be uploaded on to the disclosure log in tranches over approximately the next month.

I consider that due to the number of documents and excessive page count as well as the fact that the documents will shortly be publicly available, the work involved in processing the request would substantially and unreasonably divert the resources of the Department from its other operations. Pursuant to section 24 of the FOI Act, I am therefore satisfied that a 'practical refusal reason' exists and intend to refuse your request for this reason. Prior to making a decision to this effect, the Department is required to undertake a 'request consultation process' with you (pursuant to section 24AB of the FOI Act).

Request consultation process

The purpose of the process is to assist you in refining the scope of your request so that the 'practical refusal reason' no longer exists.

The request consultation process will run for 14 days after the day you receive this notice. This period may be extended with the agreement of both parties. The processing period for your FOI request is suspended during the request consultation period.

Before the end of the consultation period, you **must** take one of the following actions by written notice to the Department via its FOI Contact Officer (details below):

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

If you do not take one of the above steps within 14 days after the day that you receive this notice, your request will be taken to have been withdrawn.

For clarity, the Department considers a "revised request" to be request that captures a certain amount of documents subject to your original scope, however does not attract a practical refusal reason.

Suggestions for making a revised request

The simplest way to make a revised request is to amend the scope of your existing request, either through removing certain items or adding qualifiers to the scope. Taking these steps usually results in less documents being captured by the scope of the request, and removing the practical refusal reason.

If there are specific documents or requests that are of particular interest to you, it may be that you can request access to those specific documents or requests. It may be that in doing so, the practical refusal reason will no longer apply.

Further assistance

You may contact the FOI Contact Officer at the following addresses:

By post: FOI Contact Officer
General Counsel Branch
Department of the Environment
GPO Box 787
Canberra ACT 2601

By email: foi@environment.gov.au

By phone: (02) 6274 2098

Yours sincerely



Kate Lalor
Acting General Counsel
General Counsel Branch

22 August 2019