



In reply, please quote:

FOI30/100

22 May 2023

Weather User

By email: foi+request-10145-951b226d@righttoknow.org.au

Dear Weather User

Re: Freedom of Information Request – decommission of weather.bom.gov.au

1. I refer to your email to the Bureau of Meteorology ('the Bureau') dated 7 April 2023, requesting access under the *Freedom of Information Act 1982* (Cth) ('FOI Act'). You wrote:

I am requesting all relevant materials in relation to the decision to retire the modern weather.bom.gov.au website which previously aligned to the content of the mobile applications.

(I refer to this as 'your request'.)

Your request and processing timeframe

2. In reply to the Bureau's email dated 18 April 2023, you advised on 21 March 2023 that:

a. you agreed to remove the following material from your request:

1. the names and direct contact details of non-senior officers of the Bureau (below the General Manager level) and any third parties, where that information is contained in documents within scope of your request. The position titles will generally be released;
2. the direct contact details of senior staff (General Manager level or above); and
3. duplicate copies of documents, including email threads that contain duplicated material.

b. However, you did not agree to an extension of 30 days.

3. By email dated 4 May 2023, the Office of the Australian Information Commissioner ('OAIC') notified you that it had declined to grant an extension under s 15AB of the FOI Act to the Bureau¹. Accordingly, a decision fell due on 8 May 2023.

4. The Bureau responded to the OAIC's email on 4 May 2023, noting that it will continue work on completing the request.

5. On 9 May 2023, the Bureau wrote to you firstly noting that was continuing to work towards finalising your request and expected to notify you of the decision in the coming week. It further requested your agreement to "*the removal of draft documents from within the scope of your request, where the finalised versions of those documents are within scope*" in order to finalising the request as promptly as possible.

¹ The OAIC's reference is RQ23/01954.



6. You responded on 9 May 2023, with your agreement to the exclusion of "draft documents" as note above (at [5]).
7. By letter dated 17 May 2023, the Office of the Australian Information Commissioner ('OAIC') notified you of an extension of time granted to the Bureau under s 15AC of the FOI Act². The effect of this extension is that the Bureau is provided further time to 22 May 2023 to provide you a decision on your request.
8. This is a decision on your request.

My decision

9. I am authorised to make a decision in relation to your request pursuant to s 23 of the FOI Act. My decision and reasons for it follow.

Document searches

10. Searches were undertaken for documents falling in scope of your request. The searches included the following:
 - a. officers were identified who are materially familiar with the subject matter in your request.
 - b. Requests were made to such relevant officer to identify all documents in scope.
11. I am satisfied that all reasonable steps were taken to identify documents in scope of your request.

Documents and decision

12. A total of 3 documents have been identified in scope of your request. [Attachment A](#) describes each document.
13. These documents are reasonably in scope of your request in that they record matters relating to the decision to decommission the 'weather.bom.gov.au' website. In other words, they record relevant anterior matters contributing to the decision to decommission the 'weather.bom.gov.au' website.
14. My decision is:
 - a. To release the documents in full to you.
 - b. All three documents contain materials you have agreed to remove (noted at paragraph [2] above).
 - c. Document 1 also contains material not in scope of your request.
 - d. You will be provided an edited copy of these documents pursuant to s 22 of the FOI Act, where all materials you agreed to remove and materials not in scope of your request are removed. (Section 22 is set out in [Attachment B](#).)

Materials considered in making my decision

15. In making my decision I have had regard to:
 - a. your request;

² The OAIC's reference is RQ23/02295.

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- b. matters regarding the document search process;
- c. the relevant documents;
- d. consultation response provided as a result of a consultation process;
- e. the FOI Act;
- f. the FOI Guidelines issued under s 93A of the FOI Act by the Australian Information Commissioner; and
- g. other relevant matters in the circumstances.

For further information

- 16. Information about your review rights are set out in the following pages.
- 17. The Bureau aims to provide accessible documents. If you need this document in a different format, please contact FOI@bom.gov.au.
- 18. If you have any questions about this letter, or need further information, please do not hesitate to contact FOI@bom.gov.au

Yours sincerely

(Approved by email)

Ben Di Lorenzo

General Manager
Digital Channels & Customer Experience Design
Bureau of Meteorology

Review rights

- 19. You may seek a review of this decision by way of the review rights available to you.
- 20. Under section 54 of the FOI Act, you may apply for an internal review of this decision. An internal review application must be made by whichever date is the later between:
 - a. 30 days of you receiving this notice; or
 - b. 15 days of you receiving the documents to which you have been granted access.
- 21. An internal review will be conducted by a different authorised decision-maker. No particular form is required to apply for review although it will assist your case to set out the grounds on which you believe that the original decision should be overturned.
- 22. An application for an internal review can be made by either:
 - a. **Email:** FOI@bom.gov.au
 - b. **Post, addressing it to:**
 - Freedom of Information Officer
 - Bureau of Meteorology
 - GPO Box 1289 Melbourne 3001
- 23. If you seek an internal review, please note *the Bureau's internal reference number* provided at the start of this decision notice.

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24. If you seek an internal review, you will subsequently have a right to apply to the Australian Information Commissioner ('AIC') for a review of the internal review decision.

External review by the Australian Information Commissioner

25. Alternatively, under section 54L of the FOI Act, you may seek review of this decision by the AIC without first undertaking an internal review. Your application must be made within 60 days of you receiving this notice.
26. The AIC is an independent office holder who may review decisions of agencies under the FOI Act. More information is available on website of the Office of the Australian Information Commissioner: www.oaic.gov.au.
27. You can contact the OAIC to request a review by one of the following ways:
- Via the online form on the OAIC website:** <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/information-commissioner-review>
 - Email:** foidr@oaic.gov.au
 - Post, addressing it to:**
Director of FOI Dispute Resolution
GPO Box 5218, Sydney NSW 2001

FOI complaints

28. 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 complain to the AIC. A complaint must be made in writing and can be lodged in one of the following ways:
29. You can contact the OAIC to request a review by one of the following ways:
- Via the online form on the OAIC website:** <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/information-commissioner-review>
 - Email:** foidr@oaic.gov.au
 - Post, addressing it to:**
Director of FOI Dispute Resolution
GPO Box 5218, Sydney NSW 2001
30. More information about Information Commissioner reviews and complaints can be found on the OAIC's website: <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints>.

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Attachment A: Schedule of documents

Document No.	Date	Description of document	FOI Act exemptions & editing	Decision & notes
Document 1	16/1/2023	Email - ESRI Radar Mobile App Channel.pptx	Section 22	Contains materials out of scope of your request and information excluded with consent
Document 2	16/12/2022	Email - RE: ESRI Radar Mobile App Channel.pptx	Section 22	Contains information excluded with consent
Document 3	16/1/2023	RE: differences between weather.bom v app / web [SEC=OFFICIAL]	Section 22	Contains information excluded with consent

Melbourne Office

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Attachment B: section 22 of the FOI Act

22 Access to edited copies with exempt or irrelevant matter deleted

Scope

- (1) This section applies if:
 - (a) an agency or Minister decides:
 - (i) to refuse to give access to an exempt document; or
 - (ii) that to give access to a document would disclose information that would reasonably be regarded as irrelevant to the request for access; and
 - (b) it is possible for the agency or Minister to prepare a copy (an **edited copy**) of the document, modified by deletions, ensuring that:
 - (i) access to the edited copy would be required to be given under section 11A (access to documents on request); and
 - (ii) the edited copy would not disclose any information that would reasonably be regarded as irrelevant to the request; and
 - (c) it is reasonably practicable for the agency or Minister to prepare the edited copy, having regard to:
 - (i) the nature and extent of the modification; and
 - (ii) the resources available to modify the document; and
 - (d) it is not apparent (from the request or from consultation with the applicant) that the applicant would decline access to the edited copy.

Access to edited copy

- (2) The agency or Minister must:
 - (a) prepare the edited copy as mentioned in paragraph (1)(b); and
 - (b) give the applicant access to the edited copy.

Notice to applicant

- (3) The agency or Minister must give the applicant notice in writing:
 - (a) that the edited copy has been prepared; and
 - (b) of the grounds for the deletions; and
 - (c) if any matter deleted is exempt matter—that the matter deleted is exempt matter because of a specified provision of this Act.
- (4) Section 26 (reasons for decision) does not apply to the decision to refuse access to the whole document unless the applicant requests the agency or Minister to give the applicant a notice in writing in accordance with that section.