



Australian Government
Department of Finance

Reference: FOI 23-24/008
Contact: FOI Team
e-mail: foi@finance.gov.au

Alex Pentland
Right to Know

By email only: foi+request-10475-21e79ee0@righttoknow.org.au

Dear Mr/s Pentland,

Freedom of Information Request – FOI 23-24-008

On 14 July 2023, the Department of Finance (Finance) received your email requesting access under the Commonwealth *Freedom of Information Act 1982* (FOI Act) to the following documents:

- (a) Documents and correspondence relating to the moving of Senator Babet's electorate office (from the CBD to Narre Warren) from 21 May 2022
- (b) The enumerated costs of the move of Senator Babet's electorate office from the CBD to Narre Warren.

Finance wrote to you notifying that your request was too broad and requested that you narrow the scope of your FOI request.

On 26 July 2023, you agreed to amend the scope of your request as set out in **Attachment A**.

The purpose of this letter is to provide you with notice that the work involved in processing your request in its current form would substantially and unreasonably divert Finance's resources from its other operations. This is called a 'practical refusal reason'. The availability of the practical refusal reason in the FOI Act is to ensure that the capacity of Finance to discharge their normal functions are not undermined by processing requests that are unreasonably burdensome.

On this basis of the above practical refusal reason, I intend to refuse access to the documents you requested. However, before I make a final decision to do this, you have an opportunity to revise your request. This is called a 'request consultation process'.

Authorised decision-maker

I am authorised by the Secretary of Finance to grant or refuse access to documents.

Why I intend to refuse your request

Under subsection 24AA(2) I must have regard to the resources that would have to be used by Finance for:

- identifying, locating or collating the documents within Finance's filing system
- deciding whether to grant, refuse or defer access to a document to which the request relates, or to grant access to an edited copy of such a document (including resources that would have to be used for examining the document or consulting with any person or body in relation to the request)
- making a copy or an edited copy, of the document
- notifying any interim or final decision on the request.

I decided that a practical refusal reason exists because your request requires Finance to:

- review approximately 170 documents, estimated to consist of over 500 pages, which are relevant to your request.
- a significant number of pages will likely require redactions.
- your request relates to documents that contain extensive third-party information, which requires Finance to undertake third party consultation, and to consider any objections to release submitted by those third parties.

Request consultation process: clarifying the terms of your request

You now have an opportunity to revise your request to enable it to proceed.

Revising your request can mean narrowing the scope of the request to make it more manageable or explaining in more detail the documents you wish to access. For example, by providing more specific information about exactly what documents you are interested in, so that Finance will be able to pinpoint the documents quickly and avoid using excessive resources to process documents you are not interested in.

You are required to take further action

Before the end of the consultation period, you must do one of the following, in writing:

- withdraw your request
- revise your request
- tell Finance that you seek to proceed with your original request.

The consultation period runs for **14 days** starting on the day after you receive this notice. This means you must respond to this notice in one of the ways set out above on or before **Monday 14 August 2023**.

During this period, you are welcome to seek assistance from the contact officer I have listed below to revise your request. If you revise your request in a way that adequately addresses the practical refusal grounds outlined above, Finance will recommence processing your request.

Please note, the time taken to consult with you regarding your request is not taken into account for the purposes of the 30 calendar day statutory processing period in which Finance is required to finalise your request.

If you do not respond electing to do one of the three options listed above during the consultation period or you do not consult the contact person during this period, the FOI Act deems your request to have been withdrawn. If your request is deemed withdrawn, you are not prevented from making a new request in the future.

Contact officer

If you would like to revise your request or have any questions, the contact officer for your request is:

Rachel
FOI Officer
Foi@finance.gov.au

Yours sincerely,



Georgia Weichert
Acting Assistant Secretary
Ministerial and Parliamentary Services
Department of Finance
28 July 2023