



FOI Number: FOI 23-24(20)

Ms Cathy Minnucci

Email: [foi+request-11238-f4f60396@righttoknow.org.au](mailto:foi+request-11238-f4f60396@righttoknow.org.au)

Dear Ms Minnucci

### **Freedom of Information Act 1982 – Notice of Decision**

I refer to your written request of 16 March 2024, to the Australian Transport Safety Bureau (ATSB) to seek access under the [Freedom of Information Act 1982 \(FOI Act\)](#) to:

*all documents from between 1 Jan 2019 and 1 Jan 2024 where any incidents were reported, or permission was granted to jettison fuel from an aircraft travelling to or from Hobart TAS within a radius of 60km of Hobart Airport.*

### **Background**

On 12 April 2024, you agreed to a 7-day extension under section 15AA of the FOI Act for the processing of your FOI request.

### **Decision**

I am an authorised decision maker under section 23 of the FOI Act.

The ATSB has undertaken a search of all relevant electronic databases for the documents you have requested. However, we have been unable to locate any existing documents that contain the information you are seeking.

Based on these searches, I am satisfied that all reasonable steps have been taken to locate any documents relevant to your request, but no such documents exist.

Fuel dumping is not reportable to the ATSB unless there is an associated technical issue that is reportable or there is a declaration of an emergency, and there were no such reports received relevant to your request.

Therefore, I have decided to refuse your request in accordance with section 24A of the FOI Act on the grounds that the documents you have requested do not exist.

If you are dissatisfied with this decision, your review rights are set out in **Attachment A**.

Please do not hesitate to contact the FOI team at [FOI-ATSB@atsb.gov.au](mailto:FOI-ATSB@atsb.gov.au) if you require any further clarification.

Yours sincerely



Lloyd Petty  
Authorised Decision Maker  
Australian Transport Safety Bureau

19 April 2024

**Enclosures**

Attachment A – Review Rights

## ATTACHMENT A

### Review Rights

If you are dissatisfied with my decision, you may apply for an internal review or Information Commissioner review of the decision. We encourage you to seek an internal review, in the first instance, as it may provide a more rapid resolution of your concerns.

#### Internal review

Under section 54 of the FOI Act, you may apply in writing to the ATSB for an internal review of my decision. The internal review application must be made within 30 days after the date of receipt of this letter.

The internal review will be carried out by another decision maker, usually someone at a more senior level, who will make a completely fresh decision on the merits of the case. While a specific form is not required, it will assist the decision maker if your application specifies the grounds on which you consider the decision should be reviewed.

Application for a review of a decision should be addressed to:

Freedom of Information Coordinator  
Australian Transport Safety Bureau  
GPO Box 321  
Canberra ACT 2601

or by email to: [FOI-ATSB@atsb.gov.au](mailto:FOI-ATSB@atsb.gov.au)

#### Review by the Australian Information Commissioner

If any decision on internal review were not satisfactory to you, section 54L of the FOI Act gives you the right to apply for review of my decision by the Information Commissioner. An application for review by the Information Commissioner must be made in writing within 60 days of the receipt of this letter, and be lodged in one of the following ways:

**Online:** [www.oaic.gov.au](http://www.oaic.gov.au)  
**Post:** GPO Box 5218, Sydney NSW 2001  
**Fax:** +61 2 9284 9666  
**Email:** [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)  
**In person:** Level 3, 175 Pitt Street, Sydney NSW 2000

More information about an Information Commissioner review is available on the Office of the Australian Information Commissioner website at [www.oaic.gov.au](http://www.oaic.gov.au).