



Australian Government

Department of Infrastructure and Regional Development

FOI reference: 16-02

Mr Jackson Gothe-Snape

Email: <foi+request-1135-2f23e721@righttoknow.org.au>

Dear Mr Gothe-Snape

Notice of intention to refuse request (section 24(1) of the FOI Act)

I refer to your request for access to documents in the possession of the Department of Infrastructure and Regional Development (the Department) in accordance with the *Freedom of Information Act 1982* (FOI Act). Your request sought access to:

“emails sent or received that are identified by a text search of the Department's email records for the terms ‘South Australia’, ‘South Australian’, ‘SA’ and ‘Adelaide’, restricted to the date 9 July 2015.”

In response to your email on Tuesday, 14 July 2015 (11.50am), I am unable to provide you with the number of emails identified as these searches have not yet been undertaken, due to the broad scope of your request.

Further, I am writing to notify you of the Department's intention to refuse your request, in its current form, in accordance with section 24(1) of the FOI Act. Section 24 provides that an agency may refuse to process an FOI request if a practical refusal reason, as defined in section 24AA, exists.

Section 24AA (1) relevantly provides:

- (1) For the purposes of section 24, a practical refusal reason exists in relation to a request for a document if either (or both) of the following applies:
- a. The work involved in processing the request;
 - i. In the case of any agency – would substantially and unreasonably divert the resources of the agency from its other operations;
 - b. The request does not satisfy the requirement in paragraph 15(2)(b)(identification of documents)

The Department considers that the request in its current form would substantially and unreasonably divert the resources of the Department from its other operations (section 24AA(1)(a)(i)) as you have not provided sufficient information in order to identify documents you are seeking access to (section 24AA(1)(b)).

Due to the broad terms of your request the only way in which documents could be reasonably identified is through IT searches of email systems. However, the search parameters you have outlined would likely identify most, if not all, emails sent or received by the Department on 9 July 2015.

It is anticipated searches would identify thousands of emails as they would identify all emails with any references to “Australia”, “Australian” and any words/names with the letters “sa”. This would include any references to the Australian Government, other states and territories and words such as “say”, “save”, “safety” etc. as well as names containing those letters.

It is anticipated that a search of every email account would take in excess of one week. Undertaking further assessment of each of the potentially thousands of emails to determine if they are within scope of your request would also take a significant amount of time.

It is my expectation and understanding that you are not seeking access to all of the emails which would be identified through such a search as described above, which would result in these searches being burdensome and redundant.

As such, in accordance with section 24AB(2) of the FOI Act I am writing to notify of the Department’s intention to refuse your request.

In order for your FOI request to be processed we invite you to discuss the scope of your request. In the interest of resolving this matter quickly I would suggest discussing this matter by telephone. I can be contacted by telephone on (02) 6274 6495.

Please note that in accordance with section 24AB(2)(e) you have 14 days from the date of this letter to contact the Department regarding your request. If we do not hear from you in this time your request will be deemed to be withdrawn.

Regards,

Taryn
Freedom of Information and Client Service Team Leader

21 July 2015