



**Australian Government**

**Department of Health**

Department Reference: FOI 166-1516

Ms Kamilia Hanna

Via email: [foi+request-1668-5280d935@righttoknow.org.au](mailto:foi+request-1668-5280d935@righttoknow.org.au)

Dear Ms Hanna

**FREEDOM OF INFORMATION REQUEST:  
NOTICE OF LIABILITY TO PAY A CHARGE**

I refer to your request of 28 February 2016 to the Department of Health, seeking access under the *Freedom of Information Act 1982* (FOI Act) to:

- 1. Financial documents regarding investments into Major sports grounds in New South Wales where NRL is played such as Allianz Stadium and investments into Local sports in New South Wales where NRL is played such as Belmore oval.*
- 2. Any documents or reports from 2014 to 2016 about the construction of a stadium in Moore Park.*
- 3. Communications between the NSW Government and the NRL regarding the \$600 million being used to upgrade Australia's rectangular stadia.*

In accordance with section 29 of the FOI Act, I have decided that you are liable to pay a charge in respect of your request.

Subsection 29(1)(f) of the FOI Act provides that you must notify the Department in writing within 30 days after the date of this notice of either the following:

- that you agree to pay the charge;
- that you wish to make a contention that the charge has been wrongly assessed or should be reduced or not imposed (if you wish to contend please see further details below); or
- that you withdraw your request.

**Preliminary Assessment**

In accordance with paragraph 29(1)(b) of the FOI Act my preliminary assessment of the charge is \$3,396.01. This has been calculated as follows:

|   |                                 |                   |
|---|---------------------------------|-------------------|
| search and retrieval time (including time spent locating relevant files and collating relevant documents contained on those files)  | 12.18 hours @ \$15.00 per hour  | \$182.75          |
| decision making time (including time spent examining the documents, considering exemptions, undertaking consultation, writing the decision and preparing any documents for release) | 160.90 hours @ \$20.00 per hour | \$3217.96         |
|   | First 5 hours free              | (\$100.00)        |
| photocopies of documents  | 953 pages @ \$0.10 per page     | \$95.30           |
| <b>TOTAL</b>  |                                 | <b>\$3,396.01</b> |

**Deposit**

I have also decided that you are required to pay a deposit. As the preliminary assessment is greater than \$100.00 a deposit of 25% is required, this being \$849.

Payment of a deposit will be taken as your authority for us to proceed with the processing of your request and your agreement to pay the full charge in which case you will become liable to the Commonwealth for the full cost of the processing charge. Your deposit payment (cheque or credit card) should be sent to either of the following:

FOI@health.gov.au

*OR*

FOI Coordinator (MDP 41)  
Department of Health  
GPO Box 9848  
CANBERRA ACT 2601

**Contention that the charge has been wrongly assessed, should be reduced or not imposed**

Under the FOI Act you have the right to contend that the charge has been wrongly assessed, should be reduced or not imposed. If you choose to make such a contention the matters that I am required by subsection 29(5) of the FOI Act to take into account include:

- (a) whether the payment of the charge, or part of it, would cause financial hardship to you or the person on whose behalf the application was made; and
- (b) whether the giving of access to the document[s] in question is in the general public interest or in the interest of a substantial section of the public.

**Timeframe for providing you with a decision**

The date for providing you with a decision will be later than that previously advised because processing of your request is suspended from the date you receive this notice. Counting of the 30 calendar days will resume when either you pay a deposit or any contention about the charge has been resolved.

**Relevant provisions**

The FOI Act, including the provisions referenced in this notice can be accessed from the Federal Register of Legislation website using the following link:

<https://www.legislation.gov.au/Details/C2016C00067>

If you require clarification of any of the matters discussed in this letter you should contact the Department's FOI Unit on (02) 6289 1666, or by email at [FOI@health.gov.au](mailto:FOI@health.gov.au)

Yours sincerely



FOI Director

24 March 2016