



Australian Government
Civil Aviation Safety Authority

LEGAL AFFAIRS, REGULATORY POLICY
AND INTERNATIONAL STRATEGY

TRIM Ref: F16/5734

9 December 2016

Mr Rob Cumming

Via email: Rob Cumming foi+request-2790-b2055c72@righttoknow.org.au

Dear Mr Cumming,

ACCESS TO DOCUMENTS UNDER THE *FREEDOM OF INFORMATION ACT 1982*

I refer to your email dated 28 November 2016 seeking access to documents under the *Freedom of Information Act 1982* (Cth) (the Act). Your request is as follows:

The following documents are being sought for the purposes of the Freedom of information Act.

All documents including but not limited to:

- Correspondence;
- File Notes;
- Meeting Notes;
- Internal Memo's;
- Diary/ calendar entries;
- Telephone records;
- All data electronically collected, being by mobile phone, Dictaphone, tape recorder or mp3/4 recorder or other means · E-mails; · All database entries including entries into Sky Sentinel, TRIM and AIRS; · Images; · Individual FOI [Flight Operation Inspector], AWI comments and resulting documentation; · All supervisory staff records relating to the matter; · If referred to the CASA Board, all related Board minutes, discussions and recommendations made to advise CASA as to direction for the Board in relation to this

In relation to:

Maintenance records for all navigation equipment in the aircraft operated by Aerotropics - VH-TFU on and from 1st January 2003.

I am an officer authorised under section 23(1) of the Act to make decisions in relation to freedom of information requests.

I am writing to tell you that I believe that the work involved in processing your request in its current form would substantially and unreasonably divert the resources of this agency from its other operations due to its size and broad scope. This is called a 'practical refusal reason' (section 24AA).

On this basis, 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' as set out under section 24AB of the Act. You have 14 days to respond to this notice in one of the ways set out below.

Why I intend to refuse your request

I have decided that a practical refusal reason exists because:

- Searches relating to your request have identified in excess of potentially 10,000 pages of records, including, but not limited to:
 - Investigation reports;
 - Coronial inquest documents;
 - Correspondence with various third parties.
- Reviewing these documents to identify whether CASA holds the documents sought could be expected to take more than 2 weeks;

I note this incident was investigated by the Australian Transport Safety Bureau. This report is publicly available at <https://www.atsb.gov.au/media/3148330/aaair200501977.pdf>. Page 30 of the report deals with maintenance of the Ground Proximity Warning System. As stated above, it would unreasonably divert the resources of this agency to recall documents from storage totalling more than 10, 000 pages in order to determine if the maintenance records are held by CASA.

Request consultation process

You now have an opportunity to revise your request to enable it to proceed, however, CASA's records system does not explicitly record that CASA holds the maintenance records, or if it does, where they are located.

Before the end of this consultation period, you must do 1 of the following, in writing:

1. withdraw your request
2. make a revised request
3. tell us that you do not wish to revise your request.

The consultation period runs for 14 days and starts on the day after you receive this notice.

During this period, you are welcome to seek assistance from the contact person 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, I will recommence processing it (please note that the time taken to consult you regarding the scope of your request is not taken into account for the purposes of the 30 day time limit for processing your request).

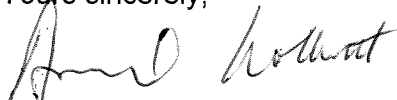
If you do not do 1 of the 3 things above during the consultation period or you do not consult me as the contact officer during this period, your request will be taken to have been withdrawn.

Contact officer

If you would like to revise your request or have any questions, I am the contact officer for your request, and am contactable as detailed below:

Phone: 02 6217 1281, Fax: 02 6217 1607
Email: david.gobbitt@casa.gov.au
Mail: GPO Box 2005, Canberra ACT 2601

Yours sincerely,

A handwritten signature in black ink, appearing to read 'David Gobbitt', written in a cursive style.

David Gobbitt
A/g Freedom of Information Coordinator
Legal Affairs, Regulatory Policy and International Strategy Branch

Email address: david.gobbitt@casa.gov.au