



Australian Government
Civil Aviation Safety Authority

LEGAL AFFAIRS, REGULATORY POLICY
AND INTERNATIONAL STRATEGY

TRIM Ref: F16/5734

20 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.

In an email to you dated 9 December 2016, I advised you that a practical refusal reason existed in relation to your request as 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. Searches relating to your request identified in excess of 10,000 pages that would need to be examined for the documents you are seeking access to, a task that could be expected to take more than 2 weeks.

In an email dated 13 December 2016, titled 'Internal review of Freedom of Information request - Navigation maintenance records for VH-TFU between 1st January 2003 and May 2005' you advised as follows:

This is a simple request for the maintenance records relating to navigation equipment.

The Aerotropics Metro VH-TFU had the following equipment:

VOR, NDB, GPS

These are at two levels, the actual "maintenance shop" and the copies of the maintenance release for the period requested.

I require the records in the form and time span requested above and previously.

On 13 December 2016, I advised you that you cannot seek internal review, as no decision has been made regarding your request. I reiterated to you that CASA's records system does not explicitly record that CASA holds the maintenance records, or if it does, where they are located. I also enquired if you were revising your request in terms of the content of your email as stated above.

On 13 December 2016, you replied 'Note terms of review as submitted'.

Decision

You have not refined your request in such a way as to remove the practical refusal reason, and have instead insisted on seeking internal review, though no final decision had yet been made.

In accordance with s 24 of the Act, and for the reasons explained in my letter to you of 9 December 2016, I am refusing to give access to the documents in accordance with the request.

Application for internal review of decision

Section 54 of the Act gives you the right to apply for an internal review of my decision. An application for internal review of my decision must be made in writing within 30 days of receipt of this letter.

No particular form is required, but it is desirable to set out in the application the grounds on which you consider that the decision should be reviewed. An application for review should be addressed to the Freedom of Information Coordinator at the address below:

Freedom of Information Coordinator
Legal Services Division
Civil Aviation Safety Authority
GPO Box 2005
Canberra ACT 2601

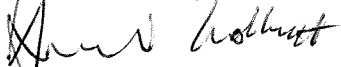
Review by the Australian Information Commissioner

Alternatively, under section 54L of the Act, you may apply to the Australian Information Commissioner to review my decision. An application for review by the Information

Commissioner must be made in writing within 60 days of the date of this letter, and be lodged in one of the following ways:

online: <http://www.oaic.gov.au/freedom-of-information/requesting-a-review>
email: enquiries@oaic.gov.au
post: GPO Box 2999, Canberra ACT 2601
in person: Level 3, 175 Pitt Street, Sydney NSW
phone: 1300 363 992

Yours sincerely,



David Gobbitt

A/g Freedom of Information Coordinator

Legal Affairs, Regulatory Policy and International Strategy Branch