



Australian Government

Civil Aviation Safety Authority

LEGAL AFFAIRS, REGULATORY POLICY
AND INTERNATIONAL STRATEGY

TRIM Ref: F16/6060

22 December 2016

Mr Shane Urquhart

Via email: Shane Urquhart foi+request-2875-66449d67@righttoknow.org.au

Dear Mr Urquhart,

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

I refer to your email dated 20 December 2016 seeking access to documents under the *Freedom of Information Act 1982* (Cth) (the Act). Your request is as follows:

I hereby request that CASA provide to me ALL maintenance documentation pertaining to and including worksheets, reports, recommendations and to whom they were given, with regard to the aircraft VHTFU, between January 2003 and May 2005. As I know you are very aware, VHTFU was destroyed when it struck South Pap west of Lockhart River on the morning of 07 May 2005. I am sure you also know that my daughter was one of those who was killed in the crash.

In qualifying my request...

- I am particularly interested in the navigation equipment on board VHTFU during this time.
- such documents must include who carried out the maintenance, when and where.
- such documents must include all records of maintenance carried out by Hawker Pacific in Cairns and provided to the operator Rik Lippmann (Aerotropics), just prior to the incident.
- such documentation was NEVER provided to the Inquest or by the ATSB Investigators involved.
- reference to such records outlined in the Official ATSB report....do NOT explain any details of maintenance records or how they were obtained or viewed or by whom.

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;

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

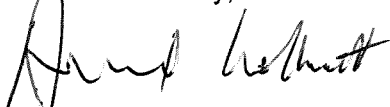
If you would like to revise your request or have any questions, I am the contact officer for your request, and am contactable as detailed below:

Phone: 02 6217 1281, Fax: 02 6217 1607

Email: david.gobbitt@casa.gov.au

Mail: GPO Box 2005, Canberra ACT 2601

Yours sincerely,



David Gobbitt

A/g Freedom of Information Coordinator

Legal Affairs, Regulatory Policy and International Strategy Branch

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