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Our ref: IEF17/2072

Mr Fraser Tweedale

By email: foi+request-3721-1b267dc3@righttoknow.org.au

Dear Mr Tweedale

Freedom of Information Act – Notice of intention to refuse

I refer to your request received by Geoscience Australia (GA) on 12 July 2017, in which you sought access under the *Freedom of Information Act 1982* (the FOI Act) to:

(1) Any documents detailing the software programming languages used by particular projects or initiatives of Geoscience Australia.

(2) Any documents listing or mentioning software programs or libraries developed by or in conjunction with Geoscience Australia, the source code of which has been made publicly available (whether or not the code was released under a recognised Free Software or Open Source license).

I recognise that it may be necessary to redact or omit documents in relation to projects that have not been publicly announced. This is acceptable, but in the event that this occurs, I further request:

(3) Any documents detailing the number of projects (and if possible the languages they are using) removed from the scope of part (1) of this request due to the project not having been publicly announced, including documents produced during the execution of this request.

I recognise that it may be necessary to redact or omit documents in relation to publicly announced projects of a highly sensitive nature. This is acceptable, but in the event that this occurs, I further request:

(4) Any documents listing the names of the projects removed from the scope of part (1) of this request due to the project being of a highly sensitive nature, including documents produced during the execution of this request.

By email dated 18 July 2017, you were advised that GA is willing to provide you with a list of the software programming languages and programs commonly used for GA projects and initiatives if you withdraw your FOI request. By email dated 18 July 2017, you advised in response that you are willing to withdraw parts 1, 3 and 4 of your request if GA provides you with a list of the programming languages commonly used at GA.

A list of the programming languages commonly used at GA has been provided to you in the covering email forwarding this letter. Accordingly, GA will treat parts 1, 3 and 4 of your FOI request as withdrawn.

The remaining scope of your FOI request is:

(2) Any documents listing or mentioning software programs or libraries developed by or in conjunction with Geoscience Australia, the source code of which has been made publicly available (whether or not the code was released under a recognised Free Software or Open Source license).

Under subsection 24(1) of the FOI Act, I am satisfied that a practical refusal reason exists in relation to the remaining part of your FOI request. The practical refusal reason is that the work involved in processing the request would substantially and unreasonably divert GA's resources from its other operations. Part 2 of your request captures over 1,000 documents due to broad wording of the request and the large number of projects GA conducts for which the source code has been made publicly available.

In accordance with section 24(1)(a) and 24AB of the FOI Act, I am writing to provide you with written notice that I intend to refuse your request on the grounds that a practical refusal reason exists and to initiate a request consultation process in accordance with section 24AB of the FOI Act.

Request consultation process

Before I make a decision to refuse your request under section 24(1)(b) of the FOI Act, I would like to provide you with the opportunity to revise the scope of your request so that a 'practical refusal reason' no longer exists.

Should you wish to revise your request, you must do so **within 14 days** after the day you are given this notice (unless extended by agreement with GA). If you are unable to meet this deadline and wish to arrange an extension of time in which to consider this matter, or would like to discuss how you could best revise the scope of the request, please contact the FOI team per the details below.

Under subsection 24AB(6) of the FOI Act, you must, before the end of the 14-day consultation period, do one of the following by written notice to the department:

- a) withdraw the request;
- b) make a revised request; or
- c) indicate that you do not wish to revise the request.

Please note that under subsection 24AB(7), the request is taken to have been withdrawn at the end of the 14 day consultation period if:

- a) the applicant does not consult the contact person during the consultation period in accordance with this notice; or

- b) the applicant does not do one of the things mentioned in subsection (6) before the end of the consultation period.

In accordance with subsection 24AB(8) of the FOI Act, the 14-day consultation period is to be disregarded in calculating the processing period for the request under section 15(5)(b) of the FOI Act.

Your written response should be addressed to:

FOI Coordinator
Department of Industry, Innovation & Science
GPO Box 2013
CANBERRA ACT 2601
Or by email to: FOI@industry.gov.au

Should you wish to discuss this matter, please contact the FOI team on (02) 6276 1597.

Yours sincerely,



Trent Rawlings

General Manager, Corporate Services

9 August 2017