



Australian Government
**Australian Pesticides and
Veterinary Medicines Authority**

Our reference: G11008 (LEX 3782)

21 March 2014

Mr Adam Presnell

By email: foi+request-526-91540cf8@righttoknow.org.au

Dear Mr Presnell

Freedom of Information Request
Notice under s24 of the FOI Act of intention to refuse your request and invitation to consult

1. I refer to your request under the *Freedom of Information Act 1982 (FOI Act)* received by the Australian Pesticides and Veterinary Medicines Authority (APVMA) on 21 February 2014. You requested access to;

"...copies of all correspondence/notes/briefs etc with the Commonwealth Government, Queensland Government, Sunshine Coast Regional Council, Biosecurity Queensland and Mark Steele regarding GLORICIDE."

2. On 27 February 2014 the FOI case officer wrote to you advising that the scope of your request was quite broad and in similar terms to your previous request of November 2012. We invited you to refine the scope of your request. On 27 February 2014 you replied and amended the scope to;

"I wish to receive documents, emails, notes, decision notices etc relating to GLORICIDE to all Government Departments and to Mark Steele that the APVMA has."

The matter commenced in 2010, so all documents between todays date 27/2/2014 and 1/1/2010."

3. I am an officer of the APVMA authorised under section 23 of the FOI Act to make decisions in respect of FOI requests.
4. I am writing to advise you that, for the reasons explained below, I believe 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. For this reason I intend to refuse access to the documents you have requested.
5. Before making that decision I am required to give you the opportunity to revise the scope of your request.

Why I intend to refuse your request

6. The APVMA is a small agency with limited resources to manage FOI requests. I have interpreted your request as including all documents held by the APVMA that relate to or refer to Gloricide. The scope includes all documents in connection with your previous Freedom of Information request of 15 November 2012 and all prior correspondence with yourself. Our searches have identified potentially more than 5000 pages relevant to your request. This includes a large number of emails. Our IT searches have also identified a significant proportion of emails where you are the sender or are the recipient of those emails.
7. My estimate is that it would take approximately 430 hours to analyse the documents, consult relevant third parties and make a decision on the release of each document. The work involved in processing your request would substantially and unreasonably divert the resources of the APVMA from its other operations.

Request consultation process

8. You have an opportunity to revise your request to enable it to proceed. If you can provide specific information about the documents you are seeking, the APVMA can avoid using excessive resources to provide you with documents that you are not interested in or already have copies of.
9. To reduce the volume of documents subject to your request, you may wish to consider the following possible options to reduce the scope of the request:
 - a. excluding all documents authored or received by yourself or your email address;
 - b. excluding all documents generated in connection with the processing your previous Freedom of Information request of 15 November 2012;
 - c. excluding all documents relating to parliamentary Questions on Notice and Senate Estimates (noting that all questions and their respective answers are publicly available on the Australian Parliament House website at aph.gov.au);
 - d. excluding internal emails forwarding your correspondence to staff for information where those emails have no content other than as a forwarding message;
 - e. providing information to the APVMA to allow us to identify Mark Steele; and
 - f. excluding duplicate copies of documents (if any).
10. You are not limited to the above options and the APVMA is able to consider any other suggestions you may have to refine the scope of your request.

What do you need to do?

11. Section 24AB of the FOI Act allows for a period of 14 days to conduct a request consultation. Before the conclusion of the request consultation period, you must by written notice to the APVMA:
 - a. withdraw your request;
 - b. make a revised request; or
 - c. indicate that you do not wish to make a revised request.

12. During the request consultation period, the contact person listed below will be able to assist you with your request. If you revise the scope to address the practical refusal grounds within 14 days of this notice the APVMA will recommence processing your request.
13. The request consultation period commences on the day after this notice is issued, and will conclude on **5 April 2014**. If you fail to respond with one of the above options within this period, your request will be taken to have been withdrawn pursuant to section 24AB(7) of the FOI Act.

Contact officer

14. If you have any questions please contact me by email at: foi@apvma.gov.au

Yours sincerely



Maria Mitchell
Deputy General Counsel
Legal Program