



Dan Monceaux

Email: foi+request-5620-94b2e99f@righttoknow.org.au

Dear Mr Monceaux

Freedom of Information Request No. 190909
Notification of charges

I refer to your request of 9 September 2019 to the Department of the Environment and Energy (the **Department**) under the *Freedom of Information Act 1982* (the **FOI Act**). Your request seeks access to:

Copies of all documentation and correspondence held by the Department that detailing the rationale for the decision to deem EPBC Referral 2019/8420 - Cultana Pumped Hydro Energy Scheme a Controlled Action.

Notice of charges

I have identified 38 documents that fall within the scope of your request. Further, as per our correspondence of 4 October 2019, I have decided to consult with six third parties so that they may provide their views on a release of those documents.

Due to the resources required, I have decided that a charge is payable for the processing of this request (pursuant to Regulation 6 of the *Freedom of Information (Charges) Regulations 2019*). The details of this charge are set out below:

Cost type	Amount
Search and retrieval time: 2.27 hours @ \$15ph	\$34.00
Decision-making time: 20.33 hours @ \$20ph	\$406.67
Subtotal	\$440.67
Less 5 hours complementary decision-making time	-\$100.00
Total due to the Department	\$340.67

The total charge payable is \$340.67. I have determined that you may pay a deposit of \$85.17 (25% of the total amount) to allow for the processing of your request to continue.

The charge has been calculated on the assumption that you would prefer to receive electronic copies of the documents via email. Accordingly the charge does not include costs incurred for postage or photocopying. If you would prefer to receive hard copy documents, please let me know so that the charge may be amended to accommodate for these further costs.

Required actions

Within **30 days** of receipt of this notice you must either:

- pay the charge or deposit;
- contend that the charge has been wrongly assessed, should be reduced or not imposed;
or
- withdraw your FOI request.

If you fail to take one of these actions within **30 days** of receiving this notice, your FOI request will be taken to have been withdrawn.

Payment of charge or deposit

To pay the charge or deposit, please follow the directions provided at **ATTACHMENT A**.

If you decide to pay a deposit, the documents subject to the request will not be disclosed until the remainder of the charge is paid. Once a deposit is paid, there is no statutory deadline for payment of the remainder of the charge.

Contention of charges

If you wish to contend that the charges have been wrongly assessed, should be reduced or not imposed, please provide your written contention to one of the following addresses:

Post: FOI Contact Officer
 General Counsel Branch
 Department of the Environment and Energy
 GPO Box 787
 CANBERRA ACT 2601

Email: foi@environment.gov.au

Your written contention must include the reasons as to why you consider the Department should amend, reduce or waive the charge. For guidance, when deciding to reduce or waive a charge I need to consider whether:

- payment of the charge, or part of it, would cause you financial hardship; or
- the giving of access to the documents is in the general public interest or in the interest of a substantial section of the public.

You may wish to address the above in your contention.

Amendment of request

It is open to you to amend your request so that less documents are captured within the scope. This may reduce the time required to process your request, and in turn the charges issued for it.

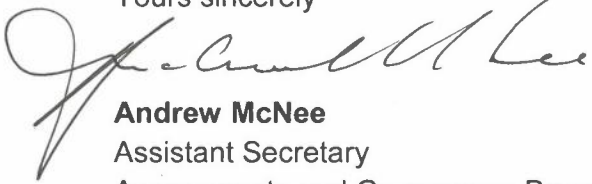
If you wish to amend the scope of your request, please contact the Department's FOI team at foi@environment.gov.au.

Suspension of FOI clock

Pursuant to section 31 of the FOI Act, the statutory timeframe for processing your request is suspended from the day that you receive this notice until:

- the day the Department receives payment of the charge (in full or the required deposit); or
- the day the Department decides not to impose the charge.

Yours sincerely



Andrew McNee
Assistant Secretary
Assessments and Governance Branch

18 **October 2019**

ATTACHMENTS:

A. Payment of Charge – Freedom of Information Request



PAYMENT OF CHARGE
Freedom of Information Request

REFERENCE NUMBER	FOI 190909
AMOUNT	\$340.67 (Payment in full) \$85.17 (Deposit)

PAYMENT BY ELECTRONIC FUNDS

Payment by Electronic Funds Transfer (EFT) can be made using the following details:

BSB	092-009
Account No.	115859
Description	FOI 190909

PAYMENT BY CHEQUE OR MONEY ORDER

Please include this Payment of Charge sheet with your cheque or money order.

Please make the cheque or money order payable to **Department of the Environment and Energy**. You may post it to the below address:

FOI Contact Officer
General Counsel Branch
Department of the Environment and Energy
GPO Box 787
CANBERRA CITY ACT 2601

PLEASE NOTE: Failure to include the correct reference number with your payment may result in delays in processing your request. In a worst case scenario, your request may be treated as withdrawn. Please take care to include the correct reference number with your payment.