



Mr Ben Fairless

Email: [foi+request-705-6bde15e4@righttoknow.org.au](mailto:foi+request-705-6bde15e4@righttoknow.org.au)

Dear Mr Fairless

**Freedom of Information - Decision Letter**  
**Request No. 040714**

I refer to your request of 16 July 2014 to the Department of the Environment (the **Department**) in which you have sought access under the *Freedom of Information Act 1982* (the **FOI Act**).

**Authority**

I am authorised by the Secretary of the Department under section 23 of the FOI Act to make a decision in relation to this request.

**Background**

You have requested information related to:

*records detailing the IPv4 (and if relevant, IPv6) addresses used to access the public internet from within your network. To clarify, these are the public facing addresses of your private network. I am only requesting addresses that are used to access the general public internet.*

On the 7 August 2014, the Department advised you that publicly available information was already available through existing online tools and that further information on the Department's network configuration would not be provided based on advice from the Attorney General's Department. On that same day, you confirmed you would like your FOI request to be processed.

The Department has identified one document as relevant and falling with the scope of your request. A schedule containing the document is available at **Attachment A**.

**Decision**

After considering your FOI request and relevant documentation, I have decided to refuse access in full to the document under section 33 (national security) and section 47E (certain operations of agencies).

**Material considered in making decision**

In making my decision in relation to the document I have considered:

- the document;
- the FOI Act;

- the Office of the Australian Information Commissioner (**OAIC**), *Guidelines under section 93A of the FOI Act* (the **FOI Guidelines**); and
- Australian Government advice related to IT security matters.

### **Reasons for Decision**

#### **Information affecting national security (section 33)**

Under section 33 of the FOI Act, a document is an exempt document if the disclosure of the document would, or could be reasonably be expected to, cause damage to the security of the Commonwealth (paragraph 33(a)(i)).

You have sought information about the Department's IT infrastructure design. All publically available information on this topic is already accessible through various online tools. You have indicated that you require information not available through these existing channels.

The provision of additional information could assist those seeking to maliciously target government networks. For example, by facilitating targeting of denial of service attacks. This is particularly the case should the information from multiple Commonwealth agencies be aggregated for a consolidated attack.

Accordingly, disclosure of the information you have requested constitutes a potential threat to the security of Commonwealth networks and communication systems. Furthermore, it could raise the risk profile of the Department.

I have therefore decided that the information is exempt under paragraph 33(a)(i) of the FOI Act.

#### **Certain operations of agencies (section 47E)**

Under section 47E of the FOI Act, a document is exempt if its disclosure would, or could reasonably be expected to:

...

*(d) have a substantial adverse effect on the proper and efficient conduct of the operations of an agency.*

Release of this information may lead to increased effectiveness of malicious activity targeting government networks. This constitutes a potential threat to the security of Commonwealth networks and communication systems, and to the proper and efficient conduct of the Department's operations.

I have therefore decided that the information is exempt under subsection 47E(d) of the FOI Act.

#### **Public Interest Test**

Section 47E of the FOI Act is a conditional exemption. Access must generally be given to a conditionally exempt document unless it would be contrary to the public interest.

I have considered the public interest factors favouring the disclosure of the document namely:

- promoting the objects of the FOI Act;
- informing debate on matters of public importance; and
- informing the community of government policies and issues within the portfolio.

However, I consider that those factors are outweighed by public interest factors against disclosure, namely that disclosure:

- may lead to increased effectiveness of malicious activity targeting government networks; and
- constitutes a potential threat to the security of the Commonwealth networks and communications systems, and to the proper and efficient conduct of the Department's operations.

For the above reasons, I have decided to exempt the document under subsection 47E(d) of the FOI Act.

### **Review rights**

Under the FOI Act you may seek a review of my decision through:

- an internal review that is conducted by the Department under Part VI of the FOI Act; or
- a review by the Information Commissioner under Part VII of the FOI Act.

Further information regarding your review rights is at **Attachment B**.

### **Further assistance**

The FOI Contact Officer in the Department can be contacted by telephone on 02 6274 2098 or, by email at [foi@environment.gov.au](mailto:foi@environment.gov.au) for any assistance with your request.

Yours sincerely



Al Blake  
Chief Information Officer  
Information Technology Branch

25 August 2014

Attachment A

Doc. No.	Description of document	Decision	Exemptions
1	Departmental network diagram.	Exempt	<p>Paragraph 33(a) (i) – Documents the disclosure of which would, or could reasonably be expected to, cause damage to the security of the Commonwealth.</p> <p>Subsection 47E (d) – Documents the disclosure of which would, or could reasonably be expected to have a substantial adverse effect on the proper and efficient conduct of the operations of an agency.</p>



## **Attachment B**

### **Internal Review**

If you wish to seek an internal review, you must apply to the Department within 30 days after the day you are notified of this decision.

An application for internal review of the decision made must be made in writing. No particular form is required but it is helpful if you set out in the application the grounds on which you consider that the decision should be reviewed. Your application for an internal review should be sent to:

#### **By post**

FOI Contact Officer  
Legal Branch  
Department of the Environment  
GPO Box 787  
Canberra ACT 2601

#### **By email**

Email: [foi@environment.gov.au](mailto:foi@environment.gov.au)

### **Review by the Australian Information Commissioner**

Alternatively, you may seek a review of my decision by the Australian Information Commissioner (AIC).

The option to seek an internal review (see above) does not prevent you from seeking a review by the AIC at a later stage – this is because the AIC can also review an internal review.

If you wish to seek a review of my decision by the AIC you must apply within 60 days after the day on which notice of this decision was given to you or after the day on which notice of the internal review decision was given.

Your application must be in writing and must provide details of how notices may be sent to you and include a copy of this decision letter. The AIC also suggests that your application sets out why you are objecting to the decision. Your application can be lodged in one of the following ways:

**Online:** [www.oaic.gov.au](http://www.oaic.gov.au)

**Post:** GPO Box 2999, Canberra ACT 2601

**Fax:** +61 2 9284 9666

**Email:** [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

**In person:** Level 3, 25 National Circuit, Forrest, ACT, or at

Level 8, Piccadilly Tower, 133 Castlereagh Street, Sydney, NSW

## Complaints

You may also make a complaint to the AIC if you have concerns about how the Department has handled this part (or any part) of your request under the FOI Act.

Applicants who wish to make a complaint to the Ombudsman will find information on the Ombudsman's website at <http://www.ombudsman.gov.au/>.