

16 February 2015

Paul
foi+request-881-829e9bf7@righttoknow.org.au

Dear Paul,

Application for documents under *Freedom of Information Act 1982* ('FOI Act')

I refer to your request of 19 January 2015 seeking any correspondence that record, refer or relate to emails between Tourism Australia and the Office of Andrew Robb between 9 September 2013 and 31 October 2014 relating to the Boathouse Restaurant in Palm Beach.

I am authorised under section 23 of the FOI Act to make access decisions, and have been appointed to be the decision-maker on your request. I have been provided with the documents identified in searches within the agency as relevant to your request.

Documents

After careful consideration of the material and the terms and context of your request, I have identified two documents as being relevant to your request. I have decided to release these document in full, with irrelevant material deleted.

Section 26 of the FOI Act provides that where access to a document has been denied in full or in part, a statement must be provided to the applicant setting out findings on material questions of fact, the material on which those findings were based, and the reasons for the decision. Please find this information below.

Material considered

The material on which my decision is based includes:

- the request and the documents within the scope of the request;
- the FOI Act;
- the Guidelines issued by the Office of the Australian Information Commissioner under section 93A of the FOI Act; and
- the views of third parties consulted.

Reasons for my decision, including any material findings of fact

The reasons for my decision are set out below.

Some material has been deleted under section 22(1)(a)(ii) of the FOI Act, which allows material that is either irrelevant to the request or exempt from release to be deleted, to enable the remaining material in the document to be released. In this case, this includes automatically e-mail footers which have been redacted on the grounds of irrelevance as they add no substance to the specifics of the FOI request. I have also decided to delete the personal information (names and contact details) of junior employees of the agency or the Trade Minister's Office where I have assessed there is no need for future contact with that particular public

servant. In the same vein, I have decided to delete Ms Halbert's mobile phone number as its disclosure would not add any substance to your request.

Notwithstanding my decision to release the documents in full, your review rights are as follows.

Your review rights

If you are dissatisfied with the searches we did to locate documents related to your request, you may apply for internal review or Information Commissioner review of the decision. We encourage you to seek internal review as a first step as it may provide a more rapid resolution of your concerns.

Internal review

Under section 54 of the FOI Act, you may apply in writing to Tourism Australia for an internal review of my decision. The internal review application must be made within 30 days of the date of this letter. Where possible, please attach reasons why you believe review of the decision is necessary. The internal review will be carried out by another officer within 30 days.

Information Commissioner review

Under section 54L of the FOI Act, you may apply to the Australian Information Commissioner to review my decision. An application for review by the Information Commissioner must be made in writing within 60 days of the date of this letter, and be lodged in one of the following ways:

- online: <https://forms.business.gov.au/aba/oaic/foi-review/>
- email: enquiries@oaic.gov.au
- post: GPO Box 2999, Canberra ACT 2601
- in person: Level 3, 175 Pitt Street, Sydney NSW

More information about Information Commissioner review is available on the Office of the Australian Information Commissioner website. Go to www.oaic.gov.au/freedom-of-information/foi-reviews.

Complaints to the Commonwealth Ombudsman

You may complain to the Commonwealth Ombudsman concerning action taken by an agency in the exercise of powers or the performance of functions under the FOI Act. There is no fee for making a complaint. The Ombudsman will make a completely independent investigation of your complaint.

Complaints to the Ombudsman can also be lodged via the Ombudsman's web page: www.comb.gov.au. The Ombudsman usually prefers complainants to first seek internal review before complaining about a decision.

Yours sincerely



Mark Craig
Executive General Manager, Corporate Services
Freedom of Information Officer