



Australian Government

Department of Climate Change, Energy,  
the Environment and Water

Ref: LEX-73038

Dan Monceaux

Via email: [foi+request-9998-fb511fa0@righttoknow.org.au](mailto:foi+request-9998-fb511fa0@righttoknow.org.au)

Dear Dan Monceaux

### **Your Freedom of Information request – consultation**

I refer to your request received by the Department of Climate Change, Energy, the Environment and Water (**department**) on 27 February 2023 for access under the *Freedom of Information Act 1982* (Cth) (**FOI Act**) to the following documents:

'I am writing to request digital copies of all documents and correspondence pertaining to the nomination, consideration and discussion of the addition of the Cuttlefish Coast Sanctuary Zone to Australia's National Heritage List. The site was listed in February 2023. <https://www.dcceew.gov.au/parks-heritage/heritage/places/national/cuttlefish-coast-sanctuary-zone>'

### **Your request involves significant resources for the department**

Due to the amount of work involved for the department, under sections 24AA(1)(a)(i), 24 and 24AA(2) of the FOI Act, the department intends to refuse your FOI request as a 'practical refusal reason' exists. Under the Act, the practical refusal reason is that processing your request 'would substantially and unreasonably divert the resources' of this agency.

To process your request the department would have to do extensive searches to find and process the documents you asked for. Preliminary searches indicate that the department may hold more than 200 documents, totalling over 1250 pages. I estimate that it would take over 45 hours to process your request.

Your request is large because you have requested all documents and correspondence relating to the nomination, consideration and discussion of the addition of the Cuttlefish Coast Sanctuary Zone to Australia's National Heritage List. Noting that a successful nomination to Australia's National Heritage List can take time and require extensive consultation with stakeholders, it is likely that your request has identified a large number of documents relevant to the many stages of a successful nomination to Australia's National Heritage List.

If you decide not to make any revisions to your request, the department may refuse your FOI request as a 'practical refusal reason' exists.

## How to send us a 'revised request'

Before a final decision is made on your request, you can submit a revised request.

Within the next 14 days (consultation period) you must do one of the following in writing:

- withdraw the request;
- make a revised request; or
- tell us that you do not want to revise your request.

If you do not contact us during the consultation period, your request will be taken as having been withdrawn.

If you would like to make a revised request, you could consider:

- limiting the timeframe of your request by limiting your request to all documents and correspondence created within a certain timeframe; **and/or**  
e.g. all documents/correspondence dated 1 July 2022-31 December 2022
- limiting the scope of your request to one aspect of the addition of the Cuttlefish Coast Sanctuary Zone to Australia's National Heritage List; **and/or**  
e.g. seeking all documents and correspondence pertaining to the *identification* of the Cuttlefish Coast Sanctuary Zone
- limiting the scope of your request by removing certain types of documents from your request; **and/or**  
e.g. please exclude publicly available scientific papers or other publications, and internal department emails sent between department staff members
- limiting the scope of your request to only seek documents where a significant/substantive decision is made by a department Senior Executive Staff member/delegate.  
e.g. the delegate's decision brief agreeing to/approving the addition of the Cuttlefish Coast Sanctuary Zone to Australia's National Heritage List.

## Contact officer

During the consultation period, you are welcome to contact the department to ask for help in revising your request. The contact officer's details are as follows:


Indi  
Senior Legal Officer  
02 6274 2098

[foi@dcceew.gov.au](mailto:foi@dcceew.gov.au).

**Further assistance**

If you have any questions, please email [foi@dceew.gov.au](mailto:foi@dceew.gov.au).

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Suzi Heaton', is written in black ink. Below the signature is a simple horizontal line.

Suzi Heaton  
Acting Branch Head  
Heritage Branch  
Heritage, Reef & Ocean Division  
23 March 2023