

PETER Prea

From: VANDENBROEK Sarah
Sent: Wednesday, 15 September 2021 8:35 AM
To: FOI
Cc: HOLM Oliver; PIKE AnnMaree; s 47F ; s 47F ; RUSH, Rebecca; s 47F
Subject: BACON Rachel
 RE: FOR ACTION - New FOI requests (8) FOIs - FOI 22-044 - to FOI 22-051 - Norfolk Island Chamber of Commerce [SEC=OFFICIAL:Sensitive]

Follow Up Flag: Follow up
Flag Status: Flagged

OFFICIAL:Sensitive

Hi Allison,

I confirm that I will be the decision maker for these matters. I have inserted a column below with the relevant EL2 and AS for each request.

Can you please confirm that the Chamber either has been or will be (when scope is clarified) advised of the relevant charges for each request?

Regards,
Sarah

OFFICIAL:Sensitive

From: FOI
Sent: Monday, 13 September 2021 7:32 PM
To: VANDENBROEK Sarah
Cc: BACON Rachel ; DACEY Christine ; WALL Ruth ; HOLM Oliver ; s 47F ; FOI ; s 47F ; s 47F ; RUSH, Rebecca
Subject: FOR ACTION - New FOI requests (8) FOIs - FOI 22-044 - to FOI 22-051 - Norfolk Island Chamber of Commerce [SEC=OFFICIAL:Sensitive]

OFFICIAL:Sensitive

Dear Sarah

We have received eight (8) new FOI requests from the Norfolk Island Chamber of Commerce. These relate to different matters. The requests are outlined in the table below with relevant due dates and comments from me [highlighted].

As discussed some of these matters are not best placed with the Department as we do not have access or visibility to correspondence requested. The Administrator is not an FOI'able entity. Any emails to and/or from him that the

Department was are party to are in scope, but emails he sent directly to NIRC or private entities that did not involve the Department for example are not subject to our FOI processes.

Further, some matters are requesting access to 6.5 years of information that we will not have or may be too voluminous. We will write to the Chamber formally under the FOI Act noting the broad nature of the requests and requesting they refine the scope of these matters and more clearly articulate and identify what documents they are seeking access to, this is done via a notice of intention to refuse under s24AB of the FOI Act. We will need to talk to the relevant line area first to better understand the volume of documents in scope and how best to refine the scope.

Action Needed:

Grateful if you can confirm that you are the appropriate decision maker for these matters and the FOI team will then touch base with relevant line areas about processing the request/issuing notices of intention to refuse etc. If you could let me know the most appropriate EL2 or AS for the Kingston Pier matters that would be appreciated.

Happy to discuss at any time and if you have any questions or concerns with the approach outlined please do not hesitate to call me on s 47F

Title	Request	Contacts	Received
s 22			
22-045	<p>communication emails between Eric Hutchinson, Administrator Norfolk Island and Simon Batt, Principal Consult Marine in relation to the Department of Infrastructure, Transport, Regional Development and Communications developing a long-term ports management strategy for Norfolk Island.</p> <p>Request only seeking access to corro with Eric and Simon Batt – whilst it related to a Department project request does not involve Dept corro – not subject to FOI as the administrator is not and FOIabe entity nor consult marine</p>	<p>If Chamber includes the Dept: EL2 = Jim Baldwin AS = Oliver Holm</p>	12/09/21

s 22

s 22

s 22

Regards
Allison Kenna
FOI Team

OFFICIAL:Sensitive

PETER Prea

From: VANDENBROEK Sarah
Sent: Friday, 24 September 2021 9:56 AM
To: FOI
Cc: HOLM Oliver; s 47F
Subject: RE: FOR APPROVAL - : FOI 22-047 - FOI - Air Services Norfolk Island [SEC=OFFICIAL] [SEC=OFFICIAL:Sensitive]
Attachments: FOI 22-045 - s24A no docs.pdf; FOI 22-047 - s24A no docs.pdf
Follow Up Flag: Follow up
Flag Status: Completed

OFFICIAL:Sensitive

Hi Allison

Signed letters are attached.

Thanks,
Sarah

OFFICIAL:Sensitive

From: FOI <FOI@infrastructure.gov.au>
Sent: Thursday, 23 September 2021 4:13 PM
To: VANDENBROEK Sarah <Sarah.Vandenbroek@infrastructure.gov.au>; FOI <FOI@infrastructure.gov.au>
Cc: HOLM Oliver <Oliver.Holm@infrastructure.gov.au>; SERGI Anna <Anna.Sergi@infrastructure.gov.au>
Subject: FOR APPROVAL - : FOI 22-047 - FOI - Air Services Norfolk Island [SEC=OFFICIAL] [SEC=OFFICIAL:Sensitive]

OFFICIAL:Sensitive

Hi Sarah

Please see attached 2 x no documents exist decision letters (22-045 and 22-047). I noted in the letters that email/RM searches were undertaken but also noted that we would not normally hold the corro requested as the parties are not departmental employees.

If you are happy with the attached, please electronically sign the letters and return to the FOI team. Let me know if you have issues with that – I can talk you through it.

Happy to amend/discuss etc.

Allison Kenna
s 47F

OFFICIAL:Sensitive

From: VANDENBROEK Sarah <Sarah.Vandenbroek@infrastructure.gov.au>
Sent: Wednesday, 22 September 2021 7:43 PM
To: FOI <FOI@infrastructure.gov.au>
Cc: HOLM Oliver <Oliver.Holm@infrastructure.gov.au>; s 47F <[REDACTED]@infrastructure.gov.au>
Subject: RE: FOR COMMENT - : FOI 22-047 - FOI - Air Services Norfolk Island [SEC=OFFICIAL] [SEC=OFFICIAL:Sensitive]

OFFICIAL:Sensitive

Hi Allison – I agree a no docs response is a good idea to formally close this one.

Thanks,
Sarah

OFFICIAL:Sensitive

From: FOI <FOI@infrastructure.gov.au>
Sent: Wednesday, 22 September 2021 9:15 AM
To: VANDENBROEK Sarah <Sarah.Vandenbroek@infrastructure.gov.au>
Cc: HOLM Oliver <Oliver.Holm@infrastructure.gov.au>; FOI <FOI@infrastructure.gov.au>
Subject: FOR COMMENT - : FOI 22-047 - FOI - Air Services Norfolk Island [SEC=OFFICIAL] [SEC=OFFICIAL:Sensitive]
Importance: High

OFFICIAL:Sensitive

Hi Sarah

Please see emails s 22 [REDACTED] attached. Despite me telling the Chamber we do not have access to any emails from Eric and private organisations they are insisting we provide the information by COB today, which is of course not how FOI works.

I would suggest we do a no docs decision noting we do not have access to the information sought and that way the matter is totally finalised. Whilst I am firmly of the view the request if not valid, from experience the OAIC will tend to sympathise with an applicant and expect the Department to formally finalise the matter. If we provide a decision (no docs) they need to then appeal it to the OAIC if they do not agree or legitimately think we do have access to the documents.

Can you let me know if you are agreeable to this approach and I will draft two “no docs decisions” for your signature. s 22 [REDACTED]

Happy to chat if you prefer.
Allison

s 47F [REDACTED]

OFFICIAL:Sensitive





PETER Prea

From: Norfolk Island Chamber of Commerce, Inc. <norfolkisland.coc@gmail.com>
Sent: Tuesday, 21 September 2021 7:52 PM
To: FOI
Subject: Re: FOI 22-045 - ports management strategy for Norfolk Island. [SEC=OFFICIAL]

Follow Up Flag: Follow up
Flag Status: Flagged

Dear FOI Team

The Norfolk Island Chamber of Commerce, Inc (Chamber) refers to your email which Chamber members are now aware of.

The Chamber now requests that you reconsider your email and provide the information as requested. Please confirm this by close of business Wednesday 22 September 2021 so that consideration can then be taken as to the Chamber's next step in relation to this matter.

Kind regards

Chamber Committee

Norfolk Island Chamber of Commerce, Inc



Disclaimer

This message and the information therein is for the recipient only and may contain confidential and/or legally privileged material. Any review, disclosure, dissemination, re-transmission, copying or other use of, or taking any action in reliance upon this information is prohibited without Chamber Committee approval in writing.

If you have received this email in error, please notify Chamber and delete all communication of this transmission including any attachments

On Thu, 16 Sept 2021 at 20:31, FOI <FOI@infrastructure.gov.au> wrote:

OFFICIAL

Dear Chamber

I refer to your FOI request below and note that you are seeking access to emails and documents between parties that are not the Department and are not subject to the FOI Act.

We note that the Norfolk Island Administrator is not a departmental employee and neither is Mr Simon batt.

As such this FOI cannot be progressed or processed as we do not have access to such documents, as such, we are of the view that the request is not valid and no further action will be taken.

Regards

FOI Team

OFFICIAL

From: Norfolk Island Chamber of Commerce, Inc. <norfolkisland.coc@gmail.com>

Sent: Sunday, 12 September 2021 7:39 PM

To: FOI <FOI@infrastructure.gov.au>

Subject: FOI - ports management strategy for Norfolk Island.

Dear Co-ordinator

Under the Freedom of Information Act-1982 the Norfolk Island Chamber of Commerce, Inc seeks communication emails between Eric Hutchinson, Administrator Norfolk Island and Simon Batt, Principal Consult Marine in relation to the Department of Infrastructure, Transport, Regional Development and Communications developing a long-term ports management strategy for Norfolk Island.

Kind regards

Chamber Committee

Norfolk Island Chamber of Commerce, Inc



Disclaimer

This message and the information therein is for the recipient only and may contain confidential and/or legally privileged material. Any review, disclosure, dissemination, re-transmission, copying or other use of, or taking any action in reliance upon this information is prohibited without Chamber Committee approval in writing.

If you have received this email in error, please notify Chamber and delete all communication of this transmission including any attachments



Virus-free. www.avast.com

Disclaimer

This message has been issued by the Department of Infrastructure, Transport, Regional Development and

Communications. The information transmitted is for the use of the intended recipient only and may contain confidential and/or legally privileged material.

Any review, re-transmission, disclosure, dissemination or other use of, or taking of any action in reliance upon, this information by persons

or entities other than the intended recipient is prohibited and may result in severe penalties.

If you have received this e-mail in error, please notify the Department on (02) 6274-7111

and delete all copies of this transmission together with any attachments.
