Freedom of Information (FOI) Request

I refer to your email dated 26th May 2011 in which you seek access to documents under the Freedom of Information Act 1982 (Cth) relating to:

- Digital data and comparative analyses carried out or promulgated by Dr Janette Lindesay, Associate Professor Climatology, Fenner School of Environment and Society; or Mr Clem Davis, or any other ANU staff to check the conclusion that "...data collected now cannot be effectively compared to previous data."

- Copies of all correspondence, inward and outward, relating to the subject that "The expansion of the airport has affected the accuracy of measurements at the (Canberra) weather station." - between Dr Lindesay or her Department - including Mr Clem Davis or anybody else at the Australian National University and the ACT Commissioner for Sustainability and the Environment (including precursor organizations) and the Bureau of Meteorology (BoM), Mr Stephen Leilleyt (BoM) and any other BoM personnel and any other people that have corresponded with you or Australian National University on the above subject.

- Including but not limited to digital data on the Australian National University network or workstations, hard disk drives, digital data on optical CD or DVD media, digital data on memory stick media, faxes, emails, email attachments, reports, papers, documents, letters, memos and texts.

The ANU Climate Change Institute was contacted with regards to this request and I have reviewed the information provided in accordance with the provisions of the FOI Act.

I have determined that there are ten documents in total suitable for release. These documents are listed in Appendix A (encl).
Processing Fee

In accordance with Section 29 of the Act I have decided that you are liable to pay a charge for processing of your request. The assessment of that charge is as follows:

- Search and Retrieval time – 3 hours @ $15/hour $45
- Decision making time – first five hours nil charge $0
- Photocopying charges approx (3 pages) @ 10c/page $0
- Postage @ costs incurred (approx $10) $10

**TOTAL** $55
- deposit paid
  (amount of deposit)

**Total remaining** $55

I note your email dated 16th June 2011 whereby you have agreed to pay the charges of $55 and have the documents sent to you electronically. The documents will be released to you upon receipt of your payment. This payment must be received within 30 days receipt of this letter, and details on how to make the payment were included in the email accompanying this decision letter.

If, since our email correspondence, you believe that the charge should be reduced or waived in full for any reason, including financial hardship or on the basis of the public interest, please provide me with the reasons that you believe are relevant to support the reduction or waiver. Request for reduction or waiver of the fee must be received by my office within 30 days receipt of this letter.

In considering such a request, I will take into account whether the payment of the charge, or part of it, would cause you financial hardship and whether giving access to the documents is in the general public interest or in the interest of a substantial section of the public. I will notify you of my decision within 30 days of receiving your written response. Please note however, that the University is not obliged to waive or reduce the charge and the actual charges incurred may vary from the estimate.

In the event that you do not respond to this letter within 30 days of receiving it, Section 29 of the Act permits me to conclude that you have withdrawn your request.

Please note that in accordance with Section 31 of the Act, the time limit for processing your request is suspended from the day that you receive this letter and resumes on the day you pay the deposit or charge. At the restart of the processing time limit, there will be 7 days remaining.

Application for Internal Review of Decision

I draw your attention to Section 54A of the Act, which give you the right to apply for an internal review of my decision.

An application for internal review of my decision must be made in writing within 30 days receipt of this letter, no particular form is required but it is desirable to set out in the application the grounds on which you consider the decision should be reviewed.

Application for review of the decision should be addressed to:

Pro Vice- Chancellor
Building 108
Australian National University (ANU)
CANBERRA ACT 2601
Application for Information Commissioner (IC) Review of decision

I draw your attention to Section 54F of the Act, which gives you the right to apply for an Information Commissioner review of my decision.

An application for IC review must be made in writing within 30 days receipt of this letter.

Application for IC review of the decision can be made via online form on the Office of the Australian Information Commissioners website or posted to:

    FOI Review
    PO Box 2999,
    CANBERRA ACT 2601

Or hand delivered to:

    Level 3, 25 National Circuit
    Forrest, ACT

Yours sincerely

[Signature]

Sue Clarke
FOI Officer
Encl.