

**PETER Prea**

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**From:** VANDENBROEK Sarah  
**Sent:** Wednesday, 15 September 2021 8:35 AM  
**To:** FOI  
**Cc:** HOLM Oliver; s 47F s 47F s 47F RUSH, Rebecca; s 47F  
 BACON Rachel  
**Subject:** 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.

s 47C

Regards,  
Sarah

OFFICIAL:Sensitive

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**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			
22-047	all email communication from 1 January 2021 to 12 September 2021 between Eric Hutchinson, Administrator Norfolk Island, Rael Donde President Accommodation		12/09/21

Tourism Association (ATA) Norfolk Island, and Andrew Roach General Manager Norfolk Island Regional Council and Michael Colreavy Interim Administrator Norfolk Island Regional Council relating to air services for Norfolk Island.

Again not seeking access to Dept. documents. NIRC is an entity subject to FOI so could be transferred to NIRC under section 16 of the Act.

s 22



Regards  
Allison Kenna  
FOI Team

**OFFICIAL:Sensitive**

**PETER Prea**

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**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

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**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>; s 47F @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

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**From:** VANDENBROEK Sarah <[Sarah.Vandenbroek@infrastructure.gov.au](mailto:Sarah.Vandenbroek@infrastructure.gov.au)>  
**Sent:** Wednesday, 22 September 2021 7:43 PM  
**To:** FOI <[FOI@infrastructure.gov.au](mailto:FOI@infrastructure.gov.au)>  
**Cc:** HOLM Oliver <[Oliver.Holm@infrastructure.gov.au](mailto: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

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**From:** FOI <[FOI@infrastructure.gov.au](mailto:FOI@infrastructure.gov.au)>  
**Sent:** Wednesday, 22 September 2021 9:15 AM  
**To:** VANDENBROEK Sarah <[Sarah.Vandenbroek@infrastructure.gov.au](mailto:Sarah.Vandenbroek@infrastructure.gov.au)>  
**Cc:** HOLM Oliver <[Oliver.Holm@infrastructure.gov.au](mailto:Oliver.Holm@infrastructure.gov.au)>; FOI <[FOI@infrastructure.gov.au](mailto: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 below s 22 [REDACTED]. 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

**From:** Norfolk Island Chamber of Commerce, Inc. <[norfolkisland.coc@gmail.com](mailto:norfolkisland.coc@gmail.com)>  
**Sent:** Tuesday, 21 September 2021 7:39 PM  
**To:** FOI <[FOI@infrastructure.gov.au](mailto:FOI@infrastructure.gov.au)>  
**Subject:** Re: FOI 22-047 - FOI - Air Services Norfolk Island [SEC=OFFICIAL]

Dear Ms Kenna,

The Norfolk Island Chamber of Commerce, Inc (Chamber) refers to your email below, to which Chamber members have been informed about.

The Chamber now requests that you take action and provide the information as requested. Please reply by close of business Wednesday 22 September 2021 your decision on this matter so that the Chamber Committee, as instructed by Chamber members, may then take further action.

Kind regards

Chamber Committee

*Norfolk Island Chamber of Commerce, Inc*



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On Thu, 16 Sept 2021 at 20:39, FOI <[FOI@infrastructure.gov.au](mailto:FOI@infrastructure.gov.au)> wrote:

OFFICIAL

Dear Chamber

I refer to your FOI request below. I note that you are seeking access to emails and documents between parties that are the not the Department . Therefore the Department will not have access to relevant documents. As advised the NI Administrator is not a departmental employee.

We note that the Norfolk Island Regional Council (NIRC) is subject to the FOI Act and you may wish to lodge a valid FOI request with NIRC for relevant documents.

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

Allison Kenna

FOI Team

**OFFICIAL**

**From:** Norfolk Island Chamber of Commerce, Inc. <[norfolkisland.coc@gmail.com](mailto:norfolkisland.coc@gmail.com)>

**Sent:** Sunday, 12 September 2021 8:25 PM

**To:** FOI <[FOI@infrastructure.gov.au](mailto:FOI@infrastructure.gov.au)>

**Subject:** FOI - Air Services Norfolk Island

Dear Co-Ordinator

Under the Freedom of Information -1982, the Norfolk Island Chamber of Commerce, Inc seeks all email communication from 1 January 2021 to 12 September 2021 between Eric Hutchinson, Administrator Norfolk Island, Rael Donde President Accommodation Tourism Association (ATA) Norfolk Island, and Andrew Roach General Manager Norfolk Island Regional Council and Michael Colreavy Interim Administrator Norfolk Island Regional Council relating to air services for Norfolk Island.

Kind regards

Chamber Committee

*Norfolk Island Chamber of Commerce, Inc*



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