

s. 22(1)(a)(ii)

From: s. 47F(1) @birdlife.org.au>
Sent: Monday, 4 October 2021 10:55 AM
To: foi@environment.gov.au
Subject: BirdLife Australia FOI Request - Toondah Harbour Proposal - EPBC Referral Number 2018/8225 [SEC=UNOFFICIAL]
Attachments: 04102021- BirdLifeAustralia - EPBC 2018-8225 - FOI-application.pdf

Dear FOI Officer,

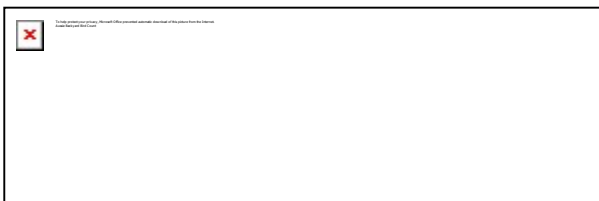
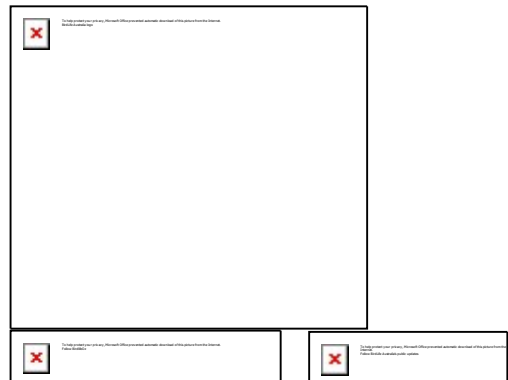
Please find attached FOI Request for access to documents regarding the Toondah Harbour Proposal - EPBC Referral Number 2018/8225.

Kind regards,

s. 47F(1)

s. 47F(1)

BirdLife Australia
 Suite 2-05, 60 Leicester Street, Carlton VIC 3053
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 ABN 75 149 124 774



BirdLife Australia acknowledges the Traditional Owners of the Country on which we live and work, and we pay our respects to their Elders past and present. We recognise and are grateful for the immense contribution of Indigenous people to the knowledge and conservation of Australia's birds.



Freedom of Information Act 1982 – request for access to documents

APPLICANT NAME (AND ORGANISATION, IF APPLICABLE): s. 47F(1) BirdLife Australia	
EMAIL ADDRESS: s. 47F(1) @birdlife.org.au	TELEPHONE NUMBER: s. 47F(1)

COVID-19 (Coronavirus) update – timeframes to process FOI requests

Due to the impact of the COVID-19 pandemic, the Department may require additional time to process FOI requests. In these circumstances, we will try to seek your agreement to an extension of time.

Please send an email to the appropriate FOI mailbox (foi@agriculture.gov.au for Agriculture and Water portfolio requests and foi@environment.gov.au for Environment portfolio requests) if you would like to contact the Department regarding your FOI request.

During this time, we encourage you to use self-service or administrative access schemes on our website where possible.

I AM REQUESTING ACCESS TO DOCUMENTS IN THE POSSESSION OF:

(Choose **one** of the below – a separate form is required for each agency)

- | | |
|--|--|
| <input checked="" type="checkbox"/> Department of Agriculture, Water and the Environment | <input type="checkbox"/> Director of National Parks |
| <input type="checkbox"/> Minister for the Environment (including Minister's Office) | <input type="checkbox"/> Commonwealth Environmental Water Holder |
| <input type="checkbox"/> Assistant Minister for Waste Reduction and Environmental Management (including Minister's Office) | <input type="checkbox"/> Australian Heritage Council |
| <input type="checkbox"/> National Environment Protection Agency | |

SCOPE OF REQUEST:

(Describe the documents you are seeking access to. To guide you, we recommend looking at the suggestions on the next page – this will help ensure that your request captures the information you are interested in and is able to be processed efficiently.)

1. Emails, notes of meetings and phone calls, and briefing documents between departmental officers and the Minister for the Environment (including Minister's Office) regarding the process and timeline for the release of the draft Environmental Impact Statement for EPBC referral 2018/8225 between 1 June 2021 and 31 August 2021.

If the Department decides to consult with third parties during the course of this FOI request, do you give consent to our identifying you to third parties as the FOI applicant?

(Note: it is not a requirement that you give this consent in order for your request to proceed)

Yes No

If you have any questions or would like assistance completing this form, feel free to contact the Department's FOI Contact Officer on 02 6274 2098 or by email at foi@environment.gov.au. Any personal information that you provide with this form will be managed consistent with the Department's [Privacy Policy](#).

Tips for writing your FOI request

The Department will process your request using the exact wording of your scope. Accordingly, if your request is worded in broad terms, it may capture more documents than you intended. This can lead to higher charges being issued to process the request, and in some cases, the request being refused for being too voluminous to process.

To ensure that this does not happen, you should consider the following:

1. You should try to identify specific documents if you can.

- For example, you could ask for:

‘the decision brief about [x]’

‘the contracts between [x] and [y], for [z]’

‘the assessment of [x]’

‘the letters between [x] and [y], about [z]’

2. You should avoid using phrases like ‘all documents related to’ in your request.

- The phrases ‘related to’ or ‘relating to’ are very broad, and using them in your request may capture more documents than you intend.

For example, if your request sought “*the decision and the documents relied upon in making it*” the scope is limited to those documents as described. However, if you instead sought “*all documents related to the decision*”, the request will capture every document ever created that mentioned the decision, including meeting requests, media releases, publicly available information and other documents that you may not have intended to capture these documents within the scope of your request.

- Similarly, if you ask for a specific document and ‘*all documents related to it*’, the scope of your request may be broader than you intend.

3. You could include the following kinds of criteria in your request:

- Detail about the **subject matter** of your request. For example:

if you were seeking the migratory species advice issued for a project that had the referral number ‘EPBC 2009/555’, your request could be:

‘*the migratory species advice provided for EPBC 2009/555*’ or ‘*documents that contain migratory species advice for EPBC 2009/555*’

- The **types of documents** you are seeking. If you are seeking key documents on a particular subject, then your request might ask for decisions, briefs or reports, rather than “all documents” about it.

- A **date range** that the documents were created between. For example:

‘*the migratory species advice provided for EPBC 2009/55 between 1 May 2014 and 1 August 2014*’.

- The **parties** to correspondence or **author and recipient** of a document. For example:

‘*correspondence between the Department and X Corp that assesses the migratory species advice provided in relation to EPBC 2009/55 on 1 May 2014*’ or ‘*reports prepared by the Department for [x] Committee about [y]*’.