

25 February 2013

Dear [REDACTED]

Request for access to documents under the *Freedom of Information Act 1982* (the Act)

1. I refer to your email of 24 January 2013 under the *Freedom of Information Act 1982* (FOI Act) in which you sought access to information, as below:

I, [REDACTED] request (under the *Freedom of Information Act 1982*) any and all documentation held by Defence Housing Australia pertaining to the decision made by the Responsible Delegate in the determination of the Rental Allowance Ceiling (sic) applied to my occupation of the property at [REDACTED] Western Australia.

Documentation Requested

This includes, but is not limited to:

1. *Defence Housing Australia policy and guidance documents pertaining to the allocation of rental ceilings in remote locations.*
 2. *Any correspondence with Real Estate Agents in Broome that may have been consulted in determining the ceiling.*
 3. *Any tools or historical information used in making the decision, for example the Real Estate Institute of Western Australia (REIWA) website, realestate.com etc.*
 4. *Any and all correspondence between staff of the Perth HMC pertaining to the approval of this Rental Allowance.*
 5. *Any and all correspondence between staff of the Perth HMC pertaining to the apportioning of the ceiling.*
 6. *Any other documentation held by the Decision Maker used in apportioning the ceiling.*
2. I acknowledged your request on 25 January 2013.
 3. I am an officer authorised under section 23 of the FOI Act to make decisions in respect of requests for access to documents. My decision and the reasons for that decision are set out below.

HEAD OFFICE



Legislative background

4. The Act provides a right of access to information in the possession of Commonwealth agencies, limited only by exceptions and exemptions provided for in the Act.

Decision

5. *1. Defence Housing Australia policy and guidance documents pertaining to the allocation of rental ceilings in remote locations.*
- 3. Any tools or historical information used in making the decision, for example the Real Estate Institute of Western Australia (REIWA) website, realestate.com etc.*
- 4. Any and all correspondence between staff of the Perth HMC pertaining to the approval of this Rental Allowance.*
- 5. Any and all correspondence between staff of the Perth HMC pertaining to the apportioning of the ceiling.*
- 6. Any other documentation held by the Decision Maker used in apportioning the ceiling.*

I have identified 27 documents in the attached Schedule of Documents (at Attachment A) and have decided to release them in full. The attached Schedule of Documents lists the identified documents.

6. *2. Any correspondence with Real Estate Agents in Broome that may have been consulted in determining the ceiling.*

I have not identified any document as falling within the parameters of this part of your request.

Material on which my findings are based

7. I based my findings on the following material:
- the content of the identified documents;
 - the relevant provisions of the FOI Act;
 - the guidelines published by the Office of the Australian Information Commissioner under section 93A of the FOI Act (OAIC Guidelines);
 - advice from DHA staff whose duties relate more closely to the matters referred to in the document; and
 - the content of your FOI request.

Liability to pay charges

8. I have decided not to impose any charges.

Rights of review

9. If you do not agree with my decision in relation to the release of documents you are entitled to apply for an internal review of the decision and/or an external review by the

Australian Information Commissioner. Information on your review rights is at Attachment B.

FOI Disclosure Log

10. In accordance with the requirements of Section 11C of the FOI Act, Defence Housing Australia is required to publish, on its website, information released under the FOI Act within 10 working days of the applicant being given access to documents. Defence Housing Australia will also publish the decision notice, with any personal and business information deleted. The information published does not include personal information or the business, commercial, financial or professional affairs of any person if publication of that information would be unreasonable. Other information not published also includes that which the Australian Information Commissioner determines is unreasonable to publish.

Further information

11. Please do not hesitate to contact me if you have any questions about this matter.

Yours sincerely



Pip Sackley
Executive Officer

Attachments:

- A. Schedule of Documents.
- B. FOI Fact Sheet 12 – Freedom of information – Your review rights.