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Our Reference: RTI/IP Appl 2017/18-113
Your Reference:

16 October 2017

Dr Richard Bean
Brisbane CBD Bicycle User Group
GPO Box 2104
BRISBANE QLD 4001

Sent via email richard.bean@gmail.com

Dear Dr Bean

Application for access to documents concerning bikeways projects 2008-2017

I refer to the Right to Information application number 2017/18-113, lodged with Council on 12 September 2017, seeking access to documents described in your application as:

Cycling projects completed since 2008. For each project – title, description, dimensions (length/width), location, completion date, contractor, budgeted cost, actual cost, funding sources other than Council and amount contributed.

Timeframe for documents: 2008 to 12 September 2017.

Preliminary investigations have revealed that all of the information you seek is not readily available and is certainly not all contained in spreadsheet form. Much of the requested information, particularly with respect to specific (GPS) location, specific dimensions, specific completion date, contractor details, budgeted vs actual costs and other funding source arrangements could only be identified by retrieving and going through the respective project files, of which I am advised there are in excess of 300.

Based on these preliminary investigations, I do not believe that Council can adequately deal with the application as it currently stands without incurring a substantial and unreasonable diversion of resources for those parts of Council which would be required to process your application, not only with respect to search time, but also the considerable amount of time would be needed to review and consider any relevant documents identified during these searches.

Accordingly, I, as the Officer directed by this Authority to deal with your application on its behalf pursuant to Section 30 of the RTI Act, **intend to refuse to deal with your application**, as I consider that the work involved in dealing with your application as its currently stands would, if carried out, substantially and unreasonably divert the resources of the relevant parts of Council in the performance of their functions. In accordance with Section 41(b) of the RTI Act, I have had regard to the resources that would have to be used –

- (a) in identifying, locating or collating any documents from relevant project files within the various filing, record keeping systems of the Council; and

- (b) in deciding whether to give or refuse access to any documents, or to give access to edited copies of any documents, including resources that would have to be used in examining and redacting any documents; and
- (c) in making a copy, or edited copy, of the documents; and
- (d) in notifying any final decision on the application.

Before I am able to refuse to deal with the application, under Section 42 of the RTI Act, I must give you a written notice stating my intention to refuse to deal with your application (this letter serves as this written notice) and advise you that for the prescribed consultation period (10 business days after the date of this notice), you as the applicant may consult with me with a view to making your application in a form that would remove the grounds for refusal.

I am also required to give you a reasonable opportunity to consult and as far as reasonably practicable, to give you any information that would help you make your application in a form that would remove the ground for refusal. I consider that substantially narrowing the time period for requested bikeways projects, and the level of detail sought, and the number of bikeways projects included may assist in removing the ground for refusal.

Accordingly, can you please provide me with written notice of your intentions **by 31 October 2017**, either:

- withdrawing your application,
- confirming that you wish the current scope to remain, or
- substantially narrowing your application.

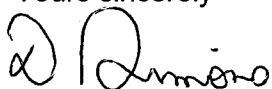
Please note that if you narrow your application, Section 41 will still apply and I am still able to refuse to deal with your narrowed application if I still consider it to be a substantial and unreasonable diversion of Council's resources. However, the pre-requisites contained in Section 42 will not apply to this narrowed application.

If you haven't consulted with me, or provided me with written notice of your intentions by 31 October 2017, you are taken to have withdrawn your entire application at the end of this prescribed consultation period.

Please note that if I do proceed to make a decision to refuse to deal with your application, then this decision is one that can be the subject of an internal or external review under the RTI Act. Your review rights will be advised to you at the time of my decision.

I await to hear back from you.

Yours sincerely



David Simons
Right to Information and Information Privacy Officer