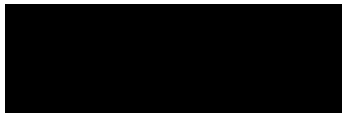




Healthy Parks  
Healthy People®

Level 10  
535 Bourke Street  
Melbourne Vic 3000 Australia  
Telephone 13 19 63  
Facsimile 9629 7276  
[www.parks.vic.gov.au](http://www.parks.vic.gov.au)  
A.B.N. 95 337 637 697

28 May 2019



email to:



Dear



**Re: Freedom of Information Request – Grampians Rock Climbing**

I refer to your request for access to documents under the *Freedom of Information Act 1982* ("Act") in the following terms:

***Application #2, dated 4 March 2019, received by Parks Victoria on 5 March 2019***

*For this application, "Climbing" means rock climbing, climbing, bouldering, trad climbing or sport climbing within the Grampians National Park, and "PV" means Parks Victoria.*

- 1. All written records of communication, including file notes of meetings, for the period between 1 January 2017 to 4 March 2019, between PV and the Victorian Climbing Club, CliffCare or their representatives that relate to Climbing.*
- 2. All written records of communication, including emails and file notes of meetings, for the period between 1 January 2017 to 4 March 2019, between PV and Aboriginal Victoria or any other statutory body or agency warning of, or discussing potential penalties or fines due to Climbing.*

As advised in our telephone conversation of 29 March 2019, of the three applications you have submitted, you selected this application to be processed first.

**Decision**

In total, documents comprising one hundred and fifty (150) pages have been found to be relevant to your request. In accordance with the Act, I have determined to grant you partial access to forty-five (45) pages, full access to eleven (11) pages and refuse access to ninety-four (94) pages. Access has been granted to those documents with irrelevant and exempt material deleted in accordance with section 25 of the Act. Details of the decision are set out below.

**Point 1**

In relation to point 1, documents comprising forty-eight (48) pages have been found to be relevant to your request. In accordance with the Act, I have determined to grant you partial access to forty-two (42) pages and full access to six (6) pages. Access has been granted to those documents with irrelevant and exempt material deleted in accordance with section 25 of the Act.

**Point 2**

In relation to point 2, documents comprising one hundred and two (102) pages have been found to be relevant to your request. In accordance with the Act, I have determined to grant you partial access to three (3) pages, full access to five (5) pages and refuse access to ninety-four (94) pages. Access has been granted to those documents with irrelevant and exempt material deleted in accordance with section 25 of the Act.

Under the Act, Parks Victoria is required to give you access to identified documents, unless a specific exemption or exception applies to them. In relation to documents to which access has been refused, wholly or in part, those documents are exempt on one or more of the following grounds:

- s 33(9) – personal affairs
- s 34(1) – disadvantage to an undertaking (including Aboriginal Heritage Act 2006 – section 146)

**Personal affairs information (Section 33(9))**

Some of the documents contain material that is exempt from disclosure pursuant to section 33(1) of the Act. Section 33(1) states that a document is exempt if its disclosure would involve the unreasonable disclosure of information relating to the personal affairs of any person. Under section 33(9) of the Act “information relating to the personal affairs of any person” includes information that identifies any person or discloses their address or location; or from which any person’s identity, address or location can reasonably be determined. The documents identify a number of individuals and therefore contain information relating to their personal affairs.

**Disadvantage to an Undertaking (Section 34(1))**

Many of the documents contain material that is exempt from disclosure pursuant to section 34(1)(b). Section 34(1)(b) states that a document is exempt from disclosure where it contains information relating to matters of a business, commercial or financial nature and the disclosure of the information would be likely to expose the undertaking unreasonably to disadvantage. Under this exemption, access is refused to 94 pages under the **Aboriginal Heritage Act 2006 – section 146**. Some of the documents reveal information held on or prepared for the Victorian Aboriginal Heritage Register. This is a confidential Register that is subject to access conditions set out in the legislation (*Aboriginal Heritage Act 2006*) and Parks Victoria is unable to divulge that information. Parts of other documents refer extensively to sections of the Register and are also exempt for the same reason.

**Access Charges**

Under section 22 of the Act and the *Freedom of Information (Access Charges) Regulations 2014*, the following access charges are applicable to your Freedom of Information request:

Type of charge	Quantity	Amount
Search fee @ \$21.65 per hour	7 hours	\$151.55
Photocopying @ 20 cents per A4 page	56 pages	\$ 11.20
<b>Total outstanding</b>		<b>\$162.75</b>


In accordance with the Act, upon receipt of \$162.75, the documents will be released to you.

**Decision Review**

If you are not satisfied with my decision you may seek review from the Information Commissioner by writing within 28 days of receiving this letter to:

Information Commissioner  
PO Box 24274  
Melbourne, Victoria 3001.  
Telephone: 1300 842 364  
Email: [enquiries@foicommissioner.vic.gov.au](mailto:enquiries@foicommissioner.vic.gov.au)

Yours sincerely



Rhonda Davis  
Freedom of Information Officer