



File ref. no: FRN23/5  
Doc. ref. no: G23/25

Mr [REDACTED]  
FBEU  
E: [REDACTED]

30 March 2023

Dear Mr [REDACTED]

**Re: Request for reports concerning external reviews into fire fatalities and/or response times over the past 5 years.**

**Request for advance deposit of processing charges under the *Government Information (Public Access) Act 2009 (GIPA Act)***

On 10 February 2023, we received your access application for access under the GIPA Act to the following information from Fire and Rescue NSW (FRNSW).

By agreement, your request for information was amended to the following:

*We can narrow it down to specifically requesting final reports and final reviews.  
We are after final reports and final reviews that have a focus on fire fatalities.  
We are also after final reports and final reviews that have a focus on response times.*

**Decision to require processing charges for dealing with your application**

Access to information held by FRNSW is governed by the *Government Information (Public Access) Act 2009 (GIPA Act)*. Under the GIPA Act, we may charge \$30 per hour for processing your access application. The application fee you have paid counts towards the first hour of any processing charges payable.

Based on an initial search undertaken by the relevant business areas for the information that you have requested, I have decided that processing charges for dealing with your application will be required.

**Estimate of total processing charges for dealing with your access application**

To date in dealing with your access application, it has taken 4.5 hours to deal with the application. This has involved initial review of the information you are seeking; liaising with different sections within FRNSW to identify any information which may fall within scope of your request; meetings held with different sections regarding your request.

Based on this, I estimate that it will take at least a further 11.5 hours to process your access application. This time will be required to review the identified information; apply GIPA Act considerations for or against disclosure; reparation of any redactions of information; prepare final Notice of Decision. At this stage, I have estimated that it will likely cost \$450 to deal with your application. This has been calculated by the total hours spent so far and the estimate of hours that will be required to complete the application at \$30 per hour.

To explain these charges further I have set out in the table below an itemised list of the tasks involved in processing your application and the cost associated with that item.

**PART 1: Time Spent to Date dealing with the application**

Item	Action	Time	Calculation of Cost
<b>Considering the application</b>			
1	Consider the scope of the terms of the application (assessment of the scope)	2 hours time spent	\$60
<b>Searching for records</b>			
2	Preliminary searches by Business Units/Areas: <ul style="list-style-type: none"> <li>• Community Safety Directorate</li> <li>• Fire Investigation &amp; Research Unit</li> <li>• Operational Communications</li> </ul> Volume of information identified in the preliminary search is 1 x document as relevant	2.5 hours time spent	\$75
<b>Subtotal of Part 1</b>		4.5 hours	\$135

**PART 2: Future time estimated to deal with the application**

Item	Action	Time	Calculation of Cost
3	Completion of final searches by Business units/areas: <ul style="list-style-type: none"> <li>• Insert business unit</li> <li>• Insert business unit</li> </ul> Time estimated for completion of final searches is [insert number]	X estimate of time	N/A
4	Information Retrieval, compilation and review of information for release  1 x document (257 pages) at approximately x 1min per page/document	4.5 hours estimate of time	\$135
<b>Consultation</b>			
5	Undertaking [insert number] of external consultations: <ul style="list-style-type: none"> <li>• Prepare third party consultation letters</li> <li>• Complete review of third party responses</li> </ul>	X estimate of time for each	N/A

<b>Decision making</b>			
6	Decision Making process for example: <ul style="list-style-type: none"> <li>• Review Information</li> <li>• Identify the Number and type of public interest considerations against disclosure relevant to the application</li> <li>• Prepare the information for release</li> <li>• Draft the Notice of Decision</li> </ul> Include any other relevant information involved with the decision making process for the access application	7 hours estimate of time for each item	\$210
<b>Subtotal of Part 1</b>		4.5 hours	\$135
<b>Total estimate of time (Part 1 &amp; 2):</b>		16 hours	\$480
Discounting of the application fee and first hour of processing:			\$30
Application of any discount under section 65(1) Or 66(1) for financial hardship or special public benefit (50% of the processing charge)			nil
Balance of remaining processing charges:			\$450
Total advance deposit required (50% of remaining processing charges)			\$225

**Request for 50% advance deposit**

In order to proceed with your access application further, I require you to pay a deposit of \$225.00 being 50% of the estimated cost, to be paid on or before 27 April 2023.

Payment can be made by either EFT or cheque/money order.

If the payment is not paid by the due date this means that I may refuse to deal further with your application. If this occurs, then this will result in forfeiture of any fee or charge already paid.

If you would like to make any changes as to how you think the costs of dealing with your application could be reduced please contact me as soon as possible.

**What if your application takes less or more time to process?**

If the processing time varies from the above estimate, the total processing cost will be recalculated upwards or downwards. I will advise you of this when the actual cost of dealing with your application is known.

**When will your application be decided?**

Please note that the period within which an application is required to be decided stops running from the date that the decision to require an advance deposit is made until payment is received (section 68(2) of the GIPA Act). When I receive your advance deposit, work on your application will recommence and I will advise you of a new decision date.

**Consideration of special benefit /financial hardship (if applicable)**

In your application you have indicated that you seek a discount on the basis of [financial hardship or special public benefit] under the GIPA Act.

**OFFICIAL**

Pursuant to section [ insert as applicable either 65(1) or 66(1)] if we are satisfied that this is the case, you are entitled to a 50% reduction in processing charges.

I have considered your request and I am of the view that [section 65(1) or 66(1) ] of the GIPA Act is [applicable/not applicable]. My reasons for this decision are [insert explanation]

If it is determined at the time access is granted that the information is of special benefit, this may result in a discount of any further processing charges.

**Review rights**

If you disagree with my decision to require an advance deposit, you may apply for this decision to be reviewed by seeking:

- an internal review by another officer of this agency, who is no less senior than me;
- an external review by the NSW Information Commissioner; or
- an external review by the NSW Civil and Administrative Tribunal (**NCAT**).

You have 20 working days from the date of this letter to apply for an internal review and 40 working days to apply for an external review by the NSW Information Commissioner or NCAT.

If you wish to apply for an internal review please write to the address below and send a cheque or money order (made out to 'Agency name') for the \$40 application fee to:

[insert agency contact details]

For your information and assistance, I **enclose** a fact sheet explaining your rights to have this decision reviewed.

If you have any questions, please contact [name], on [number].

**choose salutation**

**(rank) author's name**  
**author's position**  
**author's station/unit**