



Objective Reference: BN12635018

DEFENCE FOI 289/19/20 STATEMENT OF REASONS UNDER THE FREEDOM OF INFORMATION ACT

1. I refer to the application by [REDACTED] under the *Freedom of Information Act 1982* (FOI Act), for access to one document as outline in the request below:

“The One Defence Energy Strategy, which was produced by the Strategic Critical Infrastructure and Foreign Investment Branch, and presented to the Strategic Policy Committee in September 2018.”

FOI decision maker

2. I am the authorised officer pursuant to section 23 of the FOI Act to make a decision on this FOI request.

Documents identified

3. I have identified one document that falls within the scope of the request.
4. The document considered by the Defence Strategic Policy Committee in October 2018 was entitled the ‘One Defence Energy Strategy Framework’.

Decision

5. I have decided to partially release the document in accordance with section 22 [access to edited copies with exempt or irrelevant matter deleted] of the FOI Act, on the grounds that the deleted material is considered exempt under section 33(a)(ii) [Documents affecting the defence of the Commonwealth] and section 47C [Deliberative process conditional exemption].

Material taken into account

6. In making my decision, I had regard to:
- the terms of the request;
 - the content of the identified document in issue;
 - relevant provisions in the FOI Act;
 - the Guidelines published by the Office of the Australian Information Commissioner under section 93A of the FOI Act (the Guidelines);
 - advice from Defence officials in Strategic Policy Division, Department of Defence; and
 - advice from the Department of Home Affairs and the Department of the Environment and Energy.

Reasons for decision

Section 33(a)(ii) – Documents affecting national defence

7. Section 33(a)(ii) of the FOI Act exempts material from release if its disclosure could reasonably be expected to cause damage to the defence of the Commonwealth.

8. The document identified contains information relating to Australia's defence analysis, planning and response options. Upon examination of the document, I am of the view that the material, once released, could reasonably be expected to cause damage to the defence of the Commonwealth by disclosing considerations used in defence and capability planning.

9. Accordingly, I have assessed the release of the information as marked could reasonably be expected to cause damage to the defence of the Commonwealth and exempt the release of this information under section 33(a)(ii) of the FOI Act.

Section 47C – Documents subject to deliberative process

10. In assessing the document, I have identified deliberative matters, specifically, content that is in the nature of, or relating to an opinion, advice or recommendation for future action that has been obtained, prepared or recorded; or has taken place as part of the deliberative process of the department. Paragraphs 6.58-6.62 of the Guidelines provides a framework for assessing what constitutes a deliberative processes and for this request deliberative matters were identified in the documents that related to assessing and exploring options and the provision of opinions and guidance.

Further Information

11. The document falling within the scope of this request was subject to a security classification and a caveat. As the document is now approved for public release, it has been declassified and the markings struck through.

JohnAnderson4 Digitally signed by
JohnAnderson4
Date: 2020.01.15
12:37:42 +11'00'

John Anderson
Accredited Decision Maker
Strategic Policy and Intelligence Group