

A56879

**From:** [REDACTED]@doir.wa.gov.au>  
**Sent:** Monday, 18 August 2008 7:27 PM  
**To:** [REDACTED]  
**Subject:** RE: Requests for information under section 63 of the PPA

Hi [REDACTED]

Apache have restated their position in the accompanying letter. But at the end of the day it is for the FOI Commissioner to determine.

Cheers

[REDACTED]

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**From:** [REDACTED] [mailto:[REDACTED]@nopsa.gov.au]  
**Sent:** Mon 18/08/2008 5:27 PM  
**To:** [REDACTED]  
**Subject:** RE: Requests for information under section 63 of the PPA

[REDACTED]

Naturally NOPSA's position is to comply with the FOI act much as you described to David Martino. A moot point now I believe.

[REDACTED]

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**From:** [REDACTED] [mailto:[REDACTED]@doir.wa.gov.au]  
**Sent:** Friday, 15 August 2008 11:56 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FW: Requests for information under section 63 of the PPA

[REDACTED]

What is NOPSA's position on FOI under Commonwealth legislation regarding this type of information?

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Friday, 15 August 2008 11:54 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]; [REDACTED]  
**Subject:** RE: Requests for information under section 63 of the PPA

[REDACTED]

It would assist the investigation in this case to have the material both as hard copy and as well as electronic.

In relation to *Freedom of Information Act 1992* the material provided would be initially exempt under clause 5 as part of the investigation. Following any investigation it would be claimed under clause 8. However, as I am sure you appreciate, this would be subject to an appeal to the Commissioner of FOI who has the final say on FOI issues in WA.

Ultimately Apache have been directed under section 63 of the *Petroleum Pipelines Act 1969* to furnish this information by 10am today and a failure to provide the information may be considered as obstructing or hindering an inspector in the exercise of powers under this section.




Please don't hesitate to ring me to discuss your concerns.

Regards

 Investigation Services Unit  
DEPARTMENT OF INDUSTRY AND RESOURCES

Mineral House  
6th floor, 100 Plain Street  
EAST PERTH, Western Australia 6004  
Direct: +61 8 9222 3565  
Secure Fax: +61 8 9218 9850  
Group e-mail: [isu@doir.wa.gov.au](mailto:isu@doir.wa.gov.au)

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**From:**  [@apachecorp.com](mailto: @apachecorp.com)  
**Sent:** Friday, 15 August 2008 11:31 AM  
**To:**   
**Cc:**   
**Subject:** RE: Requests for information under section 63 of the PPA

Shayne

This report is ready and I expect to receive it this morning – it is however very long with lots of appendices and it's in the process of being printed. I'll send it on to you as soon as I receive it.




The report is of course strictly confidential and it will be provided to you for the sole purpose of the Department's investigation and no other purpose, including any requests made pursuant to the *Freedom of Information Act 1992*.

Could you please provide an acknowledgement that the report will be received on this basis?

Regards



-----Original Message-----

**From:**  [@doir.wa.gov.au](mailto: @doir.wa.gov.au)  
**Sent:** Friday, 15 August 2008 11:22 AM  
**To:**   
**Cc:**   
**Subject:** FW: Requests for information under section 63 of the PPA  
**Importance:** High

Good morning 

I am following up on request 08 regarding the testing raw data information.

Regards

, Investigation Services Unit

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*DEPARTMENT OF INDUSTRY AND RESOURCES*

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Group e-mail: [isu@doir.wa.gov.au](mailto:isu@doir.wa.gov.au)

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**From:** [REDACTED]  
**Sent:** Monday, 11 August 2008 15:59 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Requests for information under section 63 of the PPA

[REDACTED]

Please find attached three further requests for information under the Petroleum Pipelines Act.

<<Section 63 letter to Apache 06.PDF>> <<Section 63 letter to Apache 07.PDF>> <<Section 63 letter to Apache 08.PDF>>

In relation to request 08 concerning testing data it can be provided one section at a time if all tests have not been completed.

If you have any questions please get back to me.

Regards

[REDACTED], *Investigation Services Unit*  
*DEPARTMENT OF INDUSTRY AND RESOURCES*

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6th floor, 100 Plain Street  
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carefully consider the advice and information and consider obtaining relevant independent advice.

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Any views expressed in this email about the application of legislation are to be taken as general guidance as to the approach that NOPSA takes in carrying out its regulatory functions under powers conferred by the Commonwealth, State and NT Petroleum (Submerged Lands) Acts and Regulations under those Acts. This guidance should not be relied on as legal advice and should not be treated as a substitute for legal advice in any relevant situation.