



Government
of South Australia

TRS21D2284

Hon Stephen Mullighan MP
Member for Lee
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Treasurer

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Dear Mr Mullighan

APPLICATION UNDER THE *FREEDOM OF INFORMATION ACT 1991*

I refer to your application made under the *Freedom of Information Act 1991* (the Act), dated 7 September, 2021.

Your application seeks access to:

"A current index of all briefs held on the objective document management system (a) Received by the Treasurers Office; (b) Requested by the Treasurers Office; (c) Generated by the Treasurers Office; & (d) Returned to the Department after consideration by the Treasurer or Treasurers Office Staff, between 4 February 2021 and 7 September 2021."

The legislative prescribed timeframe to determine this application has expired and is now deemed to have refused you access to all documents relevant to your application. However, I have determined to process the request as if the statutory timeframe has been met.

The purpose of this letter is to advise you of my determination.

A total of 1 document was identified as answering the terms of your application and I have determined as follows:

I grant you access in part to the document.

Information has been redacted relating to any personal information on land tax objections and stamp duty objections, pursuant to clause 12(1) of the Act.

Information on briefings which have been provided to myself for use in Cabinet or a Cabinet Committee meeting, or containing Cabinet decisions have been redacted, pursuant to clause 1 of the Act and pertaining to Executive Council pursuant to clause 2.

Information relating to law enforcement and public safety have been removed, pursuant to clause 4(1)(a) and 4(2)(v).

Businesses who have applied for Government grants and/or funding have also been removed, pursuant to clause 7(1)(c) of the Act.

Personal information relating to sensitive matters relating to payments, settlement issues and appointments, involving members of the general public have been redacted pursuant to clause 6(1).

Information regarding intergovernmental development discussions have been redacted pursuant to clause 5(1)(a)(ii).

Information that contains legal advice which is subject to legal professional privilege pursuant to clause 10(1).

Information relating to proceedings that are being heard or are to be heard by the South Australian Employment Tribunal have been redacted pursuant to clause 11(b).

Information relating to proceedings that are being heard or have been heard by the Supreme Court have been redacted pursuant to clause 11(c).

Information relating to the ongoing of industrial matters have been redacted pursuant to clause 16(1)(a)(v) so as to support effective conduct of industrial relations.

Information detailing proposed amendments to Parliament Bills have been redacted pursuant to clause 17(c), as the disclosure of which would infringe the privilege of Parliament.

Exemptions

Clause 1 – Cabinet Documents

- (1) *A document is an exempt document—*
- (a) *if it is a document that has been specifically prepared for submission to Cabinet (whether or not it has been so submitted); or*
 - (b) *if it is a preliminary draft of a document referred to in paragraph (a); or*
 - (c) *if it is a document that is a copy of or part of, or contains an extract from, a document referred to in paragraph (a) or (b).*

Clause 4 – Law enforcement and public safety

- (1) *A document is an exempt document if it contains matter the disclosure of which could reasonably be expected—*
- (a) *to endanger the life or physical safety of any person.*
- (2) *A document is an exempt document if it contains matter the disclosure of which—*
- (a) *could reasonably be expected—*
 - (v) *to endanger the security of any building, structure or vehicle;*
 - (a) *would, on balance, be contrary to the public interest.*

Clause 5 – Documents affecting inter-governmental or local governmental relations

- (1) A document is an exempt document if it contains matter—
- a) the disclosure of which—
 - (i) could reasonably be expected to cause damage to intergovernmental relations; or
 - (ii) would divulge information from a confidential intergovernmental communication; and
 - b) the disclosure of which would, on balance, be contrary to the public interest.

Clause 6 – Documents affecting personal affairs

- (1) A document is an exempt document if it contains matter the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person.

Clause 7 – Documents affecting business affairs concerning

- (1) A document is an exempt document—
- (b) if it contains matter—
 - (i) consisting of information (other than trade secrets) that has a commercial value to any agency or any other person; and
 - (ii) the disclosure of which—
 - (A) could reasonably be expected to have an adverse effect on those affairs or to prejudice the future supply of such information to the Government or to an agency; and
 - (B) would, on balance, be contrary to the public interest; or
 - (c) if it contains matter—
 - (i) consisting of information (other than trade secrets or information referred to in paragraph (b)) concerning the business, professional, commercial or financial affairs of any agency or any other person; and
 - (ii) the disclosure of which—
 - (A) could reasonably be expected to have an adverse effect on those affairs or to prejudice the future supply of such information to the Government or to an agency; and
 - (B) would, on balance, be contrary to the public interest.

Clause 11—Documents relating to judicial functions etc

- A document is an exempt document if it contains matter—
- (a) relating to the judicial functions of a court or tribunal; or
 - (b) prepared for the purposes of proceedings (including any transcript of the proceedings) that are being heard or are to be heard before a court or tribunal; or
 - (c) prepared by or on behalf of a court or tribunal (including any order or judgment made or given by the court or tribunal) in relation to proceedings that are being heard or have been heard before the court or tribunal.

Clause 12 – Secrecy Provisions

(1) A document is an exempt document if it contains matter the disclosure of which would constitute an offence against an Act.

Clause 16 – Agency operations

(1) A document is an exempt document if it contains matter the disclosure of which—

- (a) could reasonably be expected—*
- (v) to have a substantial adverse effect on the conduct of industrial relations by an agency*

Clause 17 – Documents subject to contempt etc

A document is an exempt document if it contains matter the public disclosure of which would, but for any immunity of the Crown—

- (a) constitute contempt of court; or*
- (b) contravene any order or direction of a person or body having power to receive evidence on oath; or*
- (c) infringe the privilege of Parliament.*

Please note, in compliance with Premier and Cabinet Circular PC045 - *Disclosure Logs for Non-Personal Information Released through Freedom of Information* (PC045), the Department of Treasury and Finance is now required to publish a log of all non-personal information released under the Act.

In accordance with this Circular, any non-personal information determined for release as part of this application, may be published on the DTF website. A copy of PC045 can be found at the following address: <https://dpc.sa.gov.au/resources-and-publications/premier-and-cabinet-circulars>. Please visit the website for further information.

As I am determining this application as Principal Officer, section 29(6) of the Act does not provide for an internal review. If you are dissatisfied with my determination you are entitled to exercise your rights of external review with the Ombudsman.

Alternatively, you can apply to the South Australian Civil and Administrative Tribunal. If you wish to seek a review, section 39(3) of the Act states you must do so within 30 calendar days of receiving the determination.

If you require any further information, please contact Vicky Cathro on (08) 8226 9769.

Yours sincerely



Hon Rob Lucas MLC
Principal Officer

30 November 2021

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[REDACTED] 10(1)

COVID-19 Additional Business Support Grant - Request for Commonwealth Funding

Department of Humans Services Request for Approval of Additional Separation Payment For Trades Staff

[REDACTED] 1(1)(f)

Return To Work Act reform - Stakeholder views

Measurement of South Australian Integrated Land Information System Data Assets

2018-19 Global Allowance Expenditure - Items Specifically Excluded from Funding

2018-19 Global Allowance Expenditure - Items Specifically Excluded from Funding

DTF Response to the Joint Committee on the Recommendations arising from the Equal Opportunity Commissioner's Report into the Sexual Harassment in the Parliament Workforce

Charter & Performance Statement: Quarter 4 Report for 2021-2021 as at 30 June 2021

Funds SA Board Report June 2021

Construction Industry Long Service Leave - Variation of the Regulations - [REDACTED] 7(1)(c)

[REDACTED] 7(1)(c)

PWC Quarterly Reports - June 2021

[REDACTED] 7(1)(c)

[REDACTED] - Variation of Grant Deed Standard Terms and Regional Growth Fund 7(1)(c)

Fines Enforcement and Recovery Unit (FERU) Approved Treatment Programs
 Enterprise Bargaining - [REDACTED] 16(1)(a)(v)
 Land Tax Invoicing Schedule - Financial Year 2021 - 2022
 State Corner's Recommendations - Death of Jorge Castillo-Riffo
 [REDACTED] Execution of Grant Deed - Regional Growth Fund 7(1)(c)
 Renewal SA Payment Performance Results - July 2021
 Queensland Point to Point Vehicle CTP Premium Changes
 Major Events Support Grant - Guidelines and Terms and Conditions
 [REDACTED] 7(1)(c)
 SA Water Board Meeting - July 2021
 TAFE SA Board Meeting July 2021
 Application to Commonwealth Treasurer For COVID-19 Business Support Grant to be treated as non-assessable non-exempt income
 Stamp Duty - Motor Vehicle - [REDACTED] 12(1)
 Request For Write off of Superannuation Overpayment Debts
 [REDACTED] - Request for Consent to Registration of Lease on on Mortgage - Future Jobs Fund and Emergency Bushfire Loans Scheme 7(1)(c)
 Waiver of Performance Milestone - [REDACTED] Toursim Industry Development Fund 7(1)(c)
 [REDACTED] Execution of Two Grant Deeds - Regional Growth Fund 7(1)(c)
 July 2021 TI11 Accounts Payable Reporting
 Local Government Infrastructure Partnership Program (LGIPP) - Delays to Building Better Regions Fund (BBRF) Round 5 Decisions
 [REDACTED] 7(1)(c)
 Injury Management Standards for the South Australian Public Sector - Draft for comment
 Concessional Bushfire Loans Scheme - Loan Approval fo [REDACTED] 7(1)(c)
 Local Government Infrastructure Partnership Program (LGIPP) - [REDACTED] Split Grant Deeds 7(1)(c)
 Approval of Expenditure pursuant to Treasurer's Instruction 11.12.1(e) for Safework SA Acquisition of Inspector Badges
 [REDACTED] 17(c)
 [REDACTED] 10(1)
 Electricity Privatisation Leases - Application of Personal Property Securities Act
 [REDACTED] Execution of Grant Deed - RCSF (Research, Commercialisation and Start Up Fund) 7(1)(c)
 [REDACTED] discussion paper for Cabinet 1(1)(a)
 [REDACTED] 2(1)(a)
 [REDACTED] - Economics and Business Growth Fund (EBGF) 7(1)(c)
 Local Government Infrastructure Partnership Program - Administrative Arrangements
 [REDACTED] 11(c)
 HomeStart Loan Origination System
 Concessional Bushfire Loans Scheme - Loan Approval for [REDACTED] 7(1)(c)
 HomeBuilder Grant Objection - [REDACTED] 6(1)
 Electric Vehicles
 Infrastructure SA - Business Case Funding for Mt Barker Transport Options
 Incentive Payment and Employment Guarantee Period Across Government Facilities Management Arrangement - Department for Infrastructure and Transport
 Abolition of Payroll Tax Relief - Further Advice
 [REDACTED] 16(1)(a)(v)
 Consultation for Membership of the Mining and Quarrying Occupational Health and Safety Committee
 Payroll Tax - Ex-Gratia Relief - [REDACTED] 12(1)
 HomeStart Finance Board Meeting - August 2021

Proposed Recycled Water Scheme Update
 Bushfire Loans Scheme - Loan Not Recommended - [REDACTED] 7(1)(c)
 NSW Generations Fund
 [REDACTED] 7(1)(c)
 Appointment of Authorised Officers - Fines and Enforcement and Debt Recovery Act 2017
 Board of Treasurers - Follow-up Actions
 Concessional Bushfire Loans Scheme - [REDACTED] 7(1)(c)
 Bushfire Loans Scheme - Loan not recommended - [REDACTED] 7(1)(c)
 [REDACTED] - Research Commercialisation and Start-Up Fund 7(1)(c)
 Environmental, Social, Governance (ESG) Strategy
 STH Exemption consideration for Labour Day public holiday - Monday 4 October 2021
 Delivery of SAFA's Financial Statements
 Delivery of SAFA's Financial Statements - Draft of 2020-21 Treasurer's Statements
 Skilling SA Public Sector Project - Graduation Ceremony 31 August 2021
 I Work For SA Survey Results - Information Request From [REDACTED] 7(1)(c)
 Temporary Staff Services Contracts - Future Options and Extension
 Cyber Security and Proposal by [REDACTED] 6(1)
 Sale of LeasePlan Australia Limited to [REDACTED] 7(1)(c)
 Request to issue an accreditation - [REDACTED] 6(1)
 SAFA'S 2021-22 Business Plan
 Bushfire Loans Scheme - Loan not Recommended - [REDACTED] 7(1)(c)
 Stationery and Office Supplies - Contract Extension and Procurement Process Update
 Respirable Crystalline Silica Campaign Report 2020-21
 South Australian Public Sector Work Health Safety and Injury Management Performance
 Bushfire Loans Scheme Not Recommended - [REDACTED] 7(1)(c)
 CTP Premium Band Determination from 1 November 2021
 Across Government Microsoft Unified Support - Case Study
 SA Venture Capital Fund - Management Committee Minutes
 COVID-19 - Additional Assistance Grants
 Extension of SES COVID-19 Operational Support to SAPOL
 Board of Treasurer's Meeting - 16 September 2021
 Execution of Regional Growth Fund Grant Deed - [REDACTED] 7(1)(c)
 Festival Plaza Artwork
 [REDACTED] 17(c)
 Playford Alive Marketing and Communications Plans for FY2021/22
 [REDACTED] 17(c)
 SAHMRI 2 Project - Amendment to the Grant Funding Deed
 [REDACTED] 7(1)(c)
 SAFA Advisory Board Papers
 Draft SAFA 2020-21 Annual Report
 Tasmania 2021-22 Budget Key Indicators
 Renewal SA Payment Performance Results - August 2021