



File: T&F19/0157
A1160212

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6 June 2019

Mr Blair Boyer MP
Member for Wright
PO Box 1111
GOLDEN GROVE VILLAGE SA 5125

Sent via email: wright@parliament.sa.gov.au

Dear Mr Boyer

Freedom of Information Internal Review — Wright Electorate Office

I refer to your Freedom of Information application received by the Department of Treasury and Finance on 19 March 2019 and your Internal Review application received on 13 May 2019.

Your Freedom of Information application specifically requested:

"All files, reports, notes, emails, briefings, ministerial minutes and documents held by the Department of Treasury and Finance relating to the Wright Electorate Office, from 1 August 2018 to date."

In consultation with your office, this scope was amended to:

"All files, reports, notes, emails, briefings, ministerial minutes and documents held by the Department of Treasury and Finance relating to the establishment and fitout of the Wright Electorate Office at Manor Farm and the temporary relocation to a shared Electorate Office with the Member for Ramsay, from 1 August 2018 to date."

Determination under review

DTF did not make a determination on your initial application within the 30-day time period required by the Freedom of Information Act 1991 (the Act). Accordingly, DTF was deemed to have refused access in full to all documents relevant to your application.

Outcome of internal review

Under section 29(3) of the FOI Act, on an application for internal review, as principal officer I may confirm, vary or reverse the determination under review. In doing so, I am required to give fresh consideration to the decision under the FOI Act

I have determined to **vary** the original deemed refusal determination.

A total of 95 documents were identified as answering the terms of your application and I have determined as follows:

- I grant you access in full to 85 documents, copies of which are enclosed

- I grant you access in part to 3 documents, copies of which are enclosed, and
- I refuse you access to 7 documents.

Please refer to the attached schedule that describes each document and sets out my determination and reasons in summary form.

Documents released in full

Documents 1 – 3, 5 – 6, 8, 10, 12 – 25, 27 – 30, 32, 34 – 45, 47 – 56, 58 – 83, and 85 – 95.

Documents 3, 17 and 19 are floorplans of the Wright electorate office. Although I consider that the release of these documents could reasonably be expected to endanger the security of the building and are therefore exempt pursuant to Clause 4(2)(v) of Schedule 1 to the FOI Act, they are released to you in full on the proviso that they are not published further and not provided to other persons.

Documents released in part

Documents 11, 31 and 84

These documents contain sections that are not relevant to your application and have been removed.

Documents refused in full

Documents 4, 7, 9 and 46

These documents consist of security specifications for electorate offices in South Australia, and the release of these documents could reasonably be expected to endanger the security of these buildings. I acknowledge that transparency of the operations of government is very much in the public interest. However, I believe there is a greater public interest in protecting the safety of elected Members of Parliament, their office staff and their constituents, and the security of Government assets. I have therefore determined to exempt these documents pursuant to Clause 4(2)(v) of Schedule 1 to the FOI Act.

Documents 26, 33 and 57

These documents consist of information prepared by the firm based on its professional expertise and experience, and discloses facets of its business processes. This information could provide competing businesses with an unfair advantage, and could therefore be reasonably expected to have an adverse effect on the business affairs of the consultancy.

I acknowledge that there is a strong public interest in the public having access to information relied upon by Government in its decision making processes. In my view, however, this is outweighed by the need to ensure that firms consulting to Government are not disadvantaged by the release of information relating to the way they undertake their business. It is my view that these documents are exempt pursuant to clause 7(1)(c).

Exemptions

Clause 4 – Documents affecting law enforcement and public safety

- (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; ... and
(b) would, on balance, be contrary to the public interest.

Clause 7 – Documents affecting business affairs

- (1) A document is an exempt document—

- ...
(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.

Please note, in compliance with Premier and Cabinet Circular PC045 - *Disclosure Logs for Non-Personal Information Released through Freedom of Information* (PC045), DTF is now required to publish a log of all non-personal information released under the *Freedom of Information Act 1991*.

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://www.dpc.sa.gov.au/resources-and-publications/premier-and-cabinet-circulars> Please visit the website for further information.

External review

If you remain dissatisfied with this determination, you have the right to apply to the Ombudsman for external review under section 39 of the FOI Act. You have 30 days from the date on which you receive this letter to apply for an external review. If you have any questions about an application to the Ombudsman, please contact the office on (08) 8226 8699.

Yours sincerely



David Reynolds
PRINCIPAL FREEDOM OF INFORMATION OFFICER

Schedule of Documents

T&F19/0157 - Mr Blair Boyer MP, Member for Wright - "All files, reports, notes, emails, briefings, ministerial minutes and documents held by the DTF relating to the establishment and fitout of the Wright Electorate Office at Manor Farm and the temporary relocation to a shared Electorate Office with the Member for Ramsay, from 1 August 2018 to date."

Doc. No.	Date	Description of Document	# of pages	Determination	Exemption Clause
1	1/08/2018	Minute	2	Released in full	
2	1/08/2018	Email	1	Released in full	
3	1/08/2018	Attachment to 2	1	Released in full	
4	1/08/2018	Attachment to 2	2	Refused in full	4(2)(a)(v) - Danger to security of building, structure or vehicle & contrary to public interest
5	1/08/2018	Attachment to 2	1	Released in full	
6	1/08/2018	Attachment to 2	2	Released in full	
7	1/08/2018	Attachment to 2	2	Refused in full	4(2)(a)(v) - Danger to security of building, structure or vehicle & contrary to public interest
8	1/08/2018	Attachment to 2	5	Released in full	
9	1/08/2018	Attachment to 2	13	Refused in full	4(2)(a)(v) - Danger to security of building, structure or vehicle & contrary to public interest
10	1/08/2018	Attachment to 2	1	Released in full	
11	1/08/2018	Email	7	Released in part	Sections not relevant to this application have been removed
12	1/08/2018	Attachment to 11	14	Released in full	
13	14/08/2018	Email	3	Released in full	
14	17/08/2018	Email	1	Released in full	
15	17/08/2018	Attachment to 14	1	Released in full	
16	23/08/2018	Email	1	Released in full	
17	23/08/2018	Attachment to 16	1	Released in full	
18	31/08/2018	Email	3	Released in full	

Schedule of Documents

Doc. No.	Date	Description of Document	# of pages	Determination	Exemption Clause
19	31/08/2018	Attachment to 18	1	Released in full	
20	31/08/2018	Email	1	Released in full	
21	31/08/2018	Attachment to 20 (duplicate of 19)	1	Released in full	
22	3/09/2018	Email	5	Released in full	
23	9/09/2018	Email	5	Released in full	
24	13/09/2018	Email	3	Released in full	
25	14/09/2018	Email	7	Released in full	
26	14/09/2018	Attachment to 25	2	Refused in full	7(1)(c)(i)(ii)(A)(B) - Contains information concerning the business, professional, commercial or financial affairs of any agency or person & contrary to public interest
27	4/10/2018	Email	2	Released in full	
28	5/10/2018	Email	3	Released in full	
29	10/10/2018	Email	6	Released in full	
30	29/10/2018	Email	2	Released in full	
31	29/10/2018	Attachment to 30	3	Released in part	Sections not relevant to this application have been removed
32	29/10/2018	Email	1	Released in full	
33	29/10/2018	Attachment to 32	1	Refused in full	7(1)(c)(i)(ii)(A)(B) - Contains information concerning the business, professional, commercial or financial affairs of any agency or person & contrary to public interest
34	9/11/2018	Email	2	Released in full	
35	7/12/2018	Email	3	Released in full	
36	10/01/2019	Email	1	Released in full	
37	10/01/2019	Attachment to 36	3	Released in full	
38	10/01/2019	Attachment to 36	1	Released in full	

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Doc. No.	Date	Description of Document	# of pages	Determination	Exemption Clause
39	10/01/2019	Email	2	Released in full	
40	10/01/2019	Attachment to 39	1	Released in full	
41	10/01/2019	Email	2	Released in full	
42	14/01/2019	Email	3	Released in full	
43	14/01/2019	Attachment to 42	1	Released in full	
44	18/01/2019	Email	1	Released in full	
45	18/01/2019	Attachment to 44	1	Released in full	
46	18/01/2019	Attachment to 44	1	Refused in full	4(2)(a)(v) - Danger to security of building, structure or vehicle & contrary to public interest
47	18/01/2019	Email	1	Released in full	
48	18/01/2019	Attachment to 47 (duplicate of 45)	1	Released in full	
49	18/01/2019	Attachment to 47 (duplicate of 46)	1	Released in full	
50	30/01/2019	Email	1	Released in full	
51	31/01/2019	Email	4	Released in full	
52	31/01/2019	Attachment to 51 (duplicate of 37)	3	Released in full	
53	12/02/2019	Email	1	Released in full	
54	12/02/2019	Email	2	Released in full	
55	18/02/2019	Email	2	Released in full	
56	19/02/2019	Email	2	Released in full	
57	19/02/2019	Attachment to 56 (duplicate of 57)	11	Refused in full	7(1)(c)(i)(ii)(A)(B) - Contains information concerning the business, professional, commercial or financial affairs of any agency or person & contrary to public interest
58	19/02/2019	Attachment to 56 (duplicate of 57)	11	Released in full	

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Doc. No.	Date	Description of Document	# of pages	Determination	Exemption Clause
59	20/02/2019	Email	5	Released in full	
60	6/03/2019	Email	2	Released in full	
61	6/03/2019	Attachment to 60	4	Released in full	
62	7/03/2019	Email	3	Released in full	
63	8/03/2019	Email	1	Released in full	
64	8/03/2019	Email	3	Released in full	
65	8/03/2019	Email	1	Released in full	
66	12/03/2019	Email	2	Released in full	
67	12/03/2019	Email	3	Released in full	
68	12/03/2019	Email	4	Released in full	
69	12/03/2019	Email	1	Released in full	
70	12/03/2019	Attachment to 69	5	Released in full	
71	13/03/2019	Email	2	Released in full	
72	14/03/2019	Email	3	Released in full	
73	14/03/2019	Email	1	Released in full	
74	14/03/2019	Attachment to 73	2	Released in full	
75	15/03/2019	Email	2	Released in full	
76	15/03/2019	Attachment to 75	2	Released in full	
77	15/03/2019	Email	1	Released in full	
78	15/03/2019	Attachment to 77	3	Released in full	
79	18/03/2019	Email	5	Released in full	
80	19/03/2019	Email	2	Released in full	
81	19/03/2019	Email	2	Released in full	

Schedule of Documents

Doc. No.	Date	Description of Document	# of pages	Determination	Exemption Clause
82	19/03/2019	Minute	3	Released in full	
83	19/03/2019	Email	1	Released in full	
84	19/03/2019	Email	3	Released in part	Sections not relevant to this application have been removed
85	19/03/2019	Email	2	Released in full	
86	19/03/2019	Email	1	Released in full	
87	19/03/2019	Attachment to 86	7	Released in full	
88	20/03/2019	Email	2	Released in full	
89	20/03/2019	Attachment to 88	3	Released in full	
90	20/03/2019	Email	4	Released in full	
91	20/03/2019	Email	4	Released in full	
92	21/03/2019	Email	3	Released in full	
93	21/03/2019	Email	2	Released in full	
94	21/03/2019	Attachment to 93	1	Released in full	
95	21/03/2019	Email	3	Released in full	