



File: T&F18/0835
A999610

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ABN 19 040 349 865

14 February 2019

Hon Stephen Mullighan MP
1/62 Semaphore Road
SEMAPHORE SA 5019

Sent by email: lee@parliament.sa.gov.au

Dear Mr Mullighan

Freedom of Information Internal Review — Adelaide Oval Hotel Proposal

I refer to your Freedom of Information application received by the Department of Treasury and Finance on 3 December 2018 and your Internal Review application received on 17 January 2019.

Your applications specifically requested:

"All minutes, briefings, notes, emails and correspondence from the South Australian Government Financing Authority to the Department of Treasury and Finance regarding the proposed hotel development at Adelaide Oval"

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

A total of 31 documents were identified as answering the terms of your application and I have determined as follows:

- I grant you access in full to 3 documents, copies of which are enclosed
- I grant you access in part to 8 documents, copies of which are enclosed, and
- I refuse you access to 20 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 19, 20 and 31

Documents released in part

Documents 1, 2, 22, 24 and 28

These documents contain information that is not relevant to your application and which has therefore been removed.

Documents 14, 18 and 26

These documents contain information which, if released, would disclose details concerning a deliberation or decision of Cabinet and are therefore exempt pursuant to clause 1(1)(e) of Schedule 1 of the FOI Act.

Documents refused in full

Document 16

This document is a Costing Comment specifically prepared for attachment to a Cabinet Submission and is therefore exempt pursuant to clause 1(1)(a) of Schedule 1 of the FOI Act.

Documents 13 and 15

These documents are draft Cabinet submissions. I have therefore determined to refuse access to these documents in full pursuant to clause 1(1)(b) of Schedule 1 of the FOI Act.

Documents 3 – 12, 17, 21, 23, 25, 27 and 29

These documents contain information which, if released, would disclose details concerning a deliberation or decision of Cabinet and are therefore exempt pursuant to clause 1(1)(e) of Schedule 1 of the FOI Act.

Documents 3 and 30

Under clause 10(1) of Schedule 1 to the FOI Act, information is exempt from disclosure if it would be privileged from production on the ground of legal professional privilege. These documents contain legal advice provided to the government by its legal advisor, the Crown Solicitor, information which is subject to legal professional privilege. I have therefore determined to exempt these documents pursuant to clause 10(1).

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 (1); or ...*

(e) *if it contains matter the disclosure of which would disclose information concerning any deliberation or decision of Cabinet; or ...*

(3) *In this clause, a reference to Cabinet includes a reference to a committee of Cabinet and to a subcommittee of a committee of Cabinet.*

Clause 10 – Legal Professional Privilege

- (1) *A document is an exempt document if it contains matter that would be privileged from production in legal proceedings on the ground of legal professional privilege.*

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: <http://dpc.sa.gov.au/what-we-do/services-for-government/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&F18/0835 — 'All minutes, briefings, notes, emails and correspondence from the South Australian Government Financing Authority to the Department of Treasury and Finance regarding the proposed hotel development at Adelaide Oval'

Doc. No.	Date	Description of Document	# of pages	Determination	Exemption Clause
1	26/09/2018 11.11am	Email	1	Released in part	Sections not relevant have been deleted
2	10/10/2018 3.12pm	Email	2	Released in part	Sections not relevant have been deleted
3	10/10/2018	Adelaide Oval Hotel - attached to document 2.	2	Refused in full	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee
					10(1) - Subject to legal professional privilege
4	16/10/2018	Adelaide Oval Hotel	4	Refused in full	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee
5	16/10/2018	Adelaide Oval Hotel	2	Refused in full	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee
6	16/10/2018	Financial Statements	2	Refused in full	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee
7	16/10/2018	Initial View	3	Refused in full	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee
8	18/10/2018 8.45am	Email	2	Refused in full	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee
9	18/10/2018 8.47am	Email	3	Refused in full	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee
10	18/10/2018 8.48am	Email	3	Refused in full	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee
11	18/10/2018 4.21pm	Email	1	Refused in full	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee

Schedule of Documents

Doc. No.	Date	Description of Document	# of pages	Determination	Exemption Clause
12	19/10/2018 8.28am	Email	1	Refused in full	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee
13	19/10/2018	Cabinet Submission	13	Refused in full	1(1)(b) - Draft of document prepared for Cabinet or Cabinet committee
14	19/10/2018 9.17am	Email	1	Released in part	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee
15	19/10/2018	Attachment to document 14	14	Refused in full	1(1)(b) - Draft of document prepared for Cabinet or Cabinet committee
16	19/10/2018	Adelaide Oval Hotel	3	Refused in full	1(1)(a) - Prepared for Cabinet or Cabinet committee
17	19/10/2018 3.57pm	Email	3	Refused in full	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee
18	4/12/2018 7.32am	Email	3	Released in part	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee
					Sections not relevant have been deleted
19	3/10/2018 11.09am	Email	1	Released in full	
20	3/10/2018	Template	1	Released in full	
21	3/08/2018 6.11pm	Email	3	Refused in full	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee
22	3/10/2018 1.59pm	Email	2	Released in part	Sections not relevant have been deleted
23	10/10/2018 1.43pm	Email	2	Refused in full	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee
24	11/10/2018 8.34am	Email	2	Released in part	Sections not relevant have been deleted
25	18/10/2018 12.32pm	Email	2	Refused in full	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee

Schedule of Documents

Doc. No.	Date	Description of Document	# of pages	Determination	Exemption Clause
26	18/10/2018 9.12pm	Email	2	Released in part	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee
					Sections not relevant have been deleted
27	19/10/2018 5.15pm	Email	2	Refused in full	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee
28	9/10/2018 10.39am	Email (attachment is duplicate of document 20)	2	Released in part	Sections not relevant have been deleted
29	10/10/2018 9.07am	Email	2	Refused in full	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee
30		Attachment to document 29	7	Refused in full	10(1) - Subject to legal professional privilege
31	12/10/2018	Email (attachment is duplicate of document 5)	3	Released in full	

Barns, Monique (DTF)

From: Wigglesworth, Rebecca (DTF)
Sent: Wednesday, October 3, 2018 11:09 AM
To: Barns, Monique (DTF)
Cc: Beveridge, Mark (DTF); Watts, Heather (DTF); Cantley, Kevin (DTF)
Subject: SAFA's DD requirements
Attachments: TEMPLATE Request for Information FINAL.PDF; FW: Adelaide Oval proposal

Hi Monique, as discussed, please find attached a copy of SAFA's information requirements to undertake DD. I've also attached Kevin's advice to Jane. If you have any queries on the attached I'd be happy to assist.

Kind regards

Rebecca Wigglesworth
Manager, Commercial Advisory

South Australian Government Financing Authority (SAFA)
L9, 200 Victoria Square ADELAIDE SA 5000
t 8207 2291 e rebecca.wigglesworth@sa.gov.au

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SAFA

South Australian Government
Financing Authority



Government
of South Australia



Proudly working with White Ribbon to create a safer workplace
Australia's campaign to stop violence against women

TEMPLATE OF INFORMATION TO BE REQUESTED

This is the preferred minimum requirements requested of you as an Applicant for funding from the Government of South Australia. This should not restrict the information you wish to provide, however it should direct you as to the minimum requirements.

[illegible]

If any information is unable to be provided, please detail why that is the case. Relevant additional supporting information is welcome.



Leopardi, Jamin (DTF)

From: Cantley, Kevin (DTF)
Sent: Wednesday, 26 September 2018 11:11 AM
To: Leopardi, Jamin (DTF)
Subject: RE: Adelaide Oval Hotel loan

Hi Jamin

Can you give me a call when you are free.

Thanks
Kevin

Sections not relevant

Sections not relevant

Leopardi, Jamin (DTF)

From: Cantley, Kevin (DTF)
Sent: Wednesday, 10 October 2018 3:12 PM
To: Hocking, Stuart (DTF)
Cc: Wigglesworth, Rebecca (DTF); Watts, Heather (DTF); Beveridge, Mark (DTF); Holloway, Monique (DTF); Leopardi, Jamin (DTF)
Subject: FW: Adelaide Oval Hotel - Loan proposal - SAFA initial views
Attachments: Adelaide Oval Hotel - Loan Proposal.docx

Hi Stuart

Please find attached some points on the Adelaide Oval Hotel Loan Proposal following our meeting with DPTI and SMA yesterday and SAFA's very high level review of the Business Case and financial statements of SACA, SANFL and SMA provided yesterday.

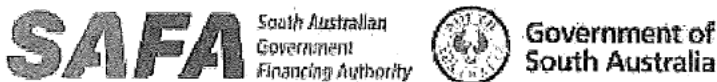
Please let me know if you would like any changes made to the brief.

Kind regards
 Kevin

Kevin Cantley PSM

General Manager
 South Australian Government Financing Authority (SAFA)

State Administration Centre, 200 Victoria Square, ADELAIDE, SA, 5000
 t 08 8226 9401 | m 0401123946 | e kevin.cantley@sa.gov.au | w safa.sa.gov.au



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Sections not relevant

Sections not relevant

14
Leopardi, Jamin (DTF)

From: Cantley, Kevin (DTF)
Sent: Friday, 19 October 2018 9:17 AM
To: Barns, Monique (DTF)
Cc: Wigglesworth, Rebecca (DTF); Leopardi, Jamin (DTF)
Subject:

Attachments:

Clause 1(1)(e)

Hi Monique

See minor changes. We probably need one further clean read before finalising.

Kind regards
Kevin

Leopardi, Jamin (DTF)

From: Cantley, Kevin (DTF)
Sent: Tuesday, 4 December 2018 7:32 AM
To: Della-Torre, Kym (DTF)
Cc: Leopardi, Jamin (DTF); Watts, Heather (DTF); Wigglesworth, Rebecca (DTF)
Subject: RE: Adelaide Oval Hotel description - MYBR

Thanks Kym.

Heather/Rebecca to note.

Sections not relevant

From: Kevin Cantley <Kevin.Cantley@sa.gov.au>
Date: Monday, 3 December 2018 at 6:59 am
To: "Della-Torre, Kym (DTF)" <Kym.Della-Torre@sa.gov.au>
Subject: FW: Adelaide Oval Hotel description - MYBR

Hi Kym

Clause 1(1)(e)

Kind regards
Kevin

Sections not relevant

Sections not relevant

Sections not relevant

Barns, Monique (DTF)

From: Wigglesworth, Rebecca (DTF)
Sent: Wednesday, October 3, 2018 1:59 PM
To: Barns, Monique (DTF)
Subject: RE: Costing Comment: Adelaide Oval Hotel

Thanks Monique

Sections not relevant

Sections not relevant

Barns, Monique (DTF)

From: Cantley, Kevin (DTF)
Sent: Thursday, October 11, 2018 8:34 AM
To: Barns, Monique (DTF)
Cc: Beveridge, Mark (DTF)
Subject: RE: Adelaide Oval Hotel - Loan proposal - SAFA initial views

Hi Monique

Not sure on Stuart attending the meeting. FYI, we provided the Treasurer with a full copy of the Business Plan late yesterday following a request from Gino.

Kind regards
Kevin

Sections not relevant

On 11 Oct 2018, at 8:04 am, Cantley, Kevin (DTF) <Kevin.Cantley@sa.gov.au> wrote:

Sorry Mark and Monique

Sections not relevant

From: Cantley, Kevin (DTF)
Sent: Wednesday, 10 October 2018 3:12 PM
To: Hocking, Stuart (DTF) <Stuart.Hocking@sa.gov.au>
Cc: Wigglesworth, Rebecca (DTF) <Rebecca.Wigglesworth@sa.gov.au>; Watts, Heather (DTF) <Heather.Watts@sa.gov.au>; Beveridge, Mark (DTF) <Mark.Beveridge@sa.gov.au>; Holloway, Monique (DTF)

<Monique.Holloway@sa.gov.au>; Leopardi, Jamin (DTF) <Jamin.Leopardi@sa.gov.au>

Subject: FW: Adelaide Oval Hotel - Loan proposal - SAFA initial views

Hi Stuart

Please find attached some points on the Adelaide Oval Hotel Loan Proposal following our meeting with DPTI and SMA yesterday and SAFA's very high level review of the Business Case and financial statements of SACA, SANFL and SMA provided yesterday.

Please let me know if you would like any changes made to the brief.

Kind regards
Kevin

Kevin Cantley PSM

General Manager
South Australian Government Financing Authority (SAFA)

State Administration Centre, 200 Victoria Square, ADELAIDE, SA, 5000
t 08 8226 9401 | m 0401123946 | e kevin.cantley@sa.gov.au | w safa.sa.gov.au

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<image002.png>

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Barns, Monique (DTF)

From: Cantley, Kevin (DTF)
Sent: Thursday, October 18, 2018 9:12 PM
To: Barns, Monique (DTF)
Cc: Pribanic, Tammie (DTF)
Subject: RE: **Clause 1(1)(e)**
Clause 1(1)(e)

Hi Monique

I will be in by 8.00am also, so I suggest that we catch up at 8.15am. I'm happy for you to draft your costing comment as you have suggested.

Kind regards
Kevin

Sections not relevant

On 18 Oct 2018, at 8:49 pm, Cantley, Kevin (DTF) <Kevin.Cantley@sa.gov.au> wrote:

Hi Monique

This Submission still needs more work in my opinion. Can we discuss first thing in the morning.

Kind regards
Kevin

Sections not relevant

Sections not relevant

Hocking, Stuart (DTF)

From: Cantley, Kevin (DTF)
Sent: Tuesday, 9 October 2018 10:39 AM
To: Hocking, Stuart (DTF)
Subject: FW: Costing Comment: Adelaide Oval Hotel
Attachments: TEMPLATE Request for Information FINAL.PDF

As discussed. Information request sent to DPTI.

Sections not relevant

Sections not relevant