



**Government
of South Australia**

A2896560

**Office of the
Treasurer**

Level 8

State Administration Centre

200 Victoria Square

Adelaide SA 5000

GPO Box 2264

Adelaide SA 5001

DX 56203 Victoria Square

Tel 08 8226 1866

treasurer.dtf@sa.gov.au

Mr Ben Hood MLC
Parliament House
ADELAIDE SA 5001

benhood.office@parliament.sa.gov.au

Dear Mr Hood

APPLICATION UNDER THE *FREEDOM OF INFORMATION ACT 1991*

I refer to your application made under the *Freedom of Information Act 1991* (the Act), dated 18 May 2023

Your application seeks access to:

“All correspondence received from the Member for Davenport, Erin Thompson MP, and any responses (Member initiated) and correspondence sent by the Minister to the Member (Minister initiated) including responses to that correspondence. The correspondence in scope is correspondence relating to the Minister’s portfolios.”

An extensive search was conducted within this office, with a total of 8 documents found that fall within scope of your application.

I grant you access in full to 2 documents copies of which are enclosed.
I grant you access in part to 6 documents; copies of which are enclosed.

Released in Part

I have granted partial access to documents 3 and 6 under clause 6(1) of Schedule 1 of the FOI Act.

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 (living or dead).*
- (2) *A document is an exempt document if it contains allegations or suggestions of criminal or other improper conduct on the part of a person (living or dead) the truth of which has not been established by judicial process and the disclosure of which would be unreasonable.*

(3) A document is not an exempt document by virtue of subclause (1) or (2) merely because it contains information concerning the person by or on whose behalf an application for access to the document is made.

(3a) A document is an exempt document if it contains matter—

- a. consisting of information concerning a person who is presently under the age of 18 years or suffering from mental illness, impairment or infirmity or concerning such a person's family or circumstances, or information of any kind furnished by a person who was under that age or suffering from mental illness, impairment or infirmity when the information was furnished; and*
- b. the disclosure of which would be unreasonable having regard to the need to protect that person's welfare.*

Disclosure of personal information in documents 3 and 6 would be unreasonable as the member of the public has not given approval for their information to be released. As no indication has been made that your application for access to these documents was made on behalf of the member of the public, I have determined to exempt this information pursuant to clause 6(1).

I have granted partial access to documents 3-8 under clause 12(1) Schedule 1 of the FOI Act.

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.

Documents 3-8 are correspondence between my office and the Member for Davenport, and minutes from the Department of Treasury and Finance, in relation to a constituent queries relating to stamp duty and land tax. Clause 12(1) states that a document is exempt from release if 'it contains matter the disclosure of which would constitute an offence against an Act'. Section 80 of the *Taxation Administration Act 1996* (TAA) provides that tax officers may not disclose information obtained under or in relation to a taxation law unless permitted.

Sections 78 and 79 of the TAA Act consider permitted disclosures, such as information of a general nature. Whilst Document 3-8 contains some general advice, it may be viewed that a taxpayer should be able to reasonably expect that correspondence with the Government concerning their specific tax affairs would not be disclosed publicly without their consent. Further, Section 77 of the TAA prevents the release of taxpayer information unless the consent of the persons to whom the information relates, or at the request of a person acting on behalf of the persons to whom the information relates, is obtained pursuant to section 78 of the TAA. As no indication has been made that your application for access to these documents was made on behalf of the taxpayer, it would be an offence under the TAA to release this information.

I therefore determine this information exempt pursuant to clause 12(1).

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 (DTF) 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.

If you are unhappy with this determination you are entitled to apply for an internal review in accordance with section 29 of the FOI Act. To make an internal review application, please either write a letter or send Application for Review of Determination form to the Principal Officer, the Treasurer, Hon. Stephen Mullighan MP, within 30 (calendar) days after you receive this letter.

If you have any queries regarding this matter, please contact the Office of the Treasurer on (08) 8226 1866.

Yours sincerely



Elicea Tomlinson
Accredited FOI Officer
Office of the Treasurer

13 June 2023

Schedule of Documents

A2896560 - Hon Ben Hood MLC

"All correspondence received from the Member for Davenport, Erin Thompson MP, and any responses (Member initiated) and correspondence sent by the Minister to the Member (Minister initiated) including responses to that correspondence. The correspondence in scope is correspondence relating to the Minister's portfolios. Between 20 March 2022 to 20 September 2022."

Doc. No.	Description of Document	Determination Recommendation	Exemption Clause
1	Letter from Member for Davenport	Released in full	
2	Minute	Released in full	
3	Letter from Member for Davenport	Released in part	6(1) - Unreasonable disclosure of personal affairs
4	Minute	Released in part	12(1) - Disclosure would constitute an offence against an Act
5	Letter to Member for Davenport	Released in part	12(1) - Disclosure would constitute an offence against an Act
6	Letter from Member for Davenport	Released in part	6(1) - Unreasonable disclosure of personal affairs
7	Minute	Released in part	12(1) - Disclosure would constitute an offence against an Act
8	Letter to Member for Davenport	Released in part	12(1) - Disclosure would constitute an offence against an Act



Hon Stephen Mullighan MP
Treasurer
GPO Box 2264
ADELAIDE SA 5001

Dear Treasurer *Stephen*

I write to you regarding my new electorate office which is located in the Aberfoyle Hub Shopping Centre.

My staff have been liaising with Electorate Services in relation to window signage, sound proofing, wall installation and the removal of rubbish and excessive unused furniture.

Whilst I appreciate the current demand on Electorate Services, the rubbish and furniture removal request was sent a month ago and is still piled up in my office. I would appreciate if this could be removed as soon as possible as we are limited in ability to set up our work spaces to suit.

I have requested the installation of interior walls as at present the whole office is an open space with no privacy which means every phone or personal conversation can be heard and seen throughout the whole office – including the public reception area and JP room. The space is a loud and uninviting atmosphere which is not conducive to my staff being able to concentrate and effectively work without constant interruption.

Electorate Services have advised that the installation of two interior walls to create privacy, and sound proofing will need to be approved by the Treasurer.

I seek your approval with these minor interior changes and would appreciate if these works could be considered a priority.

Yours sincerely


Erin Thompson MP

Member for Davenport

/ OMay 2022



MINUTE



MINUTES forming ENCLOSURE

File T22/074

Doc No TRS22D1162

To The Treasurer

TM 19/5

DAVENPORT ELECTORATE OFFICE – MINOR WORKS

Timing: ROUTINE — For consideration

Recommendations/Issues: It is recommended that you:

- Note the current status of minor works requested at the Davenport Electorate Office by Ms Erin Thompson MP, Member for Davenport, and sign the attached draft response.

*M.T.
Electorate
Services.*

Noted

Hon Stephen Mullighan MP
Treasurer

2/15/22

Key Points:

- The Member for Davenport, Ms Erin Thompson MP wrote to you on 10 May 2022 raising concerns about the Davenport Electorate Office, specifically the lack of privacy with the current open plan layout and the noise transfer between the interview room and the Member's office.
- The Davenport Electorate Office has been a fully functional electorate office situated at Shops 11–12a, The Hub Shopping Centre, Aberfoyle Park for approximately seventeen years, satisfactorily meeting the business requirements of the three former Members. The existing lease expires on 24 July 2023 with a four year right of renewal.
- Electorate Services has visited the Davenport Electorate Office on two separate occasions since the Member moved into the electorate office to discuss her concerns. A further visit to the office is planned for 20 May 2022 with service providers to investigate possible solutions to address the concerns raised.



- A solution for the soundproofing concerns and the improvement of security / privacy of the front reception area is supported by Electorate Services as a business need, and will be investigated further during the planned visit on 20 May 2022.
- A new office signage design has been approved by the Member for Davenport on 12 May 2022. Approval from the building owner was received on 16 May 2022. Instructions to commence manufacture and installation were given by Electorate Services on 17 May 2022, with an estimated delivery / installation in date the next two weeks.
- Electorate Services has been in ongoing discussions with the Davenport Electorate Office staff since 11 April 2022 to finalise surplus furniture to be disposed of, the appropriate amendments to the office attractive items register and approval from the delegate to dispose of the items pursuant to Treasurer's Instruction 15. DTF delegate approval was given on 16 May 2022, with all surplus items and 'rubbish' removed by the contractor on the same day.
- The construction of interior walls within the open plan work space to create an office for the Office Manager is not supported by Electorate Services, as this is not considered a business requirement. Whilst this work may seem simple, there will be further work and cost required to modify lighting and air conditioning systems should these alterations be implemented.
- Open plan work spaces are common in many electorate offices and provide a suitable work environment to conduct business. It is expected that the improvements to sound proofing and security around the reception area and the Members office will suitably address the concerns raised by the Member.
- It is recommended that you note progress at the Davenport Electorate Office and sign the attached draft response to the Member for Davenport.



Paul Tatarelli
MANAGER, ELECTORATE SERVICES

18 May 2022

Supported / Not supported



Rick Persse
UNDER TREASURER
Department of Treasury and Finance
Date: 20/5/22

Contact Officer:	Paul Tatarelli
Telephone:	02262095
Email address:	paul.tatarelli@sa.gov.au



Erin Thompson MP
MEMBER FOR DAVENPORT



Hon Stephen Mullighan MP
Treasurer
GPO Box 2264
Adelaide, SA 5001

Dear Treasurer, *Stephen*

I'm writing to you on behalf of **Clause 6(1)** who is seeking assistance following an **Clause 6(1)**

Clause 12(1)

Clause 6(1)

I have attached a copy of the correspondence for your understanding.

Yours sincerely,

Erin Thompson

Erin Thompson MP

Member for Davenport

Clause 12(1)

Clause 12(1)



Shop 11, The Hub Shopping Centre Taylors Road Aberfoyle 5159
PO Box 1137 Flagstaff Hill SA 5159 | 8270 5122 | davenport@parliament.sa.gov.au

Erin Thompson MP Davenport ,

Hi,

I would like to make an appointment to see you

Clause 12(1)

Clause 6(1)

Sent from my iPad

OFFICIAL: Sensitive

MINUTE



MINUTES forming ENCLOSURE

File

Clause 12(1)

To The Treasurer

Clause 12(1)

Timing: ROUTINE — For your consideration and signature.

Recommendations/Issues: It is recommended that you:

- sign the attached response to Ms Erin Thompson MP.

Noted

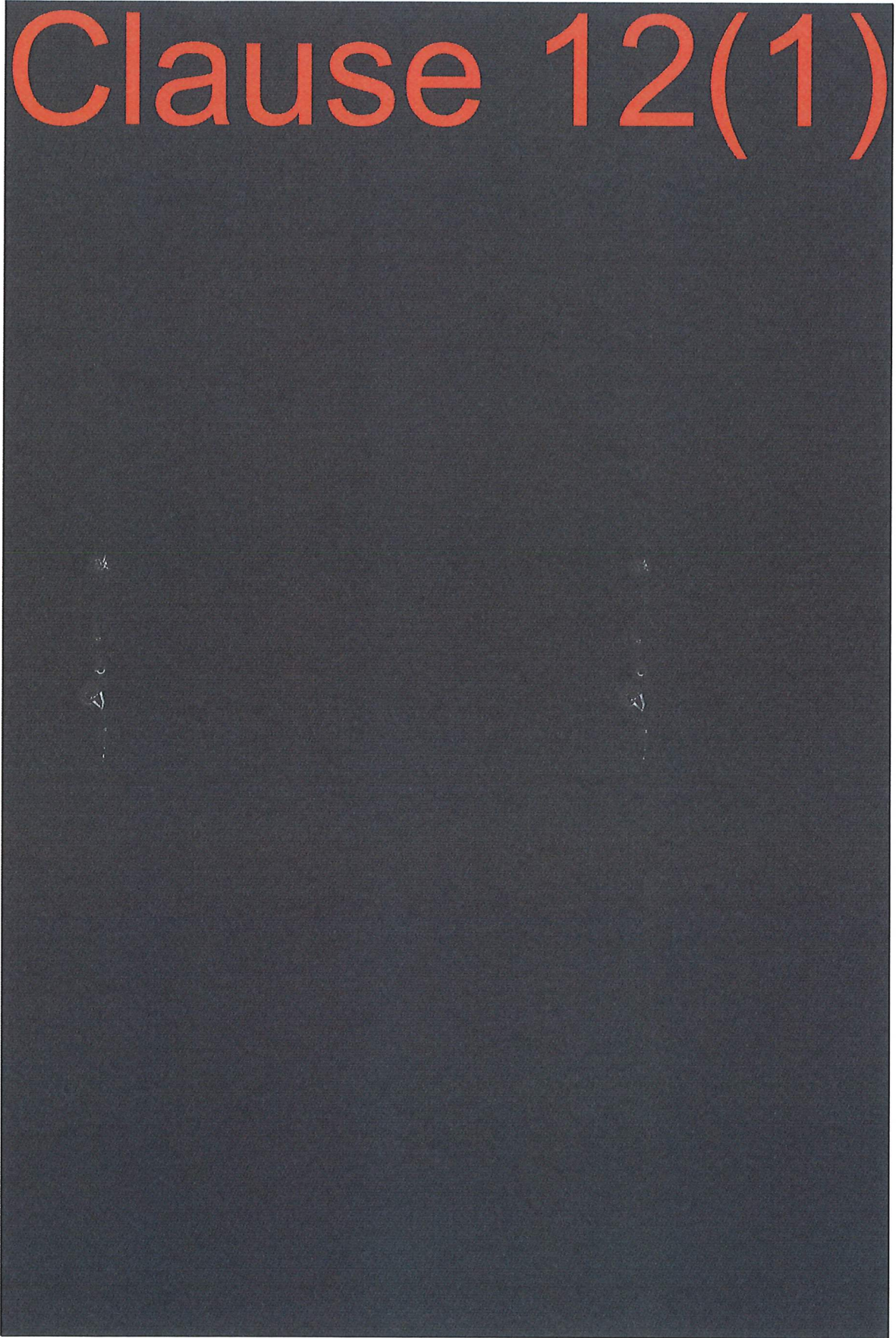
Hon. Stephen Mullighan MP
Treasurer

Clause 12(1)

Key Points:

Clause 12(1)

Clause 12(1)



Clause 12(1)

- A draft response to Ms Thompson is attached for your consideration.

Julie Holmes

Julie Holmes
COMMISSIONER OF STATE TAXATION

Clause 12(1)

Contact Officer:	Mr Matthew Fraser
Telephone:	8124 4257
Email:	matthew.fraser@sa.gov.au



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Clause 12(1)

Ms Erin Thompson MP
Member for Davenport
PO Box 1137
FLAGSTAFF HILL SA 5159

davenport@parliament.sa.gov.au

Dear Ms Thompson *Erin*

Thank you for your letter dated

Clause 12(1)

Clause 12(1)

Yours sincerely



Hon. Stephen Mullighan MP
Treasurer

Clause 12(1)

Erin Thompson MP
MEMBER FOR DAVENPORT



Hon Stephen Mullighan MP
Treasurer
GPO Box 2264
Adelaide, SA 5001

Dear Treasurer, *Stephen*

I'm writing to you on behalf of **Clause 6(1)** who has concerns regarding Revenue SA and its response times.

Clause 12(1) received an automated response, but does not believe Revenue SA made any further contact.

Clause 12(1)

I have attached a copy of the correspondence for reference and would appreciate you investigating this for **Clause 6(1)** as a matter of urgency.

Yours sincerely,

Erin Thompson MP

Member for Davenport

Clause 12(1)

Clause 12(1)



Shop 11, The Hub Shopping Centre Taylors Road Aberfoyle 5159
PO Box 1137 Flagstaff Hill SA 5159 | 8270 5122 | davenport@parliament.sa.gov.au

Clause 12(1)

Clause 12(1)

Clause 6(1)

From: DTF:Land Tax Enquiries <LandTaxEnquiries@sa.gov.au>
Sent: Clause 12(1)
To: Clause 6(1)
Subject: Acknowledgement of Email Enquiry - Please do not respond to this email

Thank you for your email.

We are currently receiving a high number of enquiries. We appreciate your patience and we will respond to your query as quickly as possible.

Click on the links below for more information regarding the land tax changes and answers to some common questions:

- [How is land tax assessed?](#)
- [Understanding your Land Tax Assessment](#)
- [Update your billing details](#)
- [Exemptions, waiver or relief](#)
- [COVID-19 Relief](#)
- [Calculate land tax](#)
- [Land held on trust](#)
- [Customer education videos](#)

We encourage you to visit the [RevenueSA website](#) for further topics and information.

Regards

Property Services

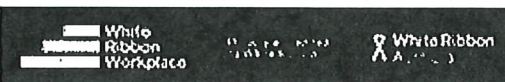
Land Tax | RevenueSA

GPO Box 1647 ADELAIDE SA 5001

t (08) 8226 3750 | e landtax@sa.gov.au | w revenuesa.sa.gov.au



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Clause 12(1)

Clause 12(1)

Clause 12(1)

Clause 6(1)

From: DTE:Land Tax Enquiries <LandTaxEnquiries@sa.gov.au>
Sent: Clause 12(1)
To: Clause 6(1)
Subject: Acknowledgement of Email Enquiry - Please do not respond to this email

Thank you for your email.

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Regards

Property Services

Land Tax | RevenueSA

GPO Box 1647 ADELAIDE SA 5001
t (08) 8226 3750 | e landtax@sa.gov.au | w revenuesa.sa.gov.au

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Government of South Australia



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Clause 6(1)

Clause 6(1)

OFFICIAL: Sensitive

MINUTE



Government of South Australia
Department of Treasury and Finance

MINUTES forming ENCLOSURE

File **Clause 12(1)**

To The Treasurer

Clause 12(1)

Timing: ROUTINE – For your consideration and signature.

Recommendations/Issues: It is recommended that you:

- note the information below and sign the attached letter to Ms Erin Thompson MP, Member for Davenport.

Noted

Hon. Stephen Mullighan MP
Treasurer

Clause 12(1)

Key Points:

Clause 12(1)

OFFICIAL: Sensitive



Clause 12(1)

- A draft response to Ms Thompson is attached for your consideration.

Julie Holmes

Julie Holmes
COMMISSIONER OF STATE TAXATION

Clause 12(1)

Contact Officer:	Mr Russell Fairley
Telephone:	820 71991
Email:	russell.fairley@sa.gov.au



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Clause 12(1)

Ms Erin Thompson MP
Member for Davenport
PO Box 1137
FLAGSTAFF HILL SA 5159

davenport@parliament.sa.gov.au

Dear Ms Thompson

Clause 12(1)

I thank you for bringing this matter to my attention.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'S. Mullighan'.

Hon. Stephen Mullighan MP
Treasurer

Clause 12(1)