



Government
of South Australia

The Hon Stephan Knoll MP
Member for Schubert

Reference: SKNOLL169243

Hon S Mullighan MP
Member for Lee
Level 1, 62 Semaphore Road
SEMAPHORE SA 5019

Dear Mr Mullighan

INTERNAL REVIEW OF A DETERMINATION – UNDER THE FREEDOM OF INFORMATION ACT 1991

On 4 December 2018, the Office of the Minister for Transport, Infrastructure and Local Government, Minister for Planning received your initial application made pursuant to the *Freedom of Information Act 1991* (the Act) for access to –

“All minutes, briefings, notes, emails and correspondence held by the Minister for Transport, Infrastructure and Local Government and Planning, the Hon Stephan Knoll MP, regarding meetings with Andrew Daniels.”

On 17 January 2019 your application for internal review made pursuant to section 19 (2)(b) of the Act was received. I have reviewed the deemed refused status of your original application and I have determined to process the request as if the statutory time frame has been met.

A search of documents held by the Office of the Minister for Transport, Infrastructure and Local Government, Minister for Planning was undertaken. I wish to advise that 4 documents have been identified within the scope of your request.

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

I have determined to grant partial access to documents 001 to 004 and have removed the personal contact details within the document that I have determined are exempt, in accordance with clause 6 (1) of the Act which states:

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.)*

Minister for Transport, Infrastructure and Local Government
Minister for Planning

Roma Mitchell House Adelaide SA 5000 | GPO Box 1533 Adelaide SA 5001 DX 171
Tel 08 7109 8430 | Email ministerknoll@sa.gov.au



Document 002 has an attachment which I have determined to refuse you access in a accordance with clause 9(1) (a)(i)(b) of the Act which states:

9 – Internal working documents

A document is an exempt document if it contains matter –

- (a) that relates to –
(i) any opinion, advice or recommendation that has been obtained, prepared or recorded;

in the course of, or for the purpose of, the decision-making functions of the Government, a Minister or an agency; and

- (b) the disclosure of which would, on balance, be contrary to the public interest.

In considering the grounds for exemption using clause 9 (1)(a)(i)(b), I am required to consider for the public interest in disclosure or non-closure.

Factors in favour of release include:

- The public interest in fulfilling the objects of the FOI Act, and promoting openness and accountability within government.
- The public interest in scrutiny of government decision making.

Factors against release include:

- The public interest in ensuring the efficient and effective conduct of the agency's functions.
- The need for some confidentiality to allow the agency to operate efficiently.
- The need to protect the commercial and financial interests of a third party

In this case I find the factors against disclosure outweigh those in favour and therefore consider the attachment within Document 002 exempt under the Act.

Attached is an explanation of the provisions of the Act which details your rights to review and appeal this determination, and the process to be followed.

If you have any questions in relation to the matter, please contact Rachel Stone, Freedom of Information Officer on telephone (08) 7109 8419 or via email at rachel.stone@sa.gov.au

Yours sincerely



Jenna Phillips-Wilkinson

Accredited FOI Officer

Office of the Minister for Transport, Infrastructure and Local Government

Minister for Planning

31 January 2019

Encl

SCHEDULE OF DOCUMENTS - FREEDOM OF INFORMATION APPLICATION NUMBER

SKNOLL169243

Document Number	Description of Document	Date of Document	Author	Determination Release / Partial Release / Refuse Access	Schedule Clause Applied
1	Diary Entry	9/07/2018	Minister's Office	Partial Release	6(1)
2	Diary Entry with 1 attachment	14/08/2018	Minister's Office	Partial Release/Refuse Access	6(1) 9(1)(a)(i)(b)
3	Diary Entry	6/11/2018	Minister's Office	Partial Release	6(1)
4	Diary Entry	22/11/2018	Minister's Office	Partial Release	6(1)

RELEASED UNDER FOIA

Stone, Rachel (DPTI)

Subject: 3.00 - Meeting with Adelaide Oval SMA
Location: MO

Start: Mon 9/07/2018 3:00 PM
End: Mon 9/07/2018 3:30 PM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Knoll, Stephan (DPTI)
Required Attendees: [REDACTED] Nourse, Courtney (DPTI); Taylor, Sarah (DPTI)

Attendees

- Chairman, Rear Admiral the Honourable Kevin Scarce AC CSC RAN (Rtd)
- Chief Executive Officer, Mr Andrew Daniels

Background

Briefing on important matters relating to the Riverbank Precinct.

CN booked 15/6

Contact:

[REDACTED]

Adelaide Oval SMA Ltd. | PO Box 900 North Adelaide SA 5006

[REDACTED]

www.adelaideoval.com.au<<http://www.adelaideoval.com.au>>



Honourable Kevin
Scarce Reque...

Andrew Daniels: [REDACTED]

RELEASED UNDER FOIA ACT

Stone, Rachel (DPTI)

Subject: 1.30 - ACP Audit
Location: MO
Start: Tue 14/08/2018 1:30 PM
End: Tue 14/08/2018 2:15 PM
Show Time As: Tentative
Recurrence: (none)
Meeting Status: Not yet responded
Organizer: Knoll, Stephan (DPTI)
Required Attendees: [REDACTED] Taylor, Sarah (DPTI); Nourse, Courtney (DPTI)

Attendees

- [REDACTED]
- Andrew Daniels, CEO, Adelaide Oval Stadium Management Authority
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

CN booked 13/8

Contact:

[REDACTED]

[REDACTED]

Adelaide Oval SMA Ltd. | PO Box 900 North Adelaide SA 5006

[REDACTED]

| www.adelaideoval.com.au

[REDACTED]

Taylor, Sarah (DPTI)

Subject: 9.00am - Meeting with Stadium Management Authority - Footy Express
Location: Kingston Room, Parliament House

Start: Tue 6/11/2018 9:00 AM
End: Tue 6/11/2018 9:30 AM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Knoll, Stephan (DPTI)

Required Attendees: Taylor, Sarah (DPTI);

Optional Attendees:

Attendees

Andrew Daniels – CEO, SMA

RELEASED UNDER FOI ACT

Taylor, Sarah (DPTI)

Subject: 2.00pm - REPAC Meeting - Minister only attending for 1st 45 mins or so
Location: [REDACTED]
Start: Thu 22/11/2018 2:00 PM
End: Thu 22/11/2018 3:00 PM
Recurrence: (none)
Meeting Status: Accepted
Organizer: Knoll, Stephan (DPTI)
Required Attendees: Taylor, Sarah (DPTI); [REDACTED]

RELEASED UNDER FOI ACT

FREEDOM OF INFORMATION ACT 1991
YOUR RIGHTS TO REVIEW

EXTERNAL REVIEW BY THE OMBUDSMAN

If the Agency does not deal with your Internal Review application within 14 calendar days (or you remain unhappy with the outcome of the Internal Review) you are entitled to an External Review by the Ombudsman SA.

You may also request an External Review by the Ombudsman if you have no right to an Internal Review.

The application for review by the Ombudsman should be lodged within 30 days after the date of a determination. The Ombudsman's Office, at their discretion, may extend this time limit.

Investigations by the Ombudsman are free. Further information is available from the Office of the Ombudsman by telephone on 8226 8699 or toll free 1800 182 150 (within SA).

REVIEW BY THE SOUTH AUSTRALIAN CIVIL AND ADMINISTRATIVE TRIBUNAL (SACAT)

If you are still dissatisfied with the decision made by this Agency after an Internal Review or after a review by the Ombudsman, you can request a review from SACAT.

You must exercise your right of review to SACAT within 30 calendar days after being advised of the determination or the results of any other Internal or Ombudsman Review. Any costs will be determined by SACAT, where applicable. For more information, contact;

South Australian Civil and Administrative Tribunal (SACAT)
Phone: 1800 723 767 Email: sacat@sacat.sa.gov.au