



LEGAL AND STATUTORY
SERVICES

50 Flinders Street
Adelaide SA 5000

GPO Box 1533
ADELAIDE SA 5001

Telephone: 08 8343 2222
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ABN 92 366 288 135

Dear [REDACTED],

**NOTICE OF DETERMINATION - REQUEST FOR ACCESS TO DOCUMENTS
UNDER THE FREEDOM OF INFORMATION ACT 1991**

I refer to your application made under the *Freedom of Information Act 1991* ('the Act') which was received by the Department for Infrastructure and Transport on 30 June 2020.

You have requested access to the following:

"Copies of any and all documents (including but not limited to hard copy or electronic briefings, minutes, reports, emails, letters and any other correspondence) either to or from (directly or indirectly) officials, employees or contractors to DPTI and Minister Knoll his office regarding bus services, timetables, routes and bus stops within the State Electorate of Light, which includes the suburbs of Buchfelde, Evanston, Evanston Gardens, Evanston Park, Evanston South, Gawler, Gawler East, Gawler South, Gawler West, Hewett, Hillier, Kudla, Munno Para, Munno Para Downs, Munno Para West, Reid, Willaston. Date range 01-01-2019 to 29-06-20."

On 10 July 2020 your application was re-scoped to the following:

"Bus services in the suburbs located within the Electorate of Light – and how they were considered in the recent proposed network changes."

Date range 1/01/2019 – 30/06/2020."

On 15 July 2020 we issued a notice advising the due date had been extended by 62 days to 30 September 2020.

The 30 day period for processing your application has now passed. A determination was due on 30 September 2020. This means that the department is deemed by section 19(2)(b) of the Act to have refused access to the documents requested.

However, the department has continued to process your application outside this timeframe.

There are 21 documents which have been located that are within the scope of your request. I have determined to release one document in full. I have determined to partially release two documents, and refuse 18 documents in accordance with section 20(1)(a) and (b); and Clauses 7(1)(c) and 9(1) of Schedule 1 of the Act which states:

20—Refusal of access

- (1) *An agency may refuse access to a document—*
 - (a) *if it is an exempt document; or*
 - (b) *if it is a document that is available for inspection at that or some other agency (whether as part of a public register or otherwise) in accordance with [Part 2](#), or in accordance with a legislative instrument other than this Act, whether or not inspection of the document is subject to a fee or charge; or.....*

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.*

9—Internal working documents

- (1) *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, or*
 - (ii) *any consultation or deliberation that has taken place,*
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.*

Please note some redacted sections within the documents have been removed as they are out of scope.

Clause 7(1)(c)

Documents 1 and 16-19 contain information concerning the business affairs of third parties the disclosure of which could reasonably be expected to have an adverse effect on those affairs.

In considering the grounds for exemption of information under Clause 7, I have considered the public interest in disclosure or non-disclosure:

Factors in favour of release

- to enhance the scrutiny of government decision making;
- further the objects of the Act; and
- promote accountability of the agency and its staff.

Factors against release

- to ensure the effective conduct of government functions;
- allow for the free and frank discussion of ideas;
- disclosure would release information otherwise not publicly available;
- would affect the free flow of information to government; and
- third party objection to release.

Upon weighing these factors I have determined, on balance, that it is contrary to the public interest to release the information.

Clause 9(1)

Documents 1 and 5 are emails and documents that contain opinions and advice prepared by the agency for the purpose of the decision-making functions of the department. The relevant information within these documents is considered exempt under clause 9(1)(a)(i) Schedule 1 of the Act.

Documents 2-4, 6-10, 12-15, 20 and 21 contains matter relating to opinions and advice prepared in the course of the decision-making functions of the department and the Minister. These documents are considered exempt under clause 9(1)(a)(i) Schedule 1 of the Act.

In considering the grounds for exemption of information under clause 9, I have considered the public interest in disclosure or non-disclosure:

Factors in favour of release

- further the objects of the Act;
- promote openness and accountability of the agency and its staff; and
- ensure administrative decisions are made on evidence;

Factors against release

- enable the free and frank discussion of opinions and advice;
- encourage the free exchange of ideas during deliberative process, including through the frank and candid assessment of information;
- ensure the effective conduct of government functions;
- draft documents are not complete works and do not contain, or have had applied, critical reviews and comments; and
- release of draft documents has a high probability of incorrectly projecting a conclusion which may not be a true and final conclusion of the department.

Upon weighing these factors I have determined, on balance, that it is contrary to the public interest to release the information.

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

In accordance with 'Premier and Cabinet Circular PC045', if you are given access to documents as a result of this FOI application then details of your application, and the documents to which access is given, may be published in the agency's disclosure log within 90 days from the date of this determination. Any private information will be removed. If you have any objection to this publication, please contact us within 30 days of receiving this determination. A copy of PC045 can be found at <http://dpc.sa.gov.au/what-we-do/services-for-government/premier-and-cabinet-circulars>.

Should you have any enquiries concerning your application please contact [REDACTED], Freedom of Information Officer, on telephone [REDACTED].

Yours sincerely

[REDACTED]

Accredited Freedom of Information Officer

[REDACTED]

RELEASED UNDER FOI ACT

FREEDOM OF INFORMATION ACT 1991
YOUR RIGHTS TO REVIEW

INTERNAL REVIEW

If you are dissatisfied or concerned with the decision of this Agency regarding access to documents or the request for amendment to your personal records, you can apply for an Internal Review of that decision.

To apply for an Internal Review you must write a letter addressed to the Principal Officer or lodge an Internal Review application form with the Principal Officer of this Agency. The legislated application fee must accompany all applications, unless the fee was waived in the original Freedom of Information application, in which case there would be no fee payable for the application. The application must be lodged within 30 days after being notified of the decision.

The Agency will undertake the Internal Review and advise you of its decision within 14 days of receipt of the application.

Where the decision was made by the Minister or Principal Officer of the Agency, you are unable to request an Internal Review but you can apply for an External Review by the Ombudsman, or SACAT.

You are unable to apply for an Internal Review regarding a decision to extend the time limit for dealing with an application but you can apply for an External 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

SCHEDULE OF DOCUMENTS - FREEDOM OF INFORMATION APPLICATION NUMBER 2020/12140/01						
Document Number	Description of Document	Date of Document	Author	Determination Release / Partial Release / Refuse Access	Schedule Clause Applied	Comments
001	Email re. New Bus Network consultation comms	27/04/2020	DIT	Partial Release	7(1)(c) - business affairs; 9(1)(a)(i) - internal working document	
002	Draft_Comms Plan - New Network feedback (v1)	Apr-20	DIT	Refuse Access	9(1)(a)(i) - internal working document	
003	Draft_New Bus Network_website edits	undated	DIT	Refuse Access	9(1)(a)(i) - internal working document	
004	Draft_YourSay sections - New Network feedback	undated	DIT	Refuse Access	9(1)(a)(i) - internal working document	
005	Extracts of document 'Patronage for missed roads - undated'	undated	DIT	Partial Release	9(1)(a)(i) - internal working document	
006	Town of Gawler map	undated	DIT	Refuse Access	9(1)(a)(i) - internal working document	
007	City of Playford map	undated	DIT	Refuse Access	9(1)(a)(i) - internal working document	
008	Draft_Comms Plan - New Network feedback (v2)	Apr-20	DIT	Refuse Access	9(1)(a)(i) - internal working document	
009	Email re. MO Response_Changes to Gawler bus services	22/06/2020	DIT	Refuse Access	9(1)(a)(i) - internal working document	
010	Extract of document - walking distance	undated	DIT	Refuse Access	9(1)(a)(i) - internal working document	
011	Email re. Bus Network printed comms	25/06/2020	DIT	Release		
012	New Network feedback letter template	undated	DIT	Refuse Access	9(1)(a)(i) - internal working document	
013	Outer North Fact Sheet	undated	DIT	Refuse Access	9(1)(a)(i) - internal working document	
014	Outer North Council Information	undated	DIT	Refuse Access	9(1)(a)(i) - internal working document	
015	Consultation Map for on demand routes 450, 451 and OD4 (Gawler)	undated	DIT	Refuse Access	9(1)(a)(i) - internal working document	
016	Tender document - Light	undated	Tenderer	Refuse Access	7(1)(c) - business affairs	
017	Tender document - Light	undated	Tenderer	Refuse Access	7(1)(c) - business affairs	
018	Tender document - Light	undated	Tenderer	Refuse Access	7(1)(c) - business affairs	
019	Tender document - Light	undated	Tenderer	Refuse Access	7(1)(c) - business affairs	
020	Outer North_Network Route Map Sc 2 and 2.1	undated	DIT	Refuse Access	9(1)(a)(i) - internal working document	
021	Outer North_Network Route Map Sc 2.2	undated	DIT	Refuse Access	9(1)(a)(i) - internal working document	

From: [Redacted]
 To: [Redacted]
 Cc: [Redacted]
 Subject: RE: New bus network consultation comms
 Date: Monday 27 April 2020 9:56:19 AM
 Attachments: [image001.gif](#)
[image002.gif](#)
[image003.gif](#)

Hi [Redacted]

Please see below a table comparing the proposed hours for the new on-demand services with the existing service hours of the services they are replacing.

Note the latter is based on departure times for the first and last service for each day. So those departing the city will actually be servicing the relevant zone a short time later than when they depart.

Let me know if you need any further info or clarification.

Description	New Hours	Existing hours (first service to last service)
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Out of scope

9(1)(a)(i) Opinion or advice

Media Officer
 Customer, Community and Public Affairs
 Department of Planning, Transport and Infrastructure
 Media enquiries: 1300 656 933 • DLDP.TIPBDMedia@sa.gov.au
 PO Box 1533, Adelaide SA 5001 • DX 171 • www.dpti.sa.gov.au

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From: [Redacted]
 Sent: Saturday 25 April 2020 9:47 AM
 To: [Redacted]
 Cc: [Redacted]
 Subject: RE: New bus network consultation comms

Patronage stats attached for roads no longer planned to be serviced

From: [Redacted]
 Sent: Friday 24 April 2020 2:27 PM
 To: [Redacted]
 Cc: [Redacted]
 Subject: RE: New bus network consultation comms

Hi [Redacted]
 We're chasing the current last service for the routes mentioned but answers to your other two questions are below.
 Also we hope to get the patronage for roads removed stats later today.
 Cheers

From: [Redacted]
 Sent: Friday 24 April 2020 9:52 AM
 To: [Redacted]
 Cc: [Redacted]
 Subject: Re: New bus network consultation comms

9(1)(a)(i) Opinion or advice

If the former what time is the current last service for all of the below routes?

From: [Redacted]
 Sent: Friday 24 April 2020 9:42 AM
 To: [Redacted]
 Cc: [Redacted]
 Subject: RE: New bus network consultation comms

Hi a I
 Please see below information about on demand service frequency.
 Thanks

Description	Buses Used	Hours	Average Wait Times (mins)	Current Route Frequency	Benefits
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Out of scope

9(1)(a)(i) Opinion or advice

From: [Redacted]
 Sent: Wednesday 22 April 2020 9:11 PM
 To: [Redacted]
 Cc: [Redacted]

Subject: Re: New bus network consultation comms

Thanks [redacted]

I think more information on how On Demand works for each area would be very helpful - ie how often it operates how many buses will operate what will it cost to use etc. **Out of scope**

Sent from my iPad

On 22 Apr 2020 at 3:41 pm [redacted] wrote:

For Official Use Only

Before we can announce we will need to compare old vs new maps.

For all of the maps in the below link can I please get;

- 1) A map of how it differs to the previous route (if it does)?
- 2) A list of which routes will be new GoZones as we I as which are existing? Including which main roads will be affected.

[redacted] Any other detail you think might be useful?

Thanks [redacted]

From: [redacted]
 Sent: Wednesday 22 April 2020 2:29 PM
 To: [redacted]
 Cc: [redacted]
 Subject: RE: New bus network consultation comms

All the maps are on this link:

- Link to all maps: [7\(1\)\(c\) Business affairs](#)

From: [redacted]
 Sent: Wednesday 22 April 2020 2:25 PM
 To: [redacted]
 Cc: [redacted]
 Subject: RE: New bus network consultation comms

For Official Use Only

Can I please be sent all those maps?

From: [redacted]
 Sent: Wednesday 22 April 2020 2:14 PM
 To: [redacted]
 Cc: [redacted]
 Subject: RE: New bus network consultation comms

Not detailed timetables just route maps which note which ones are go-zones etc.

From: [redacted]
 Sent: Wednesday 22 April 2020 2:13 PM
 To: [redacted]
 Cc: [redacted]
 Subject: RE: New bus network consultation comms

For Official Use Only

Are we releasing timetables for consultation?

From: [redacted]
 Sent: Wednesday 22 April 2020 1:41 PM
 To: [redacted]
 Cc: [redacted]
 Subject: New bus network consultation comms

Hi [redacted]

Please see attached package for the New Network consultation:

- Comms plan detailing our overall approach with materials potential success media stories and survey questions in the Appendix
- Consultation website preview link:
 - [7\(1\)\(c\) Business affairs](#)
 - Username: [7\(1\)\(c\) Business affairs](#)
 - Password: [7\(1\)\(c\) Business affairs](#)
 - maps will be added to the website asap (links currently do not work)
 - phone number and survey links to be added asap
- Link to all maps: [7\(1\)\(c\) Business affairs](#)
- Example letter to council
- Please note:
 - consultation to start by 30 April to fulfil earlier commitment
 - paid comms currently being planned to start as soon as possible with messaging as per comms plan
 - YourSAy link being developed using same info linking to the main consultation website

We can draft releases on any of the potential success stories listed in the comms plan if you let us know which ones.

Cheers

[redacted]
 Manager Media
 Customer, Community and Public Affairs
 Department of Planning, Transport and Infrastructure
 GPO Box 1533 ADELAIDE SA 5001 • www.dpti.sa.gov.au

[<image001.gif>](#)

[<image002.gif>](#)

[<image003.gif>](#)

[<image004.gif>](#)

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We acknowledge and respect Aboriginal peoples as South Australia's first peoples and nations. We recognise Aboriginal peoples as traditional owners and occupants of land and waters in South Australia and that their spiritual, social, cultural and economic practices come from their traditional lands and waters; and they maintain their cultural and heritage beliefs, languages and laws which are of ongoing importance. We pay our respects to their ancestors and to their Elders.

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	A	B	C
1	Road ^{9(1)(a)(ii)} Consultation or deliberation		Average Weekday Patronage
2	Alawoona Rd	Munno Para	0

Out of scope

6	Myall Ave	Munno Para	0
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Out of Scope

PROPOSED UNDER REVIEW

From: [Redacted]
To: [Redacted]
Cc: [Redacted]
Subject: Bus network printed comms
Date: Thursday, 25 June 2020 3:03:00 PM
Attachments: [Hills fact sheet.docx](#)
[Outer North fact sheet.docx](#)
[image001.gif](#)
[image002.gif](#)
[image003.gif](#)
[image004.gif](#)
[Outer South fact sheet.DOCX](#)
[East West North South Outer North East fact sheet.docx](#)
[New Network Feedback Letter Template.docx](#)

Hi [Redacted]

The team would like to send the attached letter and relevant region fact sheet to customers who have called informing that they do not have access to the internet to take part in network consultation.

Are you ok with the attached, which replicate the website?

Thanks

[Redacted]

Manager Media
Customer, Community and Public Affairs
Department of Planning, Transport and Infrastructure

[Redacted] • GPO Box 1533 ADELAIDE SA 5001 • www.dpti.sa.gov.au



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We acknowledge and respect Aboriginal peoples as South Australia's first peoples and nations, we recognise Aboriginal peoples as traditional owners and occupants of land and waters in South Australia and that their spiritual, social, cultural and economic practices come from their traditional lands and waters; and they maintain their cultural and heritage beliefs, languages and laws which are of ongoing importance; We pay our respects to their ancestors and to their Elders.

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