



DPC19/2160
B807677

26 August 2020

GPO Box 2343
Adelaide SA 5001
DX 56201
Tel 08 8226 3500
Fax 08 8226 3535
www.dpc.sa.gov.au

Mr Peter Malinauskas
Leader of the Opposition
Parliament House
North Terrace
ADELAIDE SA 5000

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

Dear Mr Malinauskas

Freedom of information application

I refer to your request received by the Department of the Premier and Cabinet (DPC) seeking access under section 13 of the *Freedom of Information Act 1991* (the Act) to:

Copies of any and all documents (including but not limited to physical, electronic or written briefs, internal discussion papers, minutes, emails, diary entries, and any other correspondence) on the development and launch of the Growth State website and the development of its content.

Date Range - 1/6/19 – 19/11/19

DPC informed your office that the scope of this request would be too large to process. Your office subsequently advised the following by email on 26 February 2020:

(We are) specifically seeking documents regarding decisions on the content of the website from the aforementioned time frame.

Under the Act, an agency has 30 days to respond to a freedom of information request. As DPC did not respond to your request within the time frame required, the department is deemed to have refused you access to all documents relevant to your application. However, I have determined to process the request as if the statutory time frame had been met.

The purpose of this letter is to advise you of my determination.

A total of 3 documents were identified as answering the terms of your application and I have determined as follows:

- I grant you access in part to 2 documents, copies of which are enclosed, and

- I refuse access to 1 document.

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

Documents released in part

Documents 1 and 3

Sections of these documents contain information relating to the personal affairs of a third party, namely a mobile phone number. Under clause 6(1) of Schedule 1 to the Act, information is exempt if releasing it would involve the 'unreasonable disclosure of information concerning the personal affairs of any person'. I have considered that the application of clause 6(1) requires two elements, one that the information contains the personal affairs of that person; and secondly that disclosure would be unreasonable and contrary to public interest. I have determined that this information falls within the category of 'personal affairs' as listed under section 4(1) of the Act, thereby meeting the first elements of this clause. Further, I have considered whether the disclosure of this information would be unreasonable. In doing so, I have considered the relevance of this information to the public and the likelihood as to whether the person in question would consent to disclosure. I have concluded that this information was likely obtained in confidence and through measures which would otherwise make it unavailable to the public. I have considered the factors in favour of public interest and determined that these factors are outweighed by the need to maintain personal confidentiality in this instance. Therefore, I have determined that this information meets the requirements of clause 6(1) and is thereby exempt pursuant to this clause.

These documents also contain opinions, advice and recommendations prepared in the course of and for the purpose of the decision-making functions of the Government, the disclosure of which would on balance be contrary to public interest. The relevant information is advice and suggestions on content proposed for the website. This material reflects deliberations being undertaken prior to a final decision on the message the Government intended to authorise being made. Whilst the transparency of government decision making is a matter of public interest, it is also important that there is a safe space for formative discussions about communications strategies, and that these can be undertaken in a consultative manner without the prospect of being made public. I have therefore determined to remove this information under clause 9(1) of Schedule 1 to the Act.

Sections outside the scope of your revised application have also been removed from these documents.

Document refused in full

Document 2

This document consists of opinions, advice and recommendations prepared in the course of and for the purpose of the decision-making functions of the Government, the disclosure of which would on balance be contrary to public interest. The document consists of advice and suggestions on content proposed for the website.

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This material reflects deliberations being undertaken prior to a final decision on the message the Government intended to authorise being made. Whilst the transparency of government decision making is a matter of public interest, it is also important that there is a safe space for formative discussions about communications strategies, and that these can be undertaken in a consultative manner without the prospect of being made public. I have therefore determined to remove this information under clause 9(1) of Schedule 1 to the Act.

Exemptions

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).

Clause 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.

FOI Disclosure Log

In compliance with Premier and Cabinet Circular PC045 - *Disclosure Logs for Non-Personal Information Released through Freedom of Information* (PC045), DPC 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 DPC 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.

Right to internal review

If you are aggrieved with this determination, you have a right to apply for internal review under subsection 29(1) of the Act. Pursuant to subsection 29(2), your application must:


- be in writing

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- be addressed to the principal officer, and
- be lodged at an office of DPC, or emailed to DPCFOIUnit@sa.gov.au within 30 days after the day on which you receive this letter or within such further time as the principal officer may allow.

If you have any questions in relation to this matter, please contact Damian Gilbert, Freedom of Information Officer, on telephone (08) 8429 5489 or via email at damian.gilbert@sa.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Eamonn Maloney', written in a cursive style.

Eamonn Maloney
Accredited Freedom of Information Officer
Office of the Chief Executive
Department of the Premier and Cabinet

Attachment(s):

- Schedule of documents
- Documents for release

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SCHEDULE OF DOCUMENTS—DPC19/2160

Freedom of information application from the Hon Peter Malinauskas seeking access to:

Copies of any and all documents (including but not limited to physical, electronic or written briefs, internal discussion papers, minutes, emails, diary entries, and any other correspondence) on the development and launch of the Growth State website and the development of its content.

Date Range - 1/6/19 – 19/11/19

The applicant further clarified that they were specifically seeking documents regarding decisions on the content of the website from the aforementioned time frame.

No.	Date	Document description	Exemption clauses	Released (part/full/refused)
1.	04/11/2019	Email – FW: Growth State	6(1) – Personal affairs; 9(1) – Internal working document; Sections out of scope removed	Released in part
2.		Growth State – Website Review Attachment to document 1	9(1) – Internal working document	Refused in full
3.	18/11/2019	Email – FW: Growth State website finalised	6(1) – Personal affairs; 9(1) – Internal working document; Sections out of scope removed	Released in part

From: [Ali, Jihad \(DPC\)](#)
To: [Hughes, Jenny \(DPC\)](#); [Olah, Sam \(DPC\)](#)
Subject: FW: Growth State [DLM=For-Official-Use-Only]
Date: Monday, 4 November 2019 11:18:28 AM
Attachments: [image001.png](#)
[image002.png](#)
[image006.png](#)
[Growth State - Website Review.docx](#)
[image015.png](#)

For Official Use Only

Hi

I just got this through from Andrew.

How are you both placed to meet with him (and others) on Thursday? I'm good between 11am-12pm.

Thanks

Jihad

Jihad Ali

Director - Communications
Department of the Premier and Cabinet

M Clause 6(1) | **E** jihad.ali@sa.gov.au | **W** dpc.sa.gov.au

Level 12, State Administration Centre, 200 Victoria Square, Adelaide 5000

cid:image015.png@01D59301.909DD1D0



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Clause 9(1)

For Official Use Only



From: Ali, Jehad (DPC) <Jehad.Ali@sa.gov.au>
Sent: Thursday, 31 October 2019 3:26 PM
To: Armanas, Paul (DPC) <Paul.Armanas@sa.gov.au>
Cc: Ockenden, Andrew (DTTI) <Andrew.Ockenden@sa.gov.au>; Yeeles, Richard (DPC) <Richard.Yeeles@sa.gov.au>
Subject: FW: Growth State

For Official Use Only

Hi Paul

The team has progressed with Growth State comms

He's a general update.

Website

- The Commitment Section now reflects the proposed treatment of 'In Progress'

and 'Completed' commitments. Obviously, we'll await copy confirmation in due course.

- We've now included the Premier's video (just as a place holder) ahead of shooting the new video.
- The Growth State animation is now featured in the 'Our Plan' section.
- News content has been updated – including some of the latest stories from FutureAdelaide. We'll be updating this section regularly.
- Social media has been updated to now automatically imbed any DPC tweet with the hashtag Growth State.
- Mash-up video is now featured in the Our Vision section.
- We'll also be looking to include a 'sign-up' feature on the site which will allow us to regularly push news content out to interested parties.

Commitment Videos

As you know, my thoughts have always been to shoot video content to promote any future Commitment announcement. The video content would be featured on the website – and pushed out across social – potentially boosted where appropriate.


Here is a [link](#) to an example which highlights the proposed treatment only. It shows how we could treat talent and stats. It's rough and still includes watermarks – but a good guide nevertheless.

The team is now ready to shoot and publish content. Being aware of any announcement dates would obviously be helpful – but understand that may be difficult. Simply knowing a date – without knowledge of the subject, would even be helpful.

Premier's Message

I had the team draft a message from the Premier to send out across the public sector – given they're a key audience. See attached for your consideration. I think we should also imbed his vid into this message.

Out of scope



Happy to chat about any of the above when convenient.

Cheers

Jehad Ali

Director - Communications
Department of the Premier and Cabinet

M [Clause 6\(1\)](#) | **E** jehad.ali@sa.gov.au | **W** dpc.sa.gov.au

Level 12, State Administration Centre, 200 Victoria Square, Adelaide 5000

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From: Ali, Jehad (DPC)
Sent: Wednesday, 16 October 2019 9:34 AM
To: Armanas, Paul (DPC) <Paul.Armanas@sa.gov.au>
Cc: Ockenden, Andrew (DTTI) <Andrew.Ockenden@sa.gov.au>; Yeeles, Richard (DPC) <Richard.Yeeles@sa.gov.au>
Subject: Growth State

For Official Use Only

Hi Paul

Out of scope

I'll have the team work towards having the site ready to launch early November. It's always good to have a tentative date to work towards, so we'll pencil in Monday 4 November.

The team is ready to amend any copy ahead of the launch. I'd imagine particular attention needs to be directed to the list of achievements (across each Chapter) currently featured on the site.

The videos currently on the site were approved some time ago.

Please reach out with any copy changes when convenient.

Thanks

Jehad

Jehad Ali

Director - Communications
Department of the Premier and Cabinet

M Clause 6(1) | **E** jehad.ali@sa.gov.au | **W** dpc.sa.gov.au

Level 12, State Administration Centre, 200 Victoria Square, Adelaide 5000

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From: [Ali, Jihad \(DPC\)](#)
To: [Hughes, Jenny \(DPC\)](#)
Cc: [Ockenden, Andrew \(DTTI\)](#)
Subject: FW: Growth State website finalised
Date: Monday, 18 November 2019 4:28:41 PM
Attachments: [image013.png](#)

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FYI


Jihad Ali

Director - Communications
Department of the Premier and Cabinet

M Clause 6(1) | **E** jihad.ali@sa.gov.au | **W** dpc.sa.gov.au

Level 12, State Administration Centre, 200 Victoria Square, Adelaide 5000

cid:image013.png@01D59E2D.38EE5CC0




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From: Kelly, Sarah (DPC) <Sarah.Kelly@sa.gov.au>
Sent: Monday, 18 November 2019 4:27 PM
To: Wilson, Ben (DPC) <Ben.Wilson@sa.gov.au>; Ali, Jihad (DPC) <Jihad.Ali@sa.gov.au>
Subject: Fwd: Growth State website finalised

Sent from my iPhone

Begin forwarded message:

Clause 9(1)



From: Kelly, Sarah (DPC) <Sarah.Kelly@sa.gov.au>
Sent: Monday, 18 November 2019 1:11 PM
To: Collins, Jo (PIRSA) <Jo.Collins@sa.gov.au>; Kelly, Sarah (DPC) <Sarah.Kelly@sa.gov.au>; Lawes, Phil (DPTI) <Phil.Lawes@sa.gov.au>; Manson, Andrew (DEM) <Andrew.Manson@sa.gov.au>; Mathewson, Steve (DTTI) <Steve.Mathewson@sa.gov.au>; Morton, Steve (DEW) <Steve.Morton@sa.gov.au>; Newstead, Louisa (DIS) <Louisa.Newstead@sa.gov.au>; Ross, Justin (DTTI) <Justin.Ross@sa.gov.au>; Wilson, Ben (DPC) <Ben.Wilson@sa.gov.au>; Winefield, Matthew (DTF) <Matthew.Winefield@sa.gov.au>
Cc: Mathewson, Steve (DTTI) <Steve.Mathewson@sa.gov.au>; Palmer, Matthew (PIRSA) <Matthew.Palmer@sa.gov.au>; Tesanovic, Dana (DPC) <Dana.Tesanovic@sa.gov.au>; Serafin-Rai, Goska (DPC) <Goska.Serafin-Rai@sa.gov.au>
Subject: Growth State website finalised
Importance: High

For Official Use Only

Dear Growth State Working Group members


The website has now been finalised and approved by chiefs of staff. We are not seeking a formal fact check given these approvals and given the time constraints,

but do please let us know if you have any fundamental concerns in the next couple of hours.

Please provide feedback directly to Ben Wilson, copying in this Growth State email address.

<https://growthstate.sa.gov.au>

Out of scope



Kind regards

Sarah Kelly | Principal Policy Officer

Intergovernmental Relations, Department of the Premier and Cabinet (SA)

Level 14, State Administration Centre, 200 Victoria Square, Adelaide SA 5000

Tel: 08 84295033