

01 AUG 2005

In reply please quote Doc# 709064
Enquiries to Michelle Pryse
Telephone (08) 8204 8224



Government of South Australia

Department for Transport,
Energy and Infrastructure

**OFFICE OF THE CHIEF
EXECUTIVE**

PO Box 1
WALKERVILLE SA 5081

Telephone: 61 8 8343 2222
Facsimile: 61 8 8204 8740

Hon Sandra Kanck MLC
Legislative Council
Parliament House
North Terrace
ADELAIDE SA 5000

Dear Ms Kanck

I refer to your application under the *Freedom of Information Act 1991* (FOIA) seeking access to "any reports or internal departmental communications regarding the safety of Rapid Bay Jetty".

Determination

In interpreting your application, I have determined that the documents subject to your request are those described in the attached schedule of documents.

In determining your application, I have granted access to those documents and I have 'exempted' from release specific information contained in one document.

The 'partial exemption' of the document is pursuant to Schedule 1 Clause 6 of the FOIA - 'personal affairs'.

Reason for exemption

Clause 6(1)

A document is exempt under clause 6(1) if:

- (1) *"it contains matter the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)."*

Document number 13 in the schedule of documents includes the name of a private citizen, in the context of a reported incident involving a family member on the Rapid Bay Jetty. Pursuant to the above clause under the FOIA, and consistent with the Full Federal Court's decision in *Colakovski v Telecom* (1991) 100 ALR 111, the name, home address and telephone number of an individual is personal affairs of that individual. A name and address are not usually "personal affairs" but Colakovski said, amongst other things, that a name, address and phone number become personal affairs if they appear in a context that discloses a personal affair. Furthermore, the case of *Commissioner of Police v District Court of New South Wales*, (1993) 31 NSWLR 606, said, amongst

other things, that the phrase "personal affairs" means "composite collection of activities personal to the individual concerned".

Accordingly, I have determined that the personal details contained within document 13 affect the personal affairs of that person(s), and I have removed it from the document.

Copies of the documents subject to your request are enclosed.

Review rights

Should you be dissatisfied with this determination, you are entitled to exercise your rights to review and appeal as outlined in the attached documentation, by completing the "Application for Review of Determination" and returning the completed form to:

The Principal Officer, Freedom of Information
Department for Transport, Energy and Infrastructure
PO Box 1
Walkerville SA 5081

Should you have any queries please contact Michelle Pryse on 8204 8224.

Yours sincerely



Benny Pablo
ACCREDITED FREEDOM OF INFORMATION OFFICER

28 July 2005

**Freedom of Information
Schedule of Documents**

Document Number	Document Description	Released/Exempt
1.	Rapid Bay Jetty Measurement of Steel Thickness. Pavements & Structures Coatings and Corrosion Group, Transport SA, Department of Transport and Urban Planning. 3 March 2005.	Released
2.	Rapid Bay Jetty Structural Condition Report. Department of Transport and Urban Planning. December 2004.	Released
3.	Rapid Bay – Concrete encasement around piles. Seacon. 21 July 2003.	Released
4.	Rapid Bay Jetty. Report on the testing of timber piles to the Rapid Bay Jetty, South Australia. Integrity Testing Pty Ltd. 15 November 2000.	Released
5.	Rapid Bay Jetty Structural Assessment Report. Maunsell. June 1998.	Released
6.	Underwater Inspection of the Rapid Bay Jetty piles. Seacon Australia. 6 October 1998.	Released
7.	Rapid Bay Jetty – Update Estimate. Department of Marine and Harbors. 11 May 1992.	Released
8.	Rapid Bay Jetty Structural Status. Department of Marine and Harbors. 1987.	Released
9.	Email from L Roberts (DTUP) to S Dimas (DTUP), M Cooney (DTUP). Subject: Rapid Bay Jetty. Date: 13/01/05.	Released
10.	Email from N Stewart (DTUP) to E Smith (DPC), K Podoreski (DTUP) cc L Freeman (DTUP), S Nash (DTUP), L Roberts (DTUP). Subject: Rapid Bay Jetty. Date: 12/01/05.	Released
11.	Email from N Stewart (DTUP) to Allison. Subject: Rapid Bay Jetty with Media Statement attached. Date: 12/01/05.	Released
12.	Email from I Smith (TSA) to N Correani (TSA). Subject: Rapid Bay Jetty Accident. Date: 16/04/04.	Released
13.	Email from L Roberts (TSA) to T O'Loughlin (TSA), J Steele (TSA) cc J Barrett (TSA), I Smith (TSA). Subject: Rapid Bay Jetty Accident. Date: 16/04/04.	Partial Exemption pursuant to Schedule 1 Clause 6

		of the FOIA
14.	Memo from N Correani to Senior Engineer Marine Services. Subject: Rapid Bay Jetty - Decking Repairs. 19/5/04.	Released
15.	Memo from N Correani to Senior Engineer Marine Group. Subject: Rapid Bay Jetty - security fence and demolition of storm damage decking. 30/06/03.	Released
16.	Memo from N Correani to Manager Marine Group. Subject: Rapid Bay Jetty Dolphins - proposed decking repairs. 13/03/01.	Released
17.	Memo from N Correani to Senior Engineer Marine Group. Subject: Rapid Bay Jetty - Divers' platform. 20/02/01.	Released
18.	Memo from N Correani to Senior Engineer Marine Group. Subject: Rapid Bay Jetty - decking repairs. 15/02/01.	Released