

Notice of Decision and Reasons for Decision

Applicant:	'BD7'
Agency:	V/Line Corporation
Decision Date:	4 March 2020
Exemptions considered:	Sections 30(1), 32(1), 34(4)(a)(ii)
Citation:	'BD7' and V/Line Corporation (<i>Freedom of Information</i>) [2020] VICmr 40 (4 March 2020)

FREEDOM OF INFORMATION – meeting minutes – meeting agenda – advice and recommendation – disclosure contrary to the public interest – legal professional privilege – an agency engaged in trade or commerce – governmental function of an agency

All references to legislation in this document are to the *Freedom of Information Act 1982* (Vic) (**FOI Act**) unless otherwise stated.

Notice of Decision

I have conducted a review under section 49F of the Agency's fresh decision to refuse access to documents requested by the Applicant under the FOI Act.

My decision on the Applicant's request differs from the Agency's decision in that I have decided to release additional information in the documents.

The Schedule of Documents in **Annexure 1** sets out my decision in relation to each document.

My reasons for decision follow.

Sven Bluemmel
Information Commissioner

4 March 2020

Reasons for Decision

Background to review

1. The Applicant, a Member of Parliament, made a request to the Agency for access to the following documents:
 1. the minutes and agendas for the four most recent meetings of the Board of V/Line; and
 2. All attachments to minutes and agendas for the four most recent meetings of the Board of V/Line that address or comprise long term planning document relating to seven year planning and maintenance and stabling.
3. In its decision, the Agency identified 12 documents falling within the terms of the Applicant's request. It decided to grant access to three documents in full, eight documents in part and refuse access to one document in full.

Review

4. The Applicant sought review by the Information Commissioner under section 49A(1) of the Agency's decision to refuse access.

Fresh decision

5. Section 49M(1) permits an agency to make a fresh decision on an FOI request during a review. On 8 January 2020, the Agency made a fresh decision, releasing additional information in the documents as well as applying an additional exemption. The fresh decision was made within the required 28 days under section 49M(2).
6. The Applicant did not agree with the Agency's fresh decision and, as required by section 49MA(2), I proceeded with my review on the basis of the fresh decision.
7. I have examined copies of the documents subject to review.
8. The Applicant and the Agency were invited to make a written submission under section 49H(2) in relation to the review.
9. I have considered all communications and submissions received from the parties, including:
 - (a) the Agency's fresh decision on the FOI request;
 - (b) the Applicant's submissions dated 21 January 2020 and information provided with the Applicant's review application;
 - (c) the Agency's submissions dated 13 February 2020; and
 - (d) all communications between this office, the Agency and the Applicant.
10. In undertaking my review, I have had regard to the object of the FOI Act, which is to create a general right of access to information in the possession of the Government or other public bodies, limited only by exceptions and exemptions necessary to protect essential public interests, privacy and business affairs.

Applicants submission

11. In summary, the Applicant's submission notes the following:
- (a) the conflict of interest of the CEO and PTV [Public Transport of Victoria] and Chair of the Agency is a matter of public interest and good governance provides such legal advices should not have been redacted under section 32(1);
 - (b) the suppression of document titles under section 30(1) and 34(4) is unacceptable;
 - (c) the Employment Engagement Pulse Survey is suppressed under section 30(1) despite such employee surveys being routinely publicly available across the public sector;
 - (d) correspondence and actions undertaken has been suppressed under section 30(1). This type of information is not advice; and
 - (e) the Corporate Plan and Financial Supplement report referred to in the documents has not been provided, despite being clearly relevant to the request.

Agency's submission

12. The Agency has provided its submissions in confidence. However, as outlined in its fresh decision letter, the Agency rely on the exemptions in sections 30(1), 32(1) and 34(4)(a)(ii) to refuse access to the documents. The fresh decision letter sets out the reasons for its decision.

Review of exemptions

Section 32(1)

13. Section 32(1) provides a document is an exempt document 'if it is of such a nature that it would be privileged from production in legal proceedings on the ground of legal professional privilege or client legal privilege'.
14. A document will be subject to legal professional privilege and exempt under section 32(1) where it contains a confidential communication:¹
- (a) between the client (or the client's agent) and the client's professional legal advisers, that was made for the dominant purpose of obtaining or providing legal advice or is referable to pending or contemplated litigation; or
 - (b) between the client's professional legal advisers and third parties, that was made for the dominant purpose of pending or contemplated litigation; or
 - (c) between the client (or the client's agent) and third parties that was made for the purpose of obtaining information to be submitted to the client's professional legal advisers for the dominant purpose of obtaining advice on pending or contemplated litigation.

¹ *Graze v Commissioner of State Revenue* [2013] VCAT 869 at [29]; *Elder v Worksafe Victoria* [2011] VCAT 1029 at [22]. See also *Evidence Act 2008* (Vic), section 119.

15. Generally, legally privileged communications occur between the client and their lawyer, however privilege will extend, provided the dominant purpose test is met, to notes, memoranda or other documents made by agency staff, which contain a written record of the confidential legal advice. In such matters, the dominant purpose test is to be applied to the original communication without necessarily having to again apply the dominant purpose test to the subsequent written record.²
16. Upon examining the information in Document 3 claimed by the Agency to be exempt under section 32(1), it is clear it is a record of legal advice received from the Agency's legal advisers and made for the dominant purpose of the Agency obtaining legal advice.
17. I am therefore satisfied the information in Document 3 is exempt under section 32(1), as the information is of such a nature that it would be privileged from production in legal proceedings on the ground of legal professional privilege.

Section 30(1)

18. Section 30(1) has three requirements:
 - (a) the document must disclose matter in the nature of opinion, advice or recommendation prepared by an officer or Minister, or consultation or deliberation that has taken place between officers, Ministers or an officer and a Minister; and
 - (b) such matter must be made in the course of, or for the purpose of, the deliberative processes involved in the functions of an agency or Minister or of the government; and
 - (c) disclosure of the matter would be contrary to the public interest.
19. The exemption does not apply to purely factual material in a document.³

Do the documents disclose matter in the nature of opinion, advice or recommendation prepared by an officer or Minister, or consultation or deliberation that has taken place between officers, Ministers or an officer and a Minister?

20. The documents in this matter comprise of meeting agendas, minutes and attachment prepared by the Agency.
21. Whether minutes will satisfy section 30(1)(a) depends on their character. Where the minutes disclose deliberations, they would fall within the ambit of section 30(1)(a). However, where they merely disclose factual matters, or motions passed, they would not meet the requirements of section 30(1)(a).⁴
22. I also note the decision of the Victorian Civil and Administrative Tribunal (**VCAT**) in *Asher v Workcover*,⁵ which considered that the fact a meeting was held in-camera is not, by itself, sufficient to conclude the minutes contain deliberations of the Agency. Information must do more than mere 'informing' to constitute opinion, advice or recommendation.⁶

² *Standard Chartered Bank of Australia Ltd v Antico* (1995) 36 NSWLR 57 at [91-93].

³ Section 30(3).

⁴ *Collins v Greyhound Racing Control Board* (1990) 4 VAR 65; *Birnbauer v Inner & Eastern Health Care Network* (1999) 16 VAR 9.

⁵ (2002) 19 VAR 92.

⁶ *Porter v Police (Vic)* [2005] VCAT 962 at [23].

23. Having examined the documents, I am not satisfied that, in each instance, the information meets the first limb of the exemption, as I am not satisfied the information describes an option, or a series of alternatives provided to be considered, the thinking process or discussion leading to a decision. In such cases, I am not satisfied the information is exempt under section 30(1).
24. I also consider the documents contain factual information, including details providing information on new processes of government, action dates and records of concluded events. I am satisfied this information is not exempt by virtue of section 30(3).
25. However, where the information discusses a series of options, or records advice and recommendation to be considered, and was prepared by officers of the Agency, I am satisfied in such instances this would satisfy the requirements in section 30(1)(a).

Were the documents prepared in the course of, or for the purpose of, the deliberative processes involved in the functions of an agency or Minister or of the government?

26. I am satisfied the documents were prepared in the course of the Agency's deliberative processes involved in the functions of the Agency, namely its function in providing transport services to regional Victoria.

Would disclosure of the documents be contrary to the public interest?

27. I must also be satisfied releasing this information is not contrary to the public interest. This requires a 'process of the weighing against each other conflicting merits and demerits.'⁷
28. In the present matter, the contentions of the Agency are essentially that release of the information would disclose matters contained in documents currently before the Minister for Transport Infrastructure, which will ultimately be considered by Cabinet. The Agency set out the following public interest grounds in its fresh decision letter, in support of its decision to refuse access:
 - Disclosure may lead to confusion and unnecessary debate where the discussions do not accurately reflect the final position of V/Line, the Department of Transport or the Cabinet. That is, the communications may be superseded by events following the outcome of the project deliberations, and may ultimately be irrelevant;
 - It is contrary to the public interest to disclose documents that would have adverse effects on the integrity or effectiveness of a decision-making process;
 - The documents contain information that is commercial in nature and that is not presently a matter of public controversy or debate;
 - Decision makers should be judged on the final decision and their reasons for it, not on what might have been considered or recommended by others in preliminary internal working documents;
 - Internal documents are of their very nature likely to contain omissions or errors and may need further refinement, so disclosure is contrary to the public interest;
 - The sensitivity of the material contained in the documents, including the seniority of some of the individuals involved in communicating or exchanging those documents and considering the information contained within the documents;
 - The more sensitive or contentious the issues involved in the communications, the more likely it is that the communications should not be disclosed; and

⁷ *Sinclair v Maryborough Mining Warden* [1975] HCA 17; (1975) 132 CLR 473 at [485], adopted in *Department of Premier and Cabinet v Halls* [1999] VSCA 117 at [30].

- It is contrary to the public interest to disclose a document reflecting possibilities considered but not eventually adopted, as such disclosure would be likely to lead to confusion and ill-informed debate.
29. However, the assessment of the public interest under section 30(1) is one that involves the balancing of various considerations bearing on the issue of whether disclosure of the document will be contrary to the public interest, including factors both in favour of, and against disclosure. In all cases, the starting point is the object of the FOI Act in section 3(1), which recognises the right of the community to access information, limited only by exemptions which protect essential public interests.⁸
30. In deciding whether disclosure of the information exempted by the Agency would be contrary to the public interest, I have given weight to the following relevant factors:⁹
- (a) the right of every person to gain access to documents under the FOI Act;
 - (b) the degree of sensitivity of the issues discussed in the documents and the broader context giving rise to the creation of the documents;
 - (c) the stage of a decision or status of policy development or a process being undertaken at the time the communications were made;
 - (d) whether disclosure of the documents would be likely to inhibit communications between agency officers, essential for the agency to make an informed and well-considered decision or participate fully and properly in a process in accordance with the agency's functions and other statutory obligations;
 - (e) whether disclosure of the documents would give merely a part explanation, rather than a complete explanation for the taking of a particular decision or the outcome of a process, which the agency would not otherwise be able to explain upon disclosure of the documents;
 - (f) the public interest in the community being better informed about the way in which the agency carries out its functions, including its deliberative, consultative and decision-making processes and whether the underlying issues require greater public scrutiny; and
 - (g) the impact disclosure would have on the efficient and economical conduct of government, in particular, the deliberative processes of high levels of government in relation to sensitive issues, and the preservation of confidentiality to promote the giving of full and frank advice.¹⁰

Document 9 – Paper submitted to the Board

31. The Agency relies on the exemption in section 30(1) to refuse access to Document 9 in full. The document, more properly described, is a collation of reports that set out various considerations of the Agency's proposed long-term funding model.
32. Having examined the content of the document, I consider the information contains high level advice and recommendation shared between senior officers of the Agency. It examines, in detail, various options for reaching agreements, having regard to government policy and industrial relations considerations as well as financial information of high importance to the government's position in negotiations of future contracts. I consider the document to be inherently confidential.

⁸ *McKinnon v Secretary, Department of Treasury* [2006] HCA 45; (2006) 228 CLR 423, [19].

⁹ *Hulls v Victorian Casino and Gambling Authority* (1998) 12 VAR 483.

¹⁰ *Secretary, Department of Justice v Osland* [2007] VSCA 96.

33. I consider that the Applicant, as a Member of Parliament, has a strong and valid interest in obtaining access to relevant documents in order to serve their constituents and to hold the Agency, and government, to account on matters of public administration and service delivery.
34. Nonetheless, having carefully considered the content and context of the document and noting the particular concerns raised in the Agency's submissions, I am of the view that in the particular circumstances of this case, the greater public interest lies in upholding the efficient and economical conduct of government by maintaining confidentiality in the deliberative processes of high levels of government. This is a high-order paper circulated by the Agency to its Board members about the exercise of funding across the entire Agency. While this on its own is not determinative, however, given the particular contents of Document 9, I accept there is an unusual level of genuine sensitivity in the Agency's deliberations and consultations and consider that premature release could reasonably be expected to prejudice the Agency's ability to deliver a publicly funded service effectively and efficiently, noting deliberations on this subject remain ongoing.
35. I have also considered the broader context of the document and the importance of the issues presented, which include the evaluation of risks, commercial assessment, costing estimates and comments about ongoing negotiations which, if disclosed, may adversely affect the ability of the Agency to successfully manage its contracts and relationships with suppliers and stakeholders in the future.
36. In these particular circumstances, I consider the 'essential public interest' weighs in favour of protecting the ability of senior Agency officers to provide high level advice, opinion and recommendation to allow the Agency to make effective and informed decisions concerning its long-term fiscal position.
37. Lastly, section 30(3) provides purely factual information will not be exempt under section 30(1). This provision must be considered in conjunction with section 25, which allows for an edited copy of a document to be released with exempt or irrelevant information deleted. Whilst I acknowledge section 30(1) does not apply to exempt each word in the document, I am of the view extracting factual information from the deliberative content would render the document meaningless, and possibly be misleading, given the intertwined nature of factual and deliberative information in the document.
38. Accordingly, I am satisfied it would be contrary to the public interest to release Document 9, therefore the document is exempt under section 30(1). As I consider it not practicable to provide an edited copy of the document with exempt information removed, the document is exempt in full.

Agendas and Minutes

39. Having examined the documents and considered the public interest factors relied upon by the Agency, I am not satisfied disclosure of the exempt information would be contrary to the public interest, for the following reasons:
 - (a) The purpose of the documents was to record official decisions and motions passed. They are not a transcript of the meeting. While in some instances, the information refers to projects yet to be concluded, or proposals not ultimately adopted by the Agency, the information goes no further than providing a record of settlement, or highlights issues to be monitored, or merely sets out a deadline for future discussion. In such instances, it is difficult to accept release could be confusing or misleading to a reader.
 - (b) In most instances, I do not consider the exempted information contains sufficient detail to give rise to any concern as to the integrity of the decision-making process of the Agency. Nor do I consider it would impinge on the recording of such matters in the future.

- (c) Much of the information in the documents does not appear to be contentious. In fact, most of the information that could be considered advice or opinion consists of broad, generic statements. For this reason, I do not agree disclosure of this information would have a negative impact on any future government or Agency negotiations about the matter.
- (d) While I accept there may be times when an internal document would contain omissions or errors, I do not accept that it would necessarily follow that disclosure would be contrary to the public interest. Where this may be the case, I consider it open to the Agency to provide further explanation or context upon release of the documents.
- (e) Further, I consider the public interest in the community being informed about the way in which the Agency performs its statutory function weighs in favour of releasing the information, particularly where the information would contribute to greater public scrutiny, and community participation in the implementation of projects impacting rural communities. In such instances, I consider the need for greater transparency outweighs any sensitivities in the disclosure of the documents.

- 40. However, where the meeting minutes disclose the deliberative content contained in Document 9, which I have determined is exempt, I am satisfied this information is also exempt in accordance with section 30(1).
- 41. The Schedule of Documents in **Annexure 1** outlines my decision in relation to the application of section 30(1) to the documents.

Section 34(4)(a)(ii)

- 42. Section 34(4)(a)(ii) provides a document is an exempt document if it contains, 'in the case of an agency engaged in trade or commerce, information of a business, commercial or financial nature that would if disclosed under this Act be likely to expose the agency unreasonably to disadvantage'.
- 43. VCAT has held 'the terms "trade" and "commerce" are not words of art; rather they are expressions of fact and terms of common knowledge'.¹¹ VCAT has adopted the view of the Federal Court of Australia that these terms are 'of the widest import'.¹²
- 44. The provision contemplates that disclosure of a document under the FOI Act may expose the agency to a certain measure of disadvantage. However, what is required to satisfy the exemption in section 34(4)(a)(ii) is showing this disadvantage is unreasonable.
- 45. I do not need to consider the application of this section to information I have already determined to be exempt under section 30(1).
- 46. In its fresh decision letter, the Agency advised it is 'engaged in trade or commerce' as it engages third parties to perform services for or supply assets to the Agency.
- 47. The Agency further submits:

The information is of a business, commercial or financial nature as:

- it would reveal the terms of agreement between V/Line and third parties in commencing, finalising, negotiating or extending contracts.

¹¹ *Pallas v Roads Corporation (Review and Regulation)* [2013] VCAT 1967 at [33].

¹² *Pallas v Roads Corporation (Review and Regulation)* [2013] VCAT 1967 at [34]; *Re Ku-Ring-Gai Co-operative Building Society (No 12) Ltd* (1978) 22 ALR 621 at [649].

The release of the information would likely unreasonably disadvantage V/Line in future negotiations as it would reveal:

- the performance of V/Line under previous contracts;
- the terms on which V/Line is willing to reach an agreement; and
- the service and asset needs of V/Line moving into the future,

thereby reducing or eliminating the bargaining position of V/Line to negotiate contract terms that are favourable to V/Line from a business, financial or commercial sense, in such future contract negotiations.

48. I have considered all information subject to the review, publicly available information, as well as the Agency's submissions. Based on this information, I am not satisfied that the essential character or core activity undertaken by the Agency in this instance is that of 'trade or commerce'.
49. The exempt information concerns the upgrading of the freight network. The discussions about these matters are not commercial in nature, rather, they relate to government management of a public resource. This is a government, rather than a commercial function of the Agency.
50. Nonetheless, for completeness, I have considered that, should the Agency be engaged in trade or commerce, whether disclosure of the documents would expose it unreasonably to disadvantage.
51. The Schedule of Documents in **Annexure 1** outlines my decision in relation to the application of section 34(4)(a)(ii) to the documents.

Deletion of exempt or irrelevant information

52. Section 25 requires an agency to grant access to an edited copy of a document when it is practicable for the agency or Minister to delete exempt or irrelevant information and the applicant agrees to receiving such a copy.
53. Determining what is 'practicable' requires consideration of the effort and editing involved in making the deletions 'from a resources point of view'¹³ and the effectiveness of the deletions. Where deletions would render the document meaningless, they are not 'practicable' and release of the document is not required under section 25.¹⁴
54. I have considered the effect of deleting exempt information from the documents. In my view, it is practicable for the Agency to delete the exempt information from documents other than Document 9, because it would not require substantial time and effort, and the edited documents would retain meaning.

Conclusion

55. On the information available, I am satisfied the exemption in sections 30(1) and 32(1) apply to some of the documents as outlined in **Annexure 1**. However, I am not satisfied any information is exempt under section 34(4)(a)(ii).
56. Where deletions would render the document meaningless, they are not 'practicable' and release of the document is not required under section 25. However, where the removal of exempt information is practicable, I have determined to grant access to the document in part, as outlined in **Annexure 1**.

¹³ *Mickelburgh v Victoria Police (General)* [2009] VCAT 2786 [31]; *The Herald and Weekly Times Pty Limited v The Office of the Premier (General)* [2012] VCAT 967 at [82].

¹⁴ *Honeywood v Department of Human Services* [2006] VCAT 2048 [26]; *RFJ v Victoria Police FOI Division (Review and Regulation)* [2013] VCAT 1267 at [140], [155].

Review rights

- 57. If either party to this review is not satisfied with my decision, they are entitled to apply to VCAT for it to be reviewed.¹⁵
- 58. The Applicant may apply to VCAT for a review up to 60 days from the date they are given this Notice of Decision.¹⁶
- 59. The Agency may apply to VCAT for a review up to 14 days from the date it is given this Notice of Decision.¹⁷
- 60. Information about how to apply to VCAT is available online at www.vcat.vic.gov.au. Alternatively, VCAT may be contacted by email at admin@vcat.vic.gov.au or by telephone on 1300 018 228.
- 61. The Agency is required to notify the Information Commissioner in writing as soon as practicable if either party applies to VCAT for a review of my decision.¹⁸

When this decision takes effect

- 62. My decision does not take effect until the relevant review period (stated above) expires. If a review application is made to VCAT, my decision will be subject to any VCAT determination.

¹⁵ The Applicant in section 50(1)(b) and the Agency in section 50(3D).

¹⁶ Section 52(5).

¹⁷ Section 52(9).

¹⁸ Sections 50(3F) and (3FA).

Annexure 1 – Schedule of Documents

Document No.	Date of Document	Document Description	Number of Pages	Agency's Decision	OVIC Decision	OVIC Comments
1.	[date]	Board Meeting Agenda	1	Released in full	Not subject to review	N/A
2.	[date]	Board Meeting Agenda	2	Released in part Section 30(1)	Release in full	Section 30(1): I am not satisfied the exempted information meets the first limb of the exemption as it does not describe any options, or a series of alternatives being shared between officers of an Agency, nor is it deliberative in nature. Accordingly, section 30(1) does not apply to the document.
3.	[date]	Minutes of Extraordinary Meeting of Directors	8	Released in part Sections 30(1), 32(1), 34(4)(a)(ii)	Release in part Section 32(1) The document is to be released to the Applicant with the information exempted by the Agency under section 32(1) to remain deleted.	Section 30(1): I consider information in the document meets the requirements of the first two limbs of section 30(1). However, I do not consider the document contains information of a substantive nature, and therefore its disclosure would not be contrary to the public interest. Section 32(1): I am satisfied it is a record of legal advice, received from the Agency's legal advisers, made for the dominant purpose of the Agency obtaining legal advice. Accordingly, I am satisfied section 32(1) applies to the document. Section 34(4)(a)(ii): In these circumstances, I do not accept the Agency is engaged in trade or commerce. In any case, having considered the following, I am not satisfied that disclosure of the document would expose the Agency unreasonably to disadvantage: (a) The document sets out high level

Annexure 1 – Schedule of Documents

Document No.	Date of Document	Document Description	Number of Pages	Agency's Decision	OVIC Decision	OVIC Comments
						<p>summary information. It does not argue for a particular policy, but sets out some of the information on which to base the Agency's future considerations. I am not satisfied disclosure of this information would expose the Agency unreasonably to disadvantage.</p> <p>(b) I am not persuaded by the Agency's submissions regarding any perceived exposure to disadvantage, as no substantive information was provided as to how this information could be used by a competitor resulting in the Agency being exposed unreasonably to disadvantage.</p> <p>(c) I accept that some of the information in the documents involves disclosure of costs, however, most documents relate to the project development and assignment of responsibilities, rather than any commercial considerations relating to the generation of profit or consideration of potential competitors.</p> <p>Accordingly, I am satisfied section 34(4)(a)(ii) does not apply to the document.</p>
4.	[date]	Board Meeting Agenda – Special Purpose	1	Released in full	Not subject to review	N/A

Annexure 1 – Schedule of Documents

Document No.	Date of Document	Document Description	Number of Pages	Agency's Decision	OVIC Decision	OVIC Comments
5.	[date]	Board Meeting Agenda – Special Purpose	1	Released in part Section 30(1)	Release in full	Section 30(1): See comments in Document 2 above.
6.	[date]	Minutes of Meeting of Directors – Special Purpose	3	Released in part Section 30(1)	Release in full	Section 30(1): See comments in Document 3 above.
7.	[date]	Minutes of Meeting of Directors – Special Purpose	5	Released in part Section 30(1)	Release in full	Section 30(1): See comments in Document 3 above.
8.	[date]	Board Meeting Agenda - updated	5	Released in part Section 30(1)	Release in full	Section 30(1): While I consider the content of the paper submitted to the Board (Document 9) to be exempt under section 30(1), for the reasons set out above, I do not find that various titles of the reports that make up the final submitted paper to the Board is matter in the nature of advice, opinion or recommendation. Therefore, I am satisfied the document is not exempt under section 30(1).
9.	[date]	Agenda Item No. 11 Paper	126	Refused in full Sections 30(1), 34(4)(a)(ii)	Refuse in full Section 30(1)	Section 30(1): Having carefully reviewed the document, I am satisfied disclosure would be contrary to the public interest. Accordingly, the document is exempt in full under section 30(1).
10.	[date]	Minutes of Meeting of Directors	20	Released in part	Release in part	Section 30(1): Item 12 contains information I have determined exempt in Document 9 above, therefore is exempt under section 30(1).

Annexure 1 – Schedule of Documents

Document No.	Date of Document	Document Description	Number of Pages	Agency's Decision	OVIC Decision	OVIC Comments
				Sections 30(1), 34(4)(a)(ii)	Section 30(1) Item 12 is exempt under section 30(1).	However, for the reasons set out above, I am satisfied that, in all other instances it would not be contrary to the public interest to release information in the document. Section 34(4)(a)(ii): See comments in Document 3 above.
11.	[date]	Board Meeting Agenda	1	Released in full	Not subject to review	N/A
12.	[date]	Board Meeting Agenda	4	Released in part Section 30(1)	Release in full	Section 30(1): See comments in Document 2 above.