

## Notice of Decision and Reasons for Decision

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Applicant:	'EJ4'
Agency:	Major Transport Infrastructure Authority
Decision date:	8 April 2022
Exemption and provision considered:	Sections 25, 30(1)
Citation:	<i>'EJ4' and Major Transport Infrastructure Authority (Freedom of Information)</i> [2022] VICmr 113 (8 April 2022)

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FREEDOM OF INFORMATION – major transport infrastructure project – rail project – level crossing removal – project reviews and assessments project – draft versions – disclosure not contrary to public interest

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.

I am not satisfied certain information in the documents is exempt from release under section 30(1).

I am also satisfied information the Agency determined to be irrelevant to the terms of the Applicant's request is relevant.

Where I am satisfied it is practicable to provide the Applicant with an edited copy of the documents with irrelevant and exempt information deleted in accordance with section 25, access is granted in part. Where I am not satisfied it is practicable to do so, access is refused in full.

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

My reasons for decision follow.

**Joanne Kummrow**  
Public Access Deputy Commissioner

8 April 2022

## Reasons for Decision

### Background to review

1. The Applicant made a request to the Agency seeking access to the following documents:
  - Post project reviews and assessments for the Caulfield to Dandenong level crossing removal project including but not limited to:
    - Value for money report(s)
    - Site benefit reports
    - Traffic analysis
    - Business case and project review.
2. The Agency identified 10 documents falling within the terms of the Applicant's request and refused access to all documents in full under section 30(1). The Agency's decision letter sets out the reasons for its decision.

### Review application

3. The Applicant sought review by the Information Commissioner under section 49A(1) of the Agency's decision to refuse access.
4. The Applicant advised they do not seek access to the personal affairs information of third parties. Accordingly, this information is irrelevant for the purposes of section 25, which is discussed below.

### Complaint regarding adequacy of Agency document search

5. During the review, the Applicant raised concerns about the adequacy of the Agency's document searches. In accordance with section 61B(3), these concerns are addressed as part of this review.
6. OVIC staff made enquires with the Agency in relation to the Applicant's concerns.

### Agency fresh decision

7. In response, the Agency identified further documents relevant to the terms of the Applicant's request and elected to make a fresh decision during the review under section 49M(1).
8. On [date], the Agency made a fresh decision, which included the three additional documents it located, in which it refused access to all documents in full under section 30(1).
9. 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.
10. I have examined a copy of the documents subject to review.
11. The Applicant and the Agency were invited to make a written submission under section 49H(2) in relation to the review.
12. I have considered all communications and submissions received from the parties.
13. 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.

14. I note Parliament's intention the FOI Act must be interpreted so as to further the object of the Act and any discretions conferred by the Act must be exercised, as far as possible, so as to facilitate and promote the disclosure of information in a timely manner and at the lowest reasonable cost.

### **Section 25 – Irrelevant information**

15. In its fresh decision, the Agency also determined certain information in Documents 11, 12 and 13 is irrelevant to the terms of the Applicant's request for the purposes of section 25.
16. In summary, section 25 permits an agency, if it is practicable to do so and the applicant is agreeable, to release an edited copy of a document with any information that either falls outside the scope of the applicant's request or is exempt from release to be deleted from the document. Alternatively, if it is not practicable to provide an edited copy of a document, or the applicant is not agreeable to receiving an edited copy, the agency may refuse access to the document in full.
17. The Agency has a duty to locate and disclose documents relevant to the terms of the Applicant's request.<sup>1</sup>
18. Section 49F provides that I 'may review the decision that is the subject of the application for review'.
19. Having reviewed the terms of the Applicant's request, I consider they seek access to post project reviews and assessments for the Caulfield to Dandenong level crossing removal project.
20. Documents 11-13 are titled, 'LXRP Benefits Framework', contain information concerning the benefits for the entire level crossing removal project, as well as information regarding specific corridors where the works were completed.
21. The Agency submits:

...we submit that given the terms of the Applicant's request not the whole of the documents will be relevant. Notably, given [the Applicant's] request for 'reviews and assessments for the Caulfield to Dandenong [CTD]' removals, where the documents refer to the projects as a whole only those parts that specifically relate to CTD should be in scope. Others show combined benefits of the entire program which cannot be separated to show only CTD.

...

In our submission the documents are exempt in full. While we acknowledge that much of the information in the documents could be termed purely factual, it should not be released. Given the context of the Applicant's request as above, [they] seek 'reviews and assessments'. The background information is therefore in our submission not within scope. If OVIC was to find it was in scope, we submit that for instance the information relating to the Program Benefits Framework, while it provides the background, would not assist out of context and as such would be impracticable to release.
22. I am satisfied information relating to rail corridors other than the Caulfield to Dandenong corridor, which is referred to in the Applicant's request, is not relevant to the terms of their request, and is to be deleted in accordance with section 25.
23. However, I consider the terms of the Applicant's request do not exclude information relating to the benefits of the entire level crossing removal project where that information includes information relating to the removal of level crossings between Caulfield and Dandenong and the impact of this part of the project on the entire project.
24. My decision on the application of section 25 is set out in the Schedule of Documents in **Annexure 1**.

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<sup>1</sup> *Roberts v Southern Rural Water* (unreported, VCAT, Preuss SM, 20 April 2000).

### ***Section 30(1) – Internal working documents***

25. 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;
- (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.

26. Section 30(3) provides purely factual information is not exempt under section 30(1).

*Do the documents contain information in the nature of opinion, advice, recommendation, consultation or deliberation?*

27. For section 30(1) to apply, a document must contain matter in the nature of opinion, advice or recommendation prepared by an agency officer, or consultation or deliberation between agency officers.
28. It is not necessary for a document to be in the nature of opinion, advice or recommendation. Rather, the issue is whether release of the document would disclose matter of that nature.<sup>2</sup>
29. I am satisfied the documents contain opinion, advice and recommendations, and consultation between Agency officers.
30. However, I am satisfied certain information in the documents is factual in nature. This information includes purely factual data relating to traffic levels, descriptions of the level crossing sites and actions taken, and events that have occurred.

*Were the documents made in the course of, or for the purpose of, the deliberative processes involved in the functions of the Agency?*

31. The term ‘deliberative process’ is interpreted widely and includes any of the processes of deliberation or consideration involved in the functions of an agency, Minister or government.<sup>3</sup>
32. In *Re Waterford and Department of Treasury (No.2)*,<sup>4</sup> the former Victorian Administrative Appeals Tribunal held:
- ... “deliberative processes” [is] wide enough to include any of the processes of deliberation or consideration involved in the functions of an agency... In short, ...its thinking processes — the processes of reflection, for example, upon the wisdom and expediency of a proposal, a particular decision or a course of action.

33. I am satisfied the documents were prepared for the purpose of the Agency’s deliberative processes in relation to the assessment of the level crossing removal project.

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

34. In determining whether disclosure of a document would be contrary to the public interest, I must consider all relevant facts and circumstances remaining mindful the object of the FOI Act is to

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<sup>2</sup> *Mildenhall v Department of Education* (1998) 14 VAR 87.

<sup>3</sup> *Brog v Department of Premier and Cabinet* (1989) 3 VAR 201 at 208.

<sup>4</sup> [1984] AATA 67; (1984) 5 ALD 588; 1 AAR 1 at [58].

facilitate and promote the disclosure of information. In doing so, I have given weight to the following factors:<sup>5</sup>

- (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 impact of disclosing documents in draft form, including disclosure not clearly or accurately representing a final position or decision reached by the Agency at the conclusion of a decision or process; and
- (g) 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.

35. The Agency submits:

The documents in this matter are highly preliminary drafts and are the most recent versions of the documents. By way of example, this is evident from Tracked Change comments ... or from yellow highlighted sections followed by question marks ... We understand the Commissioner's views in relation to the public being able to understand changes from draft documents to final. In this case, there is no final and approved information with which to make a comparison. The likelihood of inappropriate debate and confusion in relation to the information entered is therefore much higher.

Of the information which has to this point been entered into the document, there has been no quality control and as a result, any information, even information which may appear purely factual in the document, may not be accurate.... Given the status of the document as a draft, the insertion of any information is in effect the opinion of the current author as to what should appear in the final version. As the document is reviewed, this opinion may not be accepted by reviewers ... Without such a review we are unable to confirm the accuracy of any of the information in the document.

In our submission, given the parts not entered into the document referred to above, the status of these documents represents little above a template at this point in their preparation. We submit there would therefore be little value to the public from release in relation to helping them learn about the project or the effect of expenditure of public funds.

36. Following its fresh decision, the Agency made a further submission:

Further, while information in the document may appear statistical, those statistics are often themselves based on certain assumed underpinnings. By way of examples....

37. On balance, I have determined disclosure of certain information in the documents would not be contrary to the public interest for the following reasons:

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<sup>5</sup> *Hulls v Victorian Casino and Gambling Authority* (1998) 12 VAR 483.

- (a) The documents relate to the expenditure of public funds for the undertaking a major transport infrastructure projects.
  - (b) I acknowledge the Applicant's interest in the documents as they seek to understand how the level crossing removal projects have benefitted the local community. I do not consider an interested a member of the public seeking and obtaining access to such information is unreasonable or contrary to the public interest, but rather serves the public interest in government transparency and accountability.
  - (c) The Agency submits all documents subject to review are draft versions. However, I note Documents 11-13 were submitted to the Victorian Auditor General's Office and appear to be final versions of those documents.
  - (d) I acknowledge the Agency's submission that parts of Documents 1-9 are templated drafts and contain incomplete information. However, parts of the documents contain data already collected by the Agency and its assessment of that data. Accordingly, I do not consider the disclosure of this information would cause confusion or unnecessary debate, or result in the misinterpretation or misunderstanding of the documents. In my view, such arguments underestimate the capacity of the public to understand advice received and decisions made by agencies and government. In any case, it would also be open to the Agency to provide the Applicant with any information to practically assist them in understanding the context and content of the documents, should this be necessary.
  - (e) The Victorian Government commenced its level crossing removal projects in 2016. While some of the early projects were the subject of public concern (for example around the nature of their construction (above or below ground), their impact on public amenity and residential and commercial property owners), such projects are now commonplace activity around metropolitan Melbourne. As such, I consider any early public sensitivity associated with these projects has largely subsided. I consider the release of government-held information concerning a decision making around level crossing removal projects and the outcomes of these projects.
  - (f) I also consider there is a strong public interest in members of the public being able to assess information about how government decisions and publicly funded projects have affected their community. Providing access to information that demonstrates why certain decisions were made or how a decision has impacted a community helps to build trust in government decision making processes.
  - (g) I am not satisfied disclosure of the documents would negatively impact upon the nature or quality of advice and recommendations prepared by Agency officers for future or similar projects. I note the views of the Victorian Civil and Administrative Tribunal (VCAT) in *Graze v Commissioner for State Revenue*,<sup>6</sup> which observed the possibility of public scrutiny in some circumstances provides for better government decision making. In any case, it is arguable Agency officers are responsible for ensuring advice provided is accurate, complete and properly considered on matters central to the Agency's governmental functions.
38. However, I am satisfied disclosure of certain information in Documents 1-10 would be contrary to the public interest.
39. The exempt information in Documents 1-9 includes incomplete parts of the templated documents, where the relevant statistics and background information has not been entered into the template.
40. Document 10 is a Value for Money report for the Caulfield to Dandenong Alliance. It is a marked-up document and includes a disclaimer on the first page to indicate it is a 'working draft' and a

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<sup>6</sup> [2013] VCAT 869 at [25]-[27].

watermark on each page to indicate it is a draft version. The report is clearly incomplete, missing key information such as statistics, assessments and dollar amounts for the value of the project.

41. The Agency submits final versions of the documents will be available once the assessments of these projects have been completed. I accept they are drafts versions as the Agency is awaiting further information before finalising the documents. Accordingly, I consider parts of Documents 1-10 will be subject to change and the current versions may not reflect the Agency's final assessment of the projects.
42. Whilst I acknowledge the ability of the community to distinguish between draft and final versions of documents, I agree with the Agency's submission that these parts of the documents would not assist the Applicant or other members of the public, who seek information to better understand and analyse the project.
43. Accordingly, I am satisfied certain information in the documents is exempt from release under section 30(1).
44. My decision in relation to section 30(1) is set out in the Schedule of Documents in **Annexure 1**.

#### ***Section 25 – Deletion of exempt or irrelevant information***

45. Section 25 requires an agency to grant access to an edited copy of a document where it is practicable to delete exempt or irrelevant information and the applicant agrees to receiving such a copy.
46. Determining what is 'practicable' requires consideration of the effort and editing involved in making the deletions 'from a resources point of view'<sup>7</sup> and the effectiveness of the deletions. Where deletions would render a document meaningless, they are not 'practicable', and release of the document is not required under section 25.<sup>8</sup>
47. I have considered the effect of deleting irrelevant and exempt information from the documents. I am satisfied it is practicable to delete such information from certain document as to do so would not require substantial time and effort, and the edited documents would retain meaning.
48. However, I am not satisfied it is practicable to delete exempt information from Document 10, where the remaining information would not retain any meaning.
49. My decision in relation to section 25 is outlined in the Schedule of Documents in **Annexure 1**.

#### **Conclusion**

50. On the information before me, I am satisfied that certain information in the documents is exempt from release under section 30(1).
51. I am also satisfied information the Agency determined to be irrelevant to the terms of the Applicant's request is relevant.
52. Where it is practicable to provide the Applicant with an edited copy of a document with irrelevant and exempt information deleted in accordance with section 25, access is granted in part. Where I am not satisfied it is practicable to do so, access is refused in full.

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<sup>7</sup> *Mickelborough v Victoria Police (General)* [2009] VCAT 2786 at [31]; *The Herald and Weekly Times Pty Limited v The Office of the Premier (General)* [2012] VCAT 967 at [82].

<sup>8</sup> *Honeywood v Department of Human Services* [2006] VCAT 2048 at [26]; *RFJ v Victoria Police FOI Division (Review and Regulation)* [2013] VCAT 1267 at [140] and [155].

## **Review rights**

53. If either party to this review is not satisfied with my decision, they are entitled to apply to VCAT for it to be reviewed.<sup>9</sup>
54. The Applicant may apply to VCAT for a review up to 60 days from the date they are given this Notice of Decision.<sup>10</sup>
55. The Agency may apply to VCAT for a review up to 14 days from the date it is given this Notice of Decision.<sup>11</sup>
56. Information about how to apply to VCAT is available online at [www.vcat.vic.gov.au](http://www.vcat.vic.gov.au). Alternatively, VCAT may be contacted by email at [admin@vcat.vic.gov.au](mailto:admin@vcat.vic.gov.au) or by telephone on 1300 018 228.
57. 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.<sup>12</sup>

## ***When this decision takes effect***

58. My decision does not take effect until the Agency's 14 day review period expires.
59. If a review application is made to VCAT, my decision will be subject to any VCAT determination.

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<sup>9</sup> The Applicant in section 50(1)(b) and the Agency in section 50(3D).

<sup>10</sup> Section 52(5).

<sup>11</sup> Section 52(9).

<sup>12</sup> Sections 50(3F) and 50(3FA).



Annexure 1 – Schedule of Documents

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
1.	[date]	Site Benefit Report – Centre Rd	33	Refused in full Section 30(1)	Release in part Sections 30(1), 25  The following information is not exempt from release under section 30(1) and is to be released:  <ul style="list-style-type: none"> <li>pages 1–3, 9–14, 16– 18, 21, 24, 26–30, 32–33 not including the comments markup or names of third parties.</li> </ul> The remainder of the document is exempt from release under section 30(1) or contains irrelevant personal affairs information that is to be deleted in accordance with section 25.	Section 30(1): I am not satisfied certain information in the document is exempt from release under section 30(1) for the reasons outlined in the Notice of Decision. However, I am satisfied other information in the document is exempt from release for the reasons outlined in the Notice of Decision.  Section 25: The Applicant does not seek access to the personal affairs information of third parties.  I am satisfied it is practicable to provide the Applicant with an edited copy of this document with exempt and irrelevant information deleted in accordance with section 25.
2.	[date]	Site Benefit Report – Chandler Rd	34	Refused in full Section 30(1)	Release in part Sections 30(1), 25  The following information is not exempt from release under	Section 30(1): See comments for Document 1.  Section 25: See comments for Document 1.

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
					<p>section 30(1) and is to be released:</p> <ul style="list-style-type: none"> <li>pages 1–3, 9–14, 16–18, 21, 24, 26–31, 33, 34, not including the comments markup or names of third parties.</li> </ul> <p>The remainder of the document is exempt from release under section 30(1) or contains irrelevant personal affairs information that is to be deleted in accordance with section 25.</p>	
3.	[date]	Site Benefit Report – Clayton Rd	33	<p><b>Refused in full</b></p> <p>Section 30(1)</p>	<p><b>Release in part</b></p> <p>Sections 30(1), 25</p> <p>The following information is not exempt from release under section 30(1) and is to be released:</p> <ul style="list-style-type: none"> <li>pages 1–3, 9–14, 16–18, 21, 24, 26–30, 32–33, not including the comments markup or names of third parties.</li> </ul>	<p><b>Section 30(1):</b> See comments for Document 1.</p> <p><b>Section 25:</b> See comments for Document 1.</p>

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
					The remainder of the document is exempt from release under section 30(1) or contains irrelevant personal affairs information that is to be deleted in accordance with section 25.	
4.	[date]	Site Benefit Report – Corrigan Rd	31	Refused in full  Section 30(1)	<p><b>Release in part</b> Sections 30(1), 25</p> <p>The following information is not exempt from release under section 30(1) and is to be released:</p> <ul style="list-style-type: none"> <li>pages 1–3, 9–14, 16–18, 21, 24, 26–29, 31–32, not including the comments markup or names of third parties.</li> </ul> <p>The remainder of the document is exempt from release under section 30(1) or contains irrelevant personal affairs information that is to be deleted in accordance with section 25.</p>	<p><b>Section 30(1):</b> See comments for Document 1.</p> <p><b>Section 25:</b> See comments for Document 1.</p>

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
5.	[date]	Site Benefit Report – Grange Rd	33	Refused in full  Section 30(1)	Release in part  Sections 30(1), 25  The following information is not exempt from release under section 30(1) and is to be released:  <ul style="list-style-type: none"> <li>pages 1–3, 9–14, 16–18, 21, 24, 26–30, 32–33, not including the comments markup or names of third parties.</li> </ul> The remainder of the document is exempt from release under section 30(1) or contains irrelevant personal affairs information that is to be deleted in accordance with section 25.	Section 30(1): See comments for Document 1.  Section 25: See comments for Document 1.
6.	[date]	Site Benefit Report – Heatherton Rd	33	Refused in full  Section 30(1)	Release in part  Sections 30(1), 25  The following information is not exempt from release under section 30(1) and is to be released:	Section 30(1): See comments for Document 1.  Section 25: See comments for Document 1.

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
					<ul style="list-style-type: none"> <li>pages 1–3, 9–14, 16–18, 21, 24, 26–30, 32–33, not including the comments section.</li> </ul> <p>The remainder of the document is exempt from release under section 30(1) or contains irrelevant personal affairs information that is to be deleted in accordance with section 25.</p>	
7.	[date]	Site Benefit Report – Koornang Rd	33	Refused in full Section 30(1)	<p><b>Release in part</b> Sections 30(1), 25</p> <p>The following information is not exempt from release under section 30(1) and is to be released:</p> <ul style="list-style-type: none"> <li>pages 1–3, 9–14, 16–18, 21, 24, 26–30, 32–33, not including the comments markup or names of third parties.</li> </ul> <p>The remainder of the document is exempt from release under section 30(1) or contains irrelevant personal affairs</p>	<p><b>Section 30(1):</b> See comments for Document 1.</p> <p><b>Section 25:</b> See comments for Document 1.</p>

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
					information that is to be deleted in accordance with section 25.	
8.	[date]	Site Benefit Report – Murrumbeena Rd	33	Refused in full Section 30(1)	<p>Release in part Sections 30(1), 25</p> <p>The following information is not exempt from release under section 30(1) and is to be released:</p> <ul style="list-style-type: none"> <li>pages 1–3, 9–14, 16–18, 21, 24, 26–30, 32–33, not including the comments markup or names of third parties.</li> </ul> <p>The remainder of the document is exempt from release under section 30(1) or contains irrelevant personal affairs information that is to be deleted in accordance with section 25.</p>	<p>Section 30(1): See comments for Document 1.</p> <p>Section 25: See comments for Document 1.</p>
9.	[date]	Site Benefit Report – Poath Rd	32	Refused in full Section 30(1)	<p>Release in part Sections 30(1), 25</p> <p>The following information is not exempt from release under</p>	<p>Section 30(1): See comments for Document 1.</p> <p>Section 25: See comments for Document 1.</p>

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
					<p>section 30(1) and is to be released:</p> <ul style="list-style-type: none"> <li>pages 1–3, 9, 11–13, 16–18, 21, 24, 26, 28–29, 31–32, not including the comments markup or names of third parties; and</li> <li>the first 5 lines of page 13.</li> </ul> <p>The remainder of the document is exempt from release under section 30(1) or contains irrelevant personal affairs information that is to be deleted in accordance with section 25.</p>	
10.	[date]	Value For Money Report	68	Refused in full Section 30(1)	Refused in full Section 30(1)	<p><b>Section 30(1):</b> I am satisfied the document is exempt from release under section 30(1) for the reasons outlined in the Notice of Decision.</p> <p><b>Section 25:</b> I am not satisfied it is practicable to provide the Applicant with an edited copy of the document with exempt and irrelevant information deleted in accordance with section 25.</p>

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
11.	[date]	Project Benefits Report	21	Refused in full Section 30(1)	Release in full	Section 30(1): I am not satisfied the document is exempt from release under section 30(1) for the reasons outlined in the Notice of Decision.
12.	[date]	Project Benefits Report	43	Refused in full Section 30(1)	Release in part Section 25 The document is to be released as follows: <ul style="list-style-type: none"> <li>• pages 1–9 and 11–24, are to be released;</li> <li>• the information in the first column of page 25 is to be released;</li> <li>• the information under the Cranbourne-Pakenham Corridor heading on page 25 is to be released;</li> <li>• the remainder of page 25 is irrelevant and is to remain deleted in accordance with section 25;</li> </ul>	Section 30(1): I am not satisfied the document is exempt from release under section 30(1) for the reasons outlined in the Notice of Decision.  Section 25: I am satisfied certain information in the document is irrelevant to the terms of the Applicant's request for the reasons outlined in the Notice of Decision.  I am satisfied it is practicable to provide the Applicant with an edited copy of the document with irrelevant information deleted in accordance with section 25.



Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
					<ul style="list-style-type: none"> <li>pages 26 and 27 are to be released; and</li> <li>pages 10 and 28–43 are irrelevant and are to remain deleted in accordance with section 25.</li> </ul>	
13.	[date]	Project Benefits Report	46	Refused in full Section 30(1)	<p><b>Release in part</b> Section 25</p> <p>The document is to be released as follows:</p> <ul style="list-style-type: none"> <li>pages 1–11 and 13–27, are to be released;</li> <li>the information in the left-hand column of page 28 is to be released;</li> <li>the information under the Cranbourne-Pakenham Corridor heading on page 28 is to be released;</li> <li>the remainder of page 28 is irrelevant and is to remain deleted in accordance with section 25;</li> </ul>	<p><b>Section 30(1):</b> See comments for Document 12.</p> <p><b>Section 25:</b> See comments for Document 12.</p>

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
					<ul style="list-style-type: none"> <li>• pages 29 and 30 are to be released; and</li> <li>• pages 12 and 31–46 are irrelevant and are to remain deleted in accordance with section 25.</li> </ul>	