

Hon Geoff Brock MP

Government  
of South Australia

23MINFOI-0026

Mr Adrian Pederick MP  
Member for Hammond  
20 Mannum Road  
MURRAY BRIDGE SA 5253  
[hammond@parliament.sa.gov.au](mailto:hammond@parliament.sa.gov.au)

Dear Mr Pederick

*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 FOI Act) received by this agency on 14 June 2023.

You have requested access to the following:

*For the period 30 June 2022 and 01 June 2023, a copy of all documents (including but not limited to hard copy or electronic briefings, minutes, reports, emails, letters, meeting agendas, diary entries, event attendance records and any other correspondence) between the Minister for Regional Roads and the Department for Infrastructure and Transport regarding the Strzelecki Track Upgrade and Sealing Project.*

There are eleven (11) documents that fall within the scope of your application and are those that are listed in the attached document schedule.

I have determined to release in full Document 01, partially release Document 02 in accordance with section 20(1)(a) and clause 6(1) of Schedule 1 of the FOI Act, and refuse release of Documents 03, 04, 05, 06, 07, 08, 09, 10 and 11 in accordance with section 20(1)(a) and Clause 17(c) of Schedule 1 of the FOI Act which states:

**20—Refusal of access**

- (1) An agency may refuse access to a document—  
(a) if it is an exempt document;...

**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).

**17—Documents subject to contempt etc**

*A document is an exempt document if it contains matter the public disclosure of which would, but for any immunity of the Crown—*

- (a) constitute contempt of court; or*
- (b) contravene any order or direction of a person or body having power to receive evidence on oath; or*
- (c) infringe the privilege of Parliament.*

**Clause 6(1)**

Document 02 contains information that I consider to be the personal affairs of an individual, the release of which would involve the unreasonable disclosure of their personal affairs. I therefore determine the information to be exempt from disclosure under clause 6(1) of Schedule 1 of the FOI Act.

**Clause 17(c)**

Documents 03, 04, 05, 06, 07, 08, 09, 10 and 11 are Parliamentary Briefing Notes prepared for the purpose of the Minister's use in connection with Parliamentary investigation or debate and accordingly their disclosure is protected by Parliamentary privilege. These documents are considered exempt pursuant to clause 17(c) of Schedule 1 to the FOI Act.

If you are unhappy with this determination you are entitled to apply for an internal review in accordance with section 29 of the FOI Act. To make an internal review application, you can write a letter or send the attached form entitled *Application for Review of Determination* to the Principal Officer of this agency, the Minister for Local Government, Minister for Regional Roads and Minister for Veterans Affairs, the Hon Geoff Brock MP.

In accordance with the requirements of Premier and Cabinet Circular PC045, if you are given access to documents as a result of this FOI application, details of your FOI application, and the documents to which you are given access, may be published in the agency's disclosure log. Any private information will be removed. A copy of PC045 can be found at [www.dpc.sa.gov.au/resources-and-publications/premier-and-cabinet-circulars](http://www.dpc.sa.gov.au/resources-and-publications/premier-and-cabinet-circulars). If you have any objection to this publication, please contact us within 30 days.

Should you require any further information please contact me on telephone (08) 7133 1200.

Yours sincerely



Enza Pullino  
Accredited FOI Officer  
Office Manager to the  
**MINISTER FOR LOCAL GOVERNMENT**  
**MINISTER FOR REGIONAL ROADS**  
**MINISTER FOR VETERANS AFFAIRS**

14 / 07 / 2023

enc Application for Review of Determination form  
Document schedule

## FOI FACT SHEET

### Your Rights to Review and Appeal

*South Australian Freedom of Information Act 1991*

Please read the information in this fact sheet before completing the attached application form

#### INTERNAL REVIEW

If you are unhappy with a determination made by an agency (includes South Australian State Government Agency, Local Government Council or University) under the *Freedom of Information Act 1991* (FOI Act) in relation to:

- a freedom of information (FOI) application for access to a document, or
- an FOI application for amendment to your personal records

in most cases, you are entitled to apply for an Internal Review of that determination.

#### Request an Internal Review

An Internal Review must be lodged within 30 calendar days of you receiving advice of a determination that you are unhappy with.

Applications must be made in writing in accordance with Section 29 or Section 38 of the FOI Act or using the attached *FOI Application Form for Internal Review of a Determination* (Internal Review Form).

An Internal Review application must be made to the Principal Officer of the agency that made the determination you are seeking to have reviewed.

#### ***How much does an Internal Review cost?***

There is an application fee of **\$39.00** that must be paid when you lodge your Internal Review application if your review request is for access to documents.

There is no application fee for an Internal Review of an FOI application for amendment to your personal records.

Agencies generally accept payment by cash, money order or cheque. If you would like to pay by credit card you will need to ask the agency if they are able to accept credit card payments.

If, as a result of an Internal Review an agency changes or reverses a determination so that access to a document is, or will be, given, the agency will refund the Internal Review application fee paid by the applicant, where applicable.

#### ***What if I have a concession card or can't afford to pay?***

If you are the holder of a current concession card or if you can satisfy the agency that the payment of the application fee would cause financial hardship, the agency must waive or remit (reduce or refund) it.

If you are a concession cardholder you will need to provide evidence e.g. attach a copy of your concession card when you make the application. Alternatively, you will need to give written reasons as to why the payment of a fee would cause you financial hardship.

#### ***How long does an Internal Review take?***

You will be advised of the outcome of your Internal Review application within 14 calendar days of it being received by the agency.

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. Alternatively, you may apply for a review by the South Australian Civil and Administrative Tribunal (SACAT). See the External Review section below.

***When can't I apply for an Internal Review?***

If the original application determination was made by the Principal Officer of an agency rather than another accredited FOI Officer within the agency, you cannot apply for an Internal Review. However, you can apply for an External Review by the Ombudsman SA or apply for a review by SACAT.

**EXTERNAL REVIEW**

After an Internal Review has been completed, or where you are unable to apply for an Internal Review, and you are unhappy with the determination, you have the right to apply for an External Review. All applications for External Review should be made to the Ombudsman SA.

***How long will an External Review take and how much will it cost?***

If you wish to make an application for an External Review you must do so within 30 calendar days after being notified of the determination. However, the Ombudsman SA can extend this time limit at their discretion. There is no fee or charge for External Reviews undertaken by the Ombudsman.

Contact Details:
<b>Ombudsman SA</b> <b>Phone:</b> 8226 8699 <b>Toll Free:</b> 1800 182 150 (outside metro SA) <b>Email:</b> <a href="mailto:ombudsman@ombudsman.sa.gov.au">ombudsman@ombudsman.sa.gov.au</a>

**REVIEW BY SACAT**

You have a right to apply for a review by SACAT if you are unhappy with:

- a determination not subject to Internal Review
- an Internal Review determination, or
- the outcome of a review by the Ombudsman SA.

You must exercise your right of review with SACAT within 30 calendar days after being advised of the above types of determinations or the results of a review.

Any costs will be determined by SACAT, where applicable.

For more information contact SACAT.

Contact Details:
<b>South Australian Civil and Administrative Tribunal (SACAT)</b> <b>Phone:</b> 1800 723 767 <b>Email:</b> <a href="mailto:sacat@sacat.sa.gov.au">sacat@sacat.sa.gov.au</a>

## FOI APPLICATION FORM

### For Internal Review of a Determination

Under sections 29 & 38 of the South Australian *Freedom of Information Act 1991*

Please read the attached '*FOI Fact Sheet – Your Rights to Review and Appeal*'  
before completing and lodging your Internal Review application

To the Principal Officer	
Name of the Agency:	
Details of Applicant	
Surname:	
Given Names:	
Australian Postal Address:	
Suburb:	Post Code:
Emails ( <i>Optional</i> ):	
Contact phone numbers:	
FOI Application Reference Number ( <i>if known</i> ):	
Details of Internal Review	
<p>I am not satisfied with a determination made by your agency and, therefore, seek a review because:</p> <p>(<i>Please place a tick in the appropriate box</i>)</p> <p><input type="checkbox"/> I have been refused access to a document</p> <p><input type="checkbox"/> I have been refused access to part of a document</p> <p><input type="checkbox"/> I have been refused a request to amend a personal document</p> <p><input type="checkbox"/> I have been given access to a document but access has been deferred</p> <p><input type="checkbox"/> I am a third party specified in the documents but have not been consulted about giving access to another person</p> <p><input type="checkbox"/> I have been consulted but disagree with the determination to release the documents</p>	

<b>Comments</b>																				
<p>Include any additional comments you wish to be considered in the review of the determination (<i>attach additional pages if necessary</i>).</p>																				
<b>Fees and Charges</b>																				
<p>An application fee of <b>\$39.00</b> must be submitted with the Internal Review application form, unless you are seeking to have the application fee waived. If you are seeking to have the application fee waived, please attach evidence supporting why it should be waived, e.g. attach a copy of your concession card or other evidence as proof of financial hardship.</p> <p>An application fee is not required for an Internal Review of an FOI Amendment Application.</p> <p>In the following section please tick as appropriate</p> <table style="width: 100%; border: none;"> <tr> <td style="padding: 5px;">Is the application fee attached?</td> <td style="padding: 5px;"><input type="checkbox"/> Yes</td> <td style="padding: 5px;"><input type="checkbox"/> No</td> <td colspan="2"></td> </tr> <tr> <td style="padding: 5px;">Application Fee is in the form of <small>(Do not send cash through the mail)</small></td> <td style="padding: 5px;"><input type="checkbox"/> Cheque</td> <td style="padding: 5px;"><input type="checkbox"/> Cash</td> <td style="padding: 5px;"><input type="checkbox"/> Money Order</td> <td></td> </tr> <tr> <td style="padding: 5px;">Do you require a fee waiver?</td> <td style="padding: 5px;"><input type="checkbox"/> Yes</td> <td style="padding: 5px;"><input type="checkbox"/> No</td> <td colspan="2"></td> </tr> <tr> <td style="padding: 5px;">Is evidence of the need to waive fees attached? <small>(e.g. a copy of your concession card)</small></td> <td style="padding: 5px;"><input type="checkbox"/> Yes</td> <td style="padding: 5px;"><input type="checkbox"/> No</td> <td colspan="2"></td> </tr> </table> <p>If you wish to pay your application fee via credit card you will need to ask the agency you are applying to if they accept credit card payments.</p> <p>If no application fee is attached and you do not qualify for fee waiver, the agency cannot process your application until the fee has been paid.</p> <p>If the agency varies or reverses a determination so that access to a document is, or will be, given the agency will refund any Internal Review fees paid by the applicant.</p>	Is the application fee attached?	<input type="checkbox"/> Yes	<input type="checkbox"/> No			Application Fee is in the form of <small>(Do not send cash through the mail)</small>	<input type="checkbox"/> Cheque	<input type="checkbox"/> Cash	<input type="checkbox"/> Money Order		Do you require a fee waiver?	<input type="checkbox"/> Yes	<input type="checkbox"/> No			Is evidence of the need to waive fees attached? <small>(e.g. a copy of your concession card)</small>	<input type="checkbox"/> Yes	<input type="checkbox"/> No		
Is the application fee attached?	<input type="checkbox"/> Yes	<input type="checkbox"/> No																		
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Is evidence of the need to waive fees attached? <small>(e.g. a copy of your concession card)</small>	<input type="checkbox"/> Yes	<input type="checkbox"/> No																		
Applicant's Signature:																				
Date ..... / ..... / 20.....																				

**OFFICE USE ONLY**

Received on ..... / ..... / 20.....

Acknowledgment sent on ..... / ..... / 20.....

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## DOCUMENT SCHEDULE - FREEDOM OF INFORMATION APPLICATION NUMBER 23MINFOI-0026

Document Number	Description of Document	Date of Document	Author	Determination Release/Refuse Access	Schedule Clause Applied
01	Minute	26 February 2023	DIT	Full Release	NIL
02	Minute	26 May 2023	DIT	Partial Release	Clause 6(1) of Schedule 1 – Personal affairs
03	Parliamentary Briefing Note	4 July 2022	DIT	Refuse Release	Clause 17(c) of Schedule 1 – Parliamentary Privilege
04	Parliamentary Briefing Note	22 August 2022	DIT	Refuse Release	Clause 17(c) of Schedule 1 – Parliamentary Privilege
05	Parliamentary Briefing Note	2 September 2022	DIT	Refuse Release	Clause 17(c) of Schedule 1 – Parliamentary Privilege
06	Parliamentary Briefing Note	17 October 2022	DIT	Refuse Release	Clause 17(c) of Schedule 1 – Parliamentary Privilege
07	Parliamentary Briefing Note	24 October 2022	DIT	Refuse Release	Clause 17(c) of Schedule 1 – Parliamentary Privilege
08	Parliamentary Briefing Note	7 November 2022	DIT	Refuse Release	Clause 17(c) of Schedule 1 – Parliamentary Privilege
09	Parliamentary Briefing Note	30 January 2023	DIT	Refuse Release	Clause 17(c) of Schedule 1 – Parliamentary Privilege
10	Parliamentary Briefing Note	3 February 2023	DIT	Refuse Release	Clause 17(c) of Schedule 1 – Parliamentary Privilege
11	Parliamentary Briefing Note	30 May 2023	DIT	Refuse Release	Clause 17(c) of Schedule 1 – Parliamentary Privilege

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Government of South Australia  
Department for Infrastructure  
and Transport

MO Ref: 23M/NRP-00 43  
Agency Ref: 2022/04880/01  
KNet #19852502

TO: MINISTER FOR REGIONAL ROADS  
SUBJECT: Strzelecki Track Upgrade Project

Decision/Action required by: ROUTINE

<b>Business Unit</b>	Transport Project Delivery		
<b>Endorsed by Executive Director</b>	Brian Roche Executive Director Transport Project Delivery (08) 7133 1277	BR..... <i>initial</i>	20/02/2023
<b>Approved by Chief Executive</b>	Wayne Buckerfield Deputy Chief Executive	 ..... <i>initial</i>	20 /02/2023 <i>date</i>

**RECOMMENDATION**

It is recommended the Minister:

- Note the updates provided in relation to the Strzelecki Track Upgrade Project.

**Noted**

.....  
Hon Geoff Brock MP  
**MINISTER FOR LOCAL GOVERNMENT**  
**MINISTER FOR REGIONAL ROADS**  
26 / 2 / 2023

Comment

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## PURPOSE

- To provide an update on the Strzelecki Track Upgrade Project.

## BACKGROUND

- The Australian and South Australian governments have jointly committed \$215 million (excluding GST) in funding for the Strzelecki Track Upgrade Project.
- The Strzelecki Track is a 472 kilometre (km) unsealed outback road that links the towns of Lyndhurst to Innamincka in the north-east of South Australia. It is a vital supply line for major oil and gas facilities located near Moomba, in the Cooper Basin, and is an essential transport corridor for outback communities, tourism and pastoralists.
- The works include pavement rehabilitation and sealing along the existing road alignment, targeted floodway treatments, junction upgrades and an upgrade of the Strzelecki Creek crossing.

## KEY POINTS

- During February 2023, there was one inclement weather event which resulted in the closure and/or restrictions to traffic on the Strzelecki Track for a total of six days. There was no damage to the areas under construction.
- Construction continues on the 93km section south of Moomba to the Strzelecki Creek Crossing. A total of 73km (78%) pavement rehabilitation is complete with a total of 65km (69%) sealed. Remediation works to the existing sealed overtaking lane has commenced.
- Construction continues on the 41km section south of Innamincka, locally known as Dillon's Highway. A total of 33km (80%) pavement rehabilitation is complete, with a total of 21km (51%) sealed. Wet maintenance of unsealed sections continues, and stabilisation works commenced in preparation for sealing. Yandruwandha / Yawarrawarrka Traditional Owners are onsite monitoring works in a culturally sensitive area.
- Design contract for Della Road continues, 70% design and cost estimate received and under review.
- Tender call for 47km section from Strzelecki Creek Crossing to Cobblers Sandhills tender is scheduled to close 23 February 2023.
- Site investigations on the 154km section from Cobblers Sandhills to Yeralina Creek continue with 100km (65%) complete. Initiation of environmental and heritage surveys on completed sections in progress.
- As at the end of February 2023, a total of 174km (37%) of the 472km Strzelecki Track has been constructed.
- Of the 98,094 onsite construction hours undertaken to date (as at end of February 2023), 23,603 hours (24%) have been worked by local Aboriginal people.
- Stages and Status of works:
  - Stage 1: Lyndhurst to Yeralina Creek (74km) – Complete.
  - Stage 1 (early works): Innamincka to Dillons Highway (10km) – Complete.
  - Stage 2 Package 1: South of Moomba to the Strzelecki Creek Crossing (93km) – Under Construction.

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- Stage 2 Package 2A: Dillons Highway to Della Road (41km) – Under Construction.
- Stage 2 Package 2B: Della Road (50km) – Design.
- Stage 2 Package 3: Strzelecki Creek Crossing to Cobblers Sandhills (47km) – Procurement.
- Stage 3 Package 1: Cobblers Sandhills to Mount Hopeless (50km) – Planning.
- Stage 3 Package 2: Mount Hopeless to Dog Fence (50km) – Planning.
- Stage 3 Package 3: Dog Fence to Yeralina Creek (54km) – Planning.

## ATTACHMENTS

- Attachment 1: Map - Strzelecki Track Upgrade Packages of Work (#18162122).





**TO: MINISTER FOR REGIONAL ROADS**  
**SUBJECT: CONDITION OF STRZELECKI TRACK**

<b>Decision/Action required by:</b>	ROUTINE
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<b>Business Unit</b>	Transport Project Delivery		
<b>Endorsed by</b>	Mark Elms A/Director, Road Maintenance <b>Clause 6(1)</b>	ME <i>initial</i>	4/4/2023 <i>date</i>
<b>Endorsed by</b>	Harvey Fernandez Director, Transport Project Delivery <b>Clause 6(1)</b>	HF <i>initial</i>	28/03/2023 <i>date</i>

**RECOMMENDATION**

It is recommended the Minister:

1. Consider the attached draft letter of response to **Clause 6(1)** **Clause 6(1)** regarding the condition of the Strzelecki Track.

Approved/Not Approved OR Noted

.....  
  
 Hon Geoff Brock MP  
**MINISTER FOR LOCAL GOVERNMENT**  
**MINISTER FOR REGIONAL ROADS**  
 25/5 / 2023

Comment  
 .....  
 .....  
 .....  
 .....  
 .....

## PURPOSE

- To respond to the correspondence from **Clause 6(1)** **Clause 6(1)** regarding the condition of the Strzelecki Track.

## BACKGROUND

- On 8 March 2023, **Clause 6(1)** **Clause 6(1)** wrote to you on **Clause 6(1)** regarding the condition of the Strzelecki Track.

## KEY POINTS

- The Strzelecki Track is a 472 kilometre unsealed rural road that links the towns of Lyndhurst to Innamincka in the north east of South Australia.
- It is a vital supply link for major oil and gas facilities located near Moomba in the Cooper Basin, and is an essential transport corridor for outback communities, tourism and pastoralists.
- The Australian and South Australian governments have jointly committed \$215 million (excluding GST) in funding for the Strzelecki Track Upgrade Project.
- The works include pavement rehabilitation and sealing along the existing road alignment, targeted floodway treatments, junction upgrades and an upgrade of the Strzelecki Creek crossing.
- As at end of March 2023, a total of 188 kilometres (40%) of the 472 kilometre Strzelecki Track has been sealed.
- From September 2020 through to March 2023, the Strzelecki Track was impacted by 35 separate inclement weather events.
- These events have resulted in the Strzelecki Track being closed to all traffic for a total of 82 days, with a further 184 days where restrictions were in place while the track was progressively opened to all traffic.
- The unsealed road requires maintenance grading on a regular basis. It is subject to bulldust holes and sand drifts during dry periods and flooding during seasonal rain events, all of which negatively impact the safety, accessibility and efficient operation of the road.
- Contractors have been engaged and repairs to identified problem areas on both the sealed and unsealed sections of the Strzelecki Track commenced on 20 March 2023 and will be completed by 12 April 2023, weather permitting.
- A locality map of the Strzelecki Track Upgrade Program is attached.
- In December 2022, Strzelecki Track, the section between Montecollina and Yeralina Creek (commencement of seal), approximately 150 kilometres in length was graded by the Department for Infrastructure and Transport maintenance contractor.
- Due to increased movements of heavy machinery in January 2023, additional grading from Yeralina Creek to the Strzelecki Creek Crossing (approximately 200 kilometres) was carried out between 21 January and 8 February 2023.

## ATTACHMENTS

- Attachment 1: Locality Map – Strzelecki Track

• Attachment 1: Locality Map – Strzelecki Track

