

10 August 2015

By Email: [gerard@fastmail.com.au](mailto:gerard@fastmail.com.au)

Mr Gerard McPhee  
10 McCubbin Street  
EAST KEW VIC 3102

**Mt Buller Mt Stirling  
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Mt Buller Victoria 3723

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Dear Mr McPhee,

**FOI Request to Mt Buller & Mt Stirling Alpine Resort Management Board ("Board")  
Corn Hill Link Road Project**

I refer to your reformulated FOI request dated 24 June 2015.

Thank you for your payment of \$25 on account of the deposit, received on 25 June 2015.

I have identified the documents requested and have decided as follows:

**A. Partial Release**

***Black Forest Lodge Accommodation Records***

- 1 In relation to the Black Forest Lodge Accommodation Records – Chart of Accommodation Records from 2010 to 2015, to partially release the information, but with personally identifying information redacted, pursuant to section 33 of the Act. The basis for this decision is that the accommodation of persons at the Lodge is a personal matter to those individuals, in that persons accommodated were not performing in their official capacities whilst in their accommodation.

***Mt Buller Master Plan Report Volume 2***

- 2 In relation to Mt Buller Master Plan Report Volume 2 October 2010, to partially release the document but with the following information redacted:
  - 2.1 Appendix A2: Numeric targets in the "design" column. This is because the information is an internal working document, is speculative in nature and in draft form, and consequently could engender uninformed and unnecessary public debate. This is a section 30 exemption.
  - 2.2 Appendix 7: Preliminary Economic Assessment, Page 8 of the SGS Report, Table 1, breakdown of financial totals. Indicative costs information would be likely to disadvantage the Board in negotiating and/or tendering for some of the listed projects. This is a section 34(4)(a) exemption.
  - 2.3 Appendix 7: Preliminary Economic Assessment, Page 9 of the SGS Report, the individual totals listed per site which show the private investment potential expected to be leveraged per site. These projects are yet to be released publically or go to tender, and would be likely to disadvantage the Board if the amounts were released publicly. This is a section 34(4)(a) exemption.

## **B. No Release**

### ***May 2011 Business Case Update***

- 3 In relation to the May 2011 Business Case Update, the document is exempt from release pursuant to section 30 of the Act, namely that it is an internal working document the release of which would be contrary to the public interest. The basis for this decision is that the document would disclose matter in the nature of opinion, advice and recommendations of the Board in the course of its deliberative processes, and would be contrary to public interest in that it relates to an ongoing project that has not yet been finalised or put out to public tender, that by its release it could disadvantage the Board in any future commercial negotiations, and could engender uninformed and unnecessary public debate in circumstances where the project is not yet finalised and its commercial and other objectives are still under review.

### **Fees**

I advise that the Board has incurred a total cost of \$69.20 in processing your request, searching for and collating the information, and acquiring a USB memory stick for the documents. Taking into account the \$25 deposit already paid, please make payment of \$44.20 by way of EFT to:

Account Name: Mt Buller Mt Stirling Alpine Resort Management Board  
 BSB: 083-755  
 Account number: 485234410  
 Reference: McPhee-FOI

Upon receipt of your payment, I will be pleased to immediately release the indicated documents.

### **Review of decision**

You have the right to request a review of the decision in this matter.

Should you wish to have the decision reviewed by the Freedom of Information Commissioner, the request for a review must be received within 28 days from receipt of this letter. An Application for a review must be made in writing and addressed to:

Office of the Freedom of Information Commissioner  
 PO Box 24274  
 MELBOURNE VIC 3001

Should you wish to have the decision reviewed by VCAT, the Application for review must be made within 60 days from receipt of this letter. An Application for a review must be made in writing and addressed to:

Victorian Civil and Administrative Tribunal  
 55 King Street,  
 MELBOURNE VIC 3000.

Should you wish to discuss any aspect of this letter with me, please do not hesitate to contact me as required.

Yours faithfully,

A handwritten signature in blue ink, appearing to read "Glenn Thornton", with a stylized flourish at the end.

Glenn Thornton  
Chief Financial Officer & FOI Officer