

Mr Philip Walker  
184 Warriewood Road  
MONA VALE NSW 2103

Dear Mr Walker

**Your application for access to government information**

I refer to your access application received by the Ministry on 1 March 2018. The access application under the *Government Information (Public Access) Act 2009* (GIPA Act) was for the following information:

*“Basic Floor Plans and Elevation for Mona Vale Hospital, Emergency, Nurses Quarters, Chapel, Engineering and Hydrotherapy Pool (the original building only - not recent development). Purpose: to check ‘fit for purpose’ calculations.”*

Please find enclosed my Notice of Decision of your GIPA application. In the decision there is a section titled “Context” which provides useful explanatory information about your application. It has been reproduced here.

**Context**

Following the mediation agreement between Mr Philip Walker and the Ministry (2017/003878657), Mr Walker had a number of questions regarding the fit for purpose criteria used by Health Infrastructure for current NSW health projects.

As this information is publically available the Ministry can provide the applicant with the following link which answers his access application. The Ministry would also like to offer a refund of the application fee. Information regarding the ‘fit for purpose criteria current for NSW Health Infrastructure Hospitals’ is located online here:

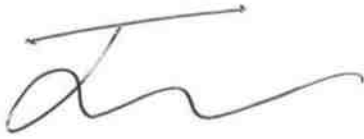
<https://www.healthfacilityguidelines.com.au/>

Australasian Health Infrastructure Alliance (AHIA) is the custodian of the Australasian Health Facility Guidelines (AusHFG) which were first released in 2007. AHIA works across Australia and New Zealand to bring together information, research and practical experience about developing and managing health assets and infrastructure. The accumulation of this knowledge contributes to the continuing evolution of the AusHFG and supports the development of best practice solutions for common issues in capital and asset management.

The Ministry of Health does not hold a single ‘fit for purpose’ report for Mona Vale Hospital. Rather this criterion is used by Health Infrastructure whenever they make a determination in relation to their NSW health projects. While there are a number of reports which detail issues present with Mona Vale hospital, such as the Arup building condition reports, the Ministry is aware that you have already been provided copies of these documents by Northern Sydney Local Health District. The Ministry is now able to provide you with floor and elevation plans as requested.

If you have questions about the GIPA process, please contact me on 9391 9263.

Yours sincerely

A handwritten signature in black ink, appearing to be 'JD', written in a cursive style.

James Dagger  
**Senior Information Officer**  
**Executive and Ministerial Services**

01.05.18

# *Government Information (Public Access) Act 2009*

## NOTICE OF DECISION

Applicant:	<b>Mr Philip Walker</b>
File Ref:	<b>PA18/37</b>
Decision maker:	<b>James Dagger, Senior Information Officer</b>
Date of decision:	<b>9 April 2018</b>

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## 1. Context

Following the mediation agreement between Mr Philip Walker and the Ministry (2017/003878657), Mr Walker had a number of questions regarding the fit for purpose criteria used by Health Infrastructure for current NSW health projects.

As this information is publically available the Ministry can provide the applicant with the following link which answers his access application. The Ministry would also like to offer a refund of the application fee. Information regarding the 'fit for purpose criteria current for NSW Health Infrastructure Hospitals' is located online here: <https://www.healthfacilityguidelines.com.au/>

Australasian Health Infrastructure Alliance (AHIA) is the custodian of the Australasian Health Facility Guidelines (AusHFG) which were first released in 2007. AHIA works across Australia and New Zealand to bring together information, research and practical experience about developing and managing health assets and infrastructure. The accumulation of this knowledge contributes to the continuing evolution of the AusHFG and supports the development of best practice solutions for common issues in capital and asset management.

The Ministry of Health does not hold a single 'fit for purpose' report for Mona Vale Hospital. Rather this criterion is used by Health Infrastructure whenever they make a determination in relation to their NSW health projects. While there are a number of reports which detail issues present with Mona Vale hospital, such as the Arup building condition reports, the Ministry is aware that you have already been provided copies of these documents by NSLHD. The Ministry has now able to provide you with floor and elevation plans as requested.

## 2. Summary of access application

On 1 March 2018, we received your access application under the *Government Information (Public Access) Act 2009* (GIPA Act). You asked for the following information:

*Basic Floor Plans and Elevation for Mona Vale Hospital, Emergency, Nurses Quarters, Chapel Engineering and Hydrotherapy Pool (the original building only - not recent development).  
Purpose: to check fit for purpose' calculations*

## 3. Decision

I am authorised by the principal officer, for the purposes of section 9(3) of the GIPA Act, to decide your access application.

I have decided, under section 58(l)(a) of the GIPA Act, to release information to you.

In this Notice of Decision I will explain my reasons. To meet the requirements of section 61 of the GIPA Act, I need to tell you:

- (a) the reasons for my decision and the findings on any important questions of fact underlying those reasons; and
- (b) the general nature and format of the records containing the information you asked for, with reference to the relevant public interest considerations against disclosure (see the attached Schedule of Documents).

You can ask for a review of this decision. For details about how to do so, see part 9 of this Notice.

#### **4. Searches for information**

Under the GIPA Act, we must conduct reasonable searches for the government information you asked for in your application. I have searched our records to find any information that falls within the scope of your application.

A general electronic search of the Ministry database was undertaken against the following terms and their variations: "Mona Vale", "Hospital", "Floor", "Elevation", "Plans", "*Emergency*", "*Nurses*" "*Quarters*", "*Chapel*", "*Engineering*" and "*Hydrotherapy Pool*".

The Ministry has located 51 document within the scope of your request, which are listed in the Schedule. The Schedule seeks to identify the description of the document and any attachment, the location of the document and the relevant decision in relation to that document.

#### **5. The public interest test**

Under section 9(1) of the GIPA Act, you have a legally enforceable right to access the information you asked for, unless there is an overriding public interest against its disclosure.

Further, under section 5 of the GIPA Act, there is a presumption in favour of disclosing government information unless there is an overriding public interest against its disclosure.

To decide whether or not there is an overriding public interest against disclosure of the information you asked for, I applied the public interest test, which is set out in section 13 of the GIPA Act.

I applied the public interest test by:

- (a) identifying any public interest considerations in favour of disclosure;
- (b) identifying any relevant public interest considerations against disclosure; and
- (c) deciding where the balance between them lies.

I did this in the way required by section 15 of the GIPA Act, which is:

- (a) in a way that promotes the objects of the GIPA Act;
- (b) with regard to any relevant guidelines issued by the Information Commissioner;

- (c) without taking into account the fact that disclosure of information may cause embarrassment to, or a loss of confidence in, the Government (as that fact is irrelevant);
- (d) without taking into account the fact that disclosure of information might be misinterpreted or misunderstood by any person (as that fact is irrelevant); and
- (e) with regard to the fact that disclosure cannot be made subject to any conditions on the use or disclosure of information.

### **5.1 Public interest considerations in favour of disclosure**

Under section 12(1) of the GIPA Act, there is a general public interest in favour of disclosing government information. Section 12(2) of the GIPA Act sets out some examples of other public interest considerations in favour of disclosure. However, I am not limited to those considerations in deciding your application.

I find the following considerations in favour of disclosure are relevant to your application:

- disclosure of the information could reasonably be expected to promote open discussion of public affairs, enhance Government accountability or contribute to positive and informed debate on issues of public importance; and
- disclosure of the information could reasonably be expected to inform the public about the operations of agencies and, in particular, the development of Mona Vale Hospital; and
- disclosure of the information could reasonably be expected to ensure effective oversight of the expenditure of public funds. This is because the information relates to the redevelopment of the Northern Beaches Hospital, which is paid from the public purse.

I consider this to be a strong consideration in favour of disclosure.

### **5.2 Personal factors of the application**

I can also take into account any personal factors of your application, under section 55 of the GIPA Act. I have considered:

- the applicant is a resident and has a longstanding interest in the development of hospital infrastructure in the area.

### **5.3 Public interest considerations against disclosure**

When applying the public interest test, the only public interest considerations against disclosure that I can take into account are those set out in the table to section 14 of the GIPA Act. To show that they are relevant to the information you asked for, I need to consider whether they could reasonably be expected to have the effect outlined in the table.

The Ministry has not identified any considerations against disclosure as being relevant to your application.

#### **5.4 Consultation**

The information that you asked for includes information that is the kind which requires consultation with Northern Sydney Local Health District. I was therefore required, under section 54 of the GIPA Act, to consult with those people before releasing the information.

There were no objections to the release of the information.

#### **5.5 Balancing the public interest test**

I have considered the relevant public interest considerations in favour of and against disclosure of the information you requested.

Having weighed up the considerations, I have decided that the Ministry can release to you in full the requested information. This is summarised in the attached Schedule of Documents.

#### **6. Processing charges**

Under sections 64(1) and (2) of the GIPA Act, we may require you to pay processing charges, at a rate of \$30 per hour, for the time spent dealing with your access application. The application fee of \$30 counts as payment of one hour of the processing charges.

You are requested to pay processing charges of **\$0**. Please find attached a Table of Processing Charges, which shows how time was spent processing your application and the charges that apply.

You can ask for a review of the decision to impose processing charges. For information about how to do so, see part 9 of this Notice.

#### **7. Disclosure log**

If information that would be of interest to other members of the public is released in response to a formal access application, an agency must record certain details about the application in its 'disclosure log' (under sections 25 and 26 of the GIPA Act).

In the letter acknowledging receipt of your valid application, sent on 1 March 2018 you were told about the disclosure log. You were also advised of your right to object to the inclusion of details about your access application in the disclosure log, in certain circumstances (for example, if you seek access to your own personal information).

You did not object to details about your application being included in the disclosure log.

## 8. Review rights

If you disagree with any of the decisions in this notice that are reviewable, you may seek a review under Part 5 of the GIPA Act. Before you do so, I encourage you to contact me to discuss your concerns. My contact details are set out below.

You have three review options:

- internal review by another officer of this agency, who is no less senior than me;
- external review by the Information Commissioner; or
- external review by the NSW Civil and Administrative Tribunal (NCAT).

You have 20 working days from the date of this Notice to apply for an internal review. If you would prefer to have the decision reviewed externally, you have 40 working days from the date of this Notice to apply for a review by the Information Commissioner or NCAT.

To assist you, I have enclosed a fact sheet published by the Information and Privacy Commission NSW (IPC), entitled *Your review rights under the GIPA Act*. You will also find some useful information and frequently asked questions on the IPC's website: [www.ipc.nsw.gov.au](http://www.ipc.nsw.gov.au).

You can also contact the IPC on freecall 1800 IPC NSW (1800 472 679).

## 9. Further information

If you have any questions about this notice or would like any further information, please contact James Dagger, 9391 9263.

.....  
James Dagger  
**Senior Information Officer**  
**Executive and Ministerial Services**



## Schedule of Documents

No.	Description of record that contains the information	Format of record	Location of record in agency	Released or withheld	Relevant public interest consideration(s) against disclosure
1.	1 Boiler house and workshops plans sections elevations.pdf	Plans	Health Infrastructure	Released	
2.	2 Chapel plans elevations reflected ceiling plans.pdf	Plans	Health Infrastructure	Released	
3.	3 Dental clinic elevations.pdf	Plans	Health Infrastructure	Released	
4.	4 Dental clinic floor plan.pdf	Plans	Health Infrastructure	Released	
5.	5 Emergency Department plan.pdf	Plans	Health Infrastructure	Released	
6.	6 Engineering plans sections elevations.pdf	Plans	Health Infrastructure	Released	
7.	7 Hydrotherapy pool location plan.pdf	Plans	Health Infrastructure	Released	
8.	8 Hydrotherapy pool plan and sections.pdf	Plans	Health Infrastructure	Released	
9.	9 Main building alterations to kitchen plans elevations and sections.pdf	Plans	Health Infrastructure	Released	

Notice of Decision

No.	Description of record that contains the information	Format of record	Location of record in agency	Released or withheld	Relevant public interest consideration(s) against disclosure
10.	10 Main building and outpatients east elevations.pdf	Plans	Health Infrastructure	Released	
11.	11 Main building and outpatients south elevations.pdf	Plans	Health Infrastructure	Released	
12.	12 Main building and outpatients west elevations.pdf	Plans	Health Infrastructure	Released	
13.	13 Main building basement plan.pdf	Plans	Health Infrastructure	Released	
14.	14 Main building cafeteria and servery layout plan internal elevations.pdf	Plans	Health Infrastructure	Released	
15.	15 Main building central sterilizing room plan.pdf	Plans	Health Infrastructure	Released	
16.	16 Main building extension to clean linen and mortuary.pdf	Plans	Health Infrastructure	Released	
17.	17 Main building first floor dimensions furniture.pdf	Plans	Health Infrastructure	Released	
18.	18 Main building first floor plan.pdf	Plans	Health Infrastructure	Released	
19.	19 Main building fourth floor dimensions furniture.pdf	Plans	Health Infrastructure	Released	

Notice of Decision

No.	Description of record that contains the information	Format of record	Location of record in agency	Released or withheld	Relevant public interest consideration(s) against disclosure
20.	20 Main building fourth floor new wards and cafeteria layouts and elevations.pdf	Plans	Health Infrastructure	Released	
21.	21 Main building fourth floor new wards and cafeteria plans.pdf	Plans	Health Infrastructure	Released	
22.	22 Main building fourth floor plan.pdf	Plans	Health Infrastructure	Released	
23.	23 Main building ground floor dimensions furniture.pdf	Plans	Health Infrastructure	Released	
24.	24 Main building ground floor plan.pdf	Plans	Health Infrastructure	Released	
25.	25 Main building lower ground floor dimensions furniture.pdf	Plans	Health Infrastructure	Released	
26.	26 Main building lower ground floor plan.pdf	Plans	Health Infrastructure	Released	
27.	27 Main building machinery floor plans.pdf	Plans	Health Infrastructure	Released	
28.	28 Main building main entrance plan.pdf	Plans	Health Infrastructure	Released	
29.	29 Main building new wards and cafeteria cafeteria reflected ceiling plan and roof plan.pdf	Plans	Health Infrastructure	Released	

Notice of Decision

No.	Description of record that contains the information	Format of record	Location of record in agency	Released or withheld	Relevant public interest consideration(s) against disclosure
30.	30 Main building new wards and cafeteria cafeteria plan and elevations.pdf	Plans	Health Infrastructure	Released	
31.	31 Main building new wards and cafeteria elevations and sections.pdf	Plans	Health Infrastructure	Released	
32.	32 Main building new wards and cafeteria fourth floor and third floor reflected ceiling plans.pdf	Plans	Health Infrastructure	Released	
33.	33 Main building north elevation.pdf	Plans	Health Infrastructure	Released	
34.	34 Main building second floor dimensions furniture.pdf	Plans	Health Infrastructure	Released	
35.	35 Main building second floor plan.pdf	Plans	Health Infrastructure	Released	
36.	36 Main building third floor dimensions furniture.pdf	Plans	Health Infrastructure	Released	
37.	37 Main building third floor plan.pdf	Plans	Health Infrastructure	Released	
38.	38 Main building typical layout of electrical panel heating system.pdf	Plans	Health Infrastructure	Released	
39.	39 Medical records storage ground floor and first floor plans.pdf	Plans	Health Infrastructure	Released	

Notice of Decision

No.	Description of record that contains the information	Format of record	Location of record in agency	Released or withheld	Relevant public interest consideration(s) against disclosure
40.	40 Nurses home east elevation and sections.pdf	Plans	Health Infrastructure	Released	
41.	41 Nurses home elevations and sections.pdf	Plans	Health Infrastructure	Released	
42.	42 Nurses home first floor plan.pdf	Plans	Health Infrastructure	Released	
43.	43 Nurses home ground floor plan.pdf	Plans	Health Infrastructure	Released	
44.	44 Nurses home north west south elevations and section.pdf	Plans	Health Infrastructure	Released	
45.	45 Outpatients basement plan.pdf	Plans	Health Infrastructure	Released	
46.	46 Outpatients ground floor first floor plan.pdf	Plans	Health Infrastructure	Released	
47.	47 Outpatients ground floor plan Xray dept existing.pdf	Plans	Health Infrastructure	Released	
48.	48 Outpatients ground floor plan Xray dept proposed 1.pdf	Plans	Health Infrastructure	Released	
49.	49 Outpatients ground floor plan Xray dept proposed 2.pdf	Plans	Health Infrastructure	Released	

Notice of Decision

No.	Description of record that contains the information	Format of record	Location of record in agency	Released or withheld	Relevant public interest consideration(s) against disclosure
50.	50 Senior RMO residence (Palliative Care) plans sections elevations.pdf	Plans	Health Infrastructure	Released	
51.	51 Training school plans elevations.pdf	Plans	Health Infrastructure	Released	

## Table of Processing Charges

Date	Action	Time spent	Cost
09/04/18	Writing the Decision	1 hour	\$30
<b>Discount:</b>			
<b>TOTAL:</b>			\$0