



**Government  
of South Australia**

TRS19D3166

Hon Stephen Mullighan MP  
Member for Lee  
Unit 1, 62 Semaphore Road  
SEMAPHORE SA 5019

**Treasurer**  
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Adelaide SA 5000  
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Tel 08 8226 1866  
treasurer.dtf@sa.gov.au

[lee@parliament.sa.gov.au](mailto:lee@parliament.sa.gov.au)

  
Dear Mr. Mullighan

**APPLICATION UNDER THE FREEDOM OF INFORMATION ACT 1991**

I refer to your application made under the *Freedom of Information Act 1991* (the Act), dated 12 November 2019.

Your application seeks access to:

*"All minutes, briefings and correspondence titled 'Budget and Performance – SA Water Board Meeting – May 2019' as described on the Objective document management system, between 23 February 2019 and 12 November 2019."*

The legislative prescribed timeframe to determine this application has expired and is now deemed to have refused you access to all documents relevant to your application. I refer to my letter dated 19 November 2019 where I sought additional time to make my determination.

The purpose of this letter is to advise you of my determination. An extensive search was conducted within this office. A total of 1 document was identified as answering the terms of your application.

I grant you part access to 1 document; a copy of which is enclosed.

**Released in Part**

This document is released in part as it contains information on the procurement process to select SA Water's next service partner. Disclosure of the previous contract expenditure at this point in the tender process would likely lead to inflated tender prices which would compromise negotiation processes. It is in the public interest for SA Water to select and negotiate the best service at the lowest price which contributes to SA Water's financial viability and in turn keeps water and wastewater rates as low as possible for SA Water customers. I therefore determine this information exempt pursuant to clause 7(1)(c) to the Act.

The document contains information which, if released, would disclose details concerning a deliberation or decision of Cabinet. I have therefore determined to exempt this information pursuant to clause 1(1)(e).

## **Exemption**

### **Clause 1 – Cabinet Documents**

- (1) *A document is an exempt document—*
- (a) *if it is a document that has been specifically prepared for submission to Cabinet (whether or not it has been so submitted); or*
  - (b) *if it is a preliminary draft of a document referred to in paragraph (a); or*
  - (c) *if it is a document that is a copy of or part of, or contains an extract from, a document referred to in paragraph (a) or (b).*
  - (e) *if it contains matter the disclosure of which would disclose information concerning any deliberation or decision of Cabinet; or*
  - (f) *if it is a briefing paper specifically prepared for the use of a Minister in relation to a matter submitted, or proposed to be submitted to Cabinet.*

### **Clause 7 – Documents affecting business affairs concerning**

- (1) *A document is an exempt document—*
- (b) *if it contains matter—*
    - (i) *consisting of information (other than trade secrets) that has a commercial value to any agency or any other person; and*
    - (ii) *the disclosure of which—*
      - (A) *could reasonably be expected to have an adverse effect on those affairs or to prejudice the future supply of such information to the Government or to an agency; and*
      - (B) *would, on balance, be contrary to the public interest; or*
  - (c) *if it contains matter—*
    - (i) *consisting of information (other than trade secrets or information referred to in paragraph (b)) concerning the business, professional, commercial or financial affairs of any agency or any other person; and*
    - (ii) *the disclosure of which—*
      - (A) *could reasonably be expected to have an adverse effect on those affairs or to prejudice the future supply of such information to the Government or to an agency; and*
      - (B) *would, on balance, be contrary to the public interest.*

Please note, in compliance with Premier and Cabinet Circular PC045 - *Disclosure Logs for Non-Personal Information Released through Freedom of Information (PC045)*, the Department of Treasury and Finance is now required to publish a log of all non-personal information released under the Act.

In accordance with this Circular, any non-personal information determined for release as part of this application, may be published on the DTF website. A copy of PC045 can be found at the following address: <https://dpc.sa.gov.au/resources-and-publications/premier-and-cabinet-circulars>. Please visit the website for further information.

As I am determining this application as Principal Officer, section 29(6) of the Act does not provide for an internal review. If you are dissatisfied with my determination you are entitled to exercise your rights of external review with the Ombudsman.

Alternatively, you can apply to the South Australian Civil and Administrative Tribunal. If you wish to seek a review, section 39(3) of the Act states you must do so within 30 calendar days of receiving the determination.

If you require any further information, please contact Vicky Cathro on 8226 9769.

Yours sincerely

A handwritten signature in black ink that reads "Rob Lucas". The signature is written in a cursive, slightly slanted style.

**Hon Rob Lucas MLC**  
*Principal Officer*

22 May 2020

**RELEASE IN PART**

MINUTE

5/6/19  
719/216  
TK1001340



MINUTES forming ENCLOSURE

Doc No: A1169603

To The Treasurer

SA WATER BOARD MEETING – MAY 2019

Timing: ROUTINE — For Information only

**Recommendations/Issues:** It is recommended that you:

- note the enclosed summary of the SA Water Board meeting held on 31 May 2019;
- note that the summary has been prepared by Treasury and Finance from the Board papers and minutes of the meeting. DTF's main representative for SA Water Board meetings was absent on the day of the meeting. DTF's alternate representative (Adam Pamula) was also unable to attend on that day; and
- sign the attached minute to the Minister for Environment and Water should you wish to provide a copy of the summary to the Minister.

Noted

*Rob Lucas*

**Hon Rob Lucas MLC**  
Treasurer

8 June 2019

*T. Pribanic*

Tammie Pribanic  
EXECUTIVE DIRECTOR  
BUDGET AND PERFORMANCE

5 / 06 / 2019

Contact Officer:	James Marlindale
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MINUTES *forming* ENCLOSURE to: Physical ID: TRS19D1340

**TO: HON DAVID SPEIRS MP  
MINISTER FOR ENVIRONMENT AND WATER**

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**RE: SA WATER BOARD MEETING — MAY 2019**

I have enclosed for your information a copy of a summary of the SA Water Board meeting held on 31 May 2019.

The summary has been prepared by Treasury and Finance from the Board papers and minutes of the meeting.

A handwritten signature in black ink, appearing to read "Rob Lucas".

**Hon Rob Lucas MLC**  
*Treasurer*


8 June 2019

Att.

**TREASURER'S REPRESENTATIVE REPORT  
SA WATER BOARD MEETING 31 MAY 2019  
(Board meeting 278)**

**FINANCIAL PERFORMANCE**

- To date, SA Water has allocated 98% of the current regulatory business period's infrastructure budget of \$1.87 billion for the four years to June 2020.

	Variance YTD \$m	Variance EoY \$m	Comment
Profit before Tax	34.9	22.3	
Revenue	63.0	46.7	YTD position principally due to higher than budgeted water sales (\$40.6 million / 13.4 GL), the sale of seasonal water allocations (\$13.2 million) and unbilled water sales from 2017-18 (\$6.5 million).
Expenses	-29.4	-23.7	YTD position principally due to higher electricity costs (\$16.3 million) from increased major pumping into reservoirs and higher electricity prices 
Capital Expenditure	-43.9	-51.0	YTD position principally due to delay of Zero Cost Energy Future (ZCEF) project (\$43.0 million). EoY position principally due to ZCEF forecast to be lower than budget (\$77.3 million) partially offset by NAIS being above budget (\$12.8 million), both due to timing only.

clause 7(1)(c)

- Budget figures reported in the SA Water Board papers reflect original 2018-19 Budget rather than the revised budget.
- Excludes recoverable project work performed on a cost recovery basis.
- Totals may not add due to rounding.

**SIGNIFICANT ITEMS**

- 2018-19 Dividend Payment
  - The Board recommended a dividend of \$179.36 million for 2018-19, to be paid on 27 June 2019, based on a 100% dividend payout ratio (DPR) as requested by the Treasurer.
  - The Board noted that the request from the Treasurer to pay a dividend based on a 100% DPR would not have a material impact on the corporation's viability.





clause 1(1)(e)

**EMERGING ISSUES**

- nil

## OTHER MATTERS

- Zero Cost Energy Future
  - 1.1MW of solar panels have been installed at Hope Valley and are now generating electricity for SA Water's use and export.
  - Construction works are starting on site in the next month at Morgan 3 Water Pumping Station, followed shortly after by Morgan 4 Water Pumping Station.
  - Further investigation into the proposed land to be transferred from Mobil adjacent to the ADP is taking place. If these findings demonstrate an acceptable level of contamination consistent with information previously provided by Mobil, negotiations on land transfer will be progressed by SA Water.
- ESCOSA Customer Services Standards
  - SA Water met 13 out of 18 regulated customer service standards (down from 15 in March 2019), with Field Crew Attendance (metro and regional) and Service Restoration and Clean-up (metro and regional – water only) being consistently below target. Factors for this include the long travel distances (>75 km) and resource availability.
  - Metro customer field services performance has continued to meet ESCOSA performance targets at additional costs. There has been increased volumes associated with the drier conditions  clause 7(1)(c)  
  
SA Water is working with Allwater to contain costs and look for opportunities to improve efficiency of delivery. The last two months have been much closer to budget.

clause 1(1)(e)

Next meeting: 28 June 2019