



**Government
of South Australia**

TRS18D1827

Hon Kyam Maher MLC
Parliament House
NORTH TERRACE SA 5000

Treasurer

Level 8
State Administration Centre
200 Victoria Square
Adelaide SA 5000
GPO Box 2264
Adelaide SA 5001
DX 56203 Victoria Square
Tel 08 8226 1866
treasurer.dtf@sa.gov.au

maher.office@parliament.sa.gov.au


Dear Mr Maher

APPLICATION UNDER THE *FREEDOM OF INFORMATION ACT 1991*

I refer to your application made under the *Freedom of Information Act 1991* (FOI Act), dated 20 September, 2018.

Your application seeks access to:

"Since 17 March 2018, copies of any and all documents (including but not limited to physical, electronic, or written briefs, minutes, emails, diary entries and any other correspondence) regarding the National Partnership Agreement for Remote Indigenous Housing or NPARIH."

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. However, I have determined to process the request as if the statutory timeframe had been met.

An extensive search was conducted within this office. A total of 3 documents were identified as answering the terms of your application and I have determined as follows:

I grant you access in full to 1 document, a copy of which is enclosed; and
I refuse you access to 2 documents.

Please refer to the attached schedule that describes each document and sets out my determination and reasons in summary form.

Documents refused in full

Documents 2 and 3

These documents contain information concerning agreements between the Commonwealth and certain states addressing housing issues within remote Indigenous communities. If released, this could adversely affect the implementation of any future agreements.

Under clause 5 of Schedule 1 to the Act, information is exempt from disclosure if it contains matter the disclosure of which could reasonably be expected to cause damage to intergovernmental relations; or would divulge information from a confidential intergovernmental communication.

I have therefore determined to refuse access to these documents pursuant to clause 5 of Schedule 1 of the FOI Act.

Exemptions

Clause 5 – Documents affecting inter-governmental or local governmental relations

- (1) *A document is an exempt document if it contains matter—*
 - (a) *the disclosure of which—*
 - (i) *could reasonably be expected to cause damage to intergovernmental relations; or*
 - (ii) *would divulge information from a confidential intergovernmental communication; and*
 - (b) *the disclosure of which would, on balance, be contrary to the public interest.*

No fees and charges are payable for this application.

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 *Freedom of Information Act 1991*.

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: <http://dpc.sa.gov.au/what-we-do/services-for-government/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 (08) 8226 9769.

Yours sincerely



Hon Rob Lucas MLC
Principal Officer

1 December 2018

Att.

Schedule of Documents

Doc. No.	Date	Description of Document	# of pages	Determination Recommendation	Exemption Clause	Reason
1	8/05/2018	Letter from Premier of SA to former Prime Minister of Australia	1	Released in full		
2	26/04/2018	Minute from Treasurer to Premier	2	Refused in full	5(1)(a)(i) - Damage to intergovernmental relations & contrary to public interest	
3	24/04/2018	Briefing from Budget, Analysis and Performance Branch, DTF to Treasurer	3	Refused in full	5(1)(a)(i) - Damage to intergovernmental relations & contrary to public interest	



The Hon Steven Marshall MP
Premier of South Australia

The Hon Malcolm Turnbull MP
Prime Minister
Parliament House
CANBERRA ACT 2600

Dear Prime Minister

RE: Extension of National Partnership on Remote Housing

The National Partnership on Remote Housing (NPRH) provides housing for Indigenous people and addresses housing issues within the remote Indigenous communities.

Through the NPRH (and its predecessor the National Partnership Agreement on Remote Indigenous Housing), South Australia has received funding of around \$15-20 million per annum over the last ten years from the Commonwealth to build and redevelop housing stock in remote areas of South Australia.

The NPRH is due to expire on 30 June 2018 and the South Australian Government requests that the Commonwealth Government continue funding this important program.

I note that the Commonwealth Government has recently announced a five year funding partnership with the Northern Territory Government for remote housing.

The South Australian Government is keen to finalise arrangements on the National Housing and Homelessness Agreement. To assist us in finalising those arrangements, I would appreciate the Commonwealth Government's commitment to continue its funding for remote housing in partnership with the South Australian government for a further five years.

I look forward to receiving your confirmation of these arrangements as soon as possible to enable us to finalise all national housing related matters prior to 1 July 2018.

Yours sincerely

A handwritten signature in dark ink, appearing to read "S Marshall".

Steven Marshall
PREMIER