



**Government
of South Australia**

TRS19D3174

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

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

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 – Payment from Contingency Provisions' 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 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.

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.

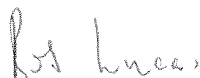
In accordance with this Circular, any non-personal information determined for release as part of this application, may be published on the DTF website. A copy of PC045 can be found at the following address: <https://dpc.sa.gov.au/resources-and-publications/premier-and-cabinet-circulars>. Please visit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

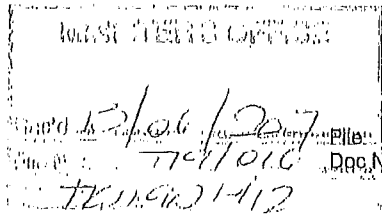


Hon Rob Lucas MLC
Principal Officer

23 July 2020

RELEASE IN PART

MINUTES forming ENCLOSURE to



T&F18/0828
A1162931

To The Treasurer

PAYMENTS FROM CONTINGENCY PROVISIONS

Timing: URGENT – Payments required by 28 June 2019

Recommendations/Issues: It is recommended that you:

- [redacted] following Cabinet's approval [redacted]
- [redacted]
- Note that there is no budget impact associated with the above approvals.
- Confirm your approval and authorise the payment of \$43.5 million in 2018-19 for the purchase of Sir Samuel Way Building consistent with your authorisation for the Chief Executive, DTF to negotiate with Funds SA to purchase the Sir Samuel Way building for this amount.

Approved/Not Approved

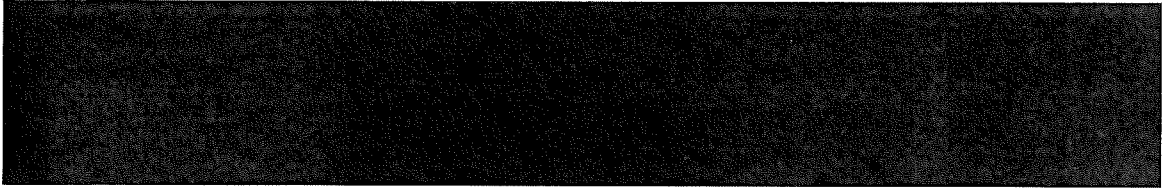
Hon Rob Lucas MLC
Treasurer

22/6/19

Key Points:

- Since the 2018-19 Mid-Year Budget Review (MYBR) a number of decisions have been made by the Government that require provisions held in DTF contingencies to be moved to agency budgets.
- Your approval is required for payments (current budget year only) to be made from central contingency provisions to individual agencies. Attachment 1 outlines the required payments.

Cabinet approvals



Sir Samuel Way Building – Final Purchase Price



- On 12 May, you approved the Chief Executive, DTF negotiating the early purchase of the Sir Samuel Way building in 2018-19 for a payment of \$43.529 million (plus GST). Funds SA has subsequently agreed to sell the building for this price.
- Your approval is now sought for the payment of the purchase price of \$43.5 million to settle the transaction for the final agreed sale price.

Tamme Pilbanic
EXECUTIVE DIRECTOR
BUDGET AND PERFORMANCE

12 June 2019

Contact Officer: David Elliott
Telephone: 8429 0693

ATTACHMENT 1

Payments to agencies in 2018-19

| Purpose | Agency | 2018-19 \$1000 |
|---|--------|-------------------|
|  | | |