



**Government
of South Australia**

TRS20D2621

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

lee@parliament.sa.gov.au

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


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 5 August 2020.

Your application seeks access to:

"All minutes, briefings and correspondence titled 'SA Water – Section 6 Direction' as described on the Objective document management system, between 9 April and 5 August 2020."

The prescribed legislative timeframe to determine this application has expired and is now deemed to have refused you access to documents relevant to your application. I refer to my letter dated 18 August 2020 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 3 documents were identified as answering the terms of your application.

I grant you access in part to 2 documents; copies of which are enclosed.
I refuse in full 1 document.

Documents Released in Part

Documents 1 and 2

Documents Refused in Full

Document 3

Documents Released in Part

Documents 1 and 2 are both released in part as disclosure of these documents would divulge information concerning a deliberation of Cabinet. I therefore determine this information exempt pursuant to clause 1(1)(e) to the Act.

Documents Refused in Full

Document 3 is a Section 6 Direction to the South Australian Water Corporation, pursuant to section 6 of the *Public Corporations Act 1993*. This direction was published in the Government Gazette on 11 June 2020 and is publicly available.

Exemptions

Clause 1 – Cabinet Documents

(1) *A document is an exempt document—*

(e) *if it contains matter the disclosure of which would disclose information concerning any deliberation or decision of Cabinet; or*

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 Ms Vicky Cathro, Ministerial Liaison Officer, by telephone on 8226 9769 or by email to vicky.cathro@sa.gov.au.

Yours sincerely



Hon Rob Lucas MLC
Principal Officer

16 December 2020

Att.

Schedule of Documents

TRS20D2621 - SA Water - Section 6 Direction

Doc. No.	Date	Description of Document	# of pages	Determination Recommendation	Exemption Clause	Reason
1	22/05/2020	Briefing to Treasurer from Executive Director, Budget and Performance, DTF	1	Released in part	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee	
2	25/05/2020	Attachment to Document 1	1	Released in part	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee	
3		Attachment to Document 1 - Section 6 Direction to the South Australian Water Corporation	8	Refused in full		publicly available on SA Government Gazette website

RELEASE IN PART

MINUTE

11/20/20
20/014
20.016.19



Government of South Australia
Department of Treasury and Finance

MINUTES forming ENCLOSURE

File T&F18/0800

Doc No A1437697

To The Treasurer

SA WATER – SECTION 6 DIRECTION

Timing: ROUTINE

Recommendations/Issues: It is recommended that you:

- [Redacted] Cabinet [Redacted]
- [Redacted]
- note that Treasury and Finance will advise the Essential Services Commission of South Australia (ESCOSA) of this change so that it can be included in the upcoming Final Determination for the regulatory period;
- [Redacted]
- sign the attached minute to the Minister for Environment and Water enclosing a copy of the revised Direction.

Approved/ Not-Approved

Rob Lucas

Hon Rob Lucas MLC
Treasurer

25 May 2020

T. Pribanic
Tammie Pribanic
EXECUTIVE DIRECTOR
BUDGET AND PERFORMANCE

Contact Officer:	Peter Fitzpatrick
Telephone:	8429 0684
Email address:	peter.fitzpatrick@sa.gov.au

22 May 2020





Government
of South Australia

MINUTES *forming* ENCLOSURE to:

Physical ID: TRS20D1619

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

RE: SECTION 6 DIRECTION FOR THE SA WATER REGULATORY
DETERMINATION PERIOD 1 JULY 2020 TO 30 JUNE 2024 (RD20)

On 5 May 2020 I provided to you the proposed SA Water Regulatory Determination Direction. This Direction has been updated [REDACTED] where Cabinet [REDACTED]

Please find attached for your consideration and signature the proposed Direction to SA Water, under section 6 of the *Public Corporations Act 1993* (the Act).

To ensure that the Direction can be released around the same time that ESCOSA releases its Final Determination, I recommend that you issue the Direction on 28 May 2020. Once issued, you are required to publish the Direction in the Government Gazette within 14 days of it being issued.

A handwritten signature in cursive script that reads 'Rob Lucas'.

Hon Rob Lucas MLC
Treasurer

25 May 2020

Att.