



**Government
of South Australia**

**Department for
Energy and Mining**

Mr Stephen Patterson MP
Parliament of South Australia
4 Byron Street
GLENELG SA 5045
By email: morphett@parliament.sa.gov.au

Dear Mr Patterson

I am writing in relation to your application made under the *Freedom of Information Act 1991* (FOI Act) in which you requested access to the following documents:

A copy of any correspondence between the Department for Energy and Mining, or anyone employed at the Department for Energy and Mining, and SA Water, or anyone employed at SA Water, between 14 March 2023 and 14 April 2023 in relation to water connection to the Hydrogen Power Station.

In accordance with Premier and Cabinet Circular PC045, if you are given access to documents as a result of this FOI application, details of your application, and the documents to which access is given, may be published in the agency's disclosure log. A copy of PC045 can be found at <http://dpc.sa.gov.au/what-we-do/services-for-government/premier-and-cabinet-circulars>.

A search has been conducted and two (2) documents were discovered that fall within the scope of your application. The documents are identified in the attached schedule. In respect of the documents, I have determined as follows:

Document 1

I have determined that this document is exempt in part.

With regard to this document, the parts to which I have not granted you access contain matter which would disclose information concerning a deliberation or decision of Cabinet.

Under Clause 1(1)(e) of Schedule 1 to the FOI Act, a document is an exempt document if contains matter the disclosure of which would disclose information concerning any deliberation or decision of Cabinet.

In addition, information not relevant to your application has been marked as "Out of scope".

Document 2

I have determined that this document is exempt in full.

The document I have not granted you access to is a preliminary draft of a document prepared for submission to Cabinet.

Under Clause 1(1)(b) of Schedule 1 to the FOI Act, a document is an exempt document if it is a preliminary draft of a document referred to in paragraph (a).

Exemptions

The following exemption applies from the FOI Act:

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); or
 - (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.

Appeal Rights

If you are dissatisfied with this decision, you are entitled to exercise your rights of review and appeal as outlined in the attached documentation.

If you have any queries in relation to your application, please contact me via email DEM.FOI@sa.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'JC' followed by a stylized flourish.

Julianne Cirson
Accredited FOI Officer

14 July 2023

SCHEDULE OF DOCUMENTS

Freedom of Information application by Mr Stephen Patterson MP, seeking access to:

A copy of any correspondence between the Department for Energy and Mining, or anyone employed at the Department for Energy and Mining, and SA Water, or anyone employed at SA Water, between 14 March 2023 and 14 April 2023 in relation to water connection to the Hydrogen Power Station.

Doc No	Description	Exemption Clause(s)	Determination
1	Email dated 16 March 2023	Clause 1(1)(e) Information not relevant to your application has been marked as "Out of scope".	Document released in part
2	Attachment to email dated 16 March 2023 – draft Cabinet submission.	Clause 1(1)(b)	Document exempt in full.

Whelan, Natalie (DEM)

From: Ryan, David
Sent: Thursday, 16 March 2023 12:59 PM
To: Conway, Jeremy (ISA); Crafter, Sam (OHPSA); Heithersay, Paul (DEM); Bruce, Ben (DEW)
Cc: Morgan, Mike (ISA); Murphy, Nicola
Subject: Clause 1(1)(e)
Attachments: Clause 1(1)(e)

Hello Jeremy

Thanks for the opportunity for an early review.

Clause 1(1)(e)

Please find the attached document with all comments and suggested wording where required.

Happy to discuss with yourself or across our teams and it would be great to see the next version of the cab sub.

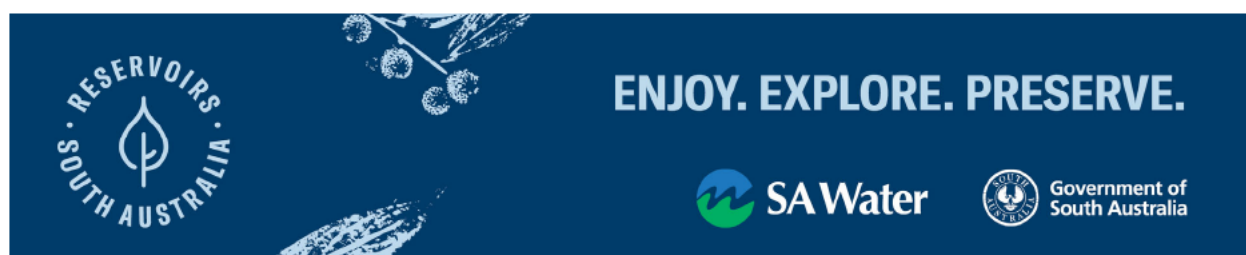
Regards

David Ryan
 CHIEF EXECUTIVE

250 Victoria Square/Tarntanyangga ADELAIDE SA 5000

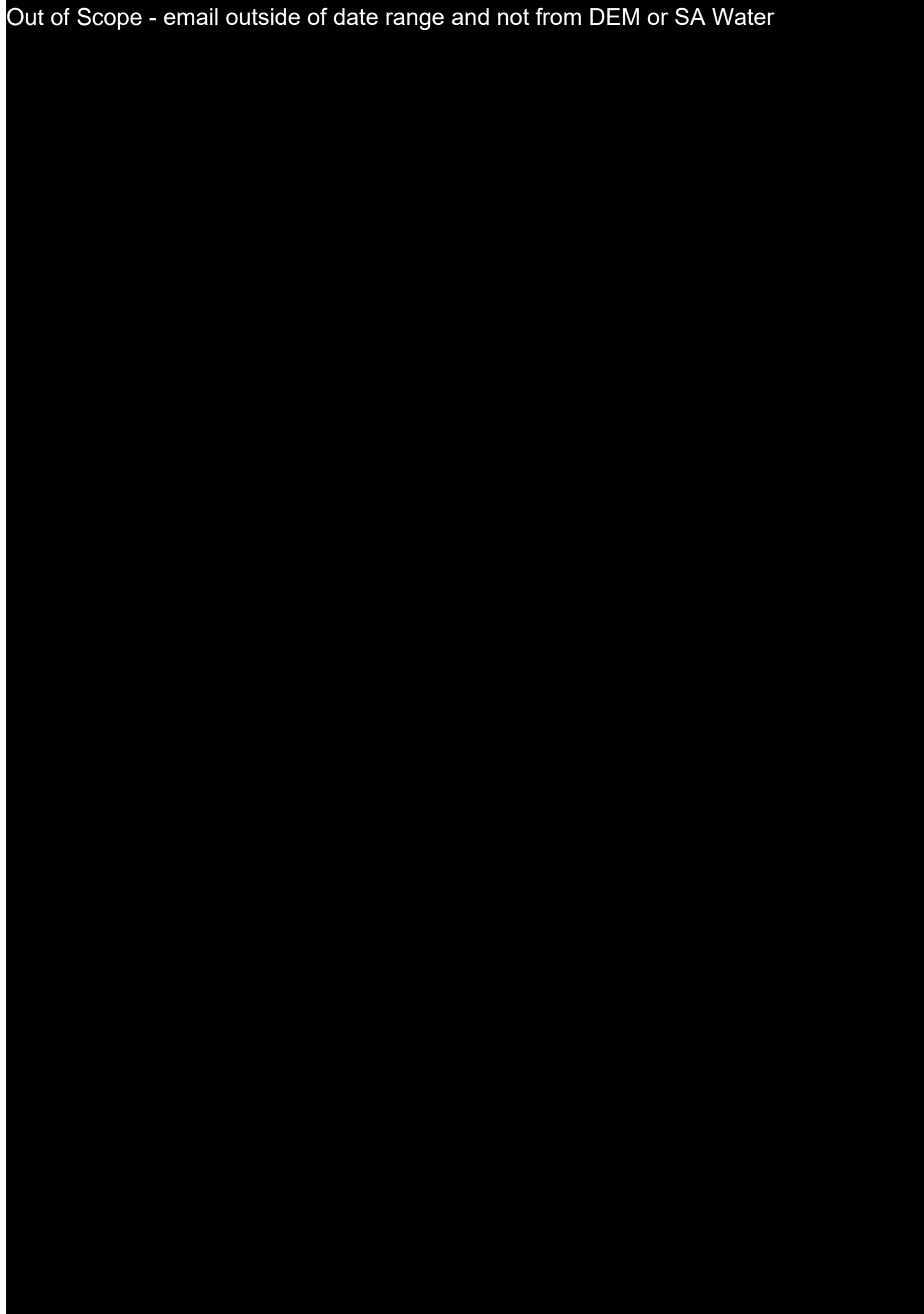


sawater.com.au



SA Water respects and acknowledges the deep spiritual connection, knowledge and relationship Aboriginal and Torres Strait Islander people have to land and water.

Out of Scope - email outside of date range and not from DEM or SA Water



Clause 1(1)(b)

