



**Government
of South Australia**

**Office of the Minister for
Environment and Water**

81-95 Waymouth Street
Adelaide SA 5000

GPO Box 1047
Adelaide SA 5001

Tel 08 8463 5680
minister.speirs@sa.gov.au

Ms Clare Scriven MP
1 Parliament House
ADELAIDE SA 5000

Dear Ms Scriven

I refer to your application pursuant to the *Freedom of Information Act 1991* (the Act) received by the Office of the Minister for Environment and Water, on 29 January 2019, seeking access to:

"Any advice Minister David Spiers has received from his Department regarding the proposed opening of the Hope Valley Reservoir. Any correspondence to or from Richard Harvey MP Member for Newland regarding the Hope Valley Reservoir and the proposed opening of it."

DETERMINATION

Searches of the records of this agency have found seven (7) documents with content within scope of your request.

As the Accredited FOI Officer, I have made the following determination regarding documents discovered within scope of your request:

- grant you partial access to five (5) of the discovered documents
- refuse access to two (2) of the documents

Section 20(1)(a) of the Act provides that an agency may refuse access to a document if it is an exempt document. I have determined that the two documents to which access is being refused are exempt documents pursuant to Schedule 1 of the Act, specifically:

Document 1 - This document was prepared specifically for the use of a Minister in relation to a matter proposed to be submitted to Cabinet. Clause 1(1)(f) of the Act states a document is an exempt document 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.

Document 6 – This document was developed for parliamentary undertakings of the Minister, the disclosure of which would infringe the privilege of Parliament. Clause 17(c) of the Act states a document is an exempt document if it contains matter the public disclosure of which would, but for any immunity of the Crown infringe the privilege of Parliament.

Section 20(4) of the Act provides that if it is practicable to give access to a copy of a document with exempt matter deleted, and it appears that the applicant would wish to be given such a copy, the agency must give access to a copy of the document to this limited

extent. Therefore, I have determined to grant you partial access to five documents and to refuse you access to the remaining parts of the documents I consider to be exempt.

I have refused access to certain parts of the following documents as the redacted material:

- is out of scope of your request (documents 3, 4 and 7),
- is exempt as the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), pursuant to Clause 6(1) of the Act (documents 2, 4, 5 and 7),
- is exempt as it contains matter the disclosure of which would disclose information concerning any deliberation or decision of Cabinet, pursuant to Clause 1(1)(e) of the Act (documents 3 and 4).

FEES AND CHARGES

There is no charge for processing this application.

YOUR APPEAL RIGHTS

If you are dissatisfied with this determination, you are entitled to exercise your rights to internal review and appeal as outlined in the attached documentation, by completing the attached Application for Review of Determination. If you decide to apply to exercise your rights to review, the completed form must be returned within 30 days to:

Principal FOI Officer
Office for the Minister for Environment and Water
PO Box 1047
ADELAIDE SA 5001

If you have any queries in relation to the above please contact me on telephone (08) 8463 5680 or email Minister.Speirs@sa.gov.au.

Yours sincerely



KEN ROSS
ACCREDITED FREEDOM OF INFORMATION OFFICER
Office of the Minister for Environment and Water

Date: 4.3.19

RICHARD HARVEY MP
MEMBER FOR NEWLAND

Hon David Speirs MP
Minister for Environment and Water
minister.speirs@sa.gov.au

David

Dear Minister,

I write on behalf of 6 - Documents affecting personal affairs Hope Valley, who is concerned that the rear of his property will be exposed to the public when the Hope Valley Reservoir is opened to the public for recreational activities.

As the rear of properties along Pantowora Drive adjoin open space at the Hope Valley Reservoir, 6 - Documents affecting personal affairs is concerned that the privacy of those living on Pantowora Drive will be significantly diminished, should the adjoining space be open to the public.

I understand that plans are currently in development to allow public access to the Reservoir, and whilst I have no doubt that you will responsibly consider the effect that this will have on nearby residents, I would urge you to consider implementing a "buffer zone". A "buffer zone" that restricts public access to the land adjoining Pantowora Drive will ensure that residents of Pantowora Drive have confidence that their privacy will be maintained.

I appreciate your attention to this matter and look forward to your response.

Yours sincerely,

Dr Richard Harvey MP
Member for Newland
17/8/2018

OE





Document No. 18EW0001968

TO MINISTER FOR ENVIRONMENT AND WATER

FOR APPROVAL

RE: CORRESPONDENCE REGARDING THE OPENING OF HOPE VALLEY
RESERVOIR

THROUGH: A/ CHIEF EXECUTIVE

A/ GROUP EXECUTIVE DIRECTOR, PARKS AND REGIONS

Priority: Routine

Critical Date: None

RECOMMENDATIONS

That you:

1. Approve the draft letter of response to Out of Scope at Attachment 1.

APPROVED / NOT APPROVED

Comments

DAVID SPEIRS MP

Minister for Environment and Water

/ / 2018

PRIORITY

Routine.

BACKGROUND

You are in receipt of an email from Out of Scope Out of Scope regarding the timeframe for the opening of the Hope Valley Reservoir.

DISCUSSION

As you are aware, the state government has committed to opening up a number of reservoirs across South Australia to provide for a range of recreational activities without compromising the safety of the State's drinking water. The cross-government taskforce, established to develop a clear strategy and deliver the government's commitment, is currently investigating recreational opportunities at 16 reservoirs across South Australia, including Hope Valley Reservoir.

Recognising the size and complexity of the task, a staged approach to opening reservoirs has been adopted to ensure that any potential barriers to implementation are strategically identified and worked through, while at the same time not delaying the opening of reservoirs, or parts of reservoirs, where risks can be easily identified and managed.

1 - Cabinet Document

In parallel to the development of these plans, working groups established by the taskforce are working through risk assessments to determine what recreational activities can be undertaken at each reservoir without impacting on drinking-water safety. It is expected that these initial risk assessments will be completed and presented to the taskforce in early October 2018 for endorsement, prior to being forwarded to you for consideration. With these risk assessments, consideration can be given to the priority, and timelines for opening individual reservoirs, including Hope Valley.

CONSULTATION

Delivery of the Government's commitment to open up reservoirs, including the development of a strategy and timeline, is being led by the cross-government taskforce.

FINANCIAL IMPLICATIONS

Are there financial implications?

No

ATTACHMENTS

Attachment 1 – Draft response to **Out of Scope**

Dr Matthew Ward
Director, Conservation, NRM and Protected Area Policy
Department for Environment and Water
18EW0001968

Date:



Document No. 18EW0002105

TO MINISTER FOR ENVIRONMENT AND WATER

FOR APPROVAL

RE: CORRESPONDENCE FROM RICHARD HARVEY MP REGARDING THE
OPENING OF HOPE VALLEY RESERVOIR ON BEHALF OF

6 - Documents affecting
personal affairs

6 - Documents affecting
personal affairs

THROUGH: A/ CHIEF EXECUTIVE

A/ GROUP EXECUTIVE DIRECTOR, PARKS AND REGIONS

Priority: Routine

Critical Date: None

RECOMMENDATIONS

That you:

1. Approve the draft letter to the Hon Richard Harvey MP in Attachment 1.

APPROVED / NOT APPROVED

Comments

DAVID SPEIRS MP

Minister for Environment and Water

/ / 2018

PRIORITY

Routine.

BACKGROUND

You have received an email from the office of the Hon Richard Harvey MP, Member for Newland, on behalf of one of his constituents 6 - Documents affecting personal affairs regarding his concern for the privacy of the rear of his property and that of his neighbours' when the Hope Valley Reservoir is opened to the public.

DISCUSSION

As you are aware, the state government has committed to opening up a number of reservoirs across South Australia to provide for a range of recreational activities. The cross-government taskforce, established to develop a clear strategy and deliver the government's commitment, is currently investigating recreational opportunities at 16 reservoirs across South Australia, including Hope Valley Reservoir.

Recognising the size and complexity of the task, a staged approach to opening reservoirs has been adopted to ensure that any potential barriers to implementation are strategically identified and worked through, while at the same time not delaying the opening of reservoirs, or parts of reservoirs, where risks can be easily identified and managed.

1 - Cabinet Document



In parallel to the development of these plans, working groups established by the taskforce are working through risk assessments to determine what recreational activities can be undertaken at each reservoir. It is expected that these initial risk assessments will be completed and presented to the taskforce in October 2018 for endorsement, prior to being forwarded to you for consideration.

With these risk assessments, consideration can be given to the priority, and timelines for opening individual reservoirs, including Hope Valley. Consideration can then also be given to the controls needed to minimise any potential impacts on local residents, while maximising the social, economic and environmental benefits associated with opening reservoirs for local communities.

A webpage has been launched that invites early comment from the community on the opening of reservoirs which can be found at www.environment.sa.gov.au/topics/reservoirs. 6 - Documents affecting personal affairs comments will be included as part of this initial consultation.

CONSULTATION

Delivery of the Government's commitment to open up reservoirs, including the development of a strategy and timeline, is being led by the cross-government taskforce.

Contact: Justin Holmes, Coordinator Protected Area Strategy on Out of Scope
Date: 29 August 2018

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FINANCIAL IMPLICATIONS

Are there financial implications?

No

ATTACHMENTS

Attachment 1 – Draft response to the Hon Richard Harvey MP, Member for Newland.

Dr Matthew Ward
Director, Conservation, NRM and Protected Area Policy
Department for Environment and Water
18EW0002105

Date:



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Tel 08 8463 5680
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Hon Dr Richard Harvey MP
Member for Newland
Email: newland@parliament.sa.gov.au

Dear Dr Harvey 

Thank you for your email of 17 August 2018, on behalf of your constituent, 6 - Documents affecting personal affairs regarding the opening of Hope Valley Reservoir and the privacy of residents on Pantowora Drive.

As you would be aware the Marshall Liberal government has a commitment to opening a number of reservoirs across South Australia, including the Hope Valley Reservoir, to provide for a range of recreational activities. To deliver this commitment, I have established a cross-government taskforce, chaired by the Chief Executive of the Department for Environment and Water, to investigate appropriate recreational opportunities at reservoirs across the State.

The taskforce is currently undertaking a rigorous risk assessment to determine what recreational activities can be safely undertaken at each reservoir. These assessments will be undertaken in consultation with key stakeholders to ensure positive outcomes are achieved by users and nearby residents.

Opening reservoirs will deliver recreational and tourism opportunities and unlock other local economic development possibilities across the state. Over the coming months, we will be providing more information about the opening of reservoirs and talking to local communities and stakeholders.

As part of this process, we have launched a webpage that invites early comment from the community which can be found at www.environment.sa.gov.au/topics/reservoirs. 6 - Documents affecting personal affairs is welcome to provide his feedback through this site.

Thank you for writing to me and I trust this information is of assistance in responding to 6 - Documents affecting personal affairs.

Yours sincerely


DAVID SPEIRS MP

Minister for Environment and Water

Date: 16/10/2018.



Document No. 18EW0003251

TO MINISTER FOR ENVIRONMENT AND WATER

FOR APPROVAL

RE: LETTER TO 6 - Documents affecting personal affairs RE HOPE VALLEY RESERVOIR
OPENING

THROUGH: CHIEF EXECUTIVE *[Signature]*
A/GROUP EXECUTIVE DIRECTOR, PARKS AND REGIONS *[Signature]*

Priority: Routine

RECOMMENDATIONS

That you:

1. Note the recent email communication to 6 - Documents affecting personal affairs,
regarding the Hope Valley Reservoir opening.

NOTED

2. Approve the attached letter to be sent 6 - Documents affecting personal affairs.

APPROVED/NOT APPROVED

Comments	<div style="text-align: center;">----- DAVID SPEIRS MP Minister for Environment and Water / / 2019</div>
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PRIORITY

Routine.

BACKGROUND

A brief email was sent by [Out of Scope] on 7 December 2018 regarding the opening of Hope Valley Reservoir. [Out of Scope] are enquiring as to whether plans have been made for opening dates for the reservoir. They also express excitement about the prospect of using the reservoir for leisure activities.

[Out of Scope] has requested a response be sent to [Out of Scope]

DISCUSSION

A response to [Out of Scope] has been prepared for your consideration, Attachment 1.

The response has been prepared using key messages agreed between SA Water and the Department for Environment and Water (DEW) as well as a recent communique developed by SA Water.

While Hope Valley Reservoir is part of the government's election commitment to open reservoirs to public access, it is not one of the short term priority projects. A date for its opening for public access has not yet been set. No specific information is being made available to the public on the timing of reservoir openings at this stage.

CONSULTATION

Information was sought from SA Water on agreed messaging.

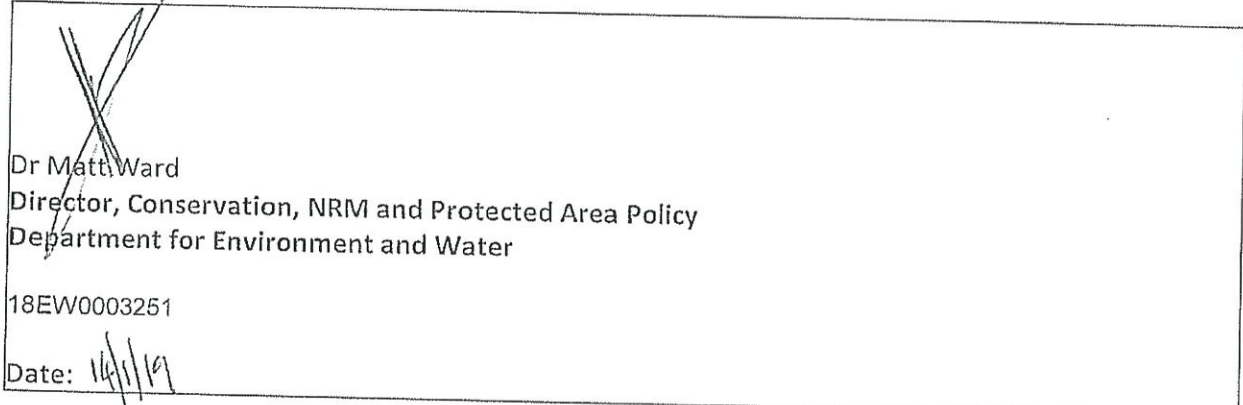
FINANCIAL IMPLICATIONS

Are there financial implications?

No

ATTACHMENTS

Attachment 1 – Draft letter of response to [Out of Scope]


Dr Matt Ward
Director, Conservation, NRM and Protected Area Policy
Department for Environment and Water

18EW0003251

Date: 14/1/19

Contact: Arkellah Irving on [Out of Scope]
Date: 12/01/2019

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