



DEW F0003001503

Your ref: 7852998

81-95 Waymouth Street
Adelaide

GPO Box 1047
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www.environment.sa.gov.au

Dr Susan Close MP
Unit 1/111 Lipson Street
PORT ADELAIDE SA 5015

Dear Dr Close

RE: FREEDOM OF INFORMATION APPLICATION

I refer to your application pursuant to the *Freedom of Information Act 1991* (the Act) received by the Department for Environment and Water (DEW) on 18 February 2020, seeking access to:

“Any correspondence between the Department for Environment and Water and the Minister for Environment and Water relating to prescribed burns on Kangaroo Island”.

Timeline: between 01/04/2018 and 31/01/2020

If the agency does not determine the application within 30 days of receiving it, by the operation of section 19(2)(b) of the FOI Act, the agency is taken to have determined the application by refusing access.

Section 19(2a) of the FOI Act, provides that an agency may give access to a document on an application after the period within which it was required to deal with the application (and any such determination is to be taken to have been made under this Act).

Freedom of Information Officer, Kate Richardson made contact with your office via voicemail and email on 17 March 2020. Your office were advised at this time that your request was due to be completed by 19 March 2020 and that a determination would be provided to you as soon as possible.

DETERMINATION

Searches of the Department’s records have found one (1) document held by this agency within scope of your request.

As a DEW Accredited FOI Officer, I have determined to refuse access to this document.

Section 20 of the Act provides that an agency may refuse access to a document if it is an exempt document under the Act. The document found in scope to this request was a Parliamentary Briefing Note forwarded by email from the Department for Environment and Water to the Office of the Minister for Environment and Water on 22 January 2020.

The document to which I am refusing access and the reasons for the refusal are explained below.

17 — Documents subject to contempt etc

...

(c) infringe the privilege of Parliament.

The disclosure of the content of the email and the Parliamentary Briefing Note would divulge information prepared for use in Parliament and therefore considered exempt from release under clause 17(c) of Schedule 1 of the Act.

In accordance with [PC045 – Disclosure logs for Non-personal information](#) once a determination has been provided, the agency is required to make available on our website information and documents that have been disclosed. Information will be publicised online at <http://www.environment.sa.gov.au/about-us/freedom-of-information/foi-disclosure-log>.

FEES AND CHARGES

The department has assessed this application and has determined that there is no charge for processing this application pursuant to section 53(2)(b) of the Act and Regulation 6 of the *Freedom of Information (Fees and Charges) Regulations 2018* which states that access to documents by Members of Parliament (MP) is without charge unless the work generated by the application exceeds the threshold stated in the regulations, currently \$1000.

YOUR APPEAL RIGHTS

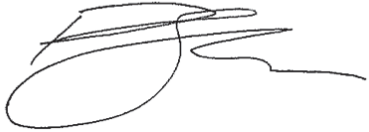
If you are dissatisfied with this determination, you are entitled to exercise your rights to internal review and appeal as outlined in the attached documentation, by completing the attached 'FOI Application Form – For Internal Review of a Determination'. If you decide to apply to exercise your rights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

Chief Executive
Department for Environment and Water
GPO Box 1047
ADELAIDE SA 5001

If you have any queries in relation to the above please contact the Freedom of Information team on telephone (08) 8463 6625 or email DEW.FOI@sa.gov.au.

Yours sincerely

(Electronically approved)

A handwritten signature in black ink, appearing to read 'Dylan Slape', with a large loop and a trailing flourish.

DYLAN SLAPE

Accredited Freedom of Information Officer, Department for Environment and Water

13 / 05 / 2020

Encl: 1. FOI Fact Sheet – Your Rights to Review and Appeal