



Government
of South Australia

The Hon Clare Scriven MLC

Our ref: eA199149
Obj ID: A5832421
Receipt: 17570035

The Hon Nicola Centofanti MLC
Member of the Legislative Council
Parliament House
ADELAIDE SA 5000

Dear Ms Centofanti *Nicola,*

Determination under the *Freedom of Information Act 1991*

I refer to your application made under the *Freedom of Information Act 1991* (the Act) which was transferred from the Department of Primary Industries and Regions (PIRSA) to the Office of the Minister for Primary Industries and Regional Development on 3 April 2023, seeking access to the following:

"A copy of all documents, including but not limited to hard copy or electronic briefings, minutes, reports, emails, letters (including draft versions), meeting agendas, diary entries, event attendance records and any other correspondence between the Minister (including staff in the Minister's Office) and the Livestock SA's Sheep Traceability Steering Committee, Timeframe: 01/01/2022 to 26/03/2023"

As the "From" date in your application was different to that in the description of your request, I understand that PIRSA sought clarification from your office and, on 30 March 2023, it was confirmed that you are seeking documents from 01/01/2023.

The scope of your application includes documents relating to Livestock SA to which you have already been provided, as per my determination made on 28 April 2023 (refer MPIRD ref: eA198939). Accordingly, the scope of your application excludes Document 10 which was released in part.

Accordingly, the following determination has been finalised.

Minister for Primary Industries and Regional Development
Minister for Forest Industries

GPO Box 1671 Adelaide SA 5001
Telephone 08 8226 2931 | Email minister.scriven@sa.gov.au



Determination 1

I have determined that access to the following document is **granted in part**:

Doc No.	Description of document	No. of Pages
1	Minute from Chief Executive, Department of Primary Industries and Regions to Minister for Primary Industries and Regional Development dated 21/02/2023 re Sheep and Goat Traceability	4

The information removed from the above document is pursuant to Clause 5(1)(a)(i) and Clause 9(1) of Schedule 1 of the Freedom of Information Act.

The information removed pursuant to Clause 5(1)(a)(i) consists of detail relating to Commonwealth Government funding.

Clause 5(1)(a)(i) states:

“5—Documents affecting inter-governmental or local government relations

(1) A document is an exempt document if it contains matter—

(a) the disclosure of which -

(i) could reasonably be expected to cause damage to intergovernmental relations; and

(b) the disclosure of which would, on balance, be contrary to the public interest.”

In addressing the public interest test for the Clause 5(1)(a)(i) exemption, I have balanced the following factors:

In favour of the public interest:

- Meeting the objects of the Act favouring access to documents.
- Ensuring optimal use of public resources.
- High level of interest in the accountability of public office holders.
- The importance of transparency and openness and the interest that the public has in the decision-making processes of Government.

Contrary to the public interest:

- The need to preserve confidentiality of certain information being shared between government agencies.
- The recent age of the information was considered and the continuing relevance of the matters.
- To release this information would harm inter-governmental relationships with the Commonwealth and State Governments resulting in agencies reconsidering their position regarding their future interactions with the South Australian Government.

Having considered the various factors weighing for and against disclosure, I have determined that disclosure of this information would, on balance, be contrary to the public interest.

The material removed pursuant to Clause 9(1) consists of information for decision-making purposes.

Clause 9(1) states:

“9—Internal working documents

(1) A document is an exempt document if it contains matter—

(a) that relates to -

(i) any opinion, advice or recommendation that has been obtained, prepared or recorded; or

(ii) any consultation or deliberation that has taken place, in the course of, or for the purpose of, the decision-making functions of the Government, a Minister or an agency; and

(b) the disclosure of which would, on balance, be contrary to the public interest.”

In addressing the public interest test for the Clause 9(1) exemption, I have balanced the following factors:

In favour of the public interest:

- Meeting the objects of the Act favouring access to documents.
- Ensuring optimal use of public resources.
- High level of interest in the accountability of public office holders.
- The importance of transparency and openness and the interest that the public has in the decision-making processes of Government.

Contrary to the public interest:

- The recent age of the information was considered and the continuing relevance of the matters.
- Confidentiality of such matters must be maintained for internal decision-making purposes.
- Disclosure of this information may compromise the manner in which information is communicated and gathered for the decision-making processes of Government. If such processes were unable to be undertaken without fear of premature release, this would jeopardise the way in which the Government seeks input for decision-making purposes.

Having considered the various factors weighing for and against disclosure, I have determined that disclosure of this information would, on balance, be contrary to the public interest.

Determination 2

I have determined that access to the following documents is **refused**:

Doc No.	Description of document	No. of Pages
1a	Attachment A to Document 1 – Strengthening South Australia’s Sheep Traceability – Business Case (Phase 1) – Final Report dated 15/2/2023	16
1b	Attachment B to Document 1 – Strengthening South Australia’s Sheep Traceability – Business Case (Phase 1) – Infrastructure Costing Attachment dated 2/2/2023	14

Access to the above documents is refused pursuant to Clause 7(1)(c) and Clause 9(1) of Schedule 1 of the Freedom of Information Act.

Clause 7(1)(c) states:

“7 – Documents affecting business affairs

(1) A document is an exempt document –

(c) if it contains matter –

(i) consisting of information (other than trade secrets or information referred to in paragraph (b)) concerning the business, professional, commercial or financial affairs of any agency or any other person; and

(ii) the disclosure of which –

(A) could reasonably be expected to have an adverse effect on those affairs or to prejudice the future supply of such information to the Government or to an agency; and

(B) would, on balance, be contrary to the public interest”

The documents contain the ideas and methodologies of a company which is considered to be the business affairs of that company.

In addressing the public interest test requirement for the Clause 7(1)(c) exemption, I have balanced the following factors:

In favour of the public interest:

- Meeting the objects of the Act favouring access to documents.
- Ensuring optimal use of public resources.
- High level of interest in the accountability of public office holders.
- The importance of transparency and openness and the interest that the public has in the decision-making processes of Government.
- High level of interest in the Government’s efforts in developing the eID implementation plan.

Contrary to the public interest:

- The recent age of the documents was considered and the continuing relevance of the matters.
- The reports were prepared on the basis that they were confidential and not for public circulation.
- Protecting the commercial and business interests of third parties in preparing a business case for presentation to Government for consideration.
- The release of the reports would reveal the ideas and methodologies which have been developed and refined over the lifetime of the existence of the company concerned.
- The information is considered to be the intellectual property of the company.
- The release of this information could potentially reduce the company's competitive advantage in this space.
- The release of this information would have the potential to harm business relationships with Government and hamper future dealings with Government for the betterment of South Australia.
- Disclosure of this information would be expected to prejudice the future supply of information to Government, as the level of trust in handling such information would be substantially diminished.

Having considered the various factors weighing for and against disclosure, I have determined that disclosure of these documents would, on balance, be contrary to the public interest.

With respect to Clause 9(1), the documents were prepared for the decision-making purposes of Government.

In addressing the public interest test for the Clause 9(1) exemption, I have balanced the following factors:

In favour of the public interest:

- Meeting the objects of the Act favouring access to documents.
- Ensuring optimal use of public resources.
- High level of interest in the accountability of public office holders.
- The importance of transparency and openness and the interest that the public has in the decision-making processes of Government.

Contrary to the public interest:

- The recent age of the documents was considered and the continuing relevance of the matters.
- The reports were prepared on the basis that they were confidential and not for public circulation.
- The reports were prepared for the decision-making purposes of Government and it is expected that a consultant can provide their views accordingly without fear that this information is released into the public domain.

- Confidentiality of the content of the reports must be maintained for internal decision-making purposes.
- Disclosure of these reports may compromise the manner in which information is gathered from external organisations for the decision-making processes of Government.
- If such processes were unable to be undertaken without fear of release, this would jeopardise the way in which the Government seeks input for decision-making purposes.

Having considered the various factors weighing for and against disclosure, I have determined that disclosure of these documents would, on balance, be contrary to the public interest.

If you are unhappy with this determination you are entitled to exercise your rights of external review with the Ombudsman SA. Alternatively, you can apply to the South Australian Civil and Administrative Tribunal (SACAT). If you wish to seek a review, you must do so within 30 calendar days of receiving this internal review determination.

For more information about seeking a review or appeal, please contact the Ombudsman SA on telephone (08) 8226 8699 or SACAT on 1800 723 767.

In accordance with the requirements of Premier and Cabinet Circular PC045, details of your application, and the documents to which you are given access, will be published in PIRSA's disclosure log. A copy of PC045 can be found at http://dpc.sa.gov.au/data/assets/pdf_file/0019/20818/PC045-Disclosure-Log-Policy.pdf

If you disagree with publication, please advise the undersigned in writing within fourteen calendar days from the date of this determination.

Should you require further information or clarification with respect to this matter, please contact Ms Rachael Colegate on 8226 2931 or email: Minister.Scriven@sa.gov.au.

Yours sincerely



Hon Clare Scriven MLC
MINISTER FOR PRIMARY INDUSTRIES AND REGIONAL DEVELOPMENT
MINISTER FOR FOREST INDUSTRIES

22 / 5 / 2023



Minute to
Minister for Primary Industries and Regional Development
Minister for Forest Industries

Ref: A5761433

For	Noting and Approval
Critical Date	Nil
Subject	Livestock SA's Sheep and Goat Traceability Business Case

Synopsis

The Livestock SA Sheep and Goat Traceability Steering Committee has delivered Phase 1 of the Sheep and Goat Traceability Project.

The *Strengthening South Australia's Sheep Traceability Business Case* report considers the costs and benefits associated with implementing mandatory sheep and goat electronic identification (eID) in South Australia.

PIRSA seeks your endorsement to proceed to Phase 2 '*Strengthening South Australia's Sheep Traceability through eID Implementation Plan*' and to identify any issues for consideration during this next phase.

Recommendations

That you:

- Note the *Business Case for Sheep and Goat eID in South Australia Final Report*
NOTED
- Approve progress to Phase 2 of the Sheep and Goat Traceability project to develop an implementation plan for eID in South Australia
APPROVED / NOT APPROVED
- Note PIRSA's recommended approach ^{Clause 9(1)}
^{Clause 9(1)}

NOTED

Noted only. Decision will be subject to further analysis and funding options

C. M. Scruen

Hon Clare Scruen MLC

**Minister for Primary Industries
 and Regional Development
 Minister for Forest Industries**

27/2 / 2023

Ministerial Comments -

Background

- At the June 2022 meeting of National Biosecurity Committee, it noted that mob-based identification requirements for sheep and goats do not meet agreed national performance standards for traceability, and that introduction of individual electronic identification (eID) for sheep and goats will improve national traceability capability to
 - enable swifter and more targeted response to emergency animal disease (EAD) outbreaks or food safety emergencies
 - support Australia's ability to maintain and develop market access with trading partners.
- In September 2022, Agriculture Ministers reaffirmed their commitment for government to work collaboratively with industry to advance work on a national approach to introduce a national mandatory individual electronic identification (eID) system for sheep and goats by 1 January 2025.
- PIRSA's Red Meat and Wool Growth Program has provided Livestock SA with \$140,000 to undertake a project to explore the costs and benefits of sheep and goat eID in South Australia, and to develop a state-based implementation and communication strategy. The project is governed by the Livestock SA Sheep Traceability Steering Committee (the Steering Committee).
- The Steering Committee includes two representatives from the Department of Primary Industries and Regions (PIRSA), along with representatives from all sheep and goat industry sectors.
- This work commenced in September 2022 with the engagement of ACIL Allen to develop a Business Case for sheep and goat eID in South Australia (SA). The report will be used to inform industry and government decision making on mandatory sheep and goat eID implementation.
- Phase 2 of the project, which commenced with a workshop on 15 February 2023, will outline the steps industry will need to take to implement a sheep and goat eID program in SA. A communication, engagement, and extension strategy will accompany the implementation plan.
- The Commonwealth has committed \$46.7 million ^{to} support continuous improvement in livestock traceability systems over 3 years beginning 2022-2023. Clause 5(1)(a)(i)

Clause 5(1)(a)(i)

Clause 5(1)(a)(i)

Discussion

Clause 9(1)

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Clause 9(1)

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- Sheep Producers Australia is currently exploring the feasibility of an industry managed national tag tender and will soon present its findings to the Sheep and Goat Traceability Task Force (SGTTF). The SGTTF is overseeing the national implementation of individual eID for sheep and goats, and will report directly to National Biosecurity Committee (NBC).
- The Report makes clear recommendations regarding training, support and resourcing requirements needed to adequately implement eID in SA, Clause 9(1)
Clause 9(1)
- It is widely recognised that effective communications, extension, and support will be critical in our ability to successfully implement this reform. In addition, the need for ongoing staffing post-implementation will be important in providing both technical support to industry participants, and sustaining compliance activities.
- The provision of suitable staffing levels aligns with industry expectations concerning the role of government in this reform. However, it is also recognised that industry themselves have a role to play in this area.
- Through the process of consultation and the development of the Report, some additional key decisions were made by the Steering Committee.

Clause 9(1)

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- **Clause 9(1)**



- During Phase 2, the Steering Committee will consider producer infrastructure needs in more detail, and determine priorities for financial support.

Stakeholder / regional impacts, consultation, and engagement

- PIRSA will continue to engage with South Australia’s sheep and goat industry through Phase 2 of Livestock SA’s Sheep and Goat Traceability Project.
- Phase 2 of the project will build on the findings from the Report to outline a clear implementation, engagement and communication strategy for sheep and goat eID implementation in SA.
- ACIL Allen has been engaged to carry out Phase 2 of the project.

Management of key risks

- Nil

Legislative and/or financial implications

- **Clause 5(1)(a)(i)**



- Commonwealth funds are split over three financial years.

Attachments

- A. Strengthening South Australia’s Sheep Traceability Business Case (Phase 1) - Final Report
- B. South Australia Sheep and Goat Individual eID Business Case Infrastructure Costing Attachment

A handwritten signature in black ink, appearing to be 'Nathan Rhodes'.

CHIEF EXECUTIVE

Department of Primary Industries and Regions

21/2/2023

CONTACT	Nathan Rhodes
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