



Government
of South Australia

The Hon Clare Scriven MLC

Our ref: eA197925
Obj ID: A5577659

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* received by the Office of the Minister for Primary Industries and Regional Development on 19 August 2022 requesting access to the following:

“A copy of all documents (including but not limited to hard copy or electronic briefings, minutes, reports, emails, letters, meeting agendas, diary entries, event attendance records and any other correspondence) between Department of Primary Industries and Regions South Australia and the Minister for Primary Industries and Regional Development (including directly with staff within the office of the Minister for Primary Industries), relating to prioritisation and funding of resources for emergency responses to Fruit Fly.”

Timeframe: 19/03/2022 to 19/08/2022

Accordingly, the following determination has been finalised.

I have located four documents that are captured within the scope of your request.

Determination 1

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

Doc No.	Description of document	No. of Pages
1a	Attachment to Document 1 – Media Release dated 14/12/2021 re Fruit fly in the firing line	2

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 2

I have determined that access to the following documents 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 4/7/2022 re draft correspondence re fruit fly	3
1c	Attachment to Document 1 – Draft letter to Minister for Agriculture, Fisheries and Forestry re fruit fly	2

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

The information removed consists of detail relating to negotiations with the Commonwealth Government on the allocation of funds.

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 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 community and media interest in biosecurity risks in Australia.

Contrary to the public interest:

- The need to preserve confidentiality of information being shared between government agencies on a matter which is not yet finalised.
- The recent age of the information was considered and the continuing relevance of the matters.

- To release this information prematurely would undermine the government's efforts in addressing the biosecurity risk and harm inter-governmental relationships with the Commonwealth Government resulting in agencies reconsidering their position regarding their future interactions with the South Australia Government.

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 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 community and media interest in biosecurity risks in Australia.

Contrary to the public interest:

- Confidentiality at this stage of negotiations and the scoping study process must be maintained for internal decision-making purposes.
- The recent age of the information was considered and the continuing relevance of the matters.
- To release this information prematurely would negatively impact the government's efforts in addressing the biosecurity risk.
- 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 for the Clause 5 and Clause 9 exemptions, I have determined that disclosure of this information would, on balance, be contrary to the public interest.

Determination 3

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

Doc No.	Description of document	No. of Pages
1b	Attachment to Document 1 – South Australian Response to Scoping Study re Fruit Fly	9

Access to the above document is refused pursuant to Clause 5(1)(a)(i) and Clause 9(1) of Schedule 1 of the Freedom of Information Act.

The document consists of South Australia's response to the Commonwealth Government on the allocation of funds for fruit fly and is considered as an internal working document for decision-making purposes.

In addressing the public interest test for the Clause 5 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 community and media interest in biosecurity risks in Australia.

Contrary to the public interest:

- The need to preserve confidentiality of information being shared between government agencies on a matter which is not yet finalised.
- The recent age of the information was considered and the continuing relevance of the matters.
- To release this information prematurely would undermine the government's efforts in addressing the biosecurity risk and harm inter-governmental relationships with the Commonwealth Government resulting in agencies reconsidering their position regarding their future interactions with the South Australia Government.

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 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 community and media interest in biosecurity risks in Australia.

Contrary to the public interest:

- Confidentiality at this stage of negotiations and the scoping study process must be maintained for internal decision-making purposes.
- The recent age of the information was considered and the continuing relevance of the matters.
- To release this information prematurely would negatively impact the government's efforts in addressing the biosecurity risk.
- 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 for the Clause 5 and Clause 9 exemptions, I have determined that disclosure of this document 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.

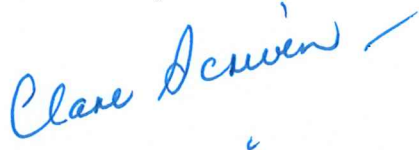
For more information about seeking a review or appeal, please contact the Ombudsman SA on telephone (08) 8226 8699 or SACAT on 1800 723 767.

In accordance with the requirements of Premier and Cabinet Circular PC045, details of your application, and the document to which you are given access, will be published in the disclosure log on the [PIRSA website](http://pirsa.sa.gov.au). 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 Cindy Roberts 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

11 / 10 / 2022



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

Ref: A5524357

For	Signature
Critical Date	Routine
Subject	Draft correspondence to Minister Murray Watt to confirm

Synopsis

A letter has been drafted to Minister Murray Watt to outline the important role that South Australia plays in the management of fruit fly in Australia and seeking reassurance that the Commonwealth Government intends to maintain the original intent of the \$30 million Building Resilience to manage Fruit Fly funding package **Clause 5(1)(a)(i), 9(1)**
Clause 5(1)(a)(i), 9(1)

Recommendations

That you:

1. Sign the attached letter to Minister Watt.

SIGNED / NOT SIGNED

.....

Hon Clare Scriven MLC
**Minister for Primary Industries
and Regional Development**
Minister for Forest Industries

/ / 2022

Ministerial Comments -

Background

- On Tuesday 14 December 2021, the previous Commonwealth Government announced that \$30 million would be made available over three years to build national resilience to manage fruit fly (see Attachment A).
- The announcement noted that it is vital to ensure regions like the Adelaide Hills and Riverland can continue to access lucrative export markets as a result of South Australia's fruit fly free status. It also flagged building critical post-harvest infrastructure in South Australia to meet immediate needs in response to increasing fruit fly outbreaks.
- The announcement noted that the Building Resilience to Manage Fruit Fly package provides \$30 million over three years for:
 - Essential upgrades to state-managed roadblocks or quarantine stations to stop the spread of fruit fly
 - Consolidation and expansion of sterile insect technology capability to drive down pest pressure in vulnerable areas
 - Critical post-harvest treatment infrastructure nationally to grow exports.
- The Department of Primary Industries and Regions (PIRSA) has been in discussion with the Commonwealth Government **Clause 5(1)(a)(i), 9(1)**
Clause 5(1)(a)(i), 9(1)
- A national Scoping Study is currently underway to inform the Commonwealth Government's decision making on the allocation of funds. PIRSA has had a number of meetings with the Commonwealth Government and Deloitte (the contractor undertaking the Scoping Study on behalf of the Commonwealth Government) to confirm the importance of South Australia in maintaining the national fruit fly system and the need to undertake urgent work to improve fruit fly resilience in South Australia.
- It's expected that several competing submissions will be made to the Commonwealth Government as part of the Scoping Study and there is merit in contacting the Hon Murray Watt, Australian Government Minister for Agriculture, Fisheries and Forestry, now to reiterate the benefits of investing in South Australian projects.

Discussion

Clause 5(1)(a)(i), 9(1)

Clause 5(1)(a)(i), 9(1)

- South Australia's submission to the Scoping Study clearly outlines how such an investment is in the national interest and aligns with the National Fruit Fly Strategy.

Stakeholder / regional impacts, consultation and engagement

- Deloitte have also spoken with key South Australian industry stakeholders as part of the Scoping Study.

Attachments

- A. Fruit Fly Resilience Funding Media Release
- B. South Australian response to Scoping Study
- C. Draft correspondence to Minister Watt



For CHIEF EXECUTIVE
Department of Primary Industries and Regions

04 /07 /2022

CONTACT	Nathan Rhodes
POSITION	Executive Director
DIVISION	Biosecurity
MOBILE and LANDLINE	0412 376 450 / 8429 3135
Cleared by	General Manager, Fruit Fly Emergency Response Program



The Hon. David Littleproud MP
Minister for Agriculture and Northern Australia
Deputy Leader of the Nationals

Senator the Hon. Anne Ruston
Minister for Families and Social Services
Minister for Women's Safety
Senator for South Australia

Tuesday 14th December 2021

Fruit fly in the firing line

- \$30 million over three years to build national resilience to manage fruit fly.
- Funding will help stop the spread of fruit fly, drive down pest pressure in vulnerable areas and grow exports.

A vital plan to further build resilience into Australia's fruit fly management has received a \$30 million funding boost from the Australian Government.

Minister for Agriculture and Northern Australia David Littleproud and Minister for Families and Social Services and Women's Safety, Senator Anne Ruston said the funding will enable rural and regional communities to fight back against the impacts of fruit fly.

"Fruit fly is a significant pest for our horticultural industries, so we need to tackle the issue from different angles," Minister Littleproud said.

"Australia produces around \$6.5 billion worth of crops that fruit fly would love a piece of, so it's important that we protect our vital horticulture industries.

"We're looking to stop the spread of fruit fly through regional Australia, while also driving the numbers of fruit flies down.

"We'll work together with our state and territory government counterparts to make sure our farmers can get the best out of their crops year in, year out."

Senator for South Australia Anne Ruston said tackling fruit fly was essential for local exporters to maintain their market advantage.

"It's vital to get fruit fly off the table as a barrier for local producers and ensure regions like the Adelaide Hills and Riverland can continue to access lucrative export markets," Senator Ruston said.

"A key component of this is our commitment to build critical post-harvest infrastructure in South Australia to meet immediate needs in response to increasing outbreaks.

"South Australia is a horticulture powerhouse and this will help us to continue to punch above our weight into the future.

“We are committed to supporting our growers to achieve their potential and the communities that rely on them.”

This announcement builds on the government's commitment in 2018 of \$16.9 million over four years to strengthen and modernise fruit fly management across Australia.

Fast Facts:

- **Building Resilience to Manage Fruit Fly package provides \$30 million over three years for:**
 - **essential upgrades to state-managed roadblocks or quarantine stations to stop the spread of fruit fly**
 - **consolidation and expansion of sterile insect technology capability to drive down pest pressure in vulnerable areas**
 - **critical post-harvest treatment infrastructure nationally to grow exports.**
- **Projects will create regional employment opportunities in supply chain logistics and construction.**

Media Contact:

0455 448 985 (for Minister Littleproud)

0438 791 913 (for Minister Ruston)

Document ID: A5524360

Government
of South Australia

The Hon Clare Scriven MLC

Senator the Hon. Murray Watt
Minister for Agriculture, Fisheries and Forestry
PO Box 6100
Senate, Parliament House
CANBERRA ACT 2600

Email: minister.watt@agriculture.gov.au

Dear Minister

As you would be aware, for more than two years South Australia has been combatting numerous outbreaks of both Mediterranean fruit fly (Medfly) and Queensland fruit fly (Qfly) in different regions of the State.

South Australia plays a vital role as a central buffer which prevents these pests from spreading and the ongoing fight to eradicate such outbreaks is clearly in the national interest. Doing so supports a number of important national trade protocols valued at many hundreds of millions of dollars annually, which allow producers on both sides of the country to export their produce without additional treatment.

Late last year, South Australia was successfully able to eradicate eleven outbreaks of Medfly and one outbreak of Qfly in metropolitan Adelaide, a single outbreak of Medfly in Pt Augusta and three outbreaks of Qfly in the SA Riverland. Unfortunately, thirteen outbreaks of Qfly continue to pose concerns in the Riverland Pest Free Area.

Collectively, these responses have constituted the largest eradication program for fruit fly ever conducted in Australia and have come at a cost of over \$75 million to the South Australian Government.

I welcome confirmation in the current budget papers that the Commonwealth Government intends to invest \$30 million to build national resilience to manage fruit fly. The announcement of this funding late last year noted that it is vital to ensure regions like the Adelaide Hills and SA Riverland can continue to access lucrative export markets as a result of South Australia's fruit fly free status.

The announcement noted that the Building Resilience to Manage Fruit Fly package provides \$30 million over three years **Clause 5(1)(a)(i), 9(1)**

Clause 5(1)(a)(i), 9(1)

Minister for Primary Industries and Regional Development
Minister for Forest Industries

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I'm advised that my Department has been working closely with yours to confirm the projects that are of national significance and warrant funding in South Australia under the Building Resilience to Manage Fruit Fly funding package.

Clause 5(1)(a)(i), 9(1)



I thank you for committing to nationally fund activities such as these and look forward to hearing favourable news on the results from the national scoping study soon.

Yours sincerely

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