

Date: 23 November 2018

Our Ref: SN903

Dear [REDACTED]

Freedom of Information – Determination

I refer to your application pursuant to the South Australian Freedom of Information Act, 1991 ("the Act") received by SA Water on 25 October 2018, seeking:

"TAILEM BEND TO KEITH PIPELINE AND NETWORK:

- 1. Annual operational costs including average price per kilolitre to deliver water across this network.*
- 2. Annual asset depreciation and other indirect costs to be listed separately to annual operational costs.*
- 3. Estimated asset value of the Tailem Bend to Keith Pipeline and network.*
- 4. Total water supplied last financial year - 17/18 across the Tailem Bend to Keith pipeline and network.*
- 5. Total income received from water sales across the Tailem Bend to Keith pipeline and network.*
- 6. Separate negotiated pricing details for any private businesses or organisations who consume water from this pipeline.*
- 7. A breakdown of water use and income received from domestic consumers and primary production/places of business."*

According to your application, you have requested information to be provided from 1/07/2017 to 30/06/2018.

The Act confers upon members of the public the right to access official documents and records held by SA Water that are in existence at the time of receipt of an application. Therefore, I have interpreted your application as seeking access to documents and records held by SA Water containing the figures requested above. SA Water is under no legal obligation to create a document in order to respond to an FOI application, particularly if that document would be considered exempt from release.

Based on a number of searches performed across the agency, SA Water has identified six documents that fall within the scope of your request, as listed in the attached document schedule. Based on my assessment of the documents, I have determined to provide you with full access to three documents and refuse access to three documents.

Section 20 of the Act provides that an agency may refuse access to a document, or sections of a document, if the information is considered exempt pursuant to the provisions listed under Schedule 1 to the Act. The documents, and sections of the documents, which I consider exempt and the reasons for their exemption are explained in more detail below.

Clause 16(2) of the Act states:

16—Documents concerning operations of agencies

...

- (2) A document is an exempt document if—
- (a) it relates to an agency engaged in commercial activities; and
 - (b) it contains matter the disclosure of which could prejudice the competitiveness of the agency in carrying on those commercial activities.

Under the third party access scheme, third parties can use SA Water's pipelines and mains to transport their water (untreated, treated or recycled) and wastewater. SA Water explores and pursues third party access business opportunities where spare flow capacity exists in its systems. Third party access business opportunities are negotiated on a case by case basis.

Documents 1 to 3 contain the operational costs, asset values, asset depreciation values and other associated costs related to the delivery of water via the Taillem Bend to Keith water network and surrounding areas. These figures are factored into calculations when negotiating a reasonable return on the use of SA Water infrastructure. Third parties would likely use this information to influence those negotiations which would compromise SA Water's ability to maximise returns on third party business opportunities. It is for this reason that I have determined that documents 1 to 3 are exempt pursuant to clause 16(2).

Please note that SA Water has no separate pricing arrangements with customers using the Taillem Bend to Keith water network, therefore, documents in relation to question 6 of your request do not exist.

If you are dissatisfied with this determination, you are entitled to exercise your rights to internal review and appeal as outlined under Section 29 of the Act. To apply for an internal review you must lodge an internal review application form with SA Water within 30 days of this determination. Internal review applications can be addressed to the Principal Officer, GPO Box 1751, Adelaide SA 5001.

In accordance with the requirements of the Premier and Cabinet Circular PC045 - Disclosure Logs for Non-Personal Information Released through Freedom of Information, details of your FOI application, a copy of this notice of determination, a schedule of documents and the documents to which you have been given access, will be published on the SA Water website FOI 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>. If you disagree with publication, please advise me via email at freedomofinformation@sawater.com.au within seven business days from the date of this determination.

If you have any queries in relation to the above, or if you wish to obtain a copy of the internal review application form, please contact me on telephone (08) 7424 1777 or via email at freedomofinformation@sawater.com.au.

Yours sincerely



Ben Roberts

ACCREDITED FREEDOM OF INFORMATION OFFICER

Freedom of Information application: SN903 - Tailem Bend to Keith water network			
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“TAILEM BEND TO KEITH PIPELINE AND NETWORK:

1. Annual operational costs including average price per kilolitre to deliver water across this network.
2. Annual asset depreciation and other indirect costs to be listed separately to annual operational costs.
3. Estimated asset value of the Tailem Bend to Keith Pipeline and network.
4. Total water supplied last financial year - 17/18 across the Tailem Bend to Keith pipeline and network.
5. Total income received from water sales across the Tailem Bend to Keith pipeline and network.
6. Separate negotiated pricing details for any private businesses or organisations who consume water from this pipeline.
7. A breakdown of water use and income received from domestic consumers and primary production/places of business.”

No	Date	Author	Document Description	Determination	Clause	Reason
1	31/07/2017	SA Water	Draft Tailem Bend Keith System Asset Management Plan - Appendix A - System asset details	Refused access	Clause 16(2)	Commercial operations of the agency
2	05/10/2018	SA Water	Internal email containing Tailem Bend Operational Expenditure	Refused access	Clause 16(2)	Commercial operations of the agency
3	2017/18	SA Water	Tailem Bend profitability summary	Refused access	Clause 16(2)	Commercial operations of the agency
4	2017/18	SA Water	Tatiara Rating Analysis	Full Release		
5	2017/18	SA Water	Karoonda Rating Analysis	Full Release		
6	2017/18	SA Water	Tailem Bend Ratings Analysis	Full Release		

Rating Analysis

Fiscal Year

■ 2017-2018

Water Use

Base Water

Billing Group

Port Augusta
 Port Broughton
 Port Lincoln
 Port MacDonnell
 Port Pirie
 Prospect
 Quorn
 Renmark
 Ridley-Truro
 Robe
 Salisbury
 Southern Mallee
 Spalding
 St Peters
 Stirling
 Strathalbyn
 Streaky Bay
 Suspense
 Tailem Bend
 ■ Tatiara
 Tea Tree Gully
 Thebarton
 U.I.A. Northern

Accounts	Land Use Level 1	Land Use Type	Billed Consumption KL ▲	Charge
	3 PRIMARY PRODUCTION	Non-residential	60.00	196.94
	3 RECREATION	Commercial	132.00	435.21
	5 PUBLIC UTILITIES	Commercial	550.00	1,806.89
	1 COMMERCIAL	Residential	729.00	2,277.79
	11 PUBLIC UTILITIES	Non-residential	1,134.00	3,463.65
	23 INDUSTRIAL	Non-residential	6,057.00	19,886.83
	129 VACANT LAND	Residential	12,881.00	39,037.36
	12 RESIDENTIAL	Non-residential	13,481.00	41,235.34
	15 RECREATION	Non-residential	13,670.00	30,678.25
	60 OPEN CODE	Residential	22,950.00	39,970.52
	42 INSTITUTIONS	Non-residential	24,525.00	75,288.82
	156 COMMERCIAL	Commercial	37,158.00	119,611.51
	1718 RESIDENTIAL	Residential	287,034.00	807,595.01
2178			420,361.00	1,181,484.12

Rating Analysis

Fiscal Year

■ 2017-2018

Water Use

Base Water

Billing Group

- Hindmarsh & Woodville
- Irrigation & Drainage
- Jamestown
- Karoonda
- Kensington & Norwood
- Kimba
- Kingscote
- Kingston
- Loxton
- Main Pipe Supplies/Agr
- Mains Contrib/Temp Prc
- Mallala
- Mannum
- Marion
- Metro Sundries
- Millicent
- Minlaton
- Mitcham
- Mount Barker
- Mount Gambier
- Mount Remarkable
- Munno Para

Accounts	Land Use Level 1	Land Use Type	Billed Consumption KL ▲	Charge
	1 RECREATION	Commercial	10.00	33.08
	1 PUBLIC UTILITIES	Commercial	16.00	52.85
	1 INDUSTRIAL	Non-residential	308.00	1,014.59
	1 RESIDENTIAL	Non-residential	355.00	1,166.14
	17 VACANT LAND	Residential	546.00	1,445.06
	12 COMMERCIAL	Commercial	669.00	2,203.33
	7 COMMERCIAL	Residential	1,178.00	3,240.14
	4 RECREATION	Non-residential	2,208.00	7,279.18
	7 OPEN CODE	Residential	2,427.00	4,945.30
	2 PUBLIC UTILITIES	Non-residential	2,974.00	9,798.66
	12 INSTITUTIONS	Non-residential	5,901.00	19,895.56
	181 RESIDENTIAL	Residential	32,332.00	89,952.65
246			48,924.00	141,026.54

Rating Analysis

Fiscal Year

■ 2017-2018

Water Use

Base Water

Billing Group

- Prospect
- Quorn
- Renmark
- Ridley-Truro
- Robe
- Salisbury
- Southern Mallee
- Spalding
- St Peters
- Stirling
- Strathalbyn
- Streaky Bay
- Suspense
- Tailem Bend
- Tatiara
- Tea Tree Gully
- Thebarton
- U.I.A. Northern
- U.I.A. Port Adelaide (par
- Unknown
- UNKNOWN
- Unley
- Victor Harbor

Accounts	Land Use Level 1	Land Use Type	Billed Consumption KL ▲	Charge
	2 Unknown	UNKNOWN	0.00	0.00
	2 INDUSTRIAL	Non-residential	47.00	154.81
	1 RECREATION	Commercial	405.00	676.74
	8 PUBLIC UTILITIES	Commercial	543.00	1,783.81
	2 PRIMARY PRODUCTION	Non-residential	712.00	2,342.33
	9 COMMERCIAL	Residential	1,768.00	5,068.03
	6 PUBLIC UTILITIES	Non-residential	2,478.00	8,135.31
	84 VACANT LAND	Residential	5,274.00	11,412.67
	11 RESIDENTIAL	Non-residential	9,990.00	35,937.77
	20 RECREATION	Non-residential	21,773.00	52,666.07
	58 INSTITUTIONS	Non-residential	23,462.00	113,057.41
	27 OPEN CODE	Residential	24,062.00	14,000.89
	81 COMMERCIAL	Commercial	25,216.00	81,670.40
	1324 RESIDENTIAL	Residential	211,192.00	574,131.92
1635			326,922.00	901,038.16