

2 June 2020

Christopher Johannes
William Roberts Lawyers
Level 22, 66 Goulburn Street
Sydney NSW 2000

Dear Mr Johannes,

Right to Information Request 5 May 2020

I refer to your request pursuant to the *Right to Information Act 2009* (“RTI Act”) received on 5 May 2020 by Hydro Tasmania.

I am authorised to make decisions on behalf of Hydro Tasmania in respect of applications for information under the RTI Act.

1. Your Request

Your request is set out in detail in column 1 of Annexure 1 to this letter. It will be collectively referred to in the body of this letter as “the Request”.

2. Determination and Reasons for Determination of Request

- 2.1. Annexure 1 sets out my determination by itemising the sections of your request. As has previously been communicated to William Roberts, Hydro Tasmania has already submitted a large amount of information to the independent government review team for their review into the Tasmanian floods of June and July 2016. Hydro Tasmania has further disclosed information about our cloud-seeding operations by way of previous assessed disclosures pursuant to the RTI Act, available to the public on our website.
- 2.2. I have determined that sections 1 and 2 of the Request are refused pursuant to s 12(3)(c)(i) of the RTI Act on the basis that, to the extent you would have been eligible to be provided with it, that information is otherwise available. A link to information relevant to the Request is provided in Annexure 2 to this letter. Please note that Annexure 2 is provided for your ease of reference only – it should not be considered exhaustive or a complete list of public sources of relevant information.
- 2.3. In relation to the balance of the Request, I have undertaken a search of the information held by Hydro Tasmania and its subsidiaries to locate any records that may be relevant to the Request and determined that:

- a) Hydro Tasmania is not in possession of any information that matches sections 4 or 6 of the Request. In the case of section 4, there has not been a coronial inquest.
- b) The information I have determined which can be released to you relevant to the Request is as follows:

	Document	Section of the Request	Released
1	WM – Procedure – 02 Recording Parameters in Flight	3	Partially – redacted as exempt pursuant to s 36. Associated draft instructions included.
2	Hydro Tasmania Government Flood Review Submission dated 16 November 2016 (including annexures, terms of reference and expert report of Professor Siems)	5, 7	In full

3. Review of Rights

You are entitled under Section 43 of the RTI Act to apply for a review of the decision made under Part 2 of the determination.

Any request for such a review should be made in writing within twenty (20) working days of receiving this letter and addressed to:

Mr S Davy
Chief Executive Officer
Hydro Tasmania
4 Elizabeth Street
HOBART TAS 7000

Should you have any further questions on the information provided please contact the undersigned.

This request is now considered closed.

Yours sincerely,

Laura Harle
Graduate Legal Counsel
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Annexure 1

Request	Decision	Information Available
1. The detailed log recorded by the Cloud Seeding Officer	Refused	Annexure 2: A
2. The data recorded during the flight on 5 June 2016 by the data recording systems on board	Refused	Annexure 2: A
3. The document titled “WM – Procedure – 02 Recording Parameters In-Flight”	Accepted	Refer Document 1 enclosed
4. Submission by Professor Siems to the coronial inquest	Accepted	No information
5. Expert report of Professor Siems commissioned by Hydro Tasmania concerning whether cloud-seeding affected rainfall and led to flooding	Accepted	Refer Document 2 enclosed
6. Expert report commissioned by DPAC (unnamed expert – atmospheric scientist with experience in cloud seeding)	Accepted	No information
7. Hydro Tasmania Government Flood Review submission 16 November 2018 (complete copy, including annexures, terms of reference and report of Professor Siems)	Accepted	Refer Document 2 enclosed

Annexure 2

	Information title or type	Owner of the information	Available at
A	Right to Information Disclosure to Felicity Ogilvie regarding Cloud Seeding Operations dated 11/8/16	Hydro Tasmania	https://www.hydro.com.au/docs/default-source/about-us/our-governance/request-to-information-(rti)/16-08-11-rti-decision-letter-felicity-ogilvie_information-relating-to-cloud-seeding-operation-on-5-june-2016.pdf?sfvrsn=b5901228_2