



WHEATBELT DEVELOPMENT COMMISSION

Freedom of Information Statement

Updated March 2023

Contents

WHEATBELT DEVELOPMENT COMMISSION.....	2
Our Vision	2
Our Purpose.....	2
Legislation Administered	2
Agency Structure and Decision Making Functions.....	4
Public Participation	6
Documents held by the Wheatbelt Development Commission.....	6
THE OPERATION OF FOI IN THE WHEATBELT DEVELOPMENT COMMISSION	7
Freedom of Information Charges	7
Methods of Payment	8
Access Arrangements	8
Notice of Decision	8
Refusal of Access	9

WHEATBELT DEVELOPMENT COMMISSION

Our Vision

A diversified and growing Wheatbelt economy with vibrant and dynamic communities creating a prosperous and sustainable future for Western Australia.

Our Purpose

To facilitate long-term development of the Wheatbelt by being a responsive and forward-thinking regional development agency. We are committed to connecting government and the private sector to create practical solutions for our region.

Legislation Administered

The Wheatbelt Development Commission (the Commission) was established under the *Regional Development Commissions Act 1993* on April 8, 1994.

The following legislation applies to the Commission's operations:

Regional Development Commissions Act 1993

An Act to establish Regional Development Commissions to coordinate and promote the economic development of regions of Western Australia, to provide for the establishment of Regional Development Advisory Committees, to establish a Regional Development Council, to continue existing regional development bodies as commissions under this Act, to repeal certain Acts and for related purposes.

Constitutions Acts Amendment Act 1899

An Act to amend the Constitutions Act 1889, and to amend and consolidate the Acts amending the same.

Industrial Relations Act 1979

An Act to consolidate and amend the law relating to the prevention and resolution of conflict in respect of industrial matters, the mutual rights and duties of employers and employees, the rights and duties of organisations of employers and employees and for related purposes.

Workers Compensation and Rehabilitation Act 1981

An Act to provide legislative framework for Workers Compensation and Rehabilitation.

Equal Opportunity Act 1984

An Act to promote equality of opportunity in Western Australia and to provide remedies in respect of discrimination on the grounds of sex, marital status, pregnancy, family responsibilities, race, religious or political conviction or involving sexual harassment.

Work Health & Safety Act 2020

An Act to promote and improve standards for occupational health, safety and welfare, to establish the Occupational Health, Safety and Welfare Commission, to facilitate the coordination of the administration of the laws relating to occupational health, safety and welfare and for incidental and other purposes.

Government Employees Superannuation Act 1987

An Act to provide superannuation schemes for employees of the Government and certain other persons; to constitute the Government Employees Superannuation Board; to constitute and provide for the administration and investment of the Government Employees Superannuation Fund and for connected purposes.

State Supply Commission Act 1991

An Act to provide a legislative framework for public sector supply management, establish clear responsibility for the coordination of supply policy across the “whole of government”, improve the effectiveness and efficiency of government supply activities through enhanced coordination and accountability and provide the means of devolving the operational aspects of supply to public authorities.

Freedom of Information Act 1992 (WA)

An Act to provide for public access to documents, and to enable the public to ensure that personal information in documents is accurate, complete, up-to-date and not misleading, and for related purposes.

Disabilities Services Act 1993

An Act for the establishment of the Disability Services Commission and the Advisory Council for Disability Services, for the furthering of principles applicable to people with disabilities, for the funding and provision of services to such people that meet certain objectives, for the resolution of complaints by such people, and for related purposes.

Workplace Agreements Act 1993

An Act to provide for the making of agreements between employers and employees as to their respective rights and obligations, for the registration of such agreements by a public official, for the effect of such agreements, and for their enforcement, to confer qualified immunity for certain industrial action relating to such agreements and to provide for related matters.

Minimum Conditions of Employment Act 1993

An Act to provide for minimum conditions of employment for employees in Western Australia and for related purposes.

Public Sector Management Act 1994

An Act to provide for the administration of the Public Sector of Western Australia and the management of the Public Service and of other public sector employment, to repeal the *Public Service Act 1978*; and to provide for related matters.

State Records Act 2000

An Act to provide for the keeping of State records and for related purposes.

Financial Administration Act 2006

An Act to make provision for the administration of the public authorities and other bodies, to provide for annual reporting by departments and statutory authorities and to authorise and regulate the investment of certain public moneys.

Agency Structure and Decision Making Functions

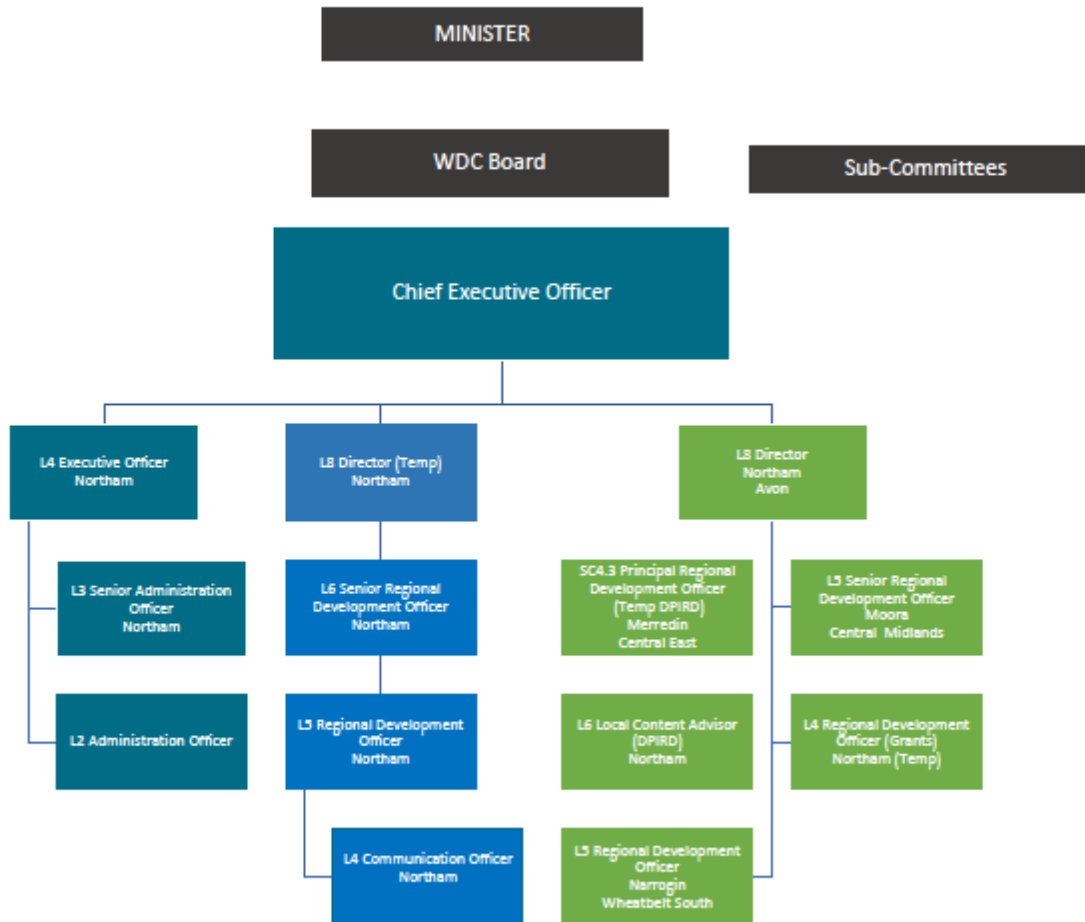
The Wheatbelt Development Commission reports to the Hon Alannah MacTiernan MLC, Minister for Regional Development; Agriculture and Food; Hydrogen Industry. The Minister has the power to direct the Commission, either generally or with respect to a particular matter, on the exercise and performance of its powers, functions and duties under the *Regional Development Commissions Act 1993*. The Commission must give effect to such directions.

The Wheatbelt Development Commission is governed by a Board of Management, which meets 6 times a year. Under the *Regional Development Commissions Act 1993*, the Minister for Regional Development is provided with the authority to appoint Board members, including the Chair, the Deputy Chair and the Chief Executive Officer of the Commission (ex-officio).

Except for the Chief Executive Officer, all members are appointed for a period of up to three years and the Board is comprised of one third of the members being residents of the Wheatbelt community, one third being nominated by Local Government and one third appointed at the Minister's discretion.

The Wheatbelt Development Commission's approved establishment structure December 2021 is overleaf.

Wheatbelt Development Commission Organisational Structure



Public Participation

There are two Community representative positions on the Wheatbelt Development Commission Board, these positions are available to people who reside in the region. Expressions of interest for nomination to the Board are advertised from time to time as appointments expire and positions become available. Nominees are considered on their decision making ability at an executive level; a demonstrated involvement in either the economic, environmental or social development of the Wheatbelt Region; and the ability to work cooperatively to achieve agreed goals across a wide range of social and economic issues.

The Commission welcomes views and comments from members of the public and bodies outside the Western Australian Government on the formulation and performance of its projects, activities and policies. General participation is possible in the following way:

- Making oral or written representations to the Commission;
- Putting submissions to the WDC on matters chaired by the Commission; and
- Providing expert or specialist advice on matters on an 'ad hoc' basis.

Documents held by the Wheatbelt Development Commission

The Wheatbelt Development Commission publishes documents available for public review on the Commission's website at www.wheatbelt.wa.gov.au. Documents such as the current and previous Annual Reports, policies and plans are in the publications section of the website. From time to time, the Commission may publish reports that will be made available at the Minister's discretion.

Other types of documents held by the Wheatbelt Development Commission for which a Freedom of Information Application is required include (but are not limited to):

- Audit reports and supporting documentation;
- Business plans;
- Correspondence;
- Ministerial correspondence;
- Minutes, agendas and papers of meetings;
- Personnel information;
- Records relating to administrative operations;
- Service Level Agreements;
- Memoranda of Understanding;
- Strategic Development Plans; and
- Tender and quotation responses.

THE OPERATION OF FOI IN THE WHEATBELT DEVELOPMENT COMMISSION

The Office of the Information Commissioner supports agencies to disclose information outside the FOI process, informally in the first instance, if practicable. Therefore, individuals are encouraged to first contact the FOI Coordinator at the Wheatbelt Development Commission to discuss the process for accessing information informally.

If unsatisfied with this process they may proceed with a formal application requesting access to information under the FOI Act.

Freedom of Information Applications

It is the aim of the Wheatbelt Development Commission to make information available promptly and at the least possible cost, and whenever possible documents will be provided outside the FOI process.

If the information is not routinely available, the *Freedom of Information Act 1992 (WA)* provides the right to apply for documents held by the Wheatbelt Development Commission and to enable the public to ensure that personal information in documents is accurate, complete, up to date and not misleading.

An application submitted under the FOI Act must:

- be in writing addressed to the Freedom of Information Coordinator, Wheatbelt Development Commission, 75 York Road, Northam WA 6401. Postal address PO Box 250, Northam WA 6401, by post, hand or email;
- give enough information that the documents requested can be identified;
- give an Australian address to which notices can be sent; and
- be lodged at the Wheatbelt Development Commission (Northam Office) with any application fee payable.

Application enquiries should be addressed to the Commission's Freedom of Information Coordinator by telephoning 9622 7222.

Applications will be acknowledged in writing and you will be notified of the decision within 45 calendar days.

Download the Commission's FOI Application form from the WDC's website [here](#).

Freedom of Information Charges

A scale of fees and charges are set out in the FOI regulations. Apart from the application fee for non-personal information (information that is not personal information about the applicant) all charges are discretionary. The fees and charges are as follows:

- | | |
|--|-----------------------|
| • Personal information about the applicant | No fee and no charges |
| • Application fee (for non-personal information) | \$30.00 |

- Charge for time dealing with the application (per hour or pro rata) \$30.00
- Access time supervised by staff (per hour or pro rata) \$30.00
- Photocopying staff time (per hour, or pro rata) \$30.00
- Per photocopy .20
- Transcribing from tape, file or computer (per hour, or pro rata) \$30.00
- Duplicating tape, file or computer (per hour, or pro rata) Actual cost
- Delivery, package and postage Actual cost

An estimate of charges will be provided if the cost is expected to exceed \$25.00. For impecunious applicants or those issued with prescribed pensioner concession cards, any charges payable are reduced by 25%.

Deposits

An advance deposit may be required in respect of the estimated charges 25%

Further advance deposit may be required to meet the charges for dealing with the application 75%

Methods of Payment

The Commission accepts cheque/money order made out to the Wheatbelt Development Commission or EFT payment to:

Wheatbelt Development Commission
BSB: 066 040 Account: 1880-0003

Access Arrangements

Access to documents can be granted by way of inspection; a copy of a document; a copy of an audio or video tape; a computer disk; or a transcript of a recorded, shorthand or encoded document from which words can be reproduced.

Notice of Decision

As soon as possible but in any case within 45 days, the Commission will provide the applicant with a notice of decision that will include:

- the day on which the decision was made;
- the name and designation of the officer who made the decision;
- if access is refused, reasons for claiming the document is exemption; and
- information on the rights of review and the procedures to be followed to exercise those rights.

Refusal of Access

The *Freedom of Information Act 1992* provides for a review and appeal process.

Applicants who are dissatisfied with the decision of the FOI Coordinator are entitled to ask for an internal review by the Commission. The internal review application should be made in writing within 30 days of receipt of notice of the Commission's decision. The Commission will respond within 15 days or any longer period agreed between the applicant and the Commission. The Internal Review will be carried out by the Chief Executive Officer. There is no charge for an internal review.

If you disagree with the result, you then can apply to the Information Commissioner for an external review. The external review application should be made within 60 calendar days after being given the Commission's written notice of the internal review decision. (Note: if you are requesting an external review as a third party or following an application for amendment of personal information, you must lodge your external review application within 30 calendar days after being given written notice of the internal review decision.)

Office of the Information Commissioner contact details are:

Phone (08) 6551 7888

Free call (WA country): 1800 621 244

Fax: (08) 6551 7889

Email: info@foi.wa.gov.au

Web: www.oic.wa.gov.au

Address: Albert Facey House, 469 Wellington Street, PERTH WA 6000