



Freedom of Information Statement 2026

Forest to Wheatbelt

Document Control

Effective Date	Next Review Date	Amendment Details
June 2024	June 2025	
June 2025	August 2026	
September 2026	August 2027	Comprehensive review undertaken to align the Information Statement with current legislative requirements and organisational practices. Document structure and content were revised, obsolete information removed, privacy and FOI provisions updated, and wording refined to improve clarity, readability and consistency throughout.

Chief Executive Officer's Declaration

I hereby endorse this Information Statement on behalf of the Shire of West Arthur and confirm that it has been reviewed and approved for publication.

This Information Statement has been prepared in accordance with the requirements of the *Freedom of Information Act 1992 (WA)* and is intended to promote transparency, accountability, and access to information held by the Shire.

To the best of my knowledge, the information contained within this document is accurate and current as at the date of endorsement.

The Shire is committed to ensuring that this Information Statement remains up to date and will review and amend its contents as required to reflect changes in legislation, organisational structure, functions, services, and access arrangements.



Mark Hook
Acting Chief Executive Officer

Table of Contents

Introduction 3

Strategic Community Plan 4

Legislative Framework..... 5

Organisational Structure..... 6

Decision-Making Functions..... 9

Public Participation 11

Access to Information 13

Freedom of Information Process 15

Application and Assessment..... 16

Review and Appeal Process 20

Personal Information 21



Introduction

Section 96(1) of the *Freedom of Information Act 1992* (Act) requires each government agency, including Local Governments, to annually prepare and publish an Information Statement.

In accordance with section 94 of the Act, the Information Statement must include the following information:

1. The agency's functions and organisational structure.
2. A description of the ways in which the functions of the agency, and in particular decision-making functions, affect members of the public.
3. A description of arrangements that exist for public participation in the agency's formulation of policy and the performance of its functions.
4. A description of the kinds of documents that are usually held by the agency, including those that can be:
 - inspected at the agency under a written law, other than the Act;
 - purchased; and
 - obtained free of charge.
5. A description of the agency's arrangements to give members of the public access to the types of documents described in section 4 (above).
6. A description of the agency's procedures to give members of the public access to documents of the agency pursuant to a Freedom of Information (FOI) application made under the Act.
7. A description of the agency's procedures to amend personal information contained in documents of the agency.

This Information Statement has been developed to comply with the requirements of the Act, and is correct as at September 2026. Copies of this document may be obtained from:

Freedom of Information Officer

Shire of West Arthur

31 Burrowes Street

Darkan WA 6392

Or on the Shire's website at www.westarthur.wa.gov.au.

Enquiries may also be made on telephone (08) 9736 2400, Monday to Friday 8.30am to 4.30pm, or by email at shire@westarthur.wa.gov.au

Strategic Community Plan

The Shire of West Arthur's (Shire) Strategic Community Plan 2021 – 2031 (Plan) provides the framework under which the Shire provides its services to the community.

The Plan identifies five areas of strategic priority.

1. Community – Safe, Friendly, and Inclusive
 - A safe place to work, live, and visit
 - Support available for people of all ages and abilities
 - A unique identity and a strong connection to our past
2. Local Economy – Stable and sustainable agricultural industry and a dynamic and growing business sector
 - Improved employment through diversification in Agricultural
 - A growing, diverse business community
 - Existing businesses develop and grow
3. Natural Environment – Our natural assets are valued and meet the needs of the community
 - Maintain and improve our key natural assets
 - Our water resources are well defined and used sustainably
 - Our natural biodiversity is maintained and valued
 - Waste is minimised and environmentally sustainable practices are employed
4. Built Environment – well maintained roads and infrastructure which reflects our identity
 - Our road network is well maintained
 - Our built infrastructure is well maintained, attractive and inviting
 - Our cultural heritage is preserved and promoted
 - Appropriate planning and development
5. Leadership and Management – inspirational, dynamic, transparent
 - Councillors represent the community and well trained
 - Shire staff are well trained, motivated, and customer focused
 - Establish and maintain sound business and governance structures
 - Actively engage with community, business and other stakeholders to grow and develop the community

This Freedom of Information Statement contributes to the achievement of strategic leadership and management outcomes 4.1 and 4.3.

Legislative Framework

The operations of local government in Western Australia are governed by the *Local Government Act 1995*, the various Local Government Regulations, and any other legislation that provides local governments with powers and responsibilities.

Legislation

Principal legislation that the Shire operates under includes:

- Local Government Act 1995;
- Public Health Act 2016
- Health Act 1911;
- Planning & Development Act 2005
- Bushfires Act 1954
- Cat Act 2011
- Dog Act 1976
- Cemeteries Act 1986
- Work Health and Safety Act 2020
- Waste Avoidance and Resource Recovery Act 2007

There are a wide range of other legislation that provides powers and authorities, that impose duties and obligations upon the Shire.

Each Act of Parliament generally has one or more related Regulations which also impact on the Shire.

Confirmation of current Acts and Regulations can be found by referring to the Government of Western Australia, Department of Justice, Parliamentary Counsel's Office website <https://www.legislation.wa.gov.au>

Local Laws

The Shire may make local laws that are necessary or convenient to enable the Shire to perform any of its functions. All local laws for the Shire are available in the Local Laws Register on the Department of Local Government, Industry Regulation and Safety website <https://www.dlgsc.wa.gov.au> or on the Shire's website.

As of September 2026, the Shire's local laws are:

- Activities on Thoroughfares and Trading in Thoroughfares and Public Open Places Local Law 2000
- Animals, Environment and Nuisance Local Law 2024
- Bush Fire Brigades Local Law 2026
- Dogs Amendment Local Law 2021
- Dogs Local Law 2000
- Fencing Local Law 2021
- Parking Local Law 1997
- Property Local Law 2000
- Standing Orders Local Law 2002

Organisational Structure

Established as the West Arthur Road District in 1896 and reconstituted as the Shire of West Arthur in 1961, the organisation has more than 130 years of local government history. Throughout this period, elected Councils and administrations have guided the provision of infrastructure, community services and strategic planning across the district.

The transition from Road District to Shire reflected the expanding role and responsibilities of local government, with the organisation continuing to evolve to meet the changing needs, expectations and legislative requirements of the community it serves.

Council

The Council is made up of members of the local community, who are elected to office by residents and ratepayers of the Shire of West Arthur.

The Council comprises of seven (7) elected members, one of whom is nominated by Councillors as the Shire President. As a group, they are the decision and policy making body of the Shire.

Each Councillor is nominated for a prescribed term (up to four years). Ordinary local government elections are held every 2 years on the third Saturday in October. The next Ordinary election will be held on 16 October 2027.

A current list of the Councillors is available on the Shire's website.

The Council meets on the fourth Thursday of each month (except January when no meeting is held) in order to:

- Determine matters of policy;
- Exercise its discretion in determining matters that cannot be determined by staff; and
- Receive information.

Council may only exercise its decision-making authority when acting collectively at a properly convened Council meeting. Individual elected members do not possess independent decision-making authority.

Management

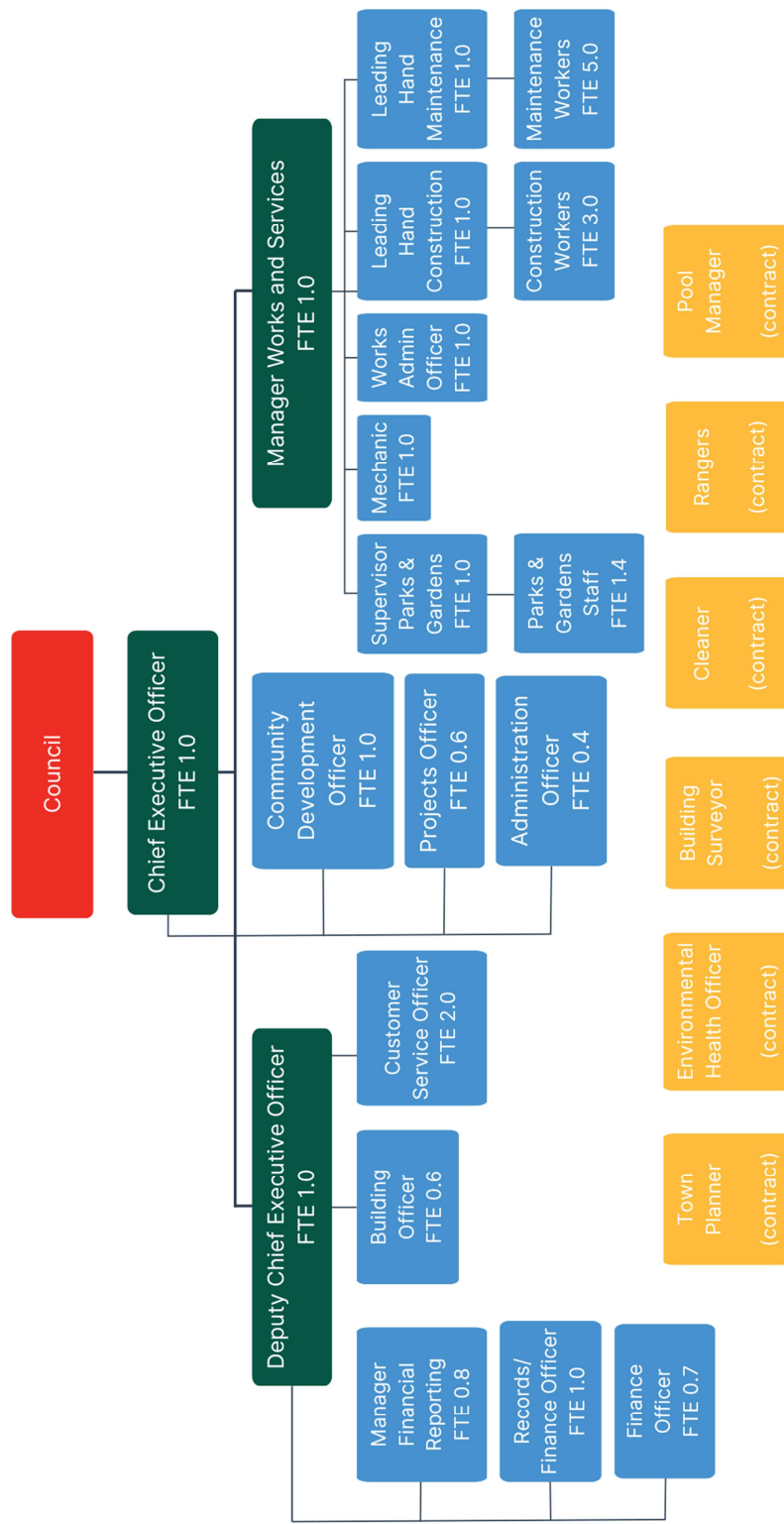
The Chief Executive Officer (CEO) is employed by Council and is responsible for the management of the Shire's administration. All other employees are accountable to the CEO.

The CEO's role is to act as a conduit between the Council and the Shire's administration and to manage the day-to-day operations of the Shire.

The Shire's senior management team includes:

- Deputy Chief Executive Officer
- Manager of Works and Services

Organisation Structure



Business Units

The responsibilities of each business unit are summarised in the following table.

Business unit	Responsibilities	
Councillors	• Represent the interests of electors, ratepayers and residents • Provide leadership & guidance to the community. • Facilitate communication to the Community • Decision making processes at meetings • Govern the affairs of the Shire	• Develop Council policy • Planning for the future. • Oversee Shire's performance.
Office of the Chief Executive Officer	• Managing the organisational structure. • Providing advice to Council. • Ensuring that Council decisions are implemented. • Delivering the strategic goals of Council. • Managing the day-to-day operation of the organisation. • Community Development • Economic Development • Tourism	• Emergency management. • Workforce planning. • Integrated planning. • Strategic projects. • Town planning. • Building approvals. • Refuse site. • Environmental health. • Advocacy.
Corporate Services	• Development and implementation of governance arrangements. • Legislative compliance. • Human resources. • Administration & Customer Service. • Financial Management. • Procurement. • Record keeping. • Information technology. • Risk management. • Work Health and Safety. • Community engagement and communication. • Freedom of Information coordination. • Licencing (on behalf of the Department of Transport)	• Dog and cat registration. • Ranger services. • Heritage. • Aquatic Centre. • Caravan Park. • Cemetery. • Cleaners. • Asset management. • Long-term financial planning. • Financial audits. • Payroll. • Property Management. • Building Maintenance
Works and Services	• Road works and maintenance. • Plant and equipment. • Gardens and recreation grounds.	

Decision-Making Functions

The Council of the Shire of West Arthur oversees the development and progression of the local community.

Council makes decisions on a range of issues that affect the community, including individuals and businesses, in the short, medium, and long term. Decisions are made in a structured manner, as prescribed by the *Local Government Act 1995* and outlined below.

In their roles as decision-makers, elected members, the CEO, and Shire Officers are responsible for making decisions that affect the community's daily life. These decisions might include the provision of footpaths, animal control, rubbish collection, cultural events, planning issues, recreation facilities, and environmental health management. The Shire aims to adopt a balanced and fair approach to decision-making to protect and enhance the Shire's amenities, preserve heritage, promote economic growth, and provide clarity to residents and businesses within the Shire.

Council Meetings

The Council is the policy and decision-making body of the Shire, with a focus on strategic direction. Council makes all its decisions at formal meetings known as the Ordinary Meeting of Council.

The Council meets every fourth Thursday of each month, except for January. The Chief Executive Officer and senior staff members attend these meetings to assist Council in making informed decisions.

The Shire President chairs these meetings and, in his/her absence, the Deputy President.

When required, a special meeting of Council may be called by the President or by at least one third of the Councillors. The CEO will convene the special meeting and arrange public notice if the meeting is to be open to the public. A special meeting must only deal with the items of business set out in the notice of meeting.

Electors Meetings

General electors' meetings are held annually and not more than 56 days after the Council accepts the annual report for the previous financial year. The meeting addresses the annual report and any other general business as prescribed on the notice of meeting.

A special electors' meeting of the Shire may be convened upon receipt of a request from not less than 5% of the district's electors or one-third of the members of Council. Any request for a special electors' meeting must clearly specify the matters proposed to be discussed at the meeting.

Emergency powers

The Shire President has the authority to authorise unbudgeted expenditure as requested by the Chief Executive Officer in an emergency under the Act.

This authority allows the President to make decisions regarding the use of municipal funds where standard procurement processes are impractical.

Delegated Authority

The Chief Executive Officer has delegated authority from the Council to make decisions on a number of specified administrative and policy matters.

The CEO may subdelegate some of these administrative and policy matter decisions to Shire officers per the Local Government Act 1995 and relevant legislation.

All delegations are listed in a Register and are reviewed annually by the Council.

Council Policies

Council adopts and regularly reviews a Policy Manual to provide strategic direction and establish the local government's broad position on matters of governance and service delivery.

Council policies are intended to guide decision-making at a strategic level and are not designed to prescribe administrative processes or operational activities. Matters relating to staff employment, roles, responsibilities, work allocation, internal procedures and day-to-day management are the responsibility of the Chief Executive Officer and fall outside the scope of a Council policy.



*Back row (L-R): Cr Helen Lubcke, Cr Karen Harrington (President), Cr Russell Prowse, Cr Natalie O'Neill
Front row (L-R): Cr Graham Pierce, Cr Duncan South (Deputy President), Cr Neil Morrell*

Public Participation

The Shire of West Arthur recognises the community as a vital stakeholder in informing decision-making. Community engagement and input play an essential role in helping the Shire identify and pursue outcomes that meet the current and future needs, priorities, and expectations of the community.

Members of the public have a range of opportunities to participate in the development of the Shire's plans, policies, and strategies, as well as to provide feedback on the Shire's services and performance. These engagement avenues support meaningful community involvement in local decision-making and are outlined below.

Elected Members

Members of the public can contact the Elected Members of Council to discuss any issue relevant to the Shire. Contact details for Councillors can be found on the Shire website.

Council Meetings

The *Local Government Act 1995* s.5.23 requires Council meetings to be open to the public, ensuring transparency and accountability in local government decision-making. In limited circumstances, Council may resolve to close part of a meeting to the public, such as when matters involving personal, legal, or confidential information are being considered. The reasons for closing a meeting are strictly prescribed by legislation and must comply with the requirements of the Act. Public participation in Council meetings is encouraged, with two opportunities available for community members to engage with Council:

1. Public Question Time

Section 5.24 of the *Local Government Act 1995* and Regulation 6 of the *Local Government (Administration) Regulations 1996* require a minimum period of 15 minutes to be provided at the commencement of each Council meeting to enable members of the public to ask questions and receive responses. Further information regarding public participation and meeting procedures is available in the Shire's Public Question Time, Presentations, Deputations and Petitions Policy.

2. Deputations and Petitions

Community members may also participate in Council decision-making through more formal mechanisms, including petitions and deputations. These provide an opportunity for individuals or groups to present matters of interest or concern directly to Council. Further information regarding the submission and presentation of petitions and deputations is available in the Shire's Public Question Time, Presentations, Deputations and Petitions Policy.

Standing and Occasional Committees

The *Local Government Act 1995*, section 5.8, enables Council to establish committees to assist in the effective governance and administration of the Shire.

Committees provide a forum for the detailed consideration of specific matters and support informed decision-making by investigating issues, reviewing information, and making recommendations to Council.

Through their specialised focus, committees assist Council to efficiently manage its responsibilities and achieve its strategic and operational objectives.

Council may establish two types of committees to assist in carrying out its functions:

1. Standing Committees – permanent committees established to consider ongoing matters within a specified area of responsibility. The Shire has three (3) standing committees including Audit, Risk and Improvement Committee, Bushfire Advisory Committee, and Local Emergency Management Committee.
2. Occasional Committees – committees established to address specific issues or projects, and which cease to operate once their purpose has been fulfilled or the matter has been resolved. The Shire currently has two (2) occasional committees – Behaviour Complaints Committee and CEO Recruitment and Selection Panel.

Other Avenues for Public Participation

There are several other ways for community members to participate in local government decision-making and provide feedback to the Shire, including:

a) Community Consultation

The Shire regularly seeks community input on a range of matters to inform its decision-making and planning processes. In some instances, consultation is required by legislation, such as for local law reviews, strategic community planning, and certain development applications. The Shire may also undertake consultation on matters where it is not legally required, but where community feedback is considered valuable in shaping future directions, projects, services, or facilities.

b) Petitions

A petition is a formal written request submitted by community members seeking Council's consideration of a particular issue. Petitions must relate to a matter that falls within Council's functions, powers, or decision-making responsibilities and provide an opportunity for collective community concerns to be brought before Council.

c) Written Requests

Members of the public may contact the Shire in writing regarding any policy, service, activity, or issue affecting the community. Correspondence received by the Shire will be considered and responded to in accordance with the Shire's Customer Service Charter and relevant administrative procedures.

d) Advertising

Residents may be notified of issues by written notifications, on-site signs, or advertising in local newspapers or newsletters.

e) Complaints Management

The Shire welcomes feedback to improve our services. Complaints will be investigated and resolved in an efficient manner, and a decision made or action taken communicated with the customer.

Access to Information

The Shire of West Arthur is committed to the principles of openness, transparency, and accountability in the conduct of its affairs. The Shire will make information available to the public wherever possible, subject to the requirements and limitations of applicable legislation.

Information that can be readily provided without significant administrative cost will generally be made available free of charge. Access to certain information may, however, be subject to fees and charges in accordance with relevant legislation and Council's Schedule of Fees and Charges.

The availability of information held by the Shire is governed by legislation including the *Freedom of Information Act 1992 (WA)*, the *Local Government Act 1995*, and other applicable laws.

Some information may be exempt from disclosure or treated as confidential where legislation permits. In accordance with section 5.95 of the *Local Government Act 1995*, the Chief Executive Officer or Council may determine that specific information is confidential in prescribed circumstances.

The following documents and information are publicly available through the Shire's website and/or may be inspected or accessed through the Shire Administration Office.

- Code of Conduct;
- Register of Financial Interest;
- Annual Report
- Annual Budget
- Schedule of Fees and Charges
- Plan of Principal Activities (Strategic Community Plan/Corporate Business Plan);
- Proposed Local Law of which the Shire has given State-wide Public Notice under Sec.3.12 of the *Local Government Act 1995*;
- Local Laws made by the Shire in accordance with Sec.3.12 of the *Local Government Act 1995*;
- Regulations made by the Governor under Sec.9.60 of the *Local Government Act 1995* that operates as if they were Local Laws of the Shire;
- Text that –
 - Is adopted (whether directly or indirectly) by a Local Law of the Shire or by a regulation that is to operate as if it were a Local Law of the Shire; or
 - Would be adopted by a proposed Local Law of which the Shire has given State-wide public notice under Sec.3.12(3);
- Subsidy legislation made or adopted by the Shire under any written law other than the *Local Government Act 1995*;
- Any written law having a provision in respect of which the Shire has a power or duty to enforce;
- Rate record;
- Confirmed minutes of Council or Committee Meetings;
- Minutes of Electors Meetings;

- Notice papers and agenda relating to any Council or Committee Meeting and reports and other documents that have been –
 - Tabled at a Council or Committee Meeting; or
 - Produced by the Shire of West Arthur or a Committee for presentation at a Council or Committee Meeting and which have been presented at a meeting;
- Report of a review of a Local Law prepared under Sec.3.16(3) of the *Local Government Act 1995*;
- Business plan prepared under Sec.3.59 of the *Local Government Act 1995*;
- Register of Owners and Occupiers under Sec.4.32(6) of the *Local Government Act 1995* and Electoral Roll;
- Contract under Sec.5.39 of the *Local Government Act 1995* and variation of such contract;
- Such other information relating to the Shire –
 - Required by a provision of the *Local Government Act 1995* to be available for public inspection; or
 - As may be prescribed.
- Policy Manual
- Delegations Register
- Corporate Business Plan
- Workforce Plan
- Strategic Resource Plan
- Burial Register
- Cemetery Plan
- Town Planning Scheme No 2

It is important to note the following limitations as set out by the *Local Government Act 1995* and associated regulations when requesting to inspect the Shire's information:

- Section 5.95(1) advises that the right to inspect does not extend to information that is not current at time of inspection and which, in the CEO's opinion, would divert a substantial and unreasonable portion of the Shire's resources away from other functions.
- Section 5.95(2) excludes information that relates to any debt owed to the Shire, unless the person requesting the information is the debtor.
- Sections 5.95(3) and (4) excludes the right to inspection of confidential information from a meeting, other than the decision.
- Sections 5.95(6) and (7), and Administration Regulation 29A(2) and (3) prescribes that information that would reveal information about the property prices for sale or purchase by the Shire, and information about discussion of this matter, is only confidential until the sale or purchase has taken place, of a decision has been made that a sale or purchase will not take place.
- Section 5.95(8) excludes the right to inspect silent electors
- Administration Regulation 14(2) provides that nothing entitles members of the public for inspection information contained in notice papers, agenda or information to be tabled at a meeting and provided to Council or committee members, if in the CEO's opinion, the meeting of that part of the meeting to which the information refers is likely to be closed to the public under section 5.23(2).
- Administration Regulation 29B requires that the CEO be satisfied (via Statutory Declaration) that the information will not be used for a commercial purpose.

Photocopies of the above documents are available at a cost included in the Schedule of Fees and Charges.

Documents not mentioned in the above are not freely available to the public and access will be determined through making a Freedom of Information application to the Shire. Examples of such documents include but are not limited to:

- Internal Shire decision making documents
- Correspondence to community members; and
- Payroll information not related to the applicant

Freedom of Information Process

The *Freedom of Information Act 1992 (WA)* gives you the legally enforceable right to:

1. Access records held by the Shire without needing to demonstrate any connection to, or reason for, seeking access to these records; and
2. Apply to have personal information the Shire holds (that you believe is inaccurate) to be altered at no cost.

The Act also requires the Shire to make available certain information about the way it operates.

The records you can seek to access under the Act include paper, sound, image, and digital based records.

Application fees and charges

The following tables provide an overview of the Freedom of Information fees and charges.

Fees*	Amount
Application fee (for non-personal information).	\$30
Application fee for personal information.	No fee

Charges*	Amount
Charge for time taken by staff dealing with the application (per hour, or pro rata for a part of an hour).	\$30
Charge for time taken by staff supervising the inspection of records by the applicant (per hour, or pro rata for a part of an hour).	\$30
Charge for time taken by staff photocopying (per hour, or pro rata for a part of an hour).	\$30
Charge per photocopy.	\$0.20
Charge for time taken by staff transcribing information from a tape or other device (per hour, or pro rata for a part of an hour).	\$30

Other costs	Amount
Duplicating tape, film or computer information.	Actual cost
Delivery, packaging and postage.	Actual cost
Hiring of facilities or equipment to access information.	Actual cost

Advance deposits	Amount
Initial advance deposit (Percentage of estimated charges payable)	25%
Further advance deposit, if deemed required by the Shire to meet the charges for dealing with the application.	75%

In accordance with the *Freedom of Information Act 1992* and associated Regulations, processing charges may be reduced by 25% for applicants who are impecunious or who hold a valid pensioner concession card prescribed under the *Rates and Charges (Rebates and Deferments) Act 1992*.

The Regulations do not define the term impecunious, and the determination of financial hardship is therefore at the discretion of the Shire. Applicants seeking consideration on this basis may be required to provide supporting evidence, such as documentation from Centrelink or another relevant agency.

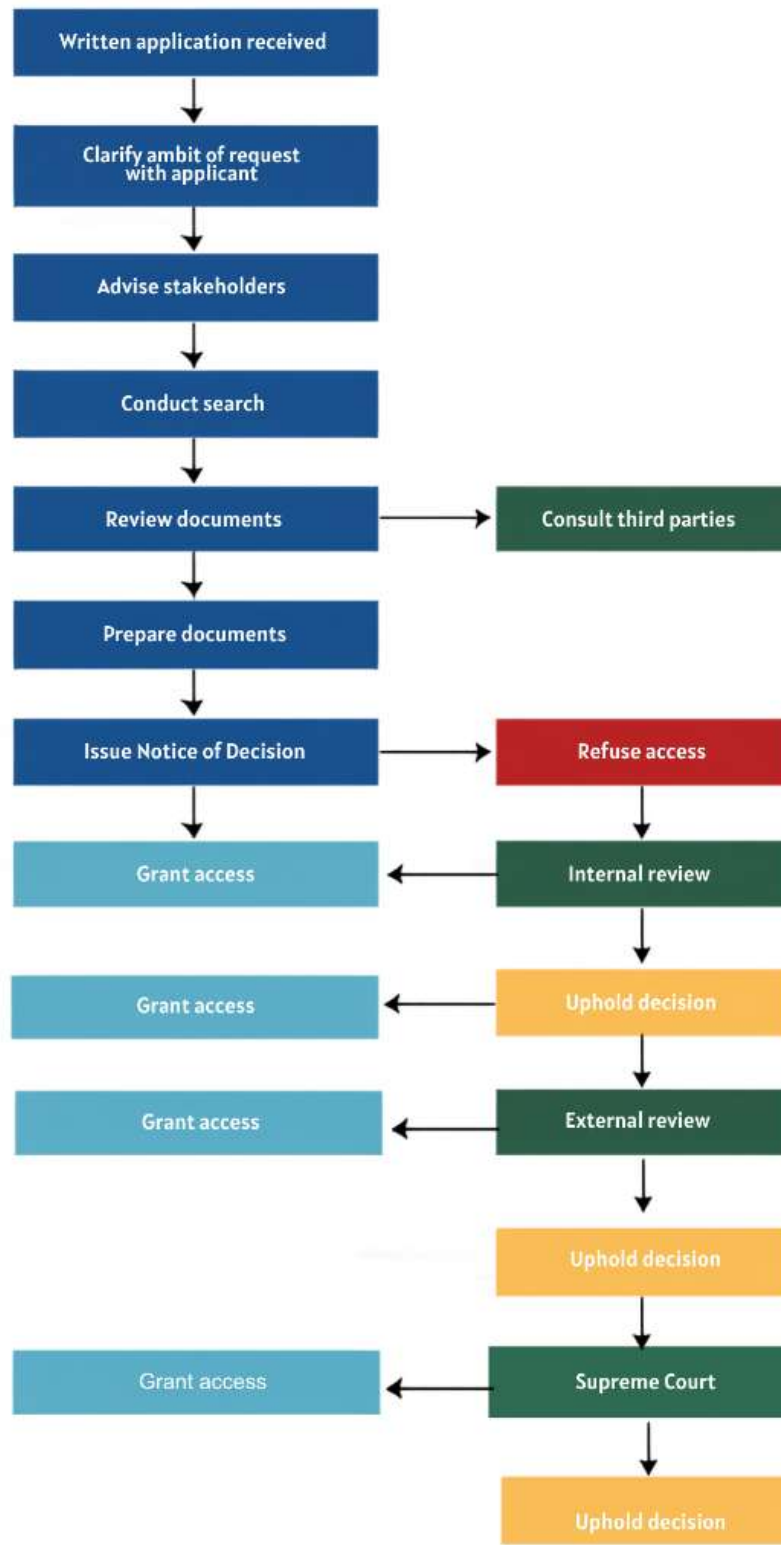
Any reduction in charges applies only to the processing costs associated with an application and does not extend to the prescribed application fee for requests seeking access to non-personal information.

In accordance with section 18 of the *Freedom of Information Act 1992*, the Shire may require an applicant to pay an advance deposit towards the estimated cost of processing an application.

Enquiries can be directed to the Freedom of Information Officer in person at the Shire Administration Office, by phone, or in writing.



Application and Assessment



Lodging an application

You must lodge your application in writing. Your applications must:

- Give sufficient information to identify the required documents;
- Provide an Australian address for correspondence; and
- Be accompanied by the appropriate fee

Applications can be lodged in the following ways:

- By post and addressed to:
 - Freedom of Information Officer
Shire of West Arthur
PO Box 112
Darkan WA 6392
- In person
 - Freedom of Information Officer
Shire of West Arthur
31 Burrowes Street
Darkan WA 6392
- By email
 - Attention: Freedom of Information Officer
shire@westarthur.wa.gov.au

Third party consultation

The Shire is required to consult with third parties where a record contains the following information about a person who is not the applicant:

- personal information about an individual;
- information about the trade secrets of a person;
- information (other than trade secrets) that has a commercial value to that person; or
- information about the business, professional, commercial or financial affairs of a person.

There is no requirement to consult if the Shire:

- does not propose to grant access to the relevant record; or
- releases the record with the relevant personal, business, professional, commercial and financial information deleted from the record.

If the Shire takes reasonable steps to consult with a third party, but does not receive a response, the Shire must make its decision on access based on the information and facts before it.

If the views of a third party are obtained and the third-party objects to disclosure, the onus remains with the Shire's decision-maker to determine whether the information is actually exempt from disclosure. The third party has review rights if the Shire decides to give access to a document, acting against the third party's claim that the document should be exempt from release.

Notice of Decision

The Shire is required to provide a Notice of Decision within 45 calendar days of receiving a valid Freedom of Information application. Where an application involves a substantial volume of records, complex searches, or consultation with third parties, the Shire may seek the applicant's agreement to extend the statutory processing period. Applicants will be contacted if an extension is required and advised of the reasons for the request. The notice of decision will include the following information:

- The date on which the decision was made;
- The name and designation of the officer who made the decision;
- If the document is exempt, the reasons for classifying the matter as exempt or why access is granted to edited records; and
- Information regarding the right to review and the process to be followed to exercise those rights.
-

Forms of Access

Access to documents may be provided in a variety of formats, including inspection of the original document, provision of a copy of the document, access to audio or video recordings, electronic copies of records, or transcripts of recorded, shorthand, or encoded information from which the contents can be reproduced.

Access refusal

Schedule 1 of the Freedom of Information Act 1992 outlines the matters that may be exempt from release in response to an FOI request. The most frequent reasons for refusal to provide access to information are:

1. Personal Information

Information that would disclose the personal information of an individual may be exempt from disclosure under Clause 3 of Schedule 1 to the Freedom of Information Act 1992. This may include a person's name, residential address, contact details, signature, date of birth, or other information that could reasonably identify them. Personal information may also include unique identifiers and information relating to an individual's physical, physiological, or genetic characteristics, such as fingerprints, retinal scans, or biological samples

2. Commercial Information

Certain information may be exempt from disclosure under Schedule 1, Clause 4 of the Freedom of Information Act 1992. This includes trade secrets, information of commercial value that could cause harm if released, and information relating to a person's financial affairs, such as debts owed to the Shire.

3. Deliberative Process

Certain information may be exempt from disclosure under Schedule 1, Clause 6 of the Freedom of Information Act 1992. This includes information that would disclose matters considered during a confidential decision-making process, such as discussions held in a closed Council meeting.

4. Legal Professional Privilege

Certain information may be exempt from disclosure under Schedule 1, Clause 7 of the Freedom of Information Act 1992. This includes confidential communications that contain or relate to legal advice provided to the Shire.

The public interest test

Certain exemptions in Schedule 1 of the *Freedom of Information Act 1992* are subject to a public interest test. In these cases, the Shire must consider whether the public interest in disclosing the information outweighs the public interest in withholding it. If disclosure is determined to be in the public interest, access must be granted even where the information would otherwise be exempt.

Review and Appeal Process

Internal Review

If you are dissatisfied with the Shire's Notice of Decision, you have 30 calendar days in which to lodge an application for internal review.

Internal review applications will be determined by an officer authorised under the Freedom of Information Act 1992. Where required by the Act, the review will be undertaken by a person other than the original decision-maker. In most cases, the reviewer will be the Chief Executive Officer. The reviewing officer must provide a decision on the application within 15 calendar days of receiving the request for review.

Applications for internal review must be made in writing, addressed to the Chief Executive Officer, and submitted in person, by post or email (ceo@westarthur.wa.gov.au).

External Review

If you are dissatisfied with the outcome of the Chief Executive Officer's internal review, you may apply to the Information Commissioner for an external review within 60 calendar days.

The request submitted to the Information Commissioner must:

- be made in writing;
- give particulars of the decision to which your complaint relates;
- attach a copy of the Shire's Notice of Decision; and
- give an address in Australia.

There is no charge for lodging a complaint with the Information Commissioner's Office.

The address for lodgement of a complaint is:

Office of the Information Commissioner
Albert Facey House
469 Wellington Street
Perth WA 6000

Email: info@oic.wa.gov.au

If you are a third party to an application for access to personal, commercial or business information concerning yourself, who objects to disclosure of your information, you must apply for external review within 30 days of being given written notice of a decision.

Information on the external review process and the expected timeliness of outcomes can be found on the Office of the Information Commissioner's website.

Appeals to the Supreme Court

Parties to a decision of the Information Commissioner have the right to appeal to the Supreme Court of Western Australia on a question of law. Appeals must be lodged in accordance with the requirements and timeframes set out in the *Rules of the Supreme Court 1971*.

Personal Information

Under the *Freedom of Information Act 1992*, you have the right to request that the Shire amend personal information it holds about you if you believe the information is inaccurate, incomplete, out of date, or misleading. This process helps ensure that personal information maintained by the Shire is accurate and does not unfairly affect or misrepresent an individual.

Applications to amend personal information should be submitted to the Shire's Freedom of Information Coordinator and must:

- be made in writing;
- provide sufficient information to identify the document containing the personal information;
- specify why the information is believed to be inaccurate, incomplete, out of date, or misleading;
- outline the reasons for that belief;
- specify the amendment sought, including whether the information should be altered, deleted, struck out, or supplemented with a note;
- provide an Australian address for correspondence; and
- be lodged with the Shire.

Applicants should also provide any supporting information or evidence available to substantiate the requested amendment.

Applications for amendment of personal information are assessed in accordance with the same procedures and review rights that apply to applications for access to documents under the *Freedom of Information Act 1992*.

Personal Information Collection, Use, and Storage

The Shire of West Arthur is committed to protecting the privacy of individuals and ensuring that personal information is collected, used, stored, disclosed, and managed in a responsible and lawful manner. The Shire recognises that the protection of personal information is essential to maintaining public trust and confidence in the delivery of local government services.

In accordance with the *Privacy and Responsible Information Sharing Act 2024* and other applicable legislation, the Shire collects and manages personal information only where it is necessary to perform its statutory functions, deliver services, and meet its legal obligations. Appropriate measures are implemented to safeguard personal information from unauthorised access, use, disclosure, alteration, or loss, while ensuring that information is handled transparently, securely, and only by those with a legitimate need to access it.

The Shire is committed to maintaining high standards of privacy, information governance, and accountability throughout the lifecycle of personal information and to ensuring that information is managed in a manner that respects the rights of individuals and supports responsible information sharing where authorised by law.

Further information on the Shire's approach to protecting privacy and managing personal information can be found in Council Policy F36 – Privacy and Responsible Information Sharing (PRIS) Policy.

