



Pilbara Development Commission Freedom of Information Statement

March 2021

Contents

1. Introduction.....	3
2. Enquiries	3
3. The organisation.....	4
4. Relevant legislation	5
5. Structure and functions	6
6. Public participation	7
7. Documents held by the Commission.....	9
8. Freedom of information operations	10
8.1 Freedom of information applications.....	10
8.2 Freedom of information charges.....	10
8.3 Access arrangements	11
8.4 Notice of decision.....	11
8.5 Refusal of access	11
8.6 Amendment of personal information	12

1. Introduction

This information statement is provided in accordance with sections 96 and 97 of the *Freedom of Information Act 1992 (WA)* (FOI Act).

The FOI Act provides the public with the right to access to information held by the State Government and local governments not routinely available to the public.

The Commission is committed to assisting the public to obtain prompt access to documents at the lowest reasonable cost, in the spirit of the FOI Act, to ensure openness, transparency, and accountability as a government agency.

2. Enquiries

The Commission encourages any person considering making an FOI application to first contact the Commission:

Freedom of Information Coordinator
Pilbara Development Commission

Email: fdc@fdc.wa.gov.au

Tel: 08 6551 7500

Freecall: 1800 THE PILBARA (1800 843 745)

3. The organisation

The Pilbara Development Commission (the Commission) provides the regional link between government policy and planning and regional aspirations and needs.

Vision

The Commission's vision for the Pilbara region is vibrant and sustainable communities underpinned by a strong, diverse economy.

Purpose

The purpose of the Commission is to be the catalyst for development and growth in the Pilbara region.

Strategic goals

The Commission's [Strategic Plan 2019-21](#) provides detail about the Commission's strategic goals, which are:

- Prosperous and diverse economy
- Regional liveability
- Aboriginal economic participation and prosperity
- Organisational excellence

4. Relevant legislation

The Commission was established under the *Regional Development Commissions Act 1993* (the RDC Act) and it is listed as a statutory authority on Schedule 1 of the *Financial Management Act 2006*. The RDC Act established Regional Development Commissions in each of Western Australia's nine regions to coordinate and promote economic development to maximise prosperity and wellbeing for the regions, and for Western Australia.

The objectives of the Commission under the RDC Act are:

- maximising job creation and improving career opportunities in the region;
- developing and broadening the economic base of the region;
- identifying infrastructure services to promote economic and social development within the region;
- providing information and advice to promote business development within the region;
- seeking to ensure that the general standard of government services and access to those services in the region is comparable to that which applies in the metropolitan area; and
- taking steps to encourage, promote, facilitate and monitor the economic development in the region.

In the performance of its functions, the Commission complies with the following relevant written laws:

- *Salaries and Allowances Act 1975*;
- *Industrial Relations Act 1979*;
- *Equal Opportunity Act 1984*;
- *Occupational Safety and Health Act 1984*;
- *State Supply Commission Act 1991*; *Freedom of Information Act 1992*;
- *Regional Development Commissions Act 1993*;
- *Minimum Conditions of Employment Act 1993*;
- *Disability Services Act 1993*;
- *Public Sector Management Act 1994*;
- *State Records Act 2000*;
- *Auditor General Act 2006*; and
- *Financial Management Act 2006*.

5. Structure and functions

The Commission is responsible to the Minister for Regional Development. 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 RDC Act.

The Commission's Board is responsible to the Minister for Regional Development and is the governing body of the Commission, ensuring the efficient and effective operation of the organisation. The Board meets regularly to consider matters of economic and social importance to the Pilbara, to formulate advice to the Minister on appropriate matters, to set policy directions for the Commission and to formulate budget priorities. The Board is comprised of six members including community, local government and Ministerial appointments, and the Chief Executive Officer (CEO), who is a member of the Board by virtue of office.

The Board's strategic role of oversight, direction and advice is distinct from the role of the CEO, who is responsible for managing the day-to-day operations of the Commission. The Commission has 14 staff including the CEO, who is responsible to the Board Chair.

The Commission's regional development staff are led by two Directors: one with a focus on Economic Development, Land & Infrastructure and the other with a focus on People, Place & Community. The Commission's Executive Officer and Senior Communications Advisor respond directly to the CEO.

Further information about the Commission's Board and staff are available on the Commission's website at: <https://www.pdc.wa.gov.au/commission/our-people/our-staff>. In addition, the Commission's [annual reports](#) describe the operations and outcomes of its work.

6. Public participation

The Commission does not administer or operate any formal committees or bodies for public participation in the formulation of its policy and performance of its functions.

However, the Commission does work in partnership with a range of government and non-government bodies to achieve regional development outcomes for the Pilbara. Non-State Government organisations with whom the Commissions works to develop policy positions and projects include but are not limited to:

- The four local government authorities in the Pilbara;
- Chambers of commerce and other business organisations in the Pilbara;
- Industry organisations;
- Community groups;
- Not-for-profit organisations including social enterprises; and
- Aboriginal corporations.

As part of its role as a facilitator and partner, the Commission leads and participates in various working groups and advisory committees. In recent years, these have included but are not limited to:

- Western Australian Regional Development Alliance;
- Wanggalili Project Steering Committee;
- Western Australian Tropical Research Institute (WATARI) Project Steering Committee;
- Port Hedland Spoilbank Marina Steering Committee and Communications Working Group;
- Port Hedland Inter-agency Senior Officers Group;
- Northern Beef Development Reference Group;
- Developing Northern Australia WA Sub Committee and Program Advisory Committee;
- Hedland Collective;
- North-West Aboriginal Housing Fund;
- Murujuga Rock Art Stakeholder Reference Group;
- Pilbara District Leadership Group;
- Woodside, BHP and other resource sector community reference groups;
- Wickham Community Stakeholders Forum;
- Newman Futures;
- CRC for Transformations in Mining Economies;
- WA Country Health Service Pilbara Operations Area Support Group; and



- REcov19ER Regional COVID 19 Emergency Response Working Group.

The Commission recognises the importance of frank feedback to assist it to improve its services and provides details of its complaints process on its website at:

<https://www.pdc.wa.gov.au/commission/about-us/contact-us>

7. Documents held by the Commission

The Commission provides a wide range of documents available to download for free from the [Commission's website](#) without a FOI application required. These include but are not limited to:

- Annual reports;
- Strategic plan;
- Economic snapshots;
- Housing and land and commercial property data;
- Economic and community development strategies and analyses;
- Project-specific information;
- Media releases;
- Information relating to State Government grants;
- Newsletter articles; and
- Photographs and other images.

Members of the public seeking further information of the types listed above are encouraged to contact the Commission by calling 08 6551 7500, emailing pdcc@pdcc.wa.gov.au or visiting its offices in Port Hedland or Karratha.

Other documents held by the Commission which are available – subject to exemptions outlined in the FOI Act – and may be accessed under a FOI application include those records created in the line of day-to-day operation and management of the Commission. These include but are not limited to:

- Email and other correspondence;
- Draft documents;
- Internal memorandums;
- Presentations;
- Contracts and agreements;
- Policies and procedures;
- Minutes and agendas;
- Records relating to administrative operations;
- Strategic development plans; and
- Tender and quotation responses.

8. Freedom of information operations

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

The Commission encourages anyone considering submitting an FOI application to first discuss the issue with the Commission's Freedom of Information Co-ordinator by telephoning 08 6551 7500 or freecall 1800 843 745. Many requests for information held by the Commission can be easily satisfied by a phone call or personal visit to either of the Commission's offices, located in Karratha and Port Hedland, or by emailing fdc@fdc.wa.gov.au

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

8.1 Freedom of information applications

FOI applications must:

- be in writing, addressed to:

Freedom of Information Coordinator,
Pilbara Development Commission
Shop 2, 6 Wedge Street,
Port Hedland WA 6721

and sent by post, hand or email, to fdc@fdc.wa.gov.au

- give enough information so that the documents requested can be identified;
- give an Australian address to which notices can be sent; and
- be lodged with Commission with the appropriate application fee.

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

8.2 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 or charge
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, film or computer (per hour, or pro rata)	\$30.00
Duplicating a tape, film or computer information	Actual cost
Delivery, packaging 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%. The Commission reserves the right to request a deposit of between 25-75% in advance for the work to be undertaken.

8.3 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.

8.4 Notice of decision

As soon as possible, but in any case, within 45 days, you will be provided with a notice of decision which will include details such as:

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

8.5 Refusal of access

Applicants who are dissatisfied with a decision of the agency are entitled to ask for an internal review by the agency.

The **internal review** application should be made in writing within 30 calendar days after being given the agency's notice of decision. You will be notified of the outcome of the review within 15 calendar days. 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 agency's written notice of the internal review decision. (Note: if you are requesting 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.)

8.6 Amendment of personal information

For the amendment of personal information held by the Commission that you are concerned is inaccurate, incomplete, out of date or misleading, contact the Commission's Freedom of Information Coordinator via the contact details below. No access charges apply.

Freedom of Information Coordinator

Pilbara Development Commission

Email: fdc@fdc.wa.gov.au

Tel: 08 6551 7500

Freecall: 1800 THE PILBARA (1800 843 745)