

# Information Statement

This Statement is published by the EMRC in compliance with the requirements of the *Freedom of Information Act 1992*

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## 1 INTRODUCTION

This document has been created to comply with the requirement under Part 5 of the *Freedom of Information Act 1992* ("FOI Act") to publish an annual Information Statement.

A copy of the Statement can be accessed from the EMRC's website at <https://www.emrc.org.au/>.

Further information can be provided by contacting the EMRC between Monday and Friday during office hours.

### Records Officer

EMRC

Telephone: (08) 9424 2222

Email: [mail@emrc.org.au](mailto:mail@emrc.org.au)

## 2 MISSION STATEMENT

The EMRC, by partnering with member Council and other stakeholders, facilitates strategies and actions for the benefit of Perth's Eastern Region.

## 3 LEGISLATION ADMINISTERED

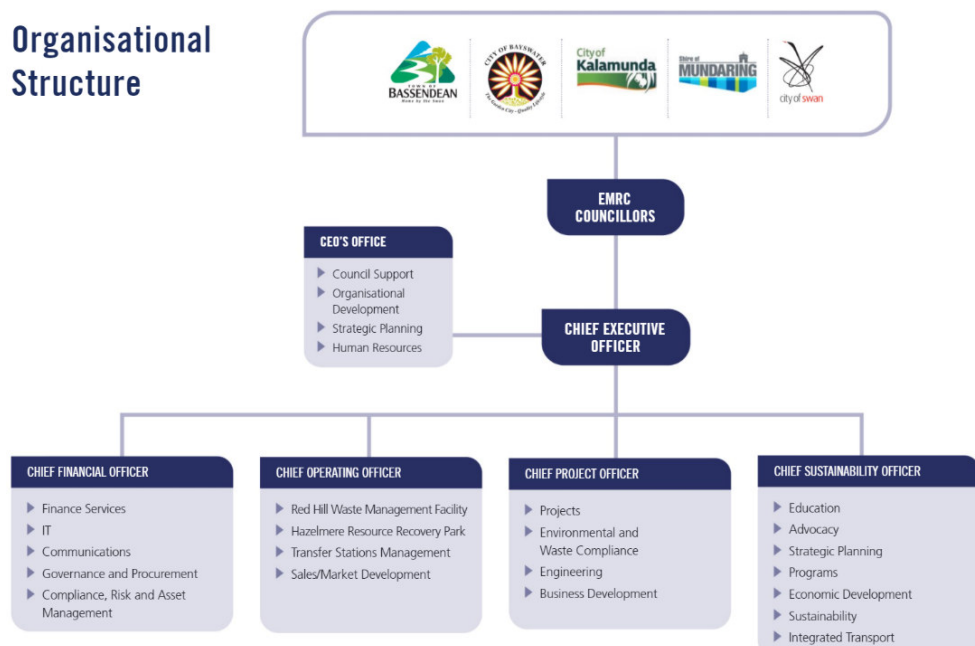
The EMRC is an incorporated body established under the *Local Government Act 1995 (WA)*. The EMRC's operations are governed by its Council under an Establishment Agreement.

## 4 EMRC STRUCTURE AND FUNCTIONS

The EMRC provides a broad range of services across the region including waste management and education, resource recovery, urban environmental management and regional development of the region. Working in partnership with our member Councils and other stakeholders, the EMRC delivers local and regional scale projects across each of these areas for the benefit of the region.

The EMRC Council is responsible for setting the EMRC's strategic direction. EMRC management implements this direction, ensures the organisation's values are sustained and provides an environment that encourages all staff to reach their full potential.

### Organisational Structure



## **5 DETAILS OF FUNCTIONS**

The EMRC provides services in waste management, resource recovery, urban environmental management and regional development. Working with our member Councils, industry, government agencies and other stakeholders, the EMRC is a model of successful collaboration that delivers tangible benefits to the region.

### **5.1 OFFICE OF THE CHIEF EXECUTIVE OFFICER (CEO)**

The Office of the CEO undertakes council support and governance, human resources, organisational development and strategic planning for the organisation.

### **5.2 BUSINESS SUPPORT**

Business Support provides administration, information services, financial management, communications, risk management, records management and procurement support to the organisation. It is also tasked with ensuring that EMRC operations comply with the relevant statutory obligations.

### **5.3 OPERATIONS**

Operations covers the Red Hill Waste Management Facility and Hazelmere Resource Recovery Park, as well as the Baywaste Community Recycling Centre operated on behalf of the City of Bayswater and the Coppin Road and Mathieson Road Community Recycling Centres operated on behalf of the Shire of Mundaring. The business unit undertakes initiatives and activities to aid diversion of waste from landfill to more environmentally sustainable solutions, including composting and mulch processing of greenwaste, timber and mattress recycling and providing advice on contaminated sites.

### **5.4 PROJECTS**

The Projects business unit develops and implements resource recovery solutions to maximise the social, environmental and economic benefits to Perth's Eastern Region and minimise the amount of waste being directed to landfill.

### **5.5 SUSTAINABILITY**

The Sustainability area consists of teams responsible for Urban Environment and Waste Education.

The Urban Environment team provides services and projects aimed at minimising the amount of energy and water that is consumed across the region; creating economic growth and employment opportunities; increasing investment for infrastructure; planning and advocating for alternative modes of transport; and facilitating regional cultural and recreational activities.

The Waste Education team, provides education across all member Councils and the wider community around waste avoidance, minimisation and management, together with resource recovery, Food Organics Garden Organics (FOGO), and working towards a circular economy. A key focus of the teams is to work with EMRC's member Councils and regional stakeholders to enhance sustainability across Perth's Eastern Region.

## **6 PUBLIC PARTICIPATION IN POLICY FORMULATION AND EMRC FUNCTIONS**

There are a number of opportunities for members of the public to participate in the formulation of the EMRC's plans, policies and strategies as well as comment on the performance of the organisation's functions.

## 6.1 ORDINARY MEETINGS

Ordinary meetings of Council are scheduled on a monthly basis with a recess over the December and January period. Some meetings are designated “If Required”. A list of meeting dates is available from the EMRC website at <https://www.emrc.org.au/council/council-and-committees/council-meeting-dates.aspx>.

Members of the public are welcome to attend EMRC Council meetings. A copy of the meeting agenda may be obtained from the website, or by contacting the EMRC on (08) 9424 2222. Meetings are held at the EMRC offices located at 226 Great Eastern Highway, Ascot and commence at 6:00 pm.

Provision is made in the agenda for Public Question Time. All meetings must be held and function in accordance with the *Local Government Act 1995* and associated regulations and the EMRC’s *Standing Orders Local Law 2013* as well as any State or Federal health advice precautions.

## 6.2 SPECIAL MEETINGS OF COUNCIL

A special meeting of Council can be convened to consider an urgent matter or a matter which otherwise involves special circumstances. Special meetings can be convened at short notice should the circumstances warrant.

Special meetings of the Council are conducted in much the same way as ordinary meetings of Council. Members of the public may ask questions at public question time. Report items to address a confidential matter will result in the meeting being closed to the public in accordance with s.5.23(2) of the *Local Government Act 1995*.

## 6.3 AGENDA BRIEFING FORUMS

Agenda Briefing Forums are held at the EMRC offices two weeks prior to an ordinary meeting of Council and are designed to provide the opportunity for Elected Members to be equally informed and seek additional information on matters prior to the presentation of such matters to the next ordinary meeting of Council for formal consideration and decision.

Agenda Briefing Forums commence at 6:00pm. These forums are open to the public except for matters of a confidential nature. There is no Public Question Time during these meetings. Any questions will be directed to the following ordinary meeting of Council.

## 6.4 ADVISORY AND OCCASIONAL COMMITTEES

The EMRC has established a number of committees in order to assist with its planning and decision-making. The minutes of Committee meetings are considered by a subsequent Council meeting. Committee meetings are open to the public, however there is no Public Question Time. Any questions will be directed to the following ordinary meeting of Council.

## 6.5 PUBLIC QUESTION TIME

Members of the public are welcome to ask questions at a Council meeting. If a question relates to a complex matter that requires investigation and a response is required at the Council meeting, it is appropriate to put such a question in writing for presentation to the Chairman. Further information may be found in the *Local Government (Administration) Regulations 1996*.

## 6.6 WRITTEN REQUESTS

A member of the public can write to the EMRC on any Council policy, activity, function or service.

## 7 DOCUMENTS HELD BY THE EMRC

The EMRC is the keeper of information relating to its operations and activities. Availability of information is subject to provisions established in legislation such as the *Freedom of Information Act 1992 (WA)* and the *Local Government Act 1995* and may be free, or subject to fees and charges.

The EMRC will, in all instances, seek to provide access to information upon request except where there may be issues under the *Privacy Act 1998 (Cth)* or *Freedom of Information Act 1992 (WA)*, or other relevant legislation.

Information is published through a range of media including public statements, media releases, the EMRC's Internet website and social media channels, local and state-wide newspaper advertising, public notice boards, library services, information sheets and other publications, individual correspondence, public and statutory documents and technical reports.

Under *s.5.95 of the Local Government Act 1995*, the CEO or Council may determine that certain information is confidential.

### 7.1 LIMITATIONS TO ACCESS

The most frequent reasons for refusal to provide access to information are:

|                              |   |
|------------------------------|---|
| Personal Information         | Information that would reveal personal information about an individual (e.g. their name, contact details, signature etc) may be exempt under <i>Schedule 1 Clause 3 of the Freedom of Information (FOI) Act 1992</i> and <i>s5.95 (8) of the Local Government Act 1995</i> .                                    |
| Commercial Information       | Information that would reveal trade secrets, information of a commercial value (e.g. documents containing technical designs that, if released, would harm the company), or the financial affairs of a person (e.g. debts owed to the EMRC) may be exempt under <i>Schedule 1 Clause 4 of the FOI Act 1992</i> . |
| Deliberative Process         | Information that would reveal a decision made during a deliberative process closed to the public (e.g. confidential Council meeting) may be exempt under <i>Schedule 1 Clause 6 of the FOI Act 1992</i> and <i>s5.23 of the Local Government Act 1995</i> .   |
| Legal Professional Privilege | Information that would reveal legal advice may be exempt under <i>Schedule 1 Clause 7 of the FOI Act 1992</i> .   |

## 7.2 DOCUMENTS AVAILABLE OUTSIDE THE FREEDOM OF INFORMATION ACT 1992

The following documents are generally available outside the *FOI Act 1992*. The majority of these are available on the EMRC's Internet website.

- Annual Budget
- Annual Financial Statements
- Annual Report
- Business Plan (prepared under s3.59 of *Local Government Act 1995*)
- Councillors' Code of Conduct
- Employee's Code of Conduct
- Freedom of Information Statement
- Local Laws (including Council reports or proposals relating to Local Laws)
- Minutes of Committee Meetings and Council Meetings (including Agendas, Reports etc that relate to the meeting, but excluding items that were closed to members of the public)
- Register of Complaints
- Register of Delegations (and decisions made under Delegation)
- Register of Financial Interests
- Register of Tenders
- Register of Token Gifts
- Schedule of Fees & Charges
- Statutory Notices
- Strategic Plan

The EMRC runs three Internet websites that facilitate access to information:

[www.emrc.org.au](http://www.emrc.org.au)

This website is the EMRC's main corporate website and contains details of EMRC operations, Council, Council and Committee minutes and agendas, annual reports, annual budgets and a schedule of fees and charges.

[www.perthseasternregion.com.au](http://www.perthseasternregion.com.au)

This website contains information about community and social activities aimed at enhancing the quality of life across Perth's Eastern Region.

[www.rgang.org.au](http://www.rgang.org.au)

This website contains information relating to waste education.

The EMRC maintains Facebook and LinkedIn pages which promote the organisation's public-facing activities, particularly in the field of Waste Education. Regularly updated links to the EMRC's corporate information, bi-monthly Newsletter and Annual Report are also provided.

## 7.3 DOCUMENTS AVAILABLE OUTSIDE THE *FREEDOM OF INFORMATION ACT 1992*

Access to documents other than those available on EMRC websites or listed above must be obtained via a Freedom of Information Application.

## 8 THE OPERATION OF FREEDOM OF INFORMATION AT THE EMRC

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

If information is not routinely available, the *Freedom of Information Act 1992 (WA)* provides the right to apply for documents held by the agency 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

Access applications have to -

- be in writing;
- give enough information so that the documents requested can be identified;
- give an Australian address to which notices can be sent; and
- be lodged at the agency with any application fee payable.

Applications and enquiries should be addressed to the Freedom of Information Coordinator at PO Box 234, Belmont, WA 6984.

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 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   | \$ 0.20               |
| ➤ 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%.

### 8.3 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%



#### 8.4 ACCESS ARRANGEMENTS

Access to documents can be granted by way of inspection; a copy of a document; a copy of an audio recording provided in a suitable electronic or paper format.

#### 8.5 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.

#### 8.6 REFUSAL OF ACCESS

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

##### **Office of the Information Commissioner**

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