




Department of  
**Environment and Conservation**

*Our environment, our future* 

**Department of Environment and Conservation**

## **Information Statement 2010 - 2011**

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**Document Type, Availability  
and Accessibility**

Prepared in accordance with section 94 of the *Freedom of Information Act 1992*  
*August 2010*<sup>1</sup>

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<sup>1</sup> Material collated from the Department of Environment and Conservation (DEC) website, DEC directors, and reports including the DEC Corporate Plan (2007 – 2009)

## FOREWORD

This statement has been prepared as a guide to the public about information held by the Department of Environment and Conservation. Where an agency is related to the department, the department will be responsible for processing and responding to all Freedom of Information applications and must also comply with section 94 of the FOI Act in providing sufficient information regarding each of the agencies.

The following are presently 'related agencies'<sup>2</sup> to the department.<sup>3</sup>

- Cockburn Sound Management Council (CSMC)
- Conservation Commission of Western Australia (CCWA)
- Contaminated Sites Committee (CSC)
- Keep Australia Beautiful Council (WA) (KABC)
- Marine Parks and Reserves Authority (MPRA)
- Marine Parks and Reserves Scientific Advisory Committee (MPRSAC) (Inactive)
- Swan River Trust (SRT)
- Waste Management (WA) (WMWA) (Inactive)
- Waste Authority (WA)

This statement also includes guidance to the public in relation to the following:

- legislation administered by the agency
- divisional structure and decision-making functions of the agency
- availability and accessibility of information held by the agency

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**KEIRAN MCNAMARA**  
**DIRECTOR GENERAL**

26 August 2010

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<sup>2</sup> As defined in the Glossary to the FOI Act, namely, cl. 1 "public body or office" and cl 2(4) "Related agencies".

<sup>3</sup> Note that the inactive MPRSAC is established under section 26F of the CALM Act, not the EP Act

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# 1. ABOUT THE DEPARTMENT OF ENVIRONMENT AND CONSERVATION

## Our Vision

- A healthy, diverse and well-managed Western Australian environment.

## Our Mission

- Working with the community, we will ensure that Western Australia's environment is valued, protected and conserved, for its intrinsic value and for the appreciation and benefit of present and future generations.

## Our Responsibilities

- The Department of Environment and Conservation has the lead responsibility for protecting and conserving the State's environment on behalf of the people of Western Australia. This includes managing the State's national parks, marine parks, conservation parks, State forests and timber reserves, nature reserves, marine nature reserves and marine management areas.

## Strategic Directions, Objectives and Strategies

The department's key objectives are:

- ***Conserving biodiversity***  
To protect, conserve and, where necessary and possible, restore Western Australia's biodiversity.
- ***Managing natural resources and promoting environmentally sustainable practices***  
To protect, manage and, where necessary and possible, restore Western Australia's natural resources, including land, water and air, and promote the adoption of environmentally sustainable practices in the community, industry and government.
- ***Leading climate change actions***  
To provide leadership in the development and implementation of strategies to reduce greenhouse gas emissions and adaptation initiatives to reduce the impact of climate change for Western Australia.
- ***Creating a world class parks system***  
To generate environmental, social, cultural and economic benefits through the further development of a world class parks system in terms of ecosystem management and visitor facilities and services.
- ***Implementing sustainable forest management***  
To generate social, economic and cultural benefits from forests while sustaining their biodiversity, health, vitality and productive capacity.

- ***Preventing pollution and remediating contamination***  
To protect the environment and community by ensuring emissions and discharges meet acceptable criteria, pollution incidents are responded to effectively, and contaminated sites are appropriately managed.
- ***Maintaining community involvement and support***  
To develop community awareness and appreciation of the State's natural environment and biodiversity. Promote community involvement and support for its protection and conservation.
- ***Improving the way we do business***  
To foster a positive work culture of trust, continuous improvement and anticipation of environment and conservation issues and customer needs. To deliver core business activities in the most effective and efficient manner.

The Department of Environment and Conservation produces a wide range of published material to help improve community knowledge of environment and conservation issues and awareness, understanding and support for the department's activities, services and policies. The range includes draft and final management plans for the management of national parks and marine parks, books, *LANDSCOPE* magazine, brochures, fact sheets and posters providing community information, technical reports, regional magazines and newsletters, and the staff and volunteers' bi-weekly electronic newsletter, *Environment and Conservation News*. Many of these can be accessed via the department's website, [www.dec.wa.gov.au](http://www.dec.wa.gov.au). Work has begun on the DEC Corporate Plan (2010 -2012).

## **2. LEGISLATION ADMINISTERED BY THE DEPARTMENT OF ENVIRONMENT AND CONSERVATION AND RELATED AGENCIES AS AT JULY 2010**

### Acts

- *Carbon Rights Act 2003*
- *Conservation and Land Management Act 1984*
- *Contaminated Sites Act 2003*
- *Environmental Protection Act 1986*
- *Environmental Protection (Landfill) Levy Act 1998*
- *Litter Act 1979*
- *National Environment Protection Council (Western Australia) Act 1996*
- *Reserves (National Parks and Conservation Parks) Act 2004*
- *Reserves (National Parks, Conservation Parks and Other Reserves) Act 2004*
- *Reserves (National Parks, Conservation Parks, Nature Reserves and Other Reserves) Act 2004*
- *Sandalwood Act 1929*
- *Swan and Canning Rivers Management Act 2006*
- *Swan and Canning Rivers (Consequential and Transitional Provisions) Act 2006*
- *Waste Avoidance and Resource Recovery Act 2007*
- *Waste Avoidance and Resource Recovery Levy Act 2007*
- *Wildlife Conservation Act 1950*

### Regulations

- Clean Air (Determination of Air Impurities in Gases discharged into the Atmosphere) Regulations 1983
- Conservation and Land Management Regulations 2002
- Contaminated Sites Regulations 2006
- Environmental Protection Regulations 1987
- Environmental Protection (Abattoirs) Regulations 2001
- Environmental Protection (Abrasive Blasting) Regulations 1998
- Environmental Protection (Clearing of Native Vegetation) Regulations 2004
- Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998
- Environmental Protection (Controlled Waste) Regulations 2004
- Environmental Protection (Diesel and Petrol) Regulations 1999
- Environmental Protection (Domestic Solid Fuel Burning Appliances and Firewood Supply) Regulations 1998
- Environmental Protection (Fibre Reinforced Plastics) Regulations 1998
- Environmental Protection (Goldfields Residential Areas) (Sulphur Dioxide) Regulations 2003
- Environmental Protection (Kwinana) (Atmospheric Wastes) Regulations 1992
- Environmental Protection (Metal Coating) Regulations 2001
- Environmental Protection (NEPM-NPI) Regulations 1998
- Environmental Protection (NEPM-UPM) Regulations 2007
- Environmental Protection (Noise) Regulations 1997
- Environmental Protection (Recovery of Vapours from the Transfer of Organic Liquids) Regulations 1995

### **Regulations (continued)**

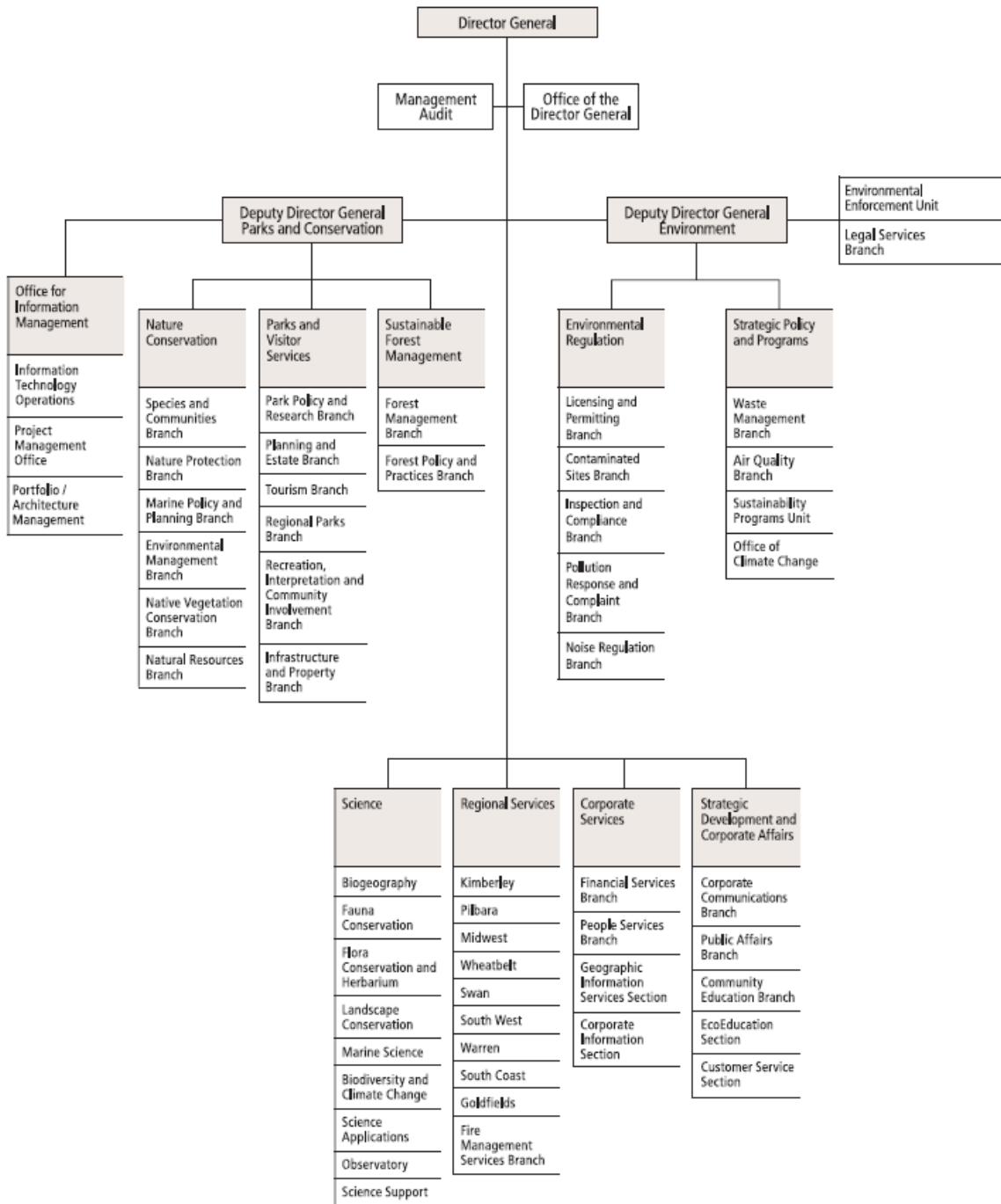
- Environmental Protection (Rural Landfill) Regulations 2002
- Environmental Protection (Unauthorised Discharges) Regulations 2004
- Forest Management Regulations 1993
- Litter Regulations 1981
- Noise Abatement (Noise Labelling of Equipment) Regulations (No 2) 1985
- Sandalwood Regulations 1993
- Swan and Canning Rivers Management Regulations 2007
- Swan and Canning Rivers Foundation Rules 2009
- Swan and Canning Rivers (Transitional) Regulations 2007
- Swan and Canning Rivers (Transitional) Regulations (No. 2) 2007
- Waste Avoidance and Resource Recovery Regulations 2008
- Waste Avoidance and Resource Recovery Levy Regulations 2008
- Wildlife Conservation Regulations 1970
- Wildlife Conservation (Reptiles and Amphibians) Regulations 2002

### **Environmental Protection Policies (EPPs and SEPs)**

- Environmental Protection (Swan Coastal Plain Lakes) Policy 1992
- Environmental Protection (Gnangara Mound Crown Land) Policy 1992
- Environmental Protection (Peel Inlet - Harvey Estuary) Policy 1992
- Environmental Protection (Kwinana)(Atmospheric Wastes) Policy 1999
- Environmental Protection (Goldfields Residential Areas) (Sulphur Dioxide) Policy 2003
- Environmental Protection (South West Agricultural Zone Wetlands) Policy 1998
- Environmental Protection (Western Swamp Tortoise Habitat) Policy 2002 [Appendix 1 to the Environmental Protection (Western Swamp Tortoise Habitat) Policy Approval 2002]
- State Environmental (Cockburn Sound) Policy 2005



### 3. STRUCTURE AND FUNCTIONS OF THE DEPARTMENT OF ENVIRONMENT AND CONSERVATION AS AT JUNE 2010



The Department of Environment and Conservation is headed by the Director General with two Deputy Directors General. One Deputy Director General is responsible for environmental services and the other Deputy Director General is responsible for parks and conservation services. The two Deputy Directors General and the Directors of four divisions report to Mr Keiran McNamara, the Director General.

## **Office for Information Management**

The main function of the Office for Information Management (OIM) is to align DEC's central ICT functions with the strategic business goals. The OIM also provides assistance and leadership in the application of information management standards; plans and manages the operation of DEC's data centres and plans and manages the wide area network.

## **Nature Conservation Division**

The Nature Conservation Division is responsible for the development and implementation of programs for flora and fauna conservation, for threatened species and ecological communities and for commercially exploited species according to the principles of ecological sustainability; the regulation of clearing of native vegetation; the acquisition, conservation and protection of representative ecosystems; and encouraging public awareness, understanding and support for nature conservation services and policies.

The division:

- is responsible for biodiversity conservation policy and planning at the state-wide level including liaising with other natural resource management agencies and regional NRM groups in priority setting for biodiversity conservation;
- develops priorities and strategies for departmental delivery of the nature conservation service, promotes the development of regional nature conservation plans and develops and implements programs to assess the effectiveness of nature conservation actions;
- coordinates delivery of nature conservation advice to the Director General and Minister for Environment;
- coordinates the listing, management and recovery of threatened species and ecological communities;
- coordinates conservation programs relating to wetlands of conservation significance;
- operates programs for the promotion of nature conservation on land not managed by the department;
- is responsible for the overall marine parks and reserves program in the department, including establishment of new marine parks and reserves, policy advice and strategic coordination of marine activities;
- provides policy, strategic planning (including funding through purchaser-provider arrangements) and advice for the protection of nature from unlawful activities, wildlife conflict and emergencies, altered hydrology (including salinity), dieback, weeds and feral animals;
- develops revegetation technologies to improve management of biodiversity;
- provides advice to Government approvals agencies and private companies in relation to mining and other development proposals affecting department-managed lands and waters and threatened or significant species and ecological communities;
- advises on rehabilitation of department-managed lands, waters and other means of offsetting environmental impacts of development proposals;
- administers wildlife licenses and permits and enforces the *Wildlife Conservation Act 1950* and Regulations;

- administers wildlife utilisation industries to ensure the sustainable use of wildlife;
- administers the clearing of native vegetation under Part V of the *Environmental Protection Act 1986* and the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*; and
- provides support to the Marine Parks and Reserves Authority.

### **Parks and Visitor Services Division**

The Parks and Visitor Services Division is responsible for policies and programs dealing with public involvement, visitation and appreciation of the natural environment on lands and waters managed by the department. The division also provides, manages and maintains appropriate access, recreation opportunities and visitor facilities. This involves Aboriginal people in park management and the provision of visitor facilities and services; and developing community awareness and support for parks, natural areas, nature-based tourism, recreation services and policies.

The division:

- is responsible for the preparation of management plans for the Conservation Commission for lands managed by the department;
- develops policy and strategies for recreation and tourism and other commercial activities, and administers permits, leases and licences;
- coordinates land administration and acquisition programs;
- coordinates state-wide policy on indigenous involvement on protected areas;
- coordinates social and visitor research and surveys;
- coordinates management of Perth's regional parks, including the implementation of landscape and design programs and completion of on-ground operational works;
- is responsible for recreational planning and design, landscape management and visitor interpretation services;
- coordinates roads and capital works programs throughout the State; and
- coordinates community involvement and indigenous heritage education programs.

### **Sustainable Forest Management Division**

The functions of the Sustainable Forest Management Division are to:

- coordinate management of state forest and timber reserves according to the *Forest Management Plan 2004-2013*;
- collect and maintain data on forest resources;
- review disturbance operations proposed for state forest and timber reserves to ensure they comply with legislation, the *Forest Management Plan 2004-2013* and associated guidelines and also to authorise access as appropriate;
- monitor activities on state forest and timber reserves for compliance with the *Forest Management Plan 2004-2013*;
- develop guidelines for the carrying out of activities on state forest and timber reserves; and
- develop the Three-year Timber Harvest Plan.

## **Environmental Regulation Division**

The Environmental Regulation Division administers works approvals, licensing industry emissions and discharges, compliance inspections, incident responses and contaminated sites legislation.

The division:

- is responsible for works approvals, licensing and registration of prescribed premises, licensing of controlled waste transporters and permitting and tracking the movement of controlled waste intrastate and interstate;
- oversees the administration of a range of environmental regulation areas, develops and implements regulation policy, provides support, process quality control, training and business development services to regional licensing and compliance activities;
- provides advice on the management of land and water contamination issues and is responsible for the development of policy and guidelines for the investigation and management of contaminated and acid sulphate soil sites; and
- is responsible for the development of noise policy (including the revision of noise regulations).

## **Strategic Policy and Programs Division**

The Strategic Policy and Programs Division focuses on developing and implementing policies and strategies that promote environmentally sustainable practices in industry, government and the community.

The division:

- provides advice and support on sustainability policy and the implementation of initiatives and programs that progress the State sustainability agenda;
- supports the Waste Authority which was established to advise the Minister and to lead an integrated approach to waste avoidance and resource recovery strategies;
- administers the collection of the Landfill Levy;
- administers projects and programs funded from the Waste Avoidance and Resource Recovery Account on behalf of the Waste Authority;
- provides strategic, technical and policy advice on air quality matters such as ambient air quality, industrial emissions, odour modelling, meteorology, health standards and air toxics;
- works with other state agencies, businesses, industries, communities, local government and the Australian Government in undertaking research, scientific investigations and monitoring to deliver effective responses to air quality issues across the State;
- develops and delivers targeted programs to manage air quality under the Perth Air Quality Management Plan;
- operates an extensive air quality monitoring network in support of air quality assessment generally and NEPM compliance in particular;
- provides leadership in the development and implementation of strategies to reduce greenhouse gas emissions and adaptation initiatives to reduce the impact of climate change for Western Australia;
- administers the Low Emissions Energy Development Fund;

- develops and implements National Environmental Protection Measures (NEPMs) across Western Australia, as required by the National Environment Protection Council (NEPC); and
- coordinates DEC's internal workplace sustainability program, the DECREASE project, which aims to ensure that DEC leads by example through incorporating sustainability principles in its diverse range of activities, operations and decision making processes across Western Australia.

## **Science Division**

DEC's policies and operations need to be underpinned by the incorporation of up-to-date knowledge. The Science Division is DEC's prime source of new knowledge and information based on scientific research. The work of the division reflects a significant investment by DEC in multi-disciplinary biodiversity conservation research, monitoring and biogeography.

In partnership with internal and external groups, the division strives to understand composition, patterns and processes of the Western Australian marine and terrestrial biota as a basis for its conservation and sustainable utilisation. Having a significant centralised and coordinated science capability is one of DEC's strengths and recognises the vital role of science and information in underpinning its policies and practices to conserve and protect the State's biodiversity.

The division:

- conducts regional and sub-regional marine and terrestrial biological surveys to document the state's biota and to understand patterning of biodiversity to support the development of a conservation reserve system and resource development decisions;
- carries out programs of research and monitoring to understand the ecology and conservation status of, and threats to, flora, fungi and fauna;
- carries out programs of research and monitoring to understand ecosystem responses to landscape scale disturbances and threatening processes; and
- carries out programs of astronomy information, research and education.

## **Regional Services Division**

The Regional Services Division is the primary "face" of DEC in rural and regional Western Australia. This division implements the regional works programs for each of DEC's outputs or programs, including; Nature Conservation, Parks and Visitor Services, Sustainable Forest Management, Environmental Protection and Management, and Industry Regulation. The works programs for staff in regions are integrated to take account of available resources, competing demands and changing priorities. They are also responsible for co-ordinating DEC's response to emergency incidents such as bushfires, marine mammal stranding and pollution events.

The division:

- coordinates regional delivery of services for the Nature Conservation, Parks and Visitor Services, Sustainable Forest Management, Environmental Regulation and waste management programs;
- is custodian of lands and waters managed by DEC;

- undertakes land administration and land use planning processes through regions and districts;
- delivers enforcement, compliance and audit functions associated with legislation and regulations administered by DEC;
- integrates regional works programs to optimise the efficient use of DEC's resources including staff, vehicles, plant and equipment; and
- delivers fire management, including fire suppression on DEC-managed lands and fire preparedness on unallocated Crown lands and unmanaged reserves.

### **Corporate Services Division**

The Corporate Services Division delivers a range of corporate services including human resources, finance, information services and technology.

The division:

- provides strategic planning, policy development and formulation, advice and coordination in the management of DEC staff. Services are provided in the functional areas of personnel, payroll, labour relations, training and development, risk management and human resource strategic planning and performance reporting;
- provides advice to operational managers on purchasing and fleet management, manages accounts receivable and accounts payable processes, and asset records. Coordinates remote area housing, consolidates DEC budgets, maintains core financial software that is shared by all parts of DEC and produces management, tax and statutory reports;
- plans, coordinates and implements the department's information systems support, and is responsible for corporate document and records management; and
- maintains corporate spatial databases, provides a land-related information service for parks and conservation and environmental protection, publishes maps, and provides support for regional and desktop geographic information system activities.

### **Strategic Development and Corporate Affairs Division**

The Strategic Development and Corporate Affairs Division is responsible for internal and external communications, Ministerial communications support, education programs, marketing, advertising and for a variety of corporate programs. It also coordinates corporate planning and organisational development.

The division's business is to assist management in the effective use of communications as a business tool; to develop, administer and deliver organisational development and communication services and products that support DEC's immediate business needs and long-term corporate objectives. Also assists stakeholders develop an understanding of, involvement in, and support for the activities, services and policies of DEC.

The division:

- initiates, develops and implements communication strategies and programs, including media liaison and community relations and to address environmental and conservation issues;
- produces publications, displays and multimedia productions;
- develops, manages and delivers school and community education programs;

- is responsible for the department's web and online presence;
- provides public participation advice, planning and support services to operational areas throughout the department;
- coordinates DEC's media and promotional activities;
- provides the community with an information service;
- coordinates internal communications; and
- supports the Keep Australia Beautiful Council which is a statutory authority responsible for litter abatement in Western Australia.

## **Environmental Enforcement Unit**

The Environmental Enforcement Unit (EEU):

- conducts high level environmental investigations into breaches of legislation administered by the department;
- provides regional and branch investigation support by coordinating and managing environmental investigations in partnership with regional and branch incident owners;
- promotes environmental enforcement; and
- provides environmental investigation and prosecution quality assurance.

The EEU is custodian of *The DEC Enforcement and Prosecution Policy 2008*. This policy is available for download from the Departments website. Printed copies are also available from the EEU upon request. As part of its investigative function, the EEU gathers evidence which generally takes the form of written witness statements, audio or written record of interviews, expert analytical reports, photographs and actual physical evidence.

Whilst an investigation is underway, all matters concerning the investigation are exempt from FOI. None of the above documents, generated by the EEU are available to the public without an application being made under the FOI act.

Some enforcement outcomes are required by statute to be publicly available and are held at the DEC library, in particular:

- modified penalty fines administered under Section 99 of the Environmental Protection Act ; and
- pollution prevention notices under section 73 of the EP Act.

## **4. DECISION MAKING FUNCTIONS**

### **A. PARKS AND CONSERVATION**

- **Nature Conservation Division**
- **Parks and Visitor Services Division**
- **Sustainable Forest Management Division**

The Wildlife Conservation Act provides for a number of licences and permits to be issued for the taking of wildlife. Taking is a legal term that refers to interactions of any nature that may impact on wildlife. The authority to issue licences to take protected flora or fauna for commercial or scientific or other prescribed purposes has

been delegated to licensing offices within the division. Similarly, licences or permits that allow the keeping, processing or dealing in specified protected fauna may be issued.

Damage licences to enable the lethal or non-lethal taking of wildlife causing nuisance or damage may be issued by wildlife officers.

Authorisation under section 23F(4) of the Wildlife Conservation Act to take flora declared as rare under section 23F(2) of the Act has been delegated from the Minister to the Director General or Director of Nature Conservation in situations where the taking is not significant to the conservation of the species. Other consents of a significant nature are provided by the Minister.

The clearing of native vegetation is an offence unless a permit is held or an exemption applies. Clearing permits authorise the clearing of native vegetation under section 51C of Part V Division 2 of the Environmental Protection Act. Decision making on permit applications is delegated by the CEO with the agreement of the Minister to (variously) the Deputy Director General, Environment, the Director of Nature Conservation, the Assistant Director, Nature Conservation and the Manager, Native Vegetation Conservation Branch. Anyone may appeal a decision to either grant or refuse a clearing permit, or the conditions of a clearing permit. The Minister determines these appeals and the CEO is required to give effect to the Minister's decision. Decisions on clearing permits are advertised in the Monday edition of *The West Australian* newspaper.

The Division may recommend and the CEO or the Deputy Director General Environment under delegation, may give a vegetation conservation notice under section 70 of the Environmental Protection Act requiring that a person bound by the notice to ensure that no unlawful clearing, or further unlawful clearing takes place on the land and requiring such specified measures as the CEO considers necessary to repair the damage caused by clearing or prevent environmental harm. Anyone may appeal the requirements contained in a vegetation conservation notice. The Minister determines those appeals and the CEO is required to give effect to the Minister's decisions.

Wetland classifications as part of the geomorphic wetlands dataset are recommended by the Division and endorsed by the Deputy Director General Environment.

#### Management of Reserves and Management Plans

Under Part IV of the CALM Act the CEO is responsible for the management of reserves vested in the Conservation Commission of Western Australia and the Marine Parks and Reserves Authority (MPRA). National parks, conservation parks, nature reserves and other conservation and recreation reserves are vested in the Conservation Commission (CALM Act Part II section 7). Marine parks, marine nature reserves and marine management areas are vested in the MPRA (CALM Act Part II section 7).

Reserve management is required to be carried out in accordance with management plans prepared by the Conservation Commission and the MPRA through the agency of the CEO, in accordance with Part V of the CALM Act.



Before management plans are approved a proposed (draft) management plan is published and anyone may make a written submission on a draft management plan, which may be amended in response to submissions received. Notice that a draft management plan is available for public comment has to be published in the *Gazette*, as well as in daily and local newspapers.

In the case of proposed marine reserves, indicative management plans which include proposed boundaries and management zones are published for public comment before reservation can occur and anyone may make a written submission about these plans (CALM Act Part II sections 13 and 14).

Depending on the reserve category, the Conservation Commission or the MPRA submits a draft management plan for the approval of the Minister.

Approved, i.e. final, management plans are publicly available along with analyses of submissions received on draft plans that include advice as to whether the final plan has been amended in response to submissions received.

If a management plan is not in place for a particular reserve then management is carried out in accordance with CALM Act section 33(3) and 33A which describe “necessary operations” applicable to nature reserves and marine nature reserves, “compatible operations” applicable to national parks, conservation parks, marine parks and marine management areas and provides for other categories of reserves to be managed in accordance with their corresponding management objectives prescribed in CALM Act section 56.

#### Administration of permits, leases and licences

The Director General can issue a lease or a commercial operation licence after consultation with the appropriate vesting body (Conservation Commission or MPRA) and with the approval of the Minister. The issue of leases and licences must be consistent with a park’s management plan or be a necessary or compatible operation.

Leases are usually allocated via a publicly advertised call for an Expression of Interest (EOI) which is a competitive process.

A commercial operations licence is required by anyone operating a tourism or recreation business or offering educational services for private benefit (profit) on land or waters managed by DEC. Most commercial operations, including safari tours, guided walks and general snorkel/dive charters, require a ‘T’ class licence where environmental and visitor management objectives are achieved through appropriate licence conditions. Where there are environmental, management, safety, or access reasons why licence numbers must be limited, for example when demand for licences exceeds the number that can be sustainably managed, ‘E’ class licences are required. These are usually allocated via a publicly advertised call for an Expression of Interest (EOI) which is a competitive process.

#### ▪ **Sustainable Forest Management Division**

Sustainable Forest Management decision making mainly affects those who are involved in or are interested in the impact of activities that are allowed to occur on

State forest and timber reserves. Sustainable Forest Management decision making is guided by the *Forest Management Plan 2004-2013*, a public document.

The *Forest Management Plan 2004-2013* is a statutory plan.

Sustainable Forest Management produces the three-year timber harvest plan for State forest and timber reserves which is released for public comment before finalisation.

Sustainable Forest Management produces guidelines for forest management and these are also released for public comment before finalisation.

## **B. ENVIRONMENT**

### **▪ Environmental Regulation Division**

There are a variety of regulatory tools and advisory mechanisms under the *Environmental Protection Act 1986* (EP Act) and *Contaminated Sites Act 2003* (CS Act) available to DEC. These include the following:

1. work approvals, registrations and licensing of certain operations prescribed under the Environmental Protection Regulations 1987 and the permitting of clearing of native vegetation;<sup>4</sup>
2. issuing of statutory notices, orders and directions for the prevention, control and abatement of pollution and environmental harm and for the conservation, preservation and management of the environment under Part V of the EP Act ;
3. enforcement under Parts VI and VI A of the EP Act and Part 9 of the CS Act;
4. classification of reported or known or suspected contaminated sites under Part 2 of the CS Act; and
5. issuing of statutory investigation, clean up or hazard abatement notices under part 4 of the CS Act.

The decision-making functions of DEC in implementing these regulatory tools are set out in more detail below.

#### **(a) Works approvals and licences issued by the CEO under Part V Section 102 EP Act**

- Industries that are prescribed under the Environmental Protection Regulations 1987 require works approvals to build their plants, and licences or registrations to operate.
- Anyone may appeal against the non-issue or conditions of works approvals and licences. The Minister determines these appeals and the CEO is required to give effect to the Minister's decision.
- The issue and amendments of works approvals and licences are advertised in the Monday edition of The West Australian newspaper.

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<sup>4</sup> The administration of regulations for clearing of native vegetation is partly under Parks and Conservation and is explained in section 4A of the Information Statement.

**(b) Environmental Notices and Directions notices issued by the CEO under Part V Section 103 EP Act**

- The CEO may issue a notice (environmental protection notice, closure notice, vegetation conservation notice or a prevention notice) to require action to mitigate pollution.
- The notices are appealable by any person. The Minister determines those appeals and the CEO is required to give effect to the Minister's decisions.

**(c) Information required under the EP Act concerning vehicles or vessels**

- The CEO may require information concerning vehicles or vessels relating to emissions.
- The CEO may require vehicles, vessels and equipment to be made available for testing.
- A person may appeal the requirements contained in a notice served on them. The Minister determines those appeals.

**(d) Classifications made by the CEO under the CS Act Part 2 Division 2**

- The CEO must classify a site when required to do so under the CS Act, and may classify a site at any other time.
- All site classifications are appealable, however, only persons listed in the CS Act section 18 may lodge an appeal. The Contaminated Sites Committee determines these appeals and the CEO is required to give effect to the Committee's decision.

**(e) Notices given by the CEO under the CS Act Part 4**

- The CEO may issue an investigation, clean up or hazard abatement notice to require action to investigate, monitor, assess, or remediate a site or to abate a hazard.
- A person on whom an investigation or clean up notice is binding may appeal a requirement of the notice, and certain persons may appeal the CEO's decision to give them the notice. The Contaminated Sites Committee determines these appeals and the CEO is required to give effect to the Committee's decision.

## 5. FREEDOM OF INFORMATION (FOI) APPLICATIONS

The FOI Act gives every person the right to seek access to documents held by government agencies. Documents may comprise of written material, plans and drawings, photographs, tape recordings, films, videotapes or information stored in a computerised form.

It is the aim of DEC to make information available as soon as possible and at the least possible cost. Whenever possible, documents will be made available to the public outside the FOI process.

Applications for information made under the FOI process must:

- be in writing;
- give enough detail to identify the requested documents or if the application is for amendment of personal information, details must be provided to show how or why the agency's records are inaccurate, incomplete, out of date or misleading;
- give an Australian address, and where possible, a contact telephone number; and
- be lodged at the office of the agency that would be expected to hold the documents, together with any application fee payable.

Applications and enquiries should be addressed to:

The FOI Administrator  
Department of Environment and Conservation  
Locked Bag 33  
Cloisters Square  
Perth WA 6850

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

### Fees and Charges

- No fees or charges apply for personal information or amendment of personal information about applicant (eg details of employment etc).
- Applications for other documents (ie which are non-personal in nature) require a \$30 application fee to be paid when the application is lodged and there may be other charges imposed by the agency as follows:
- \$30 per hour for staff time (or pro rata for part of an hour) for dealing with an application. Agencies cannot charge for locating the documents within the scope of the request.
- \$30 per hour (or pro rata for part of an hour) for supervision by staff when access is given to view documents; or the time taken by staff to prepare a transcript from a tape or make photocopies.
- 20 cents per photocopy.
- Actual cost incurred by the agency for preparing a copy of a tape, film or computerised information, or arranging delivery or packaging and postage of documents.

### Estimate of charges

An estimate of charges can be requested from the agency when lodging an application. If the charges are likely to exceed \$25, the agency must give an estimate of charges and ask the applicant whether or not they want to proceed with the application. The applicant must notify the agency (within 30 days) of their intention to proceed. In some instances the agency may request an advance deposit.

The applicant should advise the agency if they are financially disadvantaged as a 25 percent reduction of charges may apply.

The FOI Act requires the agency to help the applicant with their application if they are having difficulty defining the documents they are seeking. The agency may describe the kinds of documents and records kept to help narrow the scope of their application. By reducing the scope of the application, the work for the agency and the cost to the applicant are both reduced. It will also ensure that the work involved for the agency is reasonable. An agency may refuse to deal with a large request.

### **Consultation with third parties**

DEC has an obligation to consult with third parties if there is information relating to them in documents for which an FOI application has been made.

### **Personal information (Clause 3, Schedule 1, *FOI Act 1992*)**

This exemption protects the essential private interests or 'personal information' of individuals. The exemption is limited by the application of the public interest test. Information about an individual whose identity is apparent or can be easily ascertained or, information that identifies an individual can be withheld if disclosure is not in the public interest.

The provision does not apply to information in respect of individuals acting in an official capacity as an officer of an agency or performing services for an agency under a contract. For the purposes of sub-clause 3(3) and 3(4) an employee or contractor's name, functions and duties, title, qualifications and anything done in the course of their duties would not be exempt.

In many cases it will be appropriate to delete the information that identifies the individual in accordance with Section 24 (which provides for deletion of exempt material) and release the remaining information.

In cases where the identity of an individual can be ascertained from the information, access can be granted in another form. An example would be a hand-written letter, a typed version of which could be provided to the applicants. Personal information cannot be released without first consulting the individual. If the third party consents to the release of information then it can be released. If the third party does not consent and the DEC decides to withhold the information, the applicant may lodge an application for internal review of the decision. If the internal review confirms the decision, the third party may apply to the Information Commissioner for an external review of the decision.

## **Commercial or Business Information (Clause 4, Schedule 1, FOI Act 1992)**

This exemption protects the commercial or business information supplied to Government by third parties. It does not protect the business or commercial affairs of an agency. There are three categories of this exemption. In all three circumstances the company or business concerned will need to be consulted before the information can be released.

a. Trade Secrets

There is no formal definition of a trade secret. A trade secret may be determined by what measures are taken by the company or business to guard the secret.

b. Commercially Valuable Information

It must be established firstly that the information does have a commercial value and secondly, that it could reasonably be expected that the commercial value would be destroyed or diminished if it were to be released. The company or business will need to show the agency that the expectation of destruction or diminution of the commercial value of the information is real and substantial and not speculative or a possibility, risk or chance.

c. Other Commercial or Business Information

It must be established firstly that the information is directly related to the business, professional, commercial or financial affairs of the person and secondly that release could reasonably be expected to adversely affect those affairs or prejudice the future supply of that information to the Government or an agency.

The company or business will need to show the agency that the expectation of adverse effect(s) is real and substantial and not speculative or a possibility, risk or chance. The agency will have to determine that the expectation that the future supply of the information will be prejudiced is reasonable, based on the assertions of the company or business concerned.

The application of a public interest test applies to matter falling within the provisions of Clause 4(3).

### **Notice of decision**

As soon as possible but in any case within 45 days the applicant will be provided with a notice of decision which will include details such as –

- the date on which the decision was made;
- the name and the designation of the officer who made the decision;
- if the document is an exempt document, the reasons for classifying the matter exempt; or the fact that access is given to an edited document; and
- information on the right to review .

### **Refusal of access**

Applicants who are dissatisfied with a decision of the agency are entitled to ask for an internal review by the agency. Application should be made in writing within 30 days of receiving the notice of decision. Applicants will be notified of the outcome of the review within 15 days. If an applicant disagrees with the result, an application can be made to the Information Commissioner for an external review and details would be advised to applicants when the internal review decision is issued.



## APPLICATION FOR ACCESS TO DOCUMENTS

(Under the Freedom of Information Act 1992, s.12)

### DETAILS OF APPLICANT

<b>Applicant</b> <i>(Insert full name in capitals)</i>	
<b>Name of Organisation or Individual</b> <i>(If application is on behalf of an organisation or individual)</i>	
<b>Address</b> <i>(For receipt of notices under the FOI Act)</i>	<b>Postcode</b>
<b>Telephone</b>	<b>Fax</b>
<b>Email</b>	

**INSTRUCTIONS:** *(See also notes on page 3)*

*Clearly describe the documents to which you seek access so that your request can be dealt with promptly. If your application concerns a large number of documents, please clarify the particular document/s that you seek. For further information please read the Department's "Information Statement: Document type, availability and accessibility (2010 - 2011)" available at [www.dec.wa.gov.au](http://www.dec.wa.gov.au). You are welcome to attach additional information to this form so that we can promptly deal with your application. If not sure of the documents you require please clarify with officers of the division that best relates.*

### DETAILS OF FOI APPLICATION

I am applying for access to document(s) concerning:

<b>Subject matter to which your application relates</b>  <i>(e.g. property details street, lot numbers, suburb, certificate of title etc)</i>	
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<p><b>Details of specific document/s requested</b></p> <p><i>(e.g. type of document, name of sender/recipient of document)</i></p> <p><i>Refer to DEC's information Statement as a guide or contact relevant area of DEC to assist you.</i></p>	
<p><b>Date/s or range of dates of document/s requested</b></p>	
<p><b>Other information to facilitate your application</b></p> <p><i>(e.g. such as documents that you already have and do not wish to receive)</i></p>	

**FEES AND CHARGES**

The department only accepts payment by cheque or credit card.

**Payment by cheque:** Please attach cheque (made out to Department of Environment and Conservation) to the application form for the amount of \$..... to cover the application fee.

**Payment by credit card:** Please fill out the form below

MASTERCARD [ ]                      VISA [ ]

CARD NUMBER    \_ \_ \_ \_ / \_ \_ \_ \_ / \_ \_ \_ \_ / \_ \_ \_ \_

CARD HOLDER'S NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_                                      POSTCODE \_\_\_\_\_

COUNTRY \_\_\_\_\_

EXPIRY DATE    \_\_ / \_\_                      TOTAL AMOUNT \_\_\_\_\_

I authorise the Department of Environment and Conservation to debit my credit card with the amount shown above. I certify that I am over 18 years of age.

SIGNATURE \_\_\_\_\_





## 6. INFORMATION CENTRE / LIBRARY

DEC has an Information Centre based at its head office at The Atrium Level 4, 168 St Georges Terrace, Perth. The centre's mission is to serve the information needs of DEC staff and other related agencies, as well as providing a public reading room for important environmental and conservation publications. It also serves environmental consultants, tertiary, secondary and primary students and provides a general information service to the community by being open to the public.

DEC produces a variety of publications and information products to meet different information needs. Many are published on DEC's website as well as in print. Some are also available on CD-ROM.

Copies of formal printed DEC publications can be viewed at DEC's Atrium Information Centre as well as its Kensington Library Resource Centre or the Woodvale Wildlife Research Library.

### **National Relay Service**

For access to DEC information for people who are deaf, hearing or speech impaired, please call this free service:

Voice: 1800 555 660;  
TTY (for hearing impaired): 1880 555 630;  
Fax: 1800 555 690

The Information Centre at The Atrium has wheelchair access. People who need information in alternative formats or have specific accessibility needs, can contact staff for assistance.

### **Viewing publications**

Publications can be viewed in person at:

The Atrium Level 4  
168 St Georges Terrace  
Perth WA 6000  
Phone (08) 6467 5000

Under the *Environmental Protection Act 1986* there is a legal requirement for the display of various documents for review or public access. Such documents are available for viewing in the Information Centre at The Atrium, 168 St Georges Terrace Perth.

Visitors to the Information Centre have access to a wide range of library resources suitable for professionals, teachers, students, community groups and the public. Some materials are stored off-site and staff will need to be given notice to retrieve those items. **Conscious of the objective to conserve the environment, we encourage people to access publications electronically where appropriate.** For those who do not have electronic access for web documents, the Information Centre can print DEC information from the web.

## Ordering publications

Copies of DEC publications can be ordered from the Information Centre by telephoning (08) 6467 5226 or emailing [info@dec.wa.gov.au](mailto:info@dec.wa.gov.au).

Copies of formal printed DEC publications can be viewed and photocopied at the Kensington Library Resource Centre, the Woodvale Wildlife Research Library or The Atrium Information Centre. Contact should be made to check opening hours.

Saleable products include the award-winning quarterly *LANDSCOPE* magazine and a wide range of books such as recreation guides like *The Best of the South West* and *North-West Bound*, conservation guides such as the popular “Bush Book” series, children’s books like *Tuart Dwellers* and some scientific publications such as *Nuytsia*. These can be purchased at most DEC offices and retail outlets or, in some cases, by application to subscription lists and the payment of any subscription and mailing costs. Only the Kensington Information Centre and the online DEC bookshop ([www.dec.wa.gov.au](http://www.dec.wa.gov.au)) can be relied on to carry stocks of all the titles currently in print.

Publications that are out of print can be inspected through DEC’s libraries or at the State Library.

Please note that any reports, investigations and data are released to external stakeholders in accordance with the *Freedom of Information Act 1992*.

Website: [www.dec.wa.gov.au](http://www.dec.wa.gov.au)  
Opening hours: Monday – Friday 8.30am – 5.00pm  
Closed on public holidays

## 7. CURRENT LIST OF DOCUMENTS ON DEC FILES

### GENERAL

Documents	FOI application required	Publicly available	Comments
Annual Financial Statements/Annual Report	No	Yes	Available once published – S.25 deferred access applies.
Unpublished and working drafts	Yes	No	
DEC Industrial Agreements	No	Yes	Enterprise Bargaining Agreement/Workplace Agreement.
DEC Business Plans	No	Yes	
DEC Officers Manuals	No	Yes	
Private individuals correspondence exchange	Yes	No	Except where the documents solely involve the individual requiring the correspondence.
Internal memos – general, personnel	Yes	No	
Administrative Policies	No	Yes	
Personnel Information	Yes	No	Except where the documents solely involve the individual requiring the correspondence.
General ministerial correspondence, briefing notes	Yes	No	
Final Parliamentary Question responses	No	Yes	Publicly available in Hansard.
Codes of Practice	No	Yes	
Cabinet Minutes	Yes	No	
Draft Internal reviews of environmental management strategies/policies	Yes	No	
Internal reviews of environmental management strategies/policies	No	Yes	
Draft Policy documents	Yes	No	
Policy Documents	No	Yes	
Unpublished Commissioned Reports	Yes	No	
Fact sheets	No	Yes	
Information brochures	No	Yes	
Commissioned reports	No	Yes	
Technical Series (Includes scientific documents dealing with strictly technical information; contains discussion and interpretation of technical information.)	No	Yes	
Newsletters	No	Yes	Available once published (S.25 deferred access applies).
DEC submissions to other Government agencies and authorities	No	Yes	Available once published (S.25 deferred access applies).
Land use planning statutory referrals	Yes	No	Business and commercial considerations.
Conference papers	No	Yes	Available once published.
Internal Branch Resource Planning documents	Yes	No	
Published technical reports	No	Yes	Available once published.
Published environmental study reports	No	Yes	Available once published.
Spatial Information (maps)	Yes	No	Intellectual property may apply.

## OFFICE FOR INFORMATION MANAGEMENT

Documents	FOI application required	Publicly available	Comments
List of IT applications, their custodians, purpose etc	Yes	No	
List of data types; their custodians	Yes	No	
Diagrams and descriptions of business, data, application and infrastructure architectures used in DEC	Yes	No	
Internal and external Reports of IT technical and organisational assessments	Yes	No	
Descriptions of formally adopted methods used in Information Management	Yes	No	
IT Programme plans and reports on programme implementation progress	Yes	No	
IT project plans and reports on project implementation progress	Yes	No	
Minutes of the meetings of governance bodies (currently the Information Management Council and Information Management Technical Committee)	Yes	No	

## NATURE CONSERVATION

Documents	FOI application required	Publicly available	Comments
Clearing permit applications and supporting documentation	No	Yes	
Clearing permits, plans and decision reports	No	Yes	
Decision reports for refusal to grant a clearing permit	No	Yes	
Vegetation conservation notices which are registered as a memorial on a Certificate of Title	No	Yes	
Declared Rare and Priority Flora List (commercial application only)	No	Yes	Can be purchased at sales counter located at Kensington office.
Threatened flora, fauna and ecological community data (commercial application only)	No	Yes	
Land for Wildlife program publications	No	Yes	
Managing your Bushland (book)	No	Yes	
An interactive information tool: A biodiversity survey of the WA agricultural zone (CD)	No	Yes	
Completed 1080 Poison Incident investigation checklist and report	No	Yes	Contact Department of Health.
Completed 1080 Bait Risk assessment and approval	No	Yes	
Letters and formal (written) advice provided to Government approvals agencies or private companies in relation to development proposals (various stages) After that advice has been signed and provided to the recipient	No	Yes	Written request to the Native Conservation Branch if the information is not available from DEC's website.
Newsletters	No	Yes	
Threatened species recovery plans and interim recovery plans	No	Yes	
Wildlife management programs	No	Yes	
Roadside conservation committee publications	No	Yes	
Manuals	No	Yes	
Information Sheets	No	Yes	

Documents	FOI application required	Publicly available	Comments
Departmental research reports	No	Yes	
Brochures and pamphlets on wildlife interaction	No	Yes	
DEC officers manual	No	Yes	
Policies and guidelines	No	Yes	
Part cetacean stranding and entanglement records	No	Yes	
Range of documents on Naturebase, particularly departmental work managing salinity	No	Yes	
Tender documents on the relevant Government website	No	Yes	
Final and indicative/draft management plans for marine parks and reserves	No	Yes	
Information brochures on values and activities in marine parks and reserves	No	Yes	
Analysis of public submissions – submissions made to a publicly released indicative/draft management plan	No	Yes	
Application forms relating to the clearing of native vegetation	No	Yes	
Guidelines relating to the clearing of native vegetation	No	Yes	
Fact sheets relating to the clearing of native vegetation	No	Yes	
Clearing permit applications	No	Yes	
Clearing permits, plans and Decision reports	No	Yes	
Decision reports for refusals	No	Yes	
Map of the Environmentally Sensitive Areas	No	Yes	
Draft letters and other draft DEC advice to Government approvals agencies or private companies before it has been signed by the Director General and provided to the recipient	Yes	No	
Land for Wildlife property inspection reports	Yes	No	
Nature conservation covenant property inspection reports	Yes	No	
Voluntary management agreements	Yes	No	
Nature conservation covenants	Yes	No	
Permits to take declared rare flora	Yes	No	
Financial contracts	Yes	No	
Departmental corporate files	Yes	No	
Non-departmental research reports	Yes	No	
Licences and permits including applications and supporting documentation	Yes	No	
Prosecution briefs and investigation reports, caution and infringement notices	Yes	No	
Parks and Conservation offence reports (complaints)	Yes	No	
Full unpublished cetacean stranding an entanglement records	Yes	No	
Private individuals' correspondence exchange	Yes	No	
Internal memos and reports – general, personnel	Yes	No	
Draft policy documents	Yes	No	
Inspection reports, licence applicants and licensed premises	Yes	No	
Documents and other products that are brought into being under specific contractual arrangements, for example, research and studies undertaken with Future Farm Industries Cooperative Research Centre	Yes	No	
Documents containing information concerning private property (for example, hydrological data)	Yes	No	
Individual public submissions made on an indicate/draft management plan – privacy considerations would apply so that information that would identify the individual/group is not	Yes	No	

Documents	FOI application required	Publicly available	Comments
made public			
Memoranda of Understanding – authority to release information may be required from a third party	Yes	No	
Assessment information (that is not contained in the decision report), such as site inspection reports, submissions/correspondence from other agencies or individuals for clearing permit applications	Yes	No	
Additional supporting information for a clearing permit application which has been provided by a proponent	Yes	No	
Inspection reports relating to alleged unlawful clearing	Yes	No	
Documents containing information concerning private property (for example, hydrological data)	Yes	No	
Individual public submissions made on an indicate/draft management plan – privacy considerations would apply so that information that would identify the individual/group is not made public	Yes	No	
Memoranda of Understanding – authority to release information may be required from a third party	Yes	No	
Assessment information (that is not contained in the decision report), such as site inspection reports, submissions/correspondence from other agencies or individuals for clearing permit applications	Yes	No	
Additional supporting information for a clearing permit application which has been provided by a proponent	Yes	No	
Inspection reports relating to alleged unlawful clearing	Yes	No	

## PARKS AND VISITOR SERVICES

Documents	FOI application required	Publicly available	Comments
Leases, Licences and Permits including applications and supporting documentation	Yes	No	Business and commercial considerations.
Designs of Facilities (technical drawings)	Yes	No	Intellectual property may apply.
Conceptual recreation site designs	No	Yes	Documents available free of charge on DEC website or on request to PVS.
Research Reports	No	Yes	Intellectual property may apply. Documents available free of charge on the DEC website or on request to PVS.
Management Plans and Interim Management Guidelines	No	Yes	Documents available free of charge on the DEC website or on request to PVS.
Memorandum of Understanding (MoUs)	No	Yes	Potential third party involvement – authority to release may be required from third party.
Indigenous Land Use Agreements	Yes	No	
Section 16 agreements	Yes	No	
Lease audit reports	Yes	No	
Commercial Tour Operators audit reports	Yes	No	

## SUSTAINABLE FOREST MANAGEMENT

Documents	FOI application required	Publicly available	Comments
Management plan for State forest	No	Yes	Documents available on the DEC website or on request to the DEC.
Guideline documents for aspects of forest management	No	Yes	
Historical timber harvest records on south-west native forests	No	Yes	Information held in electronic form is in a large variety of data sets. Availability will depend on the nature of the request and the ease with which it can be generated. Charges are not made for documents but a charge for generating electronic information may be made depending on the purpose the request is made and the effort involved in providing the data.
Measurement data sets of the forest estate			
Native forest growth measurements			
Timber inventory data for native forest			

## ENVIRONMENTAL REGULATION

Documents	FOI application required	Publicly available	Comments
<b>Please note that confidential business information may not be available.</b> A FOI application may be required and information may not be released, refer to Clause 4 and Clause 8 from: <u><a href="#">Freedom of Information Act 1992 Schedule 1 Exempt Matter</a></u>			
Works approvals, licences, registration applications and supporting documentation	No	Yes	
Works approval and licence monitoring and other data and periodic reports required as a condition of approval	No	Yes	However access may be restricted if there is material that contains confidential business information.
Pollution Incident Reports (Complaints)	Yes	No	
Prosecution briefs and investigation reports	Yes	No	
Modified Penalty Notice	No	Yes	Pursuant to r40 of the Environmental Protection Regulations 1987.
Inspection reports eg licensed premises, site visits	Yes	No	Available to Licence holder without an FOI application. However access may be restricted if there is an investigation into non-compliance. Access may also be restricted if the report recommends compliance action by way of a statutory notice.
Monitoring and other data and periodic reports, provided under direction	Yes	No	May include commercial in confidence information that should be tested under FOI.
Contaminated Sites Database	No	Yes	Website access for 3 of 7 classifications. More detailed information available on request and payment of a fee.



DEC Acid Sulfate Soils investigations, reports and monitoring data	No	Yes	Available on DEC website.
DEC appeal advice with respect to appeals that concern clearing permits, environmental protection notices etc. (i.e. all reports to the Minister under section 106(1)(b) of the Act)	No	Yes	Publicly available once determined by Minister.

## STRATEGIC POLICY AND PROGRAMS

Documents	FOI application required	Publicly available	Comments
<b>Please note that confidential business information may not be available.</b> A FOI application may be required and information may not be released, refer to Clause 4 and Clause 8 from: <i>Freedom of Information Act 1992 Schedule 1 Exempt Matter</i>			
Strategy documents – draft and final, eg State Waste Strategy	No	Yes	Draft Publicly available once released for public comment and final available when published. (S.25 deferred access applies).
Waste disposal data	No	Yes	Compiled data is publicly available.
Waste Authority minutes	No	Yes	
Waste Authority agenda	No	Yes	
Waste Avoidance and Resource Recovery Account	Yes	No	
Waste Avoidance and Resource Recovery Account – Successful grant applications	No	Yes	Information is publicly released and is also published on the Waste Authority's Towards Zero Waste. Website: <a href="http://www.zerowastewa.com.au">www.zerowastewa.com.au</a>
Waste Management and Recycling Fund Review	No	Yes	
Landfill levy review	No	Yes	
Development of the WA Climate Change Adaptation and Mitigation Strategy documents	Yes	No	Draft Publicly available once released for public comment and final available when published.
WA Government Greenhouse Gas Reporting	Yes	No	Public reports will be issued but underlying information may be commercially confidential.
Low Emissions Energy Development Fund documentation	Yes	No	Application forms and final decision are public but applications and assessment data are commercially confidential.
CCPISG and sub groups meeting agenda and minutes	Yes	No	
Mitigation and adaptation policy development papers	Yes	No	
Climate Change Fact Sheets	No	Yes	Factsheets are publicly available on the DEC website.
Climate Change Case Studies	No	Yes	Case Studies are publicly available on the DEC website.
Western Australia Greenhouse Strategy	No	Yes	Strategy is publicly available on the DEC website.
Western Australia Complementary Measures Review Final Report	No	Yes	Report is publicly available on the DEC website.
WA Greenhouse Gas Abatement Potential	No	Yes	Report is publicly available on the DEC website.
Air Quality Monitoring Data	No	Yes	Compiled data is available on the DEC website.

## SCIENCE

Documents	FOI application required	Publicly available	Comments
Annual review of research activity	No	Yes	
Published technical papers, reports, some technical databases	No	Yes	
Reprints of technical publications and reports	No	Yes	Can be obtained free of charge.
Raw data that has not been interpreted, analysed or published	Yes	No	May require an FOI application. Requests for access to raw data are assessed by the Director. Generally, if the data is in an interpretable, partially analysed form, are not bound by IP rights with other parties or by confidential clauses, and the data custodian has had reasonable opportunity to publish the findings, then data will most likely be released. In some cases, a fee is charged for access to some forms of data, or to assemble complex database enquiries .
NatureMap and Florabase	No	Yes	Conditions apply to various levels of access to Florabase.
Some forms of data are charged for including data held in databases held by the Herbarium	No	Yes	A fee is charged for access to some forms of data, or to assemble complex database enquiries.

## REGIONAL SERVICES

Documents	FOI application required	Publicly available	Comments
Prescribed burning maps and prescriptions, post-burn assessments and fire history records	No	Yes	Documents can be inspected but not taken from DEC Offices.
DEC maintains large collection of digital land-related databases. These are used by RSD staff in analysis for research and planning purposes and to support field operations	Yes	No	Requests for access are assessed by the Director. If the data is in an interpretable form at a manageable cost and the context for which it was used is maintained the data is most likely to be released.

## CORPORATE SERVICES

Documents	FOI application required	Publicly available	Comments
Business plans of branch	No	Yes	
Branch and private individuals correspondence exchange	Yes	No	Except where documents solely involve individual requiring the correspondence.
Internal memos – general, personnel	Yes	No	
Administrative policies	No	Yes	

Documents	FOI application required	Publicly available	Comments
Administrative procedures/instructions	No	Yes	Public interest factors to be considered.
Service level agreements	Yes	No	Where the agreement is with an external organisation.
Personnel Information (including breaches of human resource procedures)	Yes	No	Except where the documents solely involve the individual requiring the correspondence.
Minutes of branch meetings	Yes	No	
Contract specification documents	No	Yes	
Tender/quotation responses	Yes	No	Information is commercial-in-confidence.
Evaluations of tender/quotation responses	Yes	No	Information is commercial-in-confidence.
Computer system design documents	Yes	No	Information contains intellectual property of the agency.
Project work plans, reports, steering committee minutes, evaluations	Yes	No	
Reports on staff usage of systems	Yes	No	

## STRATEGIC DEVELOPMENT AND CORPORATE AFFAIRS

Documents	FOI application required	Publicly available	Comments
Corporate Plan	No	Yes	Available on DEC website.
Annual Report	No	Yes	Available once published.
DEC organisation charts	No	Yes	Available on DEC website.
Media statements	No	Yes	Posted on the DEC website.
Letters to the editor of various newspapers	No	Yes	
Publications list	No	Yes	DEC produces a variety of publications to meet different information needs. A publications list is published in the annual report.
Emailed media enquiries	No	Yes	Available on request.
Staff newsletter	No	Yes	Electronic edition available on DEC website.
Corporate advertising campaigns	No	Yes	
There is a large amount of published material aimed at informing the public about various aspects of the DEC's policies and about the lands and waters managed by the DEC. This category includes Reserve Management Plans and popular journal publications such as Conservation Science Western Australia, LANDSCOPE, leaflets about particular parks, recreation areas and wildlife	No	Yes	Some of this material is saleable and some of this material is free.
Market research reports	Yes	No	Some may be publicly available, some may require a FOI application.

## 8. DEC PERTH METRO AND REGIONAL OFFICES

### **METROPOLITAN LOCATIONS**

#### **Director General and Environmental Services**

##### **Divisions**

The Atrium, Level 4

168 St Georges Terrace, Perth

Locked Bag 104

Bentley Delivery Centre WA 6983

Phone (08) 6467 5000

Fax (08) 6467 5562

#### **CRAWLEY OFFICE – Parks and Conservation Services Divisions: Executive**

Australia II Drive, Crawley

Phone (08) 9442 0300

Fax (08) 9386 1578

#### **Strategic Development and Corporate Affairs**

Cygnets Hall, Corner Stirling Highway and Mounts

Bay Road, Crawley

Phone (08) 9389 8644

Fax (08) 9389 8296

#### **KENSINGTON OFFICE**

17 Dick Perry Avenue, Kensington

Phone (08) 9219 8000

Fax (08) 9334 0498

#### **Fire Management Services**

Phone (08) 9334 0375

Fax (08) 9367 9913

#### **WA Herbarium**

George Street, Kensington

Phone (08) 9334 0500

Fax (08) 9334 0515

#### **BENTLEY OFFICE**

##### **Forest Management Branch**

7 Turner Avenue, Bentley

PO Box 1167

Bentley Delivery Centre WA 6983

Phone (08) 9368 4399

Fax (08) 9423 2901

#### **FREMANTLE OFFICE**

##### **Regional Parks**

Level 1, 4-6 Short Street Fremantle

PO Box 1535, Fremantle WA 6959

Phone (08) 9431 6500

Fax (08) 9431 6599

#### **Marine Policy and Planning Branch**

Suite 3, Level 3, Queensgate Building

10 William Street, Fremantle WA 6160

Phone (08) 9336 0100

Fax (08) 9430 5408

#### **WOODVALE RESEARCH**

Wildlife Place (Ocean Reef Road), Woodvale

PO Box 51, Wanneroo WA 6946

Phone (08) 9405 5100

Fax (08) 9306 1641

#### **PERTH OBSERVATORY**

337 Walnut Road

Bickley WA 6076

Phone (08) 9293 8255

Fax (08) 9293 8138

## **REGIONAL OFFICES**

### **KIMBERLEY REGION**

Lot 248 Ivanhoe Road  
PO Box 942

Kununurra WA 6743  
Phone (08) 9168 4200

Fax (08) 9168 2179

### **West Kimberley District**

111 Herbert Street, Broome  
PO Box 65, Broome WA 6725  
Phone (08) 9195 5500

Fax (08) 9193 5027

### **Derby Work Zone**

Senior Ranger Residence  
PO Box 694, Derby WA 6728  
Phone (08) 9193 1411

Fax (08) 9193 1415

### **Fitzroy Crossing Work Zone**

180 Emanuel Way, Fitzroy Crossing  
PO Box 37, Fitzroy Crossing WA 6765  
Phone (08) 9191 5121

Fax (08) 9191 5165

## **PILBARA REGION**

### **Karratha**

Lot 3 Anderson Road  
Karratha Industrial Estate, Karratha  
PO Box 835, Karratha WA 6714  
Phone (08) 9143 1488

Fax (08) 9144 1118

### **Exmouth District**

22 Nimitz Street  
PO Box 201, Exmouth WA 6707  
Phone (08) 9947 8000

Fax (08) 9947 8050

## **MIDWEST REGION**

### **Geraldton**

1<sup>st</sup> Floor, The Foreshore Centre  
201 Foreshore Drive  
PO Box 72, Geraldton WA 6531  
Phone (08) 9921 5955

Fax (08) 9921 5713

### **Carnarvon Work Centre**

211 Robinson Street, Carnarvon  
PO Box 500, Carnarvon WA 6701  
Phone (08) 9941 3754

Fax (08) 9941 1801

### **Shark Bay District**

89 Knight Terrace, Denham WA 6537  
Phone (08) 9948 1208

Fax (08) 9948 1024

### **Moora District**

124 Bashford Street, Jurien Bay  
PO Box 638, Jurien WA 6516  
Phone (08) 9652 1911

Fax (08) 9652 1922

### **Cervantes Work Centre**

Bradley Loop, Light Industrial Area, Cervantes  
PO Box 62, Cervantes WA 6511  
Phone (08) 9652 7043

Fax (08) 9652 7340

**GOLDFIELDS REGION****Kalgoorlie**

32 Brookman Street  
PO Box 10173, Kalgoorlie WA 6433 Fax (08) 9021 7831  
Phone (08) 9080 5555

**SWAN REGION****Booragoon Work Centre**

Cnr Davey Street and Marmion Street, Booragoon  
Phone (08) 9333 7510 Fax (08) 9333 7550

**Air Quality Branch**

Cnr Davey Street and Marmion Street, Booragoon  
  
Phone (08) 9333 7436 Fax (08) 9333 7450

**Bentley**

7 Turner Avenue, Technology Park  
Bentley WA 6102  
PO Box 1167, Bentley Delivery Centre WA 6983 Fax (08) 9423 2901  
Phone (08) 9368 4399

**Mundaring****Nearer to Nature**

Perth Hills National Parks Centre  
Allen Road, Mundaring WA 6073 Fax (08) 9295 3247  
Phone (08) 9295 2244

**Perth Hills District**

51 Mundaring Weir Road  
Mundaring WA 6073 Fax (08) 9295 9101  
Phone (08) 9295 9100

**Kwinana Work Centre**

2 Stidworthy Court  
Kwinana WA 6167 Fax (08) 9419 5897  
PO Box 454, Kwinana WA 6966  
Phone (08) 9411 1777

**Dwellingup Work Centre**

Banksiadale Road  
Dwellingup WA 6213 Fax (08) 9538 1203  
Phone (08) 9538 1078

**Jarrahdale Work Centre**

398 George Street, Jarrahdale WA 6124  
Phone (08) 9526 1209

**Swan Coastal District**

5 Dundobar Road, Wanneroo  
P O Box 459, Wanneroo WA 6946 Fax (08) 9405 0777  
Phone (08) 9405 0700

**Yanchep National Park**

Yanchep WA 6035 Fax (08) 9561 2316  
Phone (08) 9561 1004

**Marine Parks Work Centre**

Suite F2, 45 Northside Drive, Hillarys  
PO Box 459, Wanneroo WA 6946 Fax (08) 9246 7380  
Phone (08) 9405 0780

**Mandurah Work Centre**

423 Pinjarra Road  
PO Box 1256, Mandurah WA 6210  
Phone (08) 9582 9333

Fax (08) 9582 9725

**WHEATBELT REGION****Narrogin**

7 Wald Street  
PO Box 100, Narrogin WA 6312  
Phone (08) 9881 9222

Fax (08) 9881 3297

**Katanning Work Centre**

56 Clive Street  
PO Box 811, Katanning WA 6317  
Phone (08) 9821 1296

Fax (08) 9821 2633

**Great Southern District**

Hough Street  
PO Box 100, Narrogin WA 6312  
Phone (08) 9881 9200

Fax (08) 9881 1645

**Central Wheatbelt District**

33 Bates Street  
PO Box 332, Merredin WA 6415  
Phone (08) 9041 2488

Fax (08) 9041 2454

**Northam Work Centre**

54 Fitzgerald Street  
PO Box 354, Northam WA 6401  
Phone (08) 9622 8940

Fax (08) 9622 8947

**SOUTH WEST REGION****BUNBURY**

South West Highway, Bunbury  
PO Box 1693, Bunbury WA 6231  
Phone (08) 9725 4300

Fax (08) 9725 4351

**Blackwood District****Busselton**

14 Queen Street, Busselton WA 6280  
Phone (08) 9752 5555

Fax (08) 97252 1432

**Kirup Work Centre**

South Western Highway, Kirup  
Phone (08) 9731 6232

Fax (08) 9731 6366

**Nannup Work Centre**

Warren Road, Nannup  
Phone (08) 9756 0211

Fax (08) 9756 0233

**Margaret River Work Centre**

Bussell Highway, Margaret River  
Phone (08) 9780 5500

Fax (08) 9757 2930

**Wellington District****Collie**

147 Wittenoorn Street  
Collie WA 6225  
PO Box 809, Collie WA 6225  
Phone (08) 9734 1988

Fax (08) 9734 4539

**Harvey Work Centre**

64 Weir Road  
Harvey WA 6220  
PO Box 809, Collie WA 6225  
Phone (08) 9729 1505

Fax (08) 9729 1868

**WARREN REGION****Manjimup**

Brain Street  
Locked Bag 2, Manjimup WA 6258  
Phone (08) 9771 7988

Fax (08) 9771 2677

**Donnelly District**

Kennedy Street  
PO Box 20, Pemberton WA 6260  
Phone (08) 9776 1207

Fax (08) 9776 1410

**Northcliffe Work Centre**

Wheatley Coast Road, Northcliffe  
PO Box 20, Pemberton WA 6260  
Phone (08) 9776 7095

Fax (08) 9776 7258

**Frankland District**

Walpole  
South Coast Highway, Walpole WA 6398  
Phone (08) 9840 0400

Fax (08) 9840 1251

**SOUTH COAST REGION****Albany**

120 Albany Highway  
Albany WA 6330  
Phone (08) 9842 4500

Fax (08) 9841 7105

**Esperance District**

92 Dempster Street, Esperance  
PO Box 234  
Esperance WA 6450  
Phone (08) 9083 2100

Fax (08) 9071 3657

**Ravensthorpe Work Centre****Tourist Bureau Building**

Lot 13, Morgan Street  
PO Box 307  
Ravensthorpe WA 6349  
Phone (08) 9838 1965

Fax (08) 9838 1965



## 9. STRUCTURE OF RELATED AGENCIES TO DEC

### Cockburn Sound Management Council (CSMC)

The CSMC is an advisory council to the Minister for Environment. It was originally established in 2000 as a sub-committee of the Water and Rivers Commission board (under section 109 of the *Water Agencies (Powers) Act 1986*) and reported and advised both the Minister for Water and the Minister for Environment. It was transferred in January 2007 to be wholly within the Minister for Environment's portfolio with the DEC under Section 25 of the *Environmental Protection Act 1986* ('EP Act'). Under its constitution, terms of reference and Memorandum of Understanding between Cabinet Ministers, the CSMC must consist of appropriately experienced representatives from the community, industry, recreational bodies, conservation groups, Local, State and Commonwealth Government. The CSMC has 23 members with an Executive Council of twelve members formed within the Full Council Membership. Initially the Council was to manage and coordinate environmental planning for just Cockburn Sound and its catchment, but in 2004 its management boundary was extended to include the waters and catchment of Owen Anchorage. The CSMC focuses mainly on the marine waters and fringing shoreline and nearby lands around these two embayments.

The functions of the CSMC are basically four-fold:

1. Implement the *State Environmental (Cockburn Sound) Policy (2005)* created under the EP Act (1986) as well as associated documents linked to this Policy, for example the *Environmental Quality Criteria Reference Document for Cockburn Sound (2003-2004)* and the *Manual of Standard Operating Procedures for monitoring against the Cockburn Sound Environmental Quality Criteria (2003-2004)*.
2. Advise and assist the Minister, EPA, DEC and other State decision making authorities (e.g. Department of Planning) on matters affecting the environment, environmental management and coordination in Cockburn Sound, Owen Anchorage and their catchments.
3. Undertake and coordinate environmental monitoring in these two water bodies and report on their environmental health and whether their environmental values and objectives to maintain these are being protected and/or are being met. These values and objectives are defined in the *State Environmental (Cockburn Sound) Policy (2005)*. Reporting is provided annually to the Minister for Environment in the form of Environmental Report Cards and in the State of the Sound Report. The last report is also required to be provided to Parliament on an annual basis within ten sitting days of the Minister for the Environment receiving it.
4. Implement the Cabinet endorsed Cockburn Sound Management Council's Environmental Management Plan (2005). In general, the CSMC undertake coordination and provide management, expert and practical information and advice to relevant local and State and Federal bodies as well as encourage and coordinate activities and projects and report on them for better conservation, planning, management and multiple uses of Cockburn Sound and Owen Anchorage.

The public, vested government, recreational and industry stakeholders participate in the formulation of the CSMC's policy, advice, activities and in the performance of its functions based on the wide range of input given by the representation found in the Council.

### **Conservation Commission of Western Australia (CCWA)**

The CCWA is a statutory body corporate established under section 18 of the *Conservation and Land Management Act 1984*. The statutory functions of the CCWA are provided for in section 19 of the *Conservation and Land Management Act 1984*.

#### **Functions of the Conservation Commission**

##### Estate

- To have the care, control and management of relevant land placed with it.
- To consider any cancellation, change of purpose or boundary alteration in respect of land vested, whether solely or jointly with an associated body, in the Conservation Commission.
- To be consulted on matters relating to the granting of licences, leases, permits and mining tenement applications on land vested in the Conservation Commission.

##### Policies

- Develop policies that will preserve the natural environment of the State and provide facilities for the community to enjoy it.
- To advise the Minister on the development of policies for the conservation and management of biodiversity and biodiversity components throughout the State.
- With approval of the Minister, to cause study or research to be undertaken for the purposes of the development of policies.

##### Management plans

- Create management plans for indigenous State forest or timber reserves that clearly state purpose, namely:
  - a. conservation
  - b. recreation
  - c. timber production on a sustained yield basis
  - d. water catchment protection or
  - e. other purpose being a purpose prescribed by the regulations

and have the objective of promoting the purpose for which the land is vested in it.

- To be responsible for the preparation of proposed management plans and the review of existing management plans for all lands vested in the Conservation Commission.
- To submit proposed management plans to the Minister for approval.

- To develop guidelines for monitoring and assessing and auditing the performance of DEC and the Forest Products Commission in carrying out and complying with the management plans.

#### Forest management

- To advise the Minister on the application of the principles of ecologically sustainable forest management (State forest and timber reserves and forest produce throughout the State).
- To advise the Minister on the production and harvesting, on a sustained yield basis, of forest produce throughout the State.

#### Advice and promotion

- To inquire into and, after relevant consultation, to advise the Minister on any matter on which the Minister requests advice.
- To provide advice, upon request, on matters relating to land and waters vested in the Conservation Commission, whether solely or jointly with an associated body, to any body or person (provided the advice is in the public interest and it is practicable to provide it).

#### How these functions affect the public

The CCWA's management planning function can affect members of the public. Changes in conservation estate and forest management initiatives might result in reduced access to parts of the conservation estate and/or State forests and reserves.

It is however a statutory requirement that management plans are prepared with consultation with the public. CCWA members also sit on community advisory groups formed during the management plan development process. The CCWA actively engages with stakeholder groups to ensure their views are known.

#### **Contaminated Sites Committee (CSC)**

The CSC is a statutory committee established under section 33 of the *Contaminated Sites Act 2003* ('CS Act') to make decisions under the CS Act including those in relation to who is responsible for remediation of contaminated sites and to determine appeals against certain decisions of the Chief Executive Officer (CEO) of DEC. Under s. 33(2), the CSC is to have between 3 to 5 members who are appointed by the Minister for Environment. The CSC is independent of DEC in its decision making role and is empowered under the CS Act to establish its own procedures. The CSC is supported by a part-time executive management officer and a part-time executive officer, with support from a full time legal officer.

Under the CS Act, the CSC is responsible among other things for:

- deciding appeals from eligible persons against classifications allocated to sites by the CEO of DEC;

- deciding appeals from eligible persons against the issue or a requirement of notices given by the CEO of DEC;
- determining responsibility for remediation when requested to do so by an “interested person” as prescribed by the Contaminated Sites Regulations 2006 or on its own initiative;
- receiving and assessing disclosure statements and deciding whether the criteria for issuing exemption certificates are met;
- determining whether or not to cancel, amend or transfer exemption certificates; and
- determining responsibility for remediation to facilitate the recovery of State costs incurred at orphan sites.

The CSC’s decision-making role is clearly defined under the CS Act. Information concerning the CSC’s role and is published on its website and members of the public accessing the website may provide feedback to the CSC through a direct on-line email system.

### **Keep Australia Beautiful Council (WA) (KABC)**

The KABC is a statutory body established under the *Litter Act 1979*. The structure and functions of KABC are outlined in the Second Schedule to the *Litter Act 1979* and include to:

- a. educate members of the public in, and to awaken, stimulate, encourage and maintain the interest of members of the public in, and to promote public knowledge of, the correct disposal of waste items;
- b. foster and encourage the appreciation of clean and well-kept cities and countryside;
- c. safeguard the character and beauty of the Australian landscape through the prevention of litter;
- d. preserve and improve the appearance of our environment in the schools, in factories, shops and offices, in parks, beaches and recreation places and along the roadside by the prevention of litter;
- e. make recommendations and submit proposals to the Minister from time to time with respect to regulations to be made under this Act;
- f. promote litter prevention through publicity of all kinds, design and distribution of litter receptacles and encouragement of suitable legislation;
- g. promote awareness of, and encouragement of, litter recycling;
- h. maintain continuous and effective campaigns against the disfigurement of the landscape by litter and to encourage a responsible community attitude to cleanliness in all public places;
- i. study available research, and development in the field, regarding litter control, removal, disposal and recycling and to study methods for the implementation of such research and development;
- j. cooperate, where considered desirable by the Council with other organisations within the State or elsewhere on questions relating to all forms of pollution and generally to work for a clean healthy environment;
- k. serve as the coordinating agency between organisations seeking to aid the anti-litter effort;

- l. liaise with local governments with a view to ensuring that the provisions of this Act are enforced in the districts of those local governments;
- m. cooperate with local governments to accomplish co-ordination of local anti-litter efforts;
- n. encourage, organise and coordinate voluntary local anti-litter campaigns seeking to focus the attention of the public on programmes to control and remove litter;
- o. take appropriate measures to bring the provisions of this Act to the attention of the public; and
- p. do such other acts and things as are conducive to the prevention and control of litter.<sup>5</sup>

The KABC's activities affect the public through education, communication of activities, incentives to avoid littering, enforcement to encourage litter prevention and anti-littering behaviour.

The public can participate in KABC functions in a variety of ways. For example, the KABC consulted the community for the development of the Litter Prevention Strategy 2006 - 2009. The Council is a 15-member body appointed by the Minister for Environment in accordance with section 9 of the *Litter Act 1979*.

Two members are appointed directly, that is; a person to represent the interests of consumers; and a person with special knowledge of or experience in litter prevention and/or environmental matters.

The balance of the Council is appointed by the Minister from nominations submitted by the following organisations:

- Soft Drink Manufacturers' Association (WA)
- Chamber of Commerce and Industry on behalf of: the brewing industry, manufacturers of cans, manufacturers of glass and manufacturers of paper products
- Packaging Council of Australia (Western Australian Division)
- Department of Education and Training
- Department of Local Government and Regional Development
- DEC
- Western Australia Local Government Association
- Country Shire Councils' Association of WA
- Trades and Labour Council of Western Australia, and
- Conservation Council of Western Australia.

The Chairperson of the Council is appointed by the Minister from among those members of the Council who are not public servants. A Deputy Chairperson is elected by Council members at the first Council meeting of the year.

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<sup>5</sup> *Litter Act 1979* (WA) Second Schedule

## **Marine Parks and Reserves Authority (MPRA)**

The *Acts Amendment (Marine Reserves) Act 1997* was proclaimed on 29 August 1997 and included amendments to the *Conservation and Land Management Act 1984* (CALM Act), which established the Marine Parks and Reserves Authority (MPRA) as the vesting body for Western Australia's marine conservation reserves.

The MPRA comprises seven members who are appointed under the provisions of sections 26D (1) and 26D (2) of the CALM Act, and are to be persons who, in the opinion of the Minister, have knowledge and experience or a particular function or vocational interest which is relevant to the functions of the MPRA. MPRA members are appointed by the Governor on the nomination of the Minister for Environment.

Section 26B of the CALM Act prescribes the functions of the MPRA. These are:

1. Development of policies to:
  - a. preserve the natural marine and estuarine environments of the State;
  - b. provide facilities for the enjoyment of those environments by the community;
  - c. promote appreciation of marine and estuarine flora and fauna and natural marine and estuarine environments; and
  - d. achieve and promote the management objectives of the various types of marine conservation reserve vested in it, as outlined at section 56 of the Act.
2. To consider and advise (in accordance with section 17) any proposed cancellation, change of purpose or boundary alteration in respect of land or water vested in it.
3. To advise the Minister on proposals for reservations (for the purposes of section 14).
4. To submit proposed management plans, for the marine conservation reserves vested in it, to the Minister for consideration and approval (Part V of the Act).
5. With the approval of the Minister, cause study or research to be undertaken to assist in policy development.
6. In relation to management plans for land and waters vested in the MPRA:
  - a. develop guidelines for monitoring the implementation of the management plans by CALM;
  - b. set performance criteria for evaluating the carrying out of the management plans; and
  - c. conduct periodic assessments of the implementation of the management plans.
7. Inquire into and advise the Minister on any matter on which the Minister has sought the MPRA's advice. However, if the matter involves a specific area of land or waters, the MPRA is required under section 26B (4), to first contact the relevant local government council to provide an opportunity for it to comment. If the matter relates to marine archaeology, the MPRA is required under section

26B (6) to first contact the WA Museum to provide an opportunity for it to comment.

8. In response to requests, provide advice to any person or body on matters relating to conservation reserves vested in the MPRA - if it is practical for the MPRA to do so and if also in the public interest.

The State-wide system of marine parks and reserves aims to conserve the biodiversity of representative and special marine and estuarine environments of the State, and provide for use and enjoyment of those environments by the community and for ecologically sustainable use of marine natural resources where appropriate.

#### How these functions may affect the public

Community consultation is an important component of the planning process to establish marine parks and reserves, assess the implementation of marine parks and reserves management plans and the development of policy. Such consultation can include liaison and discussion with both locally based community stakeholders and individuals, special interest groups, Government agencies and private organisations. This consultation assists the MPRA, in liaison with DEC, to develop indicative and final management plans for Government consideration.

The outcomes of management planning may affect members of the public through the application of spatial zoning and designation of permitted uses for recreational and commercial users.

MPRA policy development is undertaken with appropriate consultation with relevant stakeholders, as outlined in the MPRA's Policy Formulation Guidelines. If deemed appropriate by the MPRA a final draft policy document may also be released for public comment.

#### **Swan River Trust (the Trust)**

The Swan River Trust was established in 1989 and operates under the *Swan and Canning Rivers Management Act 2006*. The Act establishes the Trust with planning, protection and management functions for the Swan and Canning rivers and associated land of the development control area and Riverpark, to:

- protect and enhance the ecological and community benefits and amenity
- control activities and development;
- carry out works and provide facilities;
- establish targets and mechanisms for evaluating achievement of those targets;
- coordinate and promote the development and implementation of strategic documents under the Act;
- coordinate and promote the activities of other bodies that have functions in relation to the Swan Canning Catchment;
- monitor and report to the Minister for Environment on the state of the development control area, and on development in and adjoining that area;

- provide advice and assistance to planning authorities to ensure the reservation of land for protection and future foreshore acquisition to protect public use of land and waters and wildlife habitat;
- provide advice to the Western Australian Planning Commission on State planning policies and planning scheme provisions; and
- provide advice and promote public education.

The Swan River Trust consists of a chairman and seven members who, between them, are to have knowledge of and experience in the fields of conservation, natural resource management, recreation, tourism, planning, development and matters of interest to rural and Noongar communities.

One member is appointed from local government and one from the Department for Planning and Infrastructure. The appointment of the remaining six members by the Minister for Environment provides the opportunity for involvement from a wide cross section of the community.

Daily operation of the Trust is managed by a General Manager, with six executive managers, and conducted by professional, technical and administrative staff provided by the Department of Environment and Conservation.

The functions of the Trust affect the public by:

- assessing development applications to ensure that development is consistent with protecting or enhancing the environmental values and amenity of the Trust's development control area;
- managing environmental programs to protect the ecological health and long-term community benefit of water quality in the Swan Canning Catchment;
- inspecting the rivers to ensure compliance with regulations and development conditions, taking enforcement action where appropriate and keeping the rivers clean and clear of debris; and
- providing environmental information and community involvement opportunities leading to sustained behaviour change to protect the Swan Canning river system.

The Swan River Trust manages the following arrangements for public participation in the formulation of its policies and functions:

- a comprehensive public comment process for development applications includes advertising significant applications on the Government Notice Board in *The West Australian* newspaper, and the posting of all applications on the Trust's website for comment before Ministerial decision;
- an open and accountable public comment process for draft management plans, strategies and policies through advertising, stakeholder briefings, public consultation and the media;
- community engagement programs including River Guardians (Dolphin Watch), Ribbons of Blue, Great Gardens workshops and support provided for the Phosphorus Awareness Project; and
- active encouragement of public feedback at Trust events and during stakeholder liaison.



## **Waste Authority**

The Waste Authority is a body, the members of which are appointed by the Governor to provide advice to the Minister for Environment on strategic direction and priorities for waste in Western Australia and to administer the Waste Avoidance and Resource Recovery Account. The Waste Authority commenced full operation on 1 July 2008.

The functions of the Waste Authority are set out in detail in Schedule 2 of the *Waste Avoidance and Resource Recovery Act 2007* and include:

- to develop, promote and review a waste strategy for Western Australia and coordinate its implementation;
- to monitor and assess the adequacy of, and report to the Minister on the operation of, the waste strategy, product stewardship plans and extended producer responsibility schemes;
- to promote resource efficiency, waste avoidance, and resource recovery;
- to advise and make recommendations to the Minister on matters relating to the Act; and
- to advise and make recommendations to the CEO on the regulation of waste services.

DEC through the Office of the Waste Authority and Waste Management Branch provides executive and administrative support to the Authority. These officers provide briefings to the Authority and implement projects on behalf of the Authority in accordance with the Authority's annual business plan.

Officers also manage the expenditure of funds held in the Waste Avoidance and Resource Recovery Account on behalf of the Waste Authority that receives revenue from the State's landfill levy.

Officers also manage landfill levy collection compliance with the levy regulations.

The Authority is fully funded by the Waste Avoidance and Resource Recovery Account.

## 10. CURRENT DOCUMENTS ON FILES HELD BY RELATED AGENCIES

### COCKBURN SOUND MANAGEMENT COUNCIL (CSMC)

Documents	FOI application required	Publicly available	Comments
State Environmental (Cockburn Sound) Policy	No	Yes	Access on <a href="http://www.environment.wa.gov.au">www.environment.wa.gov.au</a> > Water > Search 'Cockburn Sound'.
Environmental Management Plan for Cockburn Sound	No	Yes	Access on <a href="http://www.environment.wa.gov.au">www.environment.wa.gov.au</a> > Water > Search 'Cockburn Sound'. ( <a href="http://csmc.environment.wa.gov.au">http://csmc.environment.wa.gov.au</a> )
Minutes	Yes	No	Minutes of the Council's discussion and nature of its decision making is kept confidential but is documented for accountability and transparency.
CSMC Submissions, Formal Advice and Correspondence	Yes	No	Submissions are made to various decision making bodies who may require confidentiality while advice is generally more easily available. Release may be dependent on Council or Chair determination.
CSMC Technical Reports	No	Yes	All technical reports are posted on the CSMC website
CSMC Internal Reports	Yes	No	Internal reports can be confidential and tailored to Council requirements.
Annual State of the Sound Reports/Environmental Report Cards	No	Yes	Access <a href="http://csmc.environment.wa.gov.au">http://csmc.environment.wa.gov.au</a>
Budget	No	Yes	Annual budget information is contained within general DEC Regional Services financial planning and budget documents
CSMC Strategic Plan 2010 -2015	No	Yes	Access <a href="http://csmc.environment.wa.gov.au">http://csmc.environment.wa.gov.au</a>
Environmental Data	Yes/No	Yes/No	In general most data is freely available; some however is private and permission must be given from those parties. A constraint to data availability is Officer time and ease of extraction.
Library documents, maps and photos	No	Yes	Documents, maps and photos cannot be removed from the office and a number of items may not be easily viewed. Appointments are required.

## CONSERVATION COMMISSION OF WESTERN AUSTRALIA (CCWA)

Documents	FOI application required	Publicly available	Comments
Forest Management Plan 2004-2013	No	Yes	All documents available for download on the Commission's web site. Hard copies of the Forest Management Plan held and provided free of charge. <a href="http://www.conservation.wa.gov.au">www.conservation.wa.gov.au</a>
Various independent reviews developed to support preparation of the forest management plan	No	Yes	All documents available for download on the Commission's web site. <a href="http://www.conservation.wa.gov.au">www.conservation.wa.gov.au</a>
Performance assessment reports	No	Yes	
Old-growth forest assessment reports	No	Yes	
Mid Term Audit Report of the Forest Management Plan	No	Yes	All documents available for download on the Commission's website. Hard copies of the report held and provided free of charge. <a href="http://www.conservation.wa.gov.au">www.conservation.wa.gov.au</a>

- A description of the committee/body/office procedures for amending personal information in the documents of the agency (under Part 3 of the FOI Act): These documents are managed by the People Services section of the DEC of Environment and Conservation on behalf of the Commission.
- Corporate Services, including Human Resource Management, Financial Services and Information Technology support are provided under a bureau services agreement with DEC Corporate Services Division.
- In accord with these arrangements the Conservation Commission complies with a number of other DEC administrative policies and procedures in order to comply with Government policies and relevant legislation, for example, the Disability Service Plan, Equal Employment Opportunity and the Use of Credit Cards.

## CONTAMINATED SITES COMMITTEE (CSC)

Documents	FOI application required	Publicly available	Comments
Internal documents: Information Manual for CSC members Code of Conduct Rules regarding internal procedures	Yes	No	
File notes by and memoranda from Chairperson and Executive Officer	Yes	No	
Briefing Notes and Summaries of Decisions	Yes	No	
Minutes of meetings	Yes	No	
Information recorded on electronic case management system	Yes	No	
Correspondence of CSC	Yes	No	
Notices of CSC	Yes	No	
Summary of CSC decisions in relation to Appeals	No	Yes	Under the <i>Contaminated Sites Act (2003)</i> the CSC may publish on its website details of decisions made in relation to appeals.
Exemption certificates	Yes	No	
Information Sheets	No	Yes	
Notices of Appeal received by CSC	Yes	No	
Disclosure Statements	Yes	No	
Correspondence received by CSC	Yes	No	
Advice from CEO and officers of the Department	Yes	No	Legal professional privilege may apply to advice received by the CSC.

In all cases for determination by the CSC, the person or organisation lodging a request for a decision by the CSC as to who is responsible for remediation disclosure statement or notice of appeal is required to provide the Committee with details of the matter, or the grounds of the appeal, or the relevant information, in writing and in the form prescribed by the *Contaminated Sites Act (2003)* and/or the Contaminated Sites Regulations 2006.

The documents provided and subsequently held by the CSC may include covering letters, statements outlining the facts of a case or the grounds of an appeal, correspondence, arguments and evidence related to the appeal, notifications of site classification decisions by DEC, notifications of memorials on land titles lodged by DEC, consultants' reports regarding the nature and extent of contamination of owners' land, lease of contract documents, reports in respect of current and past land usage and transactions and certificates of title. A FOI Application will be required in relation to these documents. More information about the Contaminated Sites database can be obtained by visiting the website [www.dec.wa.gov.au/contaminatedsites](http://www.dec.wa.gov.au/contaminatedsites).

## KEEP AUSTRALIA BEAUTIFUL COUNCIL (WA) (KABC)

Documents	FOI application required	Publicly available	Comments
KABC meeting minutes: monthly KABC meeting minutes	No	Yes	Available to public when requested.
Information about litter reports: a summary of a litter report is made available to an alleged offender upon request. This includes details of the offence as reported by the authorised officer or litter reporter	No	Yes	
Information about litter reporters: information about the individual who reported their alleged offence	Yes	No	
Judging feedback for awards programs: a summary of judges' feedback	No	Yes	
Programs and operation information: a quarterly newsletter is produced by KABC	No	Yes	The KABC website is updated regularly and includes information about all programs and activities.

## MARINE PARKS AND RESERVES AUTHORITY (MPRA)

Documents	FOI application required	Publicly available	Comments
General Correspondence	No	Yes	Certain documents or parts thereof may be exempt under Schedule 1 FOI Act.
Minutes of Meetings (only finalised and endorsed versions)	No	Yes	Certain documents or parts thereof may be exempt under Schedule 1 FOI Act.
Subcommittee meeting notes/minutes	No	Yes	Certain documents or parts thereof may be exempt under Schedule 1 FOI Act.
Audit Reports	No	Yes	On request.
Annual Reports	No	Yes	Available at <a href="http://www.dec.wa.gov.au/mpra">www.dec.wa.gov.au/mpra</a> or on request.
Management Plans	No	Yes	Available at <a href="http://www.dec.wa.gov.au/mpra">www.dec.wa.gov.au/mpra</a> or on request.
Membership documents	Yes	No	
Policy Documents	No	Yes	On request.
Stakeholder Relationship Program and Implementation Strategy	No	Yes	On request.
Strategic Plan			
Audit Policy			
Policy Formulation Guidelines			
Code of Conduct for members of the MPRA			
Conflict of Interest Guidelines and Procedures			
Internal manuals: Public interest disclosure guidelines			

## SWAN RIVER TRUST

Documents	FOI application required	Publicly available	Comments
Agendas and Minutes of Swan River Trust and Committee meetings	Yes	No	
Swan River Trust Strategic Plan 2006-09	No	Yes	Available at <a href="http://www.swanrivertrust.wa.gov.au">www.swanrivertrust.wa.gov.au</a>
Annual Swan River Trust Business Plan	No	Yes	Available at <a href="http://www.swanrivertrust.wa.gov.au">www.swanrivertrust.wa.gov.au</a>
Annual Swan River Trust Strategic Communications Plan	No	Yes	
Strategic documents under the Swan Canning Rivers Management Act 2006, including the River Protection Strategy and Management Programs	No	Yes	
Swan and Canning Environmental Reports	No	Yes	Includes technical reports on river condition and impacts such as tributyltin, Non-nutrient Contaminant Program reports available at <a href="http://www.swanrivertrust.wa.gov.au">www.swanrivertrust.wa.gov.au</a>

Documents	FOI application required	Publicly available	Comments
Healthy Rivers Program and Swan-Canning Cleanup Program publications	No	Yes	Includes supporting reports to the Swan-Canning Cleanup program and Healthy Rivers Action Plan; including SCCP Evaluation. Available at <a href="http://www.swanrivertrust.wa.gov.au">www.swanrivertrust.wa.gov.au</a>
Annual Reports	No	Yes	Available at <a href="http://www.swanrivertrust.wa.gov.au">www.swanrivertrust.wa.gov.au</a>
Media Statements	No	Yes	
Newsletters	No	Yes	
River Science publications	No	Yes	
Catchment Nutrient Reports	No	Yes	
Healthy Rivers Action Plan	No	Yes	
Healthy Rivers Program information; Includes information on programs: Drainage Nutrient Intervention, local Water Quality Improvement Plans, oxygenation	No	Yes	
Healthy Rivers Program grant and collaborative arrangement information, including funding recipient progress reports and acquittals	Yes	No	
River system health data including phytoplankton reports	No	Yes	Stored in Department of Water's "WIN" database.
Swan Canning Water Quality Improvement Plan	No	Yes	Available at <a href="http://www.swanrivertrust.wa.gov.au">www.swanrivertrust.wa.gov.au</a>
Potential Impacts of Climate Change	No	Yes	Available at <a href="http://www.swanrivertrust.wa.gov.au">www.swanrivertrust.wa.gov.au</a>
Trust Policies and Guidelines	No	Yes	Available at <a href="http://www.swanrivertrust.wa.gov.au">www.swanrivertrust.wa.gov.au</a>
Community research reports	No	Yes	Available at <a href="http://www.swanrivertrust.wa.gov.au">www.swanrivertrust.wa.gov.au</a>
Community brochures and educational resource sheets	No	Yes	Available at <a href="http://www.swanrivertrust.wa.gov.au">www.swanrivertrust.wa.gov.au</a>
Swan Canning Catchment, and Swan River Trust Development Control Area maps and posters	No	Yes	
River Restoration Guidelines and condition	No	Yes	Includes fact sheets Best management Practice Guidelines Asset Management Documentation foreshore assessment reports
Riverbank Grants Scheme. Assessment Schedules and guidelines			Once grants works complete, information is available at <a href="http://www.swanrivertrust.wa.gov.au">www.swanrivertrust.wa.gov.au</a>
Applications	Yes	No	
Acquittals	Yes	No	
Grant Guidelines	No	Yes	
Past project Reports	No	Yes	
Complaint Management Statistics	No	Yes	Published in the annual report.
Individual reports into complaints Incident and complaint management system	Yes	No	Confidential for complainant and suspect
Compliance and investigation statistics	No	Yes	Published in the annual report

Documents	FOI application required	Publicly available	Comments
Investigation files and reports	Yes	No	Confidential for complainant and suspect
Local Environmental Enforcement Group Meeting Minutes	Yes	No	Confidential for complainant and suspect
Guidelines	Yes	No	
Enforcement and Prosecution Policy	No	Yes	Available at <a href="http://www.swanrivertrust.wa.gov.au">www.swanrivertrust.wa.gov.au</a>
Incident management reports and running sheets	Yes	No	Usually results in investigation
Incident management procedures	No	Yes	Internal guidelines, unlikely to be placed on website
Rubbish Collection statistics	No	Yes	Published in the annual report
Draft reports: Section 75 <i>Swan and Canning Rivers Management Act 2006</i>	No	Yes	Available at <a href="http://www.swanrivertrust.wa.gov.au">www.swanrivertrust.wa.gov.au</a>
Trust recommendations to Minister for Environment: Section 76 <i>Swan and Canning Rivers Management Act 2006</i>	No	Yes	Available at <a href="http://www.swanrivertrust.wa.gov.au">www.swanrivertrust.wa.gov.au</a>
Advice to WA Planning Commission or local government: Section 30A MRS	Yes	No	Generally, would be made available if affected parties agree.
Advice to WA Planning Commission, local government and other statutory agencies - subdivision, structure plans, scheme amendments	Yes	No	Generally, would be made available if affected parties agree.
Reports and decisions on Section 32 licences and permits granted under the <i>Swan and Canning Rivers Management Act 2006</i> regulations	No	Yes	
Communications between Trust and third party	Yes	No	Maybe made available if third parties agree
River Reserve Lease documentation	Yes	No	Maybe made available if third parties agree
River Reserve Lease audits	Yes	No	Maybe made available if third parties agree

Staff servicing the Swan River Trust are employees of DEC, and as such are subject to the DEC's internal manuals and outcomes, for Equal Employment Opportunity, Cultural Diversity and Language Services, compliance with Public Sector Standards and Ethical Code and Corruption Prevention.



## WASTE AUTHORITY (WA)

Documents	FOI application required	Publicly available	Comments
Correspondence	Yes	No	
Minutes of Meetings	No	Yes	Minutes of WA meetings are placed on the WA's Towards Zero Waste Website ( <a href="http://www.zerowastewa.com.au">www.zerowastewa.com.au</a> ) following confirmation of acceptance by the WA. An early "unconfirmed copy" of the minutes is placed on the website within 5-7 days of the meeting. Copies of all minutes are also available in DEC's public library.
Meeting/subcommittee notes/memos	Yes	No	The WA may establish committees. Documentation from committee meetings are kept on record and held at DEC's Waste Management Branch. Minutes of committee meetings are also placed on the website.
Business Plan	No	Yes	A public version of the WA's Business Plan is placed on the Towards Zero Waste Website.
Ministerial Briefing Notes	Yes	No	
Policy Documents	No	Yes	Policy documents of the WA, including consultancies, are placed on the Towards Zero Waste Website. ( <a href="http://www.zerowastewa.com.au">www.zerowastewa.com.au</a> )
All documents considered at monthly WA meetings including agenda papers, minutes, correspondence and tabled documents are kept on record and held at DEC's Waste Management Branch.	Yes	No	
Internal Manuals: Code of Conduct: WA Members Procedures Manual WA Meeting Procedures Guide Assessment Criteria and Guidance documentation for funding programs (Strategic Waste Initiatives Scheme and Community Grants Scheme) WA Sponsorship Guidelines	No	Yes	Relevant internal documents are available on the Towards Zero Waste Website ( <a href="http://www.zerowastewa.com.au">www.zerowastewa.com.au</a> ).

Information on the WA is also available on the website [www.zerowastewa.com.au](http://www.zerowastewa.com.au)

## 11. RELATED AGENCIES OFFICES

### **Cockburn Sound Management Council (CSMC)**

Shop 1/15 Railway Terrace  
Rockingham Beach WA 6168  
PO Box 5161  
Rockingham Beach WA 6969  
Phone (08) 9591 3837

Fax (08) 9528 5387

### **Conservation Commission of Western Australia (CCWA)**

cnr Hackett Dr and Australia II Dr,  
Crawley WA 6009  
Phone (08) 9389 1766

Fax (08) 9389 8603

### **Contaminated Sites Committee (CSC)**

Level 22, The Forrest Centre  
221 St Georges Terrace  
PERTH WA 6000  
Phone (08) 6467 5201

Fax (08) 6467 5209

### **Keep Australia Beautiful Council (WA) (KABC)**

Phone (08) 6467 5122

### **Marine Parks and Reserves Authority (MPRA)**

Suite 3/Level3, Queensgate Building  
10 William Street  
FREMANTLE WA 6160  
Phone (08) 9336 0100

Fax (08) 9430 5408

### **Swan River Trust (SRT)**

Level 1 Hyatt Business Centre  
20 Terrace Road  
EAST PERTH WA 6000  
PO Box 6740  
East Perth WA 6892  
Phone (08) 9278 0900

After hours river emergency: 0419 192 845

Fax (08) 9325 7149

### **Waste Authority (WA)**

Level 22, The Forrest Centre  
221 St Georges Terrace  
PERTH WA 6000  
Phone (08) 6467 5325

Fax (08) 6467 6532