



**BUSSELTON WATER**

## **Freedom of Information**

### Information Statement

This statement is published by Busselton Water in compliance with the requirements of the *Freedom of Information Act 1992*

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## **Introduction**

Under Part 5 of the *Freedom of Information Act 1992* ("FOI Act"), Busselton Water is required to prepare and publish an annual information Statement.

This document has been created to comply with that requirement.

This document can be provided in alternative formats upon request. A copy of the Statement can be accessed via Busselton Water's website at <http://www.busseltonwater.wa.gov.au>.

## **Mission Statement**

### *Our Vision*

Excellence and leadership in the provision of all water services.

### *Our Purpose*

To deliver all water services safely, sustainably, commercially and in collaboration with our customers and key stakeholders.

## **Legislation and Regulations Administered**

Busselton Water is Water Corporation, established by the *Water Corporations Act 1995* on November 18, 2013.

Busselton Water holds an Operating Licence issued by the Economic Regulation Authority under the *Water Services Act 2012*.

Busselton Water assists the Minister for Water in administering the following acts:

- *Water Corporations Act 1995*
- *Water Corporations (Transitional Provisions) Regulations 2013*
- *Water Services Act 2012*
- *Water Services Licensing Act 1995*
- *Water Services Regulations 2013*
- *Water Services (Water Corporations Charges) Regulations 2014*
- *Water Services Code of Conduct (Customer Service Standards) 2013*
- *Water Agencies (Powers) Act 1984*
- *Water Resources Legislation Amendment Act 2007*
- *Country Areas Water Supply Act 1947*
- *Rights in Water and Irrigation Act 1914*

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

- *Auditor General Act 2006*
- *Censorship Act 1996*
- *Contaminated Sites Act 2003*
- *Copyright Act 1968*
- *Dangerous Goods Safety Act 2004*
- *Disability Services Act 1993*

- *Economic Regulation Authority Act 2003*
- *Electoral Act 1907*
- *Electricity Act 1945*
- *Environmental Protection and Biodiversity Conservation Act 1999*
- *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*
- *Environmental Protection Act 1986*
- *Equal Opportunity Act 1984*
- *Fair Work Act 2009*
- *Financial Management Act 2006*
- *Freedom of Information Act 1992*
- *Health Act 1911*
- *Industrial Relations Act 1979*
- *Occupational Safety and Health Act 1984*
- *Occupational Safety and Health Regulation 1996*
- *Privacy Act 1988*
- *Public Interest Disclosure Act 2003*
- *Public Sector Management Act 1994*
- *Racial Discrimination Act 1975*
- *Rates and Charges (Rebates and Deferments) Act 1992*
- *Road Traffic Act 2000*
- *Salaries and Allowances Act 1975*
- *Sex Discrimination Act 1984*
- *SPAM Act 2003*
- *State Records Act 2000*
- *State Supply Commission Act 1991*
- *Statutory Corporations (Liability of Directors) Act 1996*
- *Telecommunications (Interception and Access) WA Act 1996*
- *Waterways Conservation Act 1976*
- *Workers Compensation and Injury Management Act 1981*
- *Workers Compensation & Rehabilitation ACT 1981*

## **Structure and Function of Busselton Water**

### **Minister for Water**

Hon. Dave Kelly MLA

### **Chair of the Board**

Helen Shervington

### **Board Members**

William (Angus) Smith, Geoffery Oddy, Christine Kershaw, Robyn Paice, Gae Synnott, Christopher Elliott

### **Managing Director**

Chris Elliott

### **General Manager Operations**

Water Source Management

Delivery of Water Services

Water Quality Management

Asset Management

Infrastructure Planning

Growth

Capital Works

### **General Manager Business Services**

Financial Services

Customer Service

Human Resources

Information and Knowledge

Communications and Engagement

Corporate Planning and Reporting

Growth

## **Public Participation**

Busselton Water actively encourages customers to let us know when their expectations are exceeded or not met.

We encourage our customers to contact us by letter, phone call, email or personal visitation. We are committed to providing a response in a timely and professional manner.

### *Board of Busselton Water*

Board members are appointed by the Governor in Executive Council for a three year term. Members are appointed according to their expertise and experience in areas relevant to Busselton Water's activities.

### *Customer Advisory Group (CAG)*

The CAG will generally consist of up to 12 members selected to represent a cross section of our local stakeholder/customer base as well as 3 Board members. Members are appointed by the Board and asked to participate for at least a two year period (4 meetings). The meetings will be chaired by the CEO of Busselton Water.

The CAG's role is to provide advice to Busselton Water on issues affecting its customers, including policy, strategic initiatives, operations and service levels.

CAG members are encouraged to contribute to discussion, raise issues of concern, and provide feedback.

### *Communication and Engagement Strategy*

Busselton Water maintains a communication and engagement strategy and related plans to achieve the highest level of engagement with our customers which is reviewed annually.

### *Complaints*

Busselton Water will do all it can to resolve complaints within 15 business days of a customer contacting us. Busselton Water also makes available our complaints procedure.

If, after Busselton Water has provided a response, the customer is still not satisfied, they may refer the complaint to the Water Ombudsman.

## **Documents of Busselton Water**

The primary method for accessing Busselton Water's publications by external individuals is by accessing Busselton Water's website. Annual Reports, Publications, Quarterly Performance Reports and media releases are available on the website.

Busselton Water holds the following kinds of documents on a routine basis:

- Books;
- Journals;
- Magazines;
- Newspapers;
- Conference proceedings;
- Serial publications;
- Technical reports;
- Internal reports;
- Annual reports;
- Minutes;
- Agendas;
- Customer Information;
- Information on Plants and Bores;
- Photographs;
- Maps;
- CD-ROMS;
- DVDs;
- Pamphlets;
- Standards; and
- Legislation.

The Rating Book is made available to the public by Busselton Water under s.65(4) *Water Services Regulations 2013*.

Busselton Water holds the following information that is not available to the public:

- Operations information;
- Administrative information;
- Staff or HR Information;
- Contract Information; and
- 3rd party, trade secrets, commercial, financial, professional and personal information regarding their affairs.

## **Definition of a Document**

For the purposes of the *FOI Act*, documents can be electronic records, including emails, audio or visual tapes or microfiche as well as files, notes, letters and any form of paper document.

## **Exemptions**

Some documents, or parts of documents, may be exempt from access. Schedule 1 of the *FOI Act* covers the exemptions which may be claimed in order to protect sensitive information being held by Busselton Water.

## **Requests for Amendment of Information**

If you believe that personal information held by Busselton Water is inaccurate, incomplete, out of date or misleading, you may apply to Busselton Water requesting an amendment in accordance with s.46(1) of the *FOI Act*. The application must provide details and documentation in support of this.

In addition, applicants must indicate how they wish the amendment to be made within the options set out in the *FOI Act* namely:

- Altering information;
- Striking out or deleting information;
- Inserting information; or
- Inserting a notice in relation to information.

or in two or more of those ways.

## **Freedom of Information Operations**

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

If information is not routinely available, the *FOI Act* provides the right to apply for documents held by the agency and to enable the public to ensure that personal information in documents is accurate, complete, up to date and not misleading.

## **Freedom of Information Applications**

An application made under the *FOI Act* for access to documents, amendment or personal information or review of a decision has to:

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

The application may be in the form of a letter or you can use Busselton Water's Freedom of Information application form.



Applications and enquiries should be addressed to:

The Freedom of Information Co-ordinator  
Busselton Water  
PO Box 57  
BUSSELTON WA 6280  
Fax: (08) 9754 1075

In person at  
Busselton Water  
1 Fairbairn Road  
BUSSELTON

Further information may be obtained from the Freedom of Information Co-ordinator on (08) 9781 0500.

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

### **Freedom of Information Charges**

A scale of fees and charges set under the *FOI Act Regulations*. Apart from the application fee for non-personal information (information that is not personal information about the applicant), all charges are discretionary. The fees and charges are as follows.

Personal information about the applicant	No fee and no charges
Application fee (for non-personal information)	\$30.00
Charge for time dealing with the application (per hour, or pro rata)	\$30.00
Access time supervised by staff (per hour, or pro rata)	\$30.00
Photocopying staff time (per hour or pro rata)	\$30.00
Per photocopy	\$0.20
Transcribing from tape, film or computer (per hour, or pro rata)	\$30.00
Duplicating a tape, film or computer information	Actual cost
Delivery, packaging and postage	Actual cost

### **Deposits**

Advance deposit may be required in respect of the estimated charges	25%
Further advance deposit may be required to meet the charges for dealing with the application	75%

For financially disadvantaged applicants or the holder of a currently valid pensioner concession card issued on behalf of the Commonwealth to that person, or any other card which may be prescribed as being a pensioner concession card under the Rates and Charges (Rebates and Deferments) Act 1992, the charge payable is reduced by 25%.

### **Access Arrangements**

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

### **Notice of Decision**

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

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

### *Refusal of Access*

Applicants who are dissatisfied with a decision of Busselton Water are entitled to ask for an internal review by Busselton Water. Application should be made in writing within 30 days of receiving the notice of decision.

You will be notified of the outcome of the review within 15 days.

If you disagree with the result you then can apply to the Information Commissioner for an external review. An application for external review should be made within 60 days of receiving notice of the internal review decision.