

GOVERNMENT DEPARTMENTS AND AGENCIES, FREEDOM OF INFORMATION APPLICATIONS

2587. Mrs C.L. Edwardes to the Minister for the Environment

For each Department and Agency within the Minister's portfolio, including the Ministerial office, will the Minister provide the following information relating to the 2001/2002 and 2002/2003 financial years -

- (a) how many freedom of information (FOI) applications were received for the financial years above;
- (b) what is the average time taken to process a FOI application;
- (c) what is the reason given for each FOI application exceeding the average time for processing;
- (d) how many FOI applications have been rejected by the departments or agencies within your portfolio;
- (e) how many of these rejections have been successfully appealed;
- (f) how many of these rejections are pending a decision of the FOI Commissioner;
- (g) what were the reasons given by the Departments and Agencies for rejecting each of the FOI applications; and
- (h) what were the reasons given by the FOI Commissioner for upholding each of the appeals?

Dr J.M. EDWARDS replied:

Office of the Minister for the Environment

- (a) 2001/2002 – 2 applications.
2002/2003 – 2 applications.
- (b) 2001/2002 – 42.5 days.
2002/2003 – 46 days.
- (c) 2001/2002: 1 application exceeded the average processing time due to it being a very large application involving extensive third party consultations; extended timeline negotiated.
2002/2003: 1 application exceeded the average processing time due to it being a very large application. An extended timeline was negotiated.
- (d) None.
- (e)-(h) Not applicable.

Botanic Gardens and Parks Authority and Perth Zoo

- (a) None.
- (b)-(h) Not applicable.

Office of Water Regulation

- (a) 2001/2002 – 1.
2002/2003 – 0.
- (b) 2001/2002 - 40 days.
2002/2003 - Not applicable.
- (c) Not applicable.
- (d) None.
- (e)-(h) Not applicable.

Department of Environment

- (a) 2001/2002 – 40.
2002/2003 – 63.
- (b) 2001/2002 - 37 days.
2002/2003 - 40 days.
- (c) 2001/2002 - 2 applications exceeded 45 days; 2 very large applications received simultaneously regarding the same matter involving extensive third party consultations; extended timeline negotiated.

2002/2003: 1 application exceeded 45 days: a very large application requiring extensive consultation as to access, due to the issue being topical and with a strong community interest.

- (d) None.
- (e)-(h) Not applicable.

Department of Conservation and Land Management

- (a) 2001/2002 – 16.
2002/2003 – 8.
- (b) 2001/2002 - 29 days.
2002/2003 - 33 days.
- (c) All applications were dealt with in the statutory time period except one application which exceeded the period by one day due to time taken in negotiation with the applicant to refine the scope of the application. For one other application the time period set down in the Act was extended by negotiation with the applicant.
- (d) 2001/2002 - 2.
2002/2003 - 1 deferred.
- (e) None.
- (f) One.
- (g) The reasons cited by the Department for exempting information from access were:

The application received on 8 February 2002, was refused under Schedule 1 Clause 3 - Personal Information and Clause 5 - Law Enforcement, Public Safety and Property Security.

The application, received on 23 May 2002, was refused under Schedule 1 Clause 3 - Personal Information, Clause 5 - Law Enforcement and Public Safety and Property Security, and Clause 7 - Legal Professional Privilege.

In 2002/2003 one application was deferred to enable the agency to take reasonable steps to help the applicant to change the application as it was considered the application would divert a substantial and unreasonable portion of the agency's resources away from its other operations.
- (h) No decision has yet been made by the Information Commissioner in respect of the deferred application received in 2002/2003.