



— Shire of —
Donnybrook Balingup

INFORMATION STATEMENT

2025 - 2026

Published in compliance with the *Freedom of Information Act 1992*

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INTRODUCTION

The objectives of the *Freedom of Information Act 1992* (the *FOI Act*) are to:

- a) enable the public to participate more effectively in the governing of the State; and
- b) make the persons and bodies that are responsible for State and Local Government more accountable to the public.

Under Part 5 of the *FOI Act*, the Shire of Donnybrook Balingup (the Shire) is required to prepare and publish an annual Information Statement. This document has been created to comply with that requirement and is correct as of December 2025.

The Information Statement outlines:

- The structure and functions of the Shire;
- The Shire's decision-making functions affecting the public;
- Opportunities for public participation in the Shire's decision-making processes;
- The types of documents generated and held by the Shire and which documents may be viewed, purchased, or obtained free of charge;
- How to access documents and personal information held by the Shire; and
- How to amend personal information in documents held by the Shire.

This document is available from the Shire's website at www.donnybrook-balingup.wa.gov.au

Further information can be provided by contacting the Freedom of Information Coordinator via:

Shire of Donnybrook Balingup
1 Bentley Street | PO Box 94
DONNYBROOK WA 6239

Telephone: (08) 780 4200

Email: shire@donnybrook.wa.gov.au

Should you wish to obtain a copy of the *Freedom of Information Act 1992* or associated regulations, please visit Western Australian Legislation website at www.legislation.wa.gov.au where a full copy of all State Legislation is available.

Further information and advice regarding Freedom of Information can also be found on the Office of the Information Commissioner's website www.oic.wa.gov.au or by calling (08) 6551 7888.

STRATEGIC VISION

Our Vision

‘A proud community enjoying our rural lifestyle, cultural heritage, and natural environment’.

The Shire of Donnybrook Balingup acknowledges the continuing connection of Aboriginal people to Country, culture and community, including the traditional owners of this land, the Wardandi and Kaneang People of the Noongar Nation, and pays its respects to Elders, past and present.

The Shire of Donnybrook Balingup is located 35km southeast of Bunbury and 220km south of Perth, Western Australia. Renowned for its gorgeous landscapes, old-growth forests, bountiful orchards and vineyards, the Shire is an iconic agricultural area.

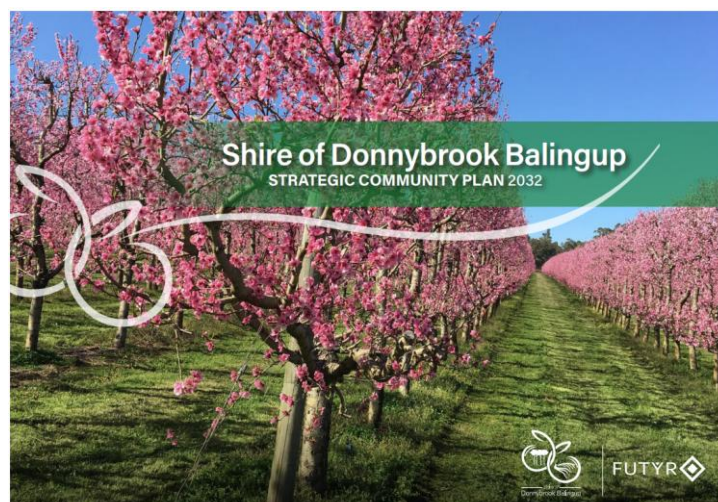
The Shire has become an attractive place to live for both growing families and those making a lifestyle choice later in life. The lush scenery and convenient proximity to Bunbury, the beaches of Geographe Bay, the Margaret River Wine Region, and the tall timbers of Pemberton have also made our home a popular destination for tourists.

Strategic Community Plan

The Shire’s current Strategic Community Plan 2032 was developed with extensive input from community members and key stakeholders. The plan outlines the community’s vision, aspirations and priorities in the 5 core performance areas of: People, Planet, Place, Prosperity, and Performance. The Plan serves as a long-term guide providing direction for the Shire to implement activities and services aligned with expectations of our community.

The Strategic Community Plan 2032 can be accessed online at <https://www.donnybrook-balingup.wa.gov.au/documents/205/strategic-community-plan-2032>

Alternatively, printed copies can be made available upon request.



YOUR COUNCIL

Council and Executive Overview

Local governments operate within a framework of statutes and other legislation. The primary function of the Shire is to provide services and facilities, through transparent and accountable governance, to the local community living and working within the district. The *Local Government Act 1995* provides for general, legislative and executive functions for the Shire to achieve this.

The Chief Executive Officer (CEO) is responsible for the day-to-day operations of the Shire Administration. This includes enacting Council resolutions and policies and implementing programs and procedures to meet objectives.

The Council is responsible for the strategic direction and key decision making for the Shire. This includes making local laws that are necessary to undertake the Shire's regulatory duties and functions, as well as developing Council Plans to provide forward planning of objectives to meet the expectations of the local community.

Council Meetings

The Shire has responsibility for decision making assigned under a wide range of legislation. Each power or duty described in legislation requires local government to fulfil a mandatory duty or use a discretionary power to make these decisions.

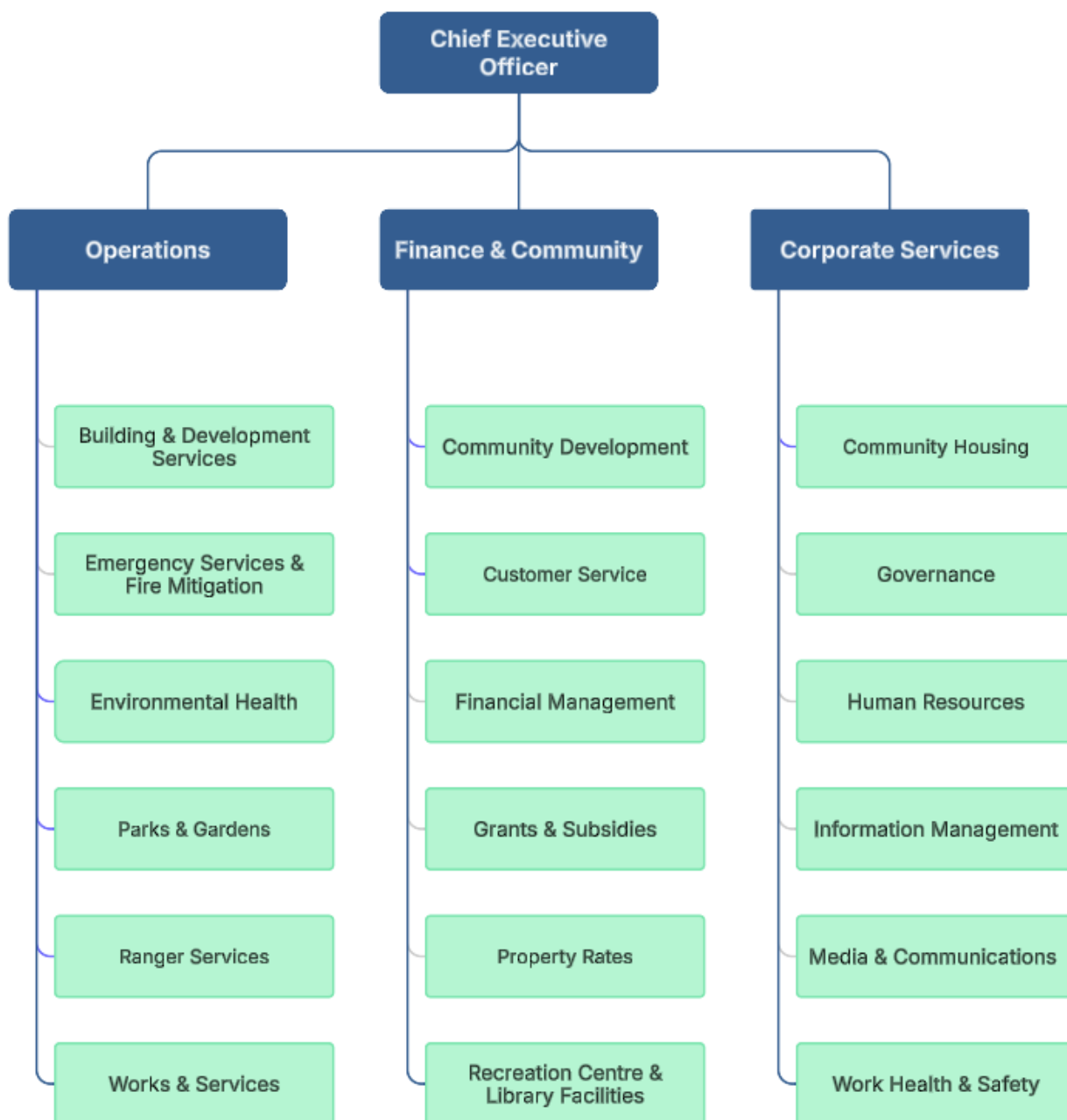
Council meetings are a key facet of decision making for the Shire. Elected by the local community, Council members consider and make resolutions on items at an Ordinary Council meeting held every fourth Wednesday of each month (except December which is held on the third Wednesday). There are also other Special Council Meetings held that are advertised to the public as required throughout the year. Meetings are held in the Council Chamber next to the Shire Administration Office, except where otherwise advertised. Council Meetings are open to the public to attend.

As of July 2022, the Shire implemented a Policy to livestream Council Meetings at every opportunity, where technically possible, unless the Council makes a resolution to close the meeting to members of the public in accordance with Section 5.23 of the *Local Government Act 1995*. The primary purpose of these streams is to be open and transparent, giving the public greater access to Council decisions, debates and discussions, by eliminating geographic and/or personal barriers that may prevent physical attendance at a Council Meeting.

Some external locations that the Council visits do not have livestreaming or recording facilities. The public are invited by way of advertisement to visit these locations with the Council should they be interested in the meeting topics. Alternatively, documented Meeting Minutes are published online as soon as practicable after all Council meetings.

Organisational Structure

The Shire's operations are managed by the CEO, who is supported by an Executive Leadership Team. As of December 2025, the organisation is structured into three directorates as follows. Within these directorates are our various teams of staff that bring you a wide range of services and facilities and committedly work towards achieving the Council Plan.



Delegation

Delegation is the process that enables local governments to delegate its power or duties, enabling efficient and effective strategic, financial, resource and operational management decisions to be made.

The CEO and other staff have delegated authority from the Council to make decisions on a number of specific administration and policy related matters. Some duties are also sub-delegated by the CEO to staff where permitted and appropriate. Each delegation details a specific function and includes any conditions that apply. All delegations are listed in the Shire's Delegations Register which is reviewed annually by Council. The current Delegations Register can be found on the Shire's website at www.donnybrook-balingup.wa.gov.au

Committees and Working Groups

There are several advisory committees and consultative groups that are made up of Council members and may also include staff and members of the public. They are established to fulfill legislative duties, investigate community issues, assist in local emergency management arrangements, and collaborate with other local governments and organisations. Council appoints delegates to committees when deemed necessary and where required by legislation.

Committees of Council:

- **Audit and Risk Management Committee**

Established by Council as required by section 7.1A. of the *Local Government Act 1995*. The Shire CEO and employees are not able to be members of the Committee. The Committee meets with the Shire's appointed external Auditor at least once per year.

External Committees and Advisory Groups:

- **Bush Fire Advisory Committee (BFAC)**

Established pursuant to the *Bushfires Act 1954* to provide advice to Council regarding all matters relating to bushfire control, prevention, and management.

- **Donnybrook School Community Resource Library Management Committee**

A committee established via an agreement executed between the Shire and the Minister for Education in 2019 for the purpose of facilitating the management and control the Donnybrook Community Library.

- **Local Emergency Management Committee (LEMC)**

Established pursuant to the *Local Emergency Management Act 2005* to assist Council and ensure local emergency management arrangements are established and implemented.

- **South West Country Zone**

An association of 12 south west local governments that meet to consider WA Local Government Association initiatives.

- **Regional Road Group (RRG)**

The group prioritises and resolves projects for the allocation of monies received from State and Federal Government.

- **Warren Blackwood Alliance of Councils (WBAC)**

A voluntary regional organisation of Councils representing the Shires of Bridgetown-Greenbushes, Boyup Brook, Donnybrook Balingup, Manjimup and Nannup. The WBAC acts as an advocacy group by supporting or undertaking significant projects relating to promoting economic development and diversity and encouraging regional population growth.

Reference and Working Groups:

- **Warren Blackwood Climate Change Impact Reference Group**

To establish the basis of a Warren Blackwood Alliance of Councils sub-regional climate change impact policy, that includes recommendations for practical and achievable adaption and mitigation strategies applicable to WBAC and member local governments.

Ministerial Appointments:

- **Development Assessment Panels (DAP)**

Regulation 24 of the *Planning and Development (Development Assessment Panels) Regulations 2011* requires Council to nominate delegates to determine development applications that meet a certain threshold value. Each DAP comprises of five members, three specialist members and two local government members.

Administered Legislation

The operations of local government within Western Australia are governed by the *Local Government Act 1995* and associated Regulations.

Local governments are also responsible for administering a range of State and Commonwealth Acts and Regulations. Some significant pieces of legislation the Shire is wholly or partly responsible for administering includes, but is not limited to, the following:

- *Aboriginal Heritage Act 1972*
- *Animal Welfare Act 2003*
- *Building Act 2011*
- *Bush Fires Act 1954*
- *Caravan Parks and Camping Grounds Act 1995*
- *Cat Act 2011*
- *Cemeteries Act 1986*
- *Control of Vehicles (Off Road Areas) Act 1978*
- *Disability Services Act 1993*
- *Dividing Fences Act 1961*
- *Dog Act 1976*
- *Electoral Act 1907*
- *Electronic Transactions Act 2011*
- *Emergency Services Levy Act 2002*
- *Environmental Protection Act 1986*
- *Fines, Penalties and Infringement Notices Enforcement Act 1994*
- *Food Act 2008*
- *Freedom of Information Act 1992*
- *Graffiti Vandalism Act 2016*
- *Health (Miscellaneous Provisions) Act 1911*
- *Heritage Act 2018*
- *Land Administration Act 1997*
- *Legal Deposit Act 2012*
- *Library Board of Western Australia Act 1951*
- *Liquor Licensing Act 1988*
- *Litter Act 1979*
- *Local Emergency Management Act 2005*
- *Local Government Act 1995*
- *Local Government (Miscellaneous Provisions) Act 1960*
- *Local Government Grants Act 1978*
- *Main Roads Act 1930*
- *Parks and Reserves Act 1895*
- *Planning and Development Act 2005*
- *Planning and Development (Development Assessment Panels) Regulations 2011*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Public Health Act 2016*
- *Public Interest Disclosure Act 2003*
- *Public Works Act 1902*
- *Rates and Charges (Rebates and Deferments) Act 1992*
- *Residential Design Codes of WA 2002*
- *Road Traffic Act 1974*
- *Strata Titles Act 1985*
- *State Administrative Tribunal Act 2004*
- *State Records Act 2000*
- *Transfer of Land Act 1893*
- *Valuation of Land Act 1978*
- *Work Health and Safety Act 2020*
- *Working with Children (Criminal Record Checking) Act 2004*

The above legislation is publicly available for viewing and download from the Western Australian Legislation website at www.legislation.wa.gov.au

Local Laws

The *Local Government Act 1995* enables local governments to make local laws on a broad range of areas considered relevant to the good governance of the district. They are necessary to provide standards on various issues including activities on thoroughfares and public places, keeping of dogs and cats, public health, and waste management. The local community must be consulted as part of making and amending local laws.

The Shire's current local laws include:

- *Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000* (Consolidated 2017)
- *Animals, Environment, and Nuisance Local Law 2017* (Consolidated 2024)
- *Bush Fire Brigades Local Law 2000* (Consolidated 2017)
- *Cat Local Law 2016* (Consolidated 2017)
- *Cemeteries Local Law 2008* (Consolidated 2015)
- *Dogs Local Law 2000* (Consolidated 2017)
- *Extractive Industries Local Law 1998* (Consolidated 2016)
- *Fencing Local Law 1999* (Consolidated 2016)
- *Health Local Law 1999* (Consolidated 2017)
- *Local Government Property Local Law 2000* (Consolidated 2014)
- *Meeting Procedures Local Law 2017*
- *Outdoor Eating Areas Local Law 2013*
- *Parking and Parking Facilities Local Law 2000* (Consolidated 2008)
- *Waste Local Law 2017* (Consolidated 2024)

The Shire's local laws and related documents are available on the Shire's website at www.donnybrook-balingup.wa.gov.au

PUBLIC PARTICIPATION

Local Governments provide many functions and services that affect the greater community, and in turn, public participation is a key component of good governance. Members of the public have opportunities to put forward their views and submit questions on particular issues before the Council.

Public Question Time

15 minutes of Council Meetings are allocated to public question time, where the community may initially ask up to two (2) questions with an initial limit of two (2) minutes per person. If there are questions that extend beyond the allotted 15 minutes, Council may approve a motion to extend the time. If this motion is not put forward or the question is unable to be answered at the meeting, the question(s) may be taken on notice. These questions may only be regarding any matters or issues relevant to Council.

To ensure an accurate record of all questions asked and concise response, it is preferred that questions are presented to the Chairperson or President in writing prior to the start of the meeting. Questions can be lodged online via the Shire's website, with a printable form also available at www.donnybrook-balingup.wa.gov.au

Deputations

In circumstances where a member of the community has an interest in an item listed for discussion at a Council Meeting, upon prior written application to the Chief Executive Officer or with approval from the Presiding Member, that community member may be invited to give a deputation. Deputations shall consist of no more than five (5) persons with only two (2) that may address the meeting for a period not exceeding 10 minutes. Deputations are separate from Public Question Time, and include the following:

- i. Petitions: Written petitions may be addressed to Council on any issue within the Council's jurisdiction.
- ii. Presentations: With prior notification and approval, a member of the public may address Council on any issue relevant to Council.

Development Applications

Residents are notified of some Development Applications requiring approval from the Council. Several applications are exempt from public notification by the Local Planning Scheme 7. When an application is publicly notified, residents have the opportunity to write to Council expressing their views of the application, and/or to subsequently personally address the Council before a decision is made.

Elected Members

Members of the public are able to contact their elected members of Council to discuss any issues relevant to Council. Contact details can be found on the Shire's website at www.donnybrook-balingup.wa.gov.au

Community Consultation

To ensure that the community's needs and expectations are met, community consultation is carried out on various issues that affect the Shire. This can take the form of:

- Public Forums
- Submissions
- Media
- Telephone
- Interviews
- Meetings

Sufficient time is also allocated to allow stakeholders and the community adequate time to respond to issues. Advising the community and stakeholders of issues can take the form of:

- Media articles
- Local newspaper advertisements
- Council publications (includes website)
- Newsletters / direct mail-outs
- Posters / flyers
- Information displays
- Public forums

The Shire has implemented a Community Engagement Framework Policy to ensure effective public participation is offered to appropriate stakeholders on Shire projects and programs.

DOCUMENTS HELD BY THE SHIRE

Sections 5.94 and 5.95 of the *Local Government Act 1995* detail the type of documents that a local government must make available for inspection and the type of documents where restrictions apply. Section 5.96A of the *Local Government Act 1995* details of the type of documents that a local government must publish on its website.

Documents Available Outside the FOI Act

The following documents are available for public inspection at the Shire Administration Office or via our website free of charge. Some restrictions apply in accordance with legislation. Physical copies may be subject to a photocopy charge as per the [Schedule of Fees and Charges](#) available on the Shire's website www.donnybrook-balingup.wa.gov.au.

DOCUMENT DESCRIPTION	INSPECTION ONLY	WEBSITE
Annual Budgets		√
Annual Financial Statements		√
Annual Reports		√
Asset Management Plans		√
Code of Conduct		√
Council / Committee Meeting Agendas		√
Council / Committee Meeting Minutes		√
Council Policies		√
Councillor Training Register		√
Delegations Register		√
Electoral Gift Register		√
Gifts and Travel Contributions Register		√
Information Statement		√
Lease Register		√
Local Laws		√
Local Planning Scheme		√
Rate Book	√	
Register of Burials	√	
Register of Certain Complaints of Minor Breaches		√
Register of Primary & Annual Returns (Elected Members and Designated Employees)		
Full Register	√	
Register List Only		√
Register of Tenders		√
Residents Electoral Roll (WAEC)	√	

Information Statement 2025 - 2026

Shire of Donnybrook Balingup



DOCUMENT DESCRIPTION	INSPECTION ONLY	WEBSITE
Resolutions adopted by Council (recorded in Meeting Minutes)		√
Schedule of Fees and Charges		√
Strategic and Corporate Plans including, but not limited to: Council Plan 2022-2032 Disability Access and Inclusion Plan (DAIP) 2024-2029 Municipal Heritage Inventory 2013 Strategic Community Plan 2032 Workforce Plan 2022-2026		√

Other Shire Documents

Information and documents are held in the Shire's electronic and hardcopy systems. The Shire creates, manages and stores records of the Shire's functions in accordance with the Shire's Record Keeping Plan and is the sole keeper of these records, which is consistent with State Government Legislation. These documents may include letters and correspondence, memoranda, file notes, reports, plans, sketches, maps, diagrams, documents pertaining to the keeping of records, applications, fact sheets, registers, approvals and notices.

Access to information held by the Shire is subject to provisions established in the *FOI Act* and the *Local Government Act 1995*, and some information held may be subject to fees and charges. In all instances the Shire will seek to provide access to information upon request except where restrictions apply as written in the *FOI Act* and other relevant legislation.

Library Facilities

The **Donnybrook Community Library** is a joint venture between the Shire of Donnybrook Balingup and the Department of Education. Located on the school grounds of Donnybrook District High School, the library serves both the public and students alike.

- **Address:** Corner Bentley Street & Emerald Street, Donnybrook, WA 6239
- **Phone:** (08) 9732 4307
- **Email:** dlibrary@donnybrook.wa.gov.au

The **Balingup Public Library** was established in 1958 and is located in part of the Balingup Town Hall.

- **Address:** Jayes Road, Balingup, WA 6253 (next to the Balingup Town Hall)
- **Phone:** (08) 9764 1037
- **Email:** blibrary@donnybrook.wa.gov.au

Membership is free, just call into either of the libraries with proof of your current residential address.

FREEDOM OF INFORMATION (FOI) PROCESS

Initial Enquiries - Outside FOI (Informal)

The Shire is mindful of its obligations, and the *FOI Act* provides general right of access to documents. If possible, the Shire will initially try to provide you with the documents outside of the FOI process.

Thinking outside the box: One of the most effective things agencies can do to achieve the objects of the FOI Act is to disclose information outside the FOI process unless there is a good reason not to do so. This can be done by proactively publishing information, or by providing requested information without the need for a formal FOI application. (excerpt from [OIC -Website](#))

Submitting an FOI Application (Formal)

The *FOI Act* gives people the right to seek access to documents held by the Shire.

The Shire is required to:

- assist applicants in making an application;
- assist in obtaining access to documents at a reasonable cost; and
- ensure that personal information captured in documents is accurate, complete, up-to-date, and not misleading.

The use of an application form is not mandatory, however, an application must:

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

Applications can be submitted to the Shire in the following ways:

By Post:

Freedom of Information Coordinator
Shire of Donnybrook Balingup
PO Box 94, Donnybrook WA 6239

Via Email:

shire@donnybrook.wa.gov.au

In Person:

1 Bentley Street, Donnybrook, WA 6239

Applications will be acknowledged in writing, and applicants seeking access to non-personal information will receive a response from the Shire as soon as possible within the statutory forty-five (45) days of the Shire receiving the request with the application fee.

Amending Personal Information

If the Shire holds your personal information on record, which you believe may be inaccurate, incomplete, out-of-date, or misleading, you can apply for the information to be amended. Applications should be made in writing and submitted to the FOI Coordinator.

There is no application fee or charge associated with FOI applications for personal information about the applicant, or amendment of personal records.

Freedom of Information Fees and Charges

Listed below are a scale of fees and charges set under the *Freedom of Information Regulations 1993*. Apart from the application fee for non-personal information, all charges are discretionary and are set by the Council as part of the annual review of Fees and Charges.

Application for personal information about the applicant	No fee or charges
Application Fee for non-personal information	\$30.00
Charges for time dealing with 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
Photocopy per A4 page, black & white, single sided	\$0.20/page
Duplicating tape, film or computer information	Actual Cost
Delivery, packaging and postage	Actual Cost

FOI fees and charges are GST exempt. There is a 25% reduction in charges for impecunious applicants or those issued with prescribed pensioner concession cards.

Estimate of Charges

If the charges are likely to exceed \$25, the Shire must give the applicant an estimate of charges notice and ask whether they want to proceed with the application (section 17).

The applicant must notify the Shire within 30 days of their intention to proceed. In some instances, the Shire may require an advance deposit in respect of the estimated charges (section 18).

If the applicant does not respond to the Shire's estimate of charges or its requirement to pay a deposit within 30 days, the Shire is entitled to conclude that the applicant has withdrawn the FOI application (section 19).

The applicant can apply for review of the Shire's decision to impose a charge or require a deposit.

Access Arrangements

Access to documents can be granted by way of inspection; a photocopy of a document; a copy of an audio or video recording; a transcript of a recording; or by email.

Where the Shire is unable to grant access in the form requested, access may be provided in a different form. It should be noted that the Shire is not obligated to provide the information in a form that it is not held in at the time of the application or would not be practicable to provide.

When access to documents is sought by way of physical inspection, a suitably delegated Shire employee shall supervise the inspection, and a fee will be charged (refer to the FOI Charges).

The FOI Coordinator is the Shire's decision maker regarding what information may be accessed and what information is exempt under the *FOI Act*.

Decisions relating to the review of a request for information are made by the Chief Executive Officer.

Exemption Clauses

While the *FOI Act* provides a general right of access to documents it also recognises some documents require a level of protection. Schedule 1 of the *FOI Act* cites relevant Exemption Clauses. The most frequent reasons for refusal to provide access to information are:

- **Personal Information**

Information that would reveal personal information about an individual (e.g., their name, contact details, signature etc.) may be exempt under Schedule 1 Clause 3 of the *FOI Act* and s5.95 (8) of the *Local Government Act*.

- **Business and Commercial Information**

Information that would reveal trade secrets, information of a commercial value (e.g., documents containing technical designs that, if released, would harm the company), or the financial affairs of a person (e.g., debts owed to the Shire) may be exempt under Schedule 1 Clause 4 of the *FOI Act*.

- **Deliberative Processes of Government**

Information that would reveal a decision made during a deliberative process closed to the public (e.g., confidential Council meeting) may be exempt under Schedule 1 Clause 6 of the *FOI Act* and s5.23 of the *Local Government Act*.

- **Legal Professional Privilege**

Information that would reveal legal advice may be exempt under Schedule 1 Clause 7 of the *FOI Act*.

Notice of Decision

As soon as possible, but in any case, within forty-five (45) calendar days, the applicant will be provided with a Notice of Decision, which will include:

- the date the decision was made;
- the name and designation of the officer who made the decision;
- if access is refused, the reason for claiming the document is exempt, or the fact that access is given to a redacted version of the document; and;
- information on the rights of review and the procedures to exercise those rights.

Copies of the released documents may be included with the Notice of Decision or will be provided shortly thereafter.

Refusal of Access

Applicants who are dissatisfied with a decision of the FOI Coordinator are entitled to ask for an **internal review** by the Shire. Application should be made in writing within 30 days of receiving the Notice of Decision and must provide particulars of the decision to be reviewed.

There is no lodgement fee for an application for internal review, and there are no charges for dealing with an internal review request. The application will not be dealt with by the person who made the initial decision, or by any person who is subordinate to the original decision maker. The outcome of the application for internal review may result in a confirmation, variation or reversal of the initial decision under review. The applicant will be notified of the outcome within fifteen (15) calendar days of the Shire receiving the internal review request.

Please be advised that there is no right to an internal review of a decision made by the Shire CEO.

If the applicant is still dissatisfied with the Shire's decision after the internal review has been completed, an **external review** by the Information Commissioner can be sought. External review requests must be made within sixty (60) days of receiving notice of the internal review decision and include details of the part(s) of the decision to which the request relates.

There is no charge for lodging a request for an external review with the Office of the Information Commissioner and details for contacting the office are:

Office of the Information Commissioner

Albert Facey House

469 Wellington Street

PERTH WA 6000

Website: www.oic.wa.gov.au

Via Email:

info@oic.wa.gov.au

Via Phone:

(08) 6551 7888