

**Decision D0262000 – Published in note form only**

***Re Walsh and Shire of Mundaring [2000] WAICmr 26***

**Date of Decision: 16 May 2000**

***Freedom of Information Act 1992: Schedule 1 clause 3(1)***

In July 1999, the complainant complained to the agency about noise emanating from a neighbouring property. The agency investigated the complaint.

In October 1999, the complainant applied to the agency for access under the FOI Act to various documents relating to its investigation of her complaint. The agency decided to give access to edited copies of two documents and claimed that the matter deleted from those documents is personal information about third parties and is exempt under clause 3(1) of Schedule 1 to the FOI Act.

The complainant applied to the Information Commissioner for external review of the agency's decision.

Through negotiations, the complainant withdrew her complaint in respect of some of the deleted matter that is personal information about all except one of the third parties. The Information Commissioner obtained the consent of that third party to the disclosure of personal information about the third party to the complainant.

The Information Commissioner decided that both documents could be disclosed to the complainant in an edited form because the deleted matter was either outside the reduced scope of the access application or consent was given to its disclosure to the complainant.

Accordingly, the Commissioner varied the decision of the agency.