



MINDARIE  
REGIONAL  
COUNCIL

# **FREEDOM OF INFORMATION STATEMENT**

## **JULY 2023**

Responsible Officer: Freedom of Information Coordinator  
First Issued: 1 August 2006  
Last Reviewed: 15 July 2021  
Revised: 04 July 2023

## INTRODUCTION

This document has been prepared to meet the requirements of Sections 94 to 97 of the *Freedom of Information Act 1992* (the Act) and provides important information to the public on the Mindarie Regional Council's (MRC):

- structure and function;
- strategic vision;
- consultation strategies with its community and member councils;
- relevant legislation and documents; and
- the Freedom of Information (FOI) procedures and access arrangements.

As a commitment to facilitating the provision of information in an easily accessible manner, our Information Statement is published on our website at [www.mrc.wa.gov.au](http://www.mrc.wa.gov.au)

## ADMINISTRATIVE INFORMATION

**Current Address:** 1700 Marmion Avenue  
TAMALA PARK WA 6030

**Postal Address:** PO Box 2746  
CLARKSON WA 6030

**Telephone:** 08 9306 6303

**Facsimile:** 08 9306 6399

**Website:** [www.mrc.wa.gov.au](http://www.mrc.wa.gov.au)

**Email:** [admin@mrc.wa.gov.au](mailto:admin@mrc.wa.gov.au)

<b>Councillors:</b>	Cr Karen Vernon (Chair)	Town of Victoria Park
	Cr Albert Jacob JP (Deputy Chair)	City of Joondalup
	Cr Christopher May	City of Joondalup
	Cr Liam Gobbert	City of Perth
	Cr Joe Ferrante	City of Stirling
	Cr Chris Hatton	City of Stirling
	Cr Elizabeth Re	City of Stirling
	Cr Lisa Thornton	City of Stirling
	Cr Alex Castle	City of Vincent
	Cr Frank Cvitan	City of Wanneroo
	Cr Paul Miles	City of Wanneroo
	Cr Keri Shannon	Town of Cambridge

## Freedom of Information Positions

FOI Coordinator Executive Assistant to CEO  
Internal Review Chief Executive Officer

## 1. THE STRUCTURE AND FUNCTION OF THE MINDARIE REGIONAL COUNCIL

### 1.1 Basis on which the Council is constituted

In 1981, the Cities of Perth, Stirling and Wanneroo purchased 432 hectares of land located at 1700 Marmion Avenue to be used as a landfill for their municipal waste and created a Regional Council to manage the landfill site on their behalf.

The MRC was constituted under the *Local Government Act 1960* (repealed) which provided that two or more municipalities could enter into and submit, for Ministerial approval, an agreement proposing the constitution of a Regional District. The Constitution Agreement provides for the establishment of a Regional Council and designation of the function or functions to be performed by the Regional Council within the Region. The MRC's governance is still regulated by the *Local Government Act 1960* by virtue of the transitional provisions contained in Clause 10 of Schedule 9.3 – Division 1 of the current *Local Government Act 1995*.

Beginning in 1988, studies were undertaken and reports prepared for environmental assessment of the site. Approval was secured and the subsequent preparation of an Environmental Monitoring and Management Programme (EMMP) undertaken. The Environmental Protection Authority granted approval of the EMMP on 24 January 1990.

An area of 251 hectares of the site with frontage to Marmion Avenue was set aside for landfill and was leased to the MRC.

Development of a well-engineered facility followed and the site was opened to receipt from depositing Cities of Perth and Wanneroo on 25 February 1991.

The MRC's membership numbers have increased as a result of changes to local government boundaries. In 1995 the City of Perth was divided into four local government bodies being the retained City of Perth and the Towns of Cambridge, Victoria Park and Vincent (Vincent is now a City).

Further, the City of Wanneroo was divided into two local governments with the creation of the City of Joondalup, which commenced tipping in 1999 along with the City of Stirling.

The landfill facility services a population of approximately 700,000.

The balance of the site that was retained by the member councils is currently being developed as a residential sub-division (Catalina Estate).

## 1.2 Major Functions and Powers

Acts of Parliament and Regulations administered by the MRC are detailed in Appendix 1.

Local Laws pursuant to the *Local Government Act 1995*, detailed in Appendix 1 were promulgated by the MRC following a statutory public advertising period and referral to the relevant Minister/s.

The MRC also has policies in place to provide for the administration of instances where the Council has the ability to use its discretion.

## 1.3 The MRC's Membership

The seven member councils in the MRC have varying equity shares and councillor representation (refer table below).

The equity shares and councillor representation comprises:

COUNCIL	EQUITY SHARE	COUNCIL MEMBERS
City of Joondalup	2/12	2
City of Perth	1/12	1
City of Stirling	4/12	4
City of Vincent	1/12	1
City of Wanneroo	2/12	2
Town of Cambridge	1/12	1
Town of Victoria Park	1/12	1

The MRC's councillors are appointed by each of the member councils from amongst their elected councillors.

The Chair and Deputy Chair of the MRC are elected by the MRC's councillors each year at the first meeting held after 30 June.

## 1.4 The MRC's Obligations and Guiding Plans

The Council of the MRC has set strategies and policies to ensure its ability in the long term and which set the guiding policies in the shorter term. Since 2018 the Council, along with the member councils and other major stakeholders, has developed a new planning framework in line with the Integrated Planning Framework developed and legislated by the State Government (refer diagram below).



Five Plans have been endorsed by the Council, aimed at integrating the operations of the organisation with the Council's strategic vision. The five plans are the:

- 10 year Strategic Community Plan;
- 4 year Corporate Business Plan;
- 10 year Long Term Financial Plan;
- 10 year Asset Management Plan; and
- 4 year Workforce Plan.

### 1.4.1 The MRC's Obligations and Guiding Plans

The Strategic Community Plan sets the long term aspirational goals of the MRC with the following VISION AND MISSION:

#### VISION

**“Collaborating for a regional Circular Economy”.**

#### MISSION

**“To deliver sustainable waste management options for members”:**

The *OBJECTIVES* set to achieve the MRC's Vision and Mission are:

#### OBJECTIVES:

1. **Deliver best practice services**
2. **Position MRC to provide world class waste management options**
3. **Deliver best practice governance processes and structures**

For each Objective, a series of strategies have been developed and each of these strategies is supported by a series of actions contained in the Corporate Business Plan.

#### Strategies for Objective 1:

##### 1. **Deliver best practice services**

- Operate waste management activities effectively
- Utilise best practice waste diversion and resource recovery solutions
- Maintain responsive business practices and systems
- Promote the organisation's profile with external stakeholders
- Enhance organisational environmental sustainability

##### 2. **Position MRC to provide world class waste management options**

- Identify and access infrastructure for the resource recovery of member councils' materials in alignment with the state waste strategy
- Build the circular economy within the district
- Maximise use of the MRC's assets and technical capabilities

##### 3. **Deliver best practice governance processes and structures**

- Maintain efficient and equitable governance
- Ensure responsible use of organisational resources
- Retain financial sustainability with a commercial focus

**Strategies for Objective 2: Position MRC to provide world class waste management options**

- Identify and access infrastructure for the resource recovery of member councils' materials in alignment with the state waste strategy
- Build the circular economy within the district
- Maximise use of the MRC's assets and technical capabilities

**Strategies for Objective 3: Deliver best practice governance processes and structures**

- Maintain efficient and equitable governance
- Ensure responsible use of organisational resources
- Retain financial sustainability with a commercial focus

Underpinning this are the values of the organisation - the way we operate our business and the way we deal with our stakeholders, community and ourselves.

**Our Values:**

TEAMWORK ...is how we achieve

INNOVATION ...is how we create

POSITIVE ...is what we are

The Mindarie Regional Council (MRC) is one of Western Australia's largest waste management authorities assisting its member councils, mainly situated in Perth's northern corridor, to deal with their waste. The MRC recognises that waste has a value as a resource and is committed to managing waste in line with the waste hierarchy and in a way sensitive to the environment and future generations.

The MRC's Strategic Community Plan , 2023-2032 constitutes not only the consolidation of the MRC as a leader in the industry, but also hails a new direction. This new Strategic Community Plan sets the agenda for the MRC as our region transitions from its historic landfill-reliant society to a more circular economy, in alignment with Western Australia's Waste Avoidance and Resource Recovery Strategy 2030.

The landfill facility at Tamala Park is likely to end its operational life within the period of this new Strategic Community Plan and therefore the MRC will work to identify and access new alternatives that provide both financial and environmental benefit to our communities.

The MRC is uniquely positioned to support the development of the best available processing infrastructure within the region and collaboration between all stakeholders has the potential to open doors to new facilities which have previously been unavailable.

#### **1.4.2 Corporate Business Plan 2023-2027**

The Corporate Business Plan identifies and prioritises the principal strategies and activities the MRC will undertake in response to the aspirations and objectives stated within the Strategic Community Plan and states the services, operations and projects the MRC will deliver over the four year period of the Plan, including the method for delivering these and the associated cost.

The Corporate Business Plan draws on the information contained within the Informing Plans, these being the Workforce Plan (WFP), the Asset Management Plan (AMP) and the Long Term Financial Plan (LTFP).

The Workforce Plan describes how the workforce is managed and flags the need for any changes in workforce numbers and skill requirements of the workforce.

The Asset Management Plan looks at the assets required to support the operations of the MRC and any changes to these assets (including replacements and maintenance of existing assets).

The Long Term Financial Plan is a long term plan for 10 years, ensuring that the aspirations of the organisation can be met financially, particularly highlighting foreseen major costs (infrastructure or other).

Many of the actions outlined in the Corporate Business Plan will be performed using existing workforce arrangements and assets. These initiatives will also be implemented within the existing budgeting parameters.

The MRC operates with three business units:

- The Office of the CEO
- Operations
- Corporate Services

Together the business plans of each of these business units combine to address the strategies within the Strategic Community Plan and as such also help form the Corporate Business Plan which guides the business for the next four years.

These are the operational plans used to manage the business day-to-day and are reviewed annually. It is these plans and the actions they contain that are used to inform the Annual Budget.



### *Reporting*

The success in delivering the strategic actions as outlined in this plan will be measured by key performance indicators (KPIs) within the operational plans of the business units. These will then be reported in the MRC's Annual Report and their effectiveness in assisting in the achievement of the Strategic Community Plan's Performance Targets.

#### **1.4.3 Long Term Financial Plan 2023 to 2032**

The MRC currently provides waste management services to its constituent member councils, a number of commercial operations and to the general public. At present, these operations are conducted from leased premises known as the Tamala Park Waste Management Facility.

The MRC is focused on reducing the amount of waste being sent to landfill through finding alternative uses for those materials, taking into account the economic needs of its constituent members.

By the nature of its operations, the MRC has had to invest heavily in infrastructure and as a consequence, it is important that these assets are managed in such a way as to deliver the best value over their useful lives for the benefit of the MRC's member councils.

This Long Term Financial Plan is designed to cover all aspects of the financial management of the MRC, including annual budget setting, operational and infrastructure funding and delivering long term viability.

Given the extent and complexity of forward financial planning, the MRC's Long Term Financial Plan is underpinned by detailed financial modelling. Modelling by its nature requires significant judgments and estimates to be made about future conditions and trends, and as a result, modelled results will not always translate accurately into financial performance in a particular year.

The following key principles have been taken into account in developing the Long Term Financial Plan:

- Review the 10 year Long-Term Financial Plan in alignment with IPRF
- Maintain a Current Ratio of greater than 1.0
- Maintain an Asset Renewal Funding Ratio of between 75% and 95%
- Maintain an Asset Sustainability Ratio of between 90% and 110%
- Maintain an Asset Consumption Ratio 50% or greater
- Present budget to Council annually, in consultation with member councils,

for adoption

- Present Council with proposals for alternative revenue generation
- Given the significant role that financial management plays in any operation, the MRC is committed to ongoing prudential financial management of its resources, as outlined in the Long Term Financial Plan.

#### **1.4.4 Asset Management Plan (AMP) 2023-22027**

The MRC currently provides waste management services to its constituent member councils, a number of commercial operations and to the general public. At present, these operations are conducted from leased premises known as the Tamala Park Waste Management Facility.

The MRC is focussed on reducing the amount of waste being sent to landfill through finding alternative uses for those materials, taking into account the economic needs of its constituent members.

By the nature of its operations, the MRC has had to invest heavily in infrastructure and as a consequence, it is important that these assets are managed in such a way as to deliver the best value over their useful lives for the benefit of the MRC's member councils

This AMP is designed to cover the ongoing management of the existing land, road infrastructure, buildings, heavy plant, machinery and vehicles, equipment and information systems associated with each of those sites.

The AMP also makes takes into account the acquisition of future assets and infrastructure to support the delivery of the MRC's vision.

Given the relatively limited nature, extent and complexity of the MRC's assets and operations, all aspects of asset management have been included in this one document.

The following key considerations are the primary drivers for the AMP:

- that a 'whole of business' approach is taken to asset management;
- that the acquisition of new assets and management of existing assets needs to be strongly aligned with the MRC's Vision and Mission;
- that the acquisition of new assets is appropriately funded in line with the MRC's established financial principles;
- that assets need to be managed in a cost efficient and operationally effective manner; and
- that assets should be managed in a manner which minimises the risk to the MRC and its employees.

Given that the operations of the MRC are so heavily reliant on its infrastructure, and the significant role that infrastructure plays in the MRC's Vision for the future, the MRC is committed to the ongoing prudential management of its assets, as outlined in the AMP.

#### **1.4.5 Workforce Plan (WP) 2023-2027**

The Mindarie Regional Council (MRC) is one of Western Australia's largest waste management authorities servicing its member councils consisting of the Cities of Joondalup, Perth, Stirling, Vincent and Wanneroo and the Towns of Cambridge and Victoria Park to manage the Municipal Solid Waste they receive from their districts. The MRC recognises that waste does have a

value as a resource and is committed to managing waste in line with the waste hierarchy and in a way sensitive to the environment and future generations.

The MRC employs 21.2 full time equivalent employees to operate and maintain the services provided to its member councils and the general public.

The MRC Workforce Plan 2023/27 has been developed in line with its Vision of “ ”COLLABORATING FOR A REGIONAL CIRCULAR ECONOMY”, its Mission to ‘To deliver sustainable waste management options for members’ and its Value statement of “Teamwork, Innovation and Positivity”.

The MRC’s Workforce Plan aims to design strategies for continuous improvement, ensuring the organisation’s objectives are met now and in the future.

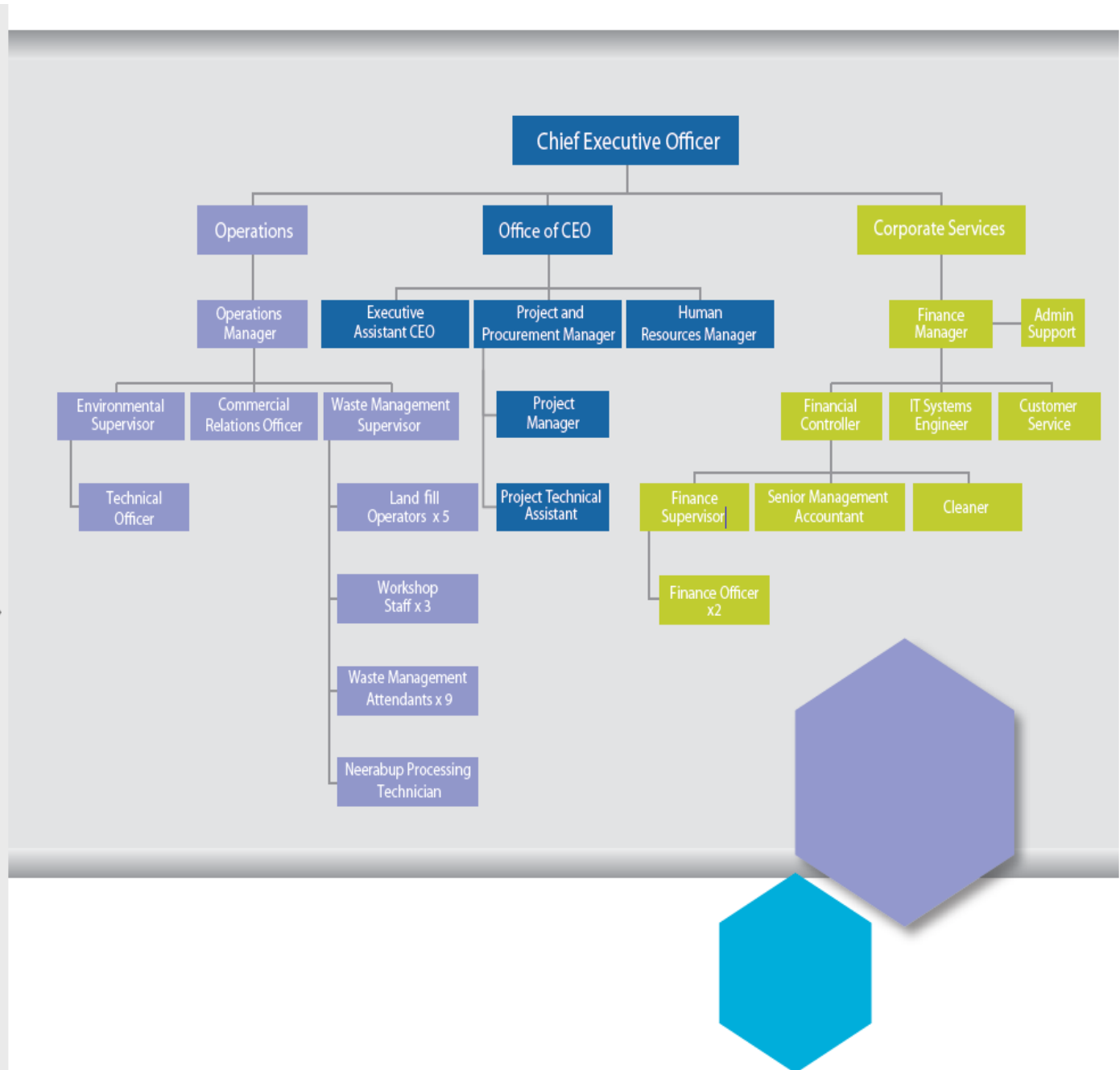
Key objectives:

- To ensure our employees and positions achieve the MRC’s objectives
- To ensure we are equipped to meet our strategic objectives
- To guide, monitor and aid employee activities ensuring alignment with Business Plans
- To ensure we are culturally aligned
- To create an environment that empowers and enables employees to be able to deliver the MRC’s strategic objectives

The MRC’s Workforce Plan identifies its services, current structure, workforce profiles, external environmental and business risks and culture. In addition, it identifies future service delivery, workforce strategies to further promote an effective and efficient workforce going forward.

### Staffing

The MRC workforce is organised to efficiently meet its organisational objectives with the bulk of its workforce (21.2 full time equivalent (FTE)) providing high quality waste management and resource recovery services direct to members, commercial and residential customers at the Tamala Park facility. The operational side of the business is complemented and supported by the MRC's Office of the CEO and Corporate Service teams (14.4 FTE).



## 2. COMMUNITY CONSULTATION

The MRC keep the community informed of what is happening at the Tamala Park Waste Management Facility via the website that is regularly updated with news and information to keep the community informed and given a provision for them to provide feedback and comments.

### 2.1 Public Address At Council Meetings

All Council meetings are open to the public unless required to be closed in accordance with Section 5.23(2) of the *Local Government Act 1995*. Public address at Council meetings and briefings is strictly limited to 10 minutes per member of the public, and the address must relate to matters affecting the MRC.

### 2.2 Deputations

Deputations can be made to Council by prior arrangement, in accordance with the MRC's Meetings Procedure Local Law 2020, available here.

Requests to make a deputation must be emailed to:

[governance@mrc.wa.gov.au](mailto:governance@mrc.wa.gov.au)

### 2.3 Petitions

Petitions will be accepted by Council provided they comply with the legislative and Meeting Procedures Local Law 2020 requirements. Information on submitting a petition, including a template, is available on the website.

### 2.4 Written Requests

Any member of the community may write to the MRC at any time, on any matter. Any matter raised will be considered by Management and/or the Council and a response provided. Correspondence should be addressed to:

[admin@mrc.wa.gov.au](mailto:admin@mrc.wa.gov.au)

or

Chief Executive Officer  
Mindarie Regional Council  
PO Box 2746  
CLARKSON WA 6030

## 3. DOCUMENTS

### 3.1 What is a document?

The glossary contained in the *Freedom of Information Act 1992* defines a 'document' as any:

- (a) record;
- (b) part of a record;
- (c) copy, reproduction or duplicate of a record; or
- (d) part of a copy, reproduction or duplicate of a record.

Documents held by us may be located or stored in a variety of storage mediums including hard copy, computer disk, photograph, CD ROM, video tape or DVD.

#### 4.1 Types of documents

The types of documents held include both administrative and operational policy, accounting, human resource and other documents in the form of files, reports and emails etc. that come into being as a result of, or arise in connection with, conducting our business.

Our website provides a comprehensive resource of public information.

The following documents are available for viewing at the MRC administration office and may be available on the MRC website. None of the following documents require a request under the FOI Act.

- Annual Budget
- Annual Report
- Asset Management Plan
- Code of Conduct
- Contracts Register
- Corporate Business Plan
- Council and Committee - Agendas and Minutes
- Council Policies
- Customer Service Charter
- Disability Access & Inclusion Plan
- Environmental Management and Monitoring Plan
- Financial Interest Register
- Freedom of Information (FOI) Statement
- Gift Register
- Local Laws
- Long Term Financial Plan
- Monthly Financial Statements
- Primary and Annual Returns Register
- Public Interest Disclosure
- Schedule of Fees and Charges
- Strategic Community Plan
- Tender Register
- Workforce Plan

Council documents are available subject to the *Freedom of Information Act 1992*.

## 5. FREEDOM OF INFORMATION PROCEDURES AND ACCESS ARRANGEMENTS

It is the aim of the MRC 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 *Freedom of Information Act 1992* provides the right to apply for documents held by the MRC, to enable the public to ensure that personal information in documents is accurate, complete, up to date and not misleading.

### Freedom of Information Applications

Access applications have to:

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

Applications and enquiries should be addressed to:

The Freedom of Information Coordinator  
Mindarie Regional Council  
PO Box 2746  
CLARKSON WA 6030

Or by telephoning (08) 9306 6303

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

### Freedom of Information Charges

A scale of fees and charges is 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:

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

## Deposits

- Advance deposit may be required in respect of the estimate charges  
25%
- Further interim payment may be required to meet the charges for  
Dealing with the application 75%

For financial disadvantaged applicants or those issued with prescribed pension concession cards, 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, or computer disk, or a transcript of a recorded or encoded document from which words can be reproduced.

## Notice of Decision

As soon as possible, but in any case within 45 days, applicants are 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 face that access is given to an edited document
- Information on the right to review and the procedures to be followed to exercise those rights.

## Refusal of Access

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

Applicants will be notified of the outcome of the internal review within 15 days.

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



<b>APPENDIX 1</b>	
<b>Legislation and Regulations that may be wholly or partly administered by Local Government and Local Laws of the Local Government</b>	
<i>Legislation, Regulations and Local Laws</i>	<i>Tick if YES, the LG administers</i>
Agriculture and Related Resources Protection Act 1976	✓
Bushfires Act 1954	✓
Disability Services Act 1993	✓
Environmental Protection Act 1986	✓
Environmental Protection Regulations 1987	✓
Environmental Protection (Clearing of Native Vegetation) Regulations 2004	✓
Environmental Protection (Controlled Waste) Regulations 2004	✓
Environmental Protection (NEPM-NPI) Regulations 1998	✓
Environmental Protection (Noise) Regulations 1997	✓
Environmental Protection (Recovery of Vapours from the Transfer of Organic Liquids) Regulations 1995	✓
Environmental Protection (Rural Landfill) Regulations 2002	✓
Environmental Protection (Unauthorised Discharges) Regulations 2004	✓
Environmental Protection (Ozone Protection) Policy 2000	✓
Environmental Protection (South West Agricultural Zone Wetlands) Policy 1998	✓
Fire Brigades Regulations 1943	✓
Freedom of Information Act 1992	✓
Freedom of Information Regulations 1993	✓
Health Act 1911	✓
Health (Asbestos) Regulations 1992	✓
Health (Pesticides) Regulations 2011	✓
Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974	✓
Health (Underground Water Supply) Regulations 1959	✓
Interpretations Act 1984	
Litter Regulations 1981	✓
Local Government Act 1960	
Local Government Act 1995	✓

Local Government (Administration) Regulations 1996	✓
Local Government (Amendment of Part VIA – Employee Superannuation) Regulations 2006	✓
Local Government (Audit) Regulations 1996	✓
Local Government (Constitution) Regulations 1998	✓
Local Government (Elections) Regulations 1997	✓
Local Government (Financial Management) Regulations 1996	✓
Local Government (Functions and General) Regulations 1996	✓
<b>APPENDIX 1</b>	
<b>Legislation and Regulations that may be wholly or partly administered by Local Government and Local Laws of the Local Government</b>	
<b><i>Legislation, Regulations and Local Laws</i></b>	<b><i>Tick if YES, the LG administers</i></b>
Local Government (Long Service Leave) Regulations 1977	✓
Local Government (Model Code of Conduct) Regulations 2021	✓
Local Government (Parking for People with Disabilities) Regulations 2014	✓
Local Government (Rules of Conduct) Regulations 2007	✓
Local Government (Uniform Local Provisions) Regulations 1996	✓
Local Government (Miscellaneous Provisions) Act 1960	✓
Planning and Development Act 2005	✓
Radiation Safety Act 1975	✓
Radiation Safety Regulations	✓
Rights in Water and Irrigation Act 1914	✓
Rights in Water and Irrigation Regulations and Rules 2000	✓
Road Traffic (Vehicle Standards) Regulations and Rules 2002	✓
Soil and Land Conservation Regulations 1992	✓
Wildlife Conservation Regulations 1970	✓
<b>Local Laws of the Mindarie Regional Council</b>	
MRC Meeting Procedures Local Law 2020	✓
MRC Waste Facility Site Amendment Local Law 2022	✓