

Responsible officer:	Freedom of information coordinator
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Freedom of Information **Statement**

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 Mindarie Regional Council's (MRC's):

- 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 Freedom of Information Statement is published on our website at www.mrc.wa.gov.au.

Administrative information

Current address: 1700K Marmion Avenue, Tamala Park, WA 6030

Postal address: PO BOX 2746, Clarkson, WA 6030

Telephone: 08 9306 6303

Website: www.mrc.wa.gov.au

Email: admin@mrc.wa.gov.au

Councillors:	Cr Stephanie Proud JP (Chair)	City of Stirling
	Cr Karen Vernon (Deputy Chair)	Town of Victoria Park
	Cr Andrea Creado	City of Stirling
	Cr Joe Ferrante	City of Stirling
	Cr Russ Fishwick JP	City of Joondalup
	Cr Liam Gobbert JP	City of Perth
	Cr Chris Hatton	City of Stirling
	Cr Gary Mack	Town of Cambridge
	Cr Christopher May JP	City of Joondalup
	Cr Paul Miles	City of Wanneroo
	Cr Jordan Wright	City of Wanneroo
	Cr Alison Xamon	City of Vincent

Freedom of Information Positions

FOI Coordinator

Executive Assistant to CEO

Internal Review

Chief Executive Officer

1. The structure and function of 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 on Marmion Avenue, just south of what would become the suburb of Mindarie. The site would be used as a landfill for the councils' municipal waste and they created a regional council to manage the landfill site on their behalf.

In 1987, Mindarie Regional Council (MRC) was constituted under the *Local Government Act 1960* (repealed) which provided that two or more municipalities could enter into and submit for ministerial approval, an agreement proposing the constitution of a regional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.

MRC's governance is regulated by both the *Local Government Act 1995* and *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* (EPA) 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 MRC.

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

MRC's membership has increased as a result of changes to local government boundaries. In 1995 the City of Perth was divided into four local government bodies (the retained City of Perth, the Town of Cambridge, the Town of Victoria Park and the Town – now City – of Vincent).

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 currently services a population of approximately 800,000 people from across seven 'member council' jurisdictions.

1.2. Major functions and powers

Acts of parliament and regulations administered by MRC are detailed in *Appendix 1*.

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

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. MRC's Membership

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

The equity shares and councillor representation comprise:

Council	Equity share	Representatives
Town of Cambridge	1/12	1
City of Joondalup	2/12	2
City of Perth	1/12	1
City of Stirling	4/12	4
Town of Victoria Park	1/12	1
City of Vincent	1/12	1
City of Wanneroo	2/12	2

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

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

1.4. MRC obligations and guiding plans

MRC's Council has set strategies and policies to ensure its long-term sustainability.

Since 2018, the Council - along with member councils and other major stakeholders - has developed a new planning framework (the Integrated Planning and Reporting Framework – IPRF) aligned to legislative requirements for local governments in Western Australia as per the Local Government (Administration) Regulations 1996.

The IPRF is outlined below:



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

- the *Strategic Community Plan*;
- the *Corporate Business Plan*;
- the *Long Term Financial Plan*;
- the *Asset Management Plan*; and
- the *Workforce Plan*.

1.4.1. Strategic Community Plan

The Strategic Community Plan sets the long-term aspirational goals of MRC with the following *vision* and *mission*:

Vision	<i>Collaborating for a regional circular economy</i>
Mission	<i>To deliver sustainable waste management options for members</i>

The *objectives* set to achieve 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: 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
-

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 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 each of these objectives 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

1.4.2. Corporate Business Plan 2023-2027

The *Corporate Business Plan* identifies and prioritises the principal strategies and activities MRC will undertake in response to the aspirations and objectives stated within the *Strategic Community Plan* and states the services, operations and projects 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 MRC and any changes to these assets (including replacements and maintenance of existing assets).

The *Long-Term Financial Plan* ensures 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.

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*.

The success in delivering the strategic actions as outlined in the *Corporate Business Plan* will be measured by *key performance indicators* (KPIs) within the operational plans of the business units. These will then be reported in 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 2025/26 to 2031/32

By the nature of its operations, 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 MRC's member councils.

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

Given the extent and complexity of forward financial planning, 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 are taken into account in developing the *Long-Term Financial Plan*:

- Review the *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, MRC is committed to ongoing prudent financial management of its resources, as outlined in the *Long-Term Financial Plan*.

1.4.4. Asset Management Plan (AMP) 2023-2027

By the nature of its operations, MRC has had to invest heavily in infrastructure and consequently, 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 MRC's member councils.

The *Asset Management Plan* (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 MRC's sites.

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

Given the relatively limited nature, extent and complexity of MRC's assets and operations, all aspects of asset management are included in the 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 MRC's Vision and Mission
- That the acquisition of new assets is appropriately funded in line with MRC's established financial principles
- That assets need to be managed in a cost efficient and operationally effective manner
- That assets should be managed in a manner which minimises the risk to MRC and its employees.

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

1.4.5. Workforce Plan (WP) 2023-27

MRC employs 47 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* was developed in line with the Council's vision of *Collaborating for a regional circular economy*, its mission to *deliver sustainable waste management options for members* and its value statement of *teamwork, Innovation and positivity*.

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

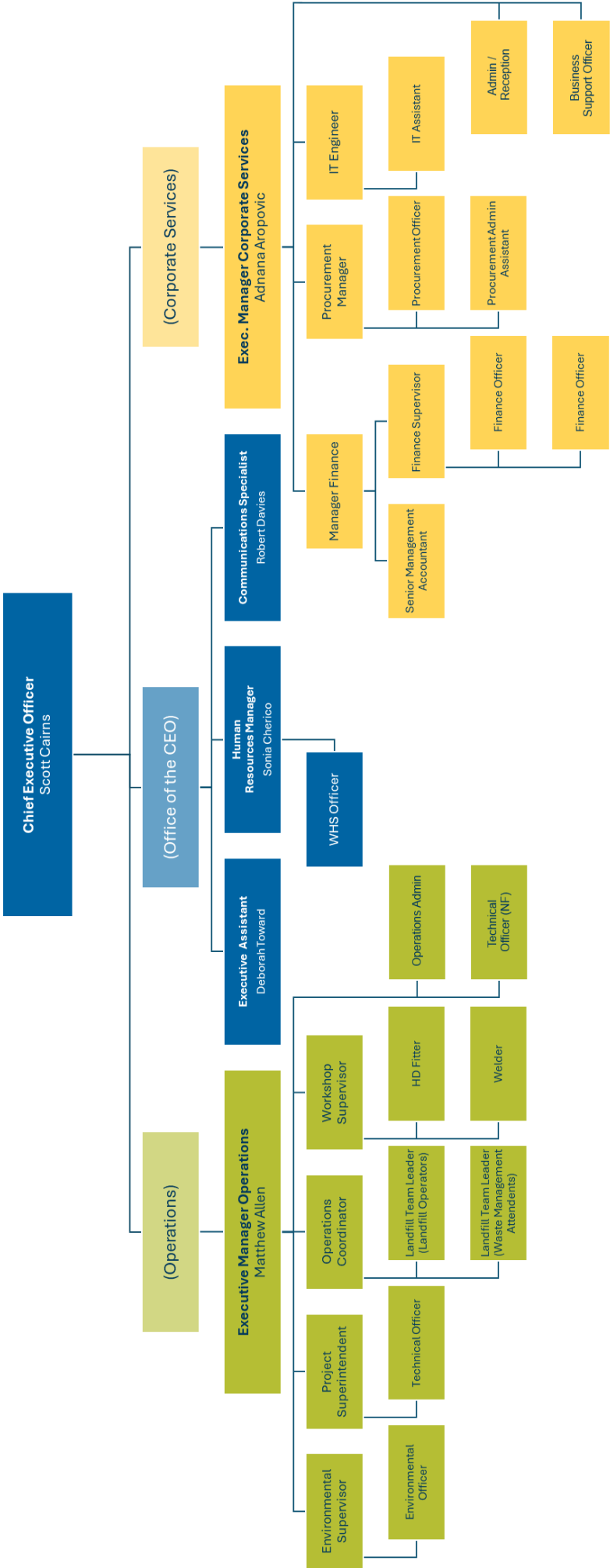
Key objectives:

- To ensure our employees and positions achieve 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

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- To ensure we are culturally aligned
 - To create an environment that empowers and enables employees to be able to deliver MRC's strategic objectives

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.



2. Community consultation and input in Council decision making

MRC keeps the community informed of what is happening at the Tamala Park Waste Management Facility (and other MRC facilities), Council business and other important business via its website which is regularly updated with news and information.

Members of the public have a number of opportunities to provide input for MRCs plans, policies and strategies as well as comment on the performance of the MRCs functions.

2.2 Public participation at Council meetings

Public participation at Council meetings is encouraged. All Council meetings are open to the public unless they are required to be held behind closed doors in accordance with *Section 5.23(2) of the Local Government Act 1995*.

2.3 Public question time at Council meetings

Public question time is held at Council meetings. Conditions for public participation in public question time can be found on [MRC's website](#).

2.1. Deputations

Deputations can be made to Council by prior arrangement, in accordance with MRC's Meetings Procedure Local Law 2020. Details regarding the submission of deputations can be found on [MRC's website](#).

Requests to make a deputation must be emailed to:
governance@mrc.wa.gov.au

2.2. Petitions

Petitions will be accepted by Council provided they comply with the legislative requirements and *Meeting Procedures Local Law 2020* (the Local Law). Information on submitting a petition, including an example petition (template), is available under Schedule 1 of the local law, available on the [MRC website](#).

2.3. Written requests

Any member of the community may write to 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

or

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

3. Freedom of Information procedures and access arrangements

MRC aims to make information available in a manner which is timely, efficient and which does not incur unnecessary cost to the public. Therefore, wherever possible, MRC will endeavour to provide documents outside the FOI process.

If information is not freely available, the Freedom of Information Act 1992 provides the public with the right to apply for documents held by MRC and for the public to ensure that personal information in documents is accurate, complete, up to date and not misleading.

3.1. What is a document?

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

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

3.2. Types of documents

The types of documents held include administrative and operational policies, accounting records, human resources files, reports, emails, and other materials created or received in the course of our business activities.

The MRC website offers a comprehensive range of public information.

The following documents are available for viewing at the administration office and may also be accessible through the website. None of these documents require an FOI Act request.

Annual Budget	Financial Interest Register
Annual Report	Gift Register
Asset Management Plan	Local laws
Code of Conduct	Long Term Financial Plan
Contracts Register	Monthly financial statements
Corporate Business Plan	Primary and Annual Returns Register
Council and committee - agendas and minutes	Public Interest Disclosure
Council policies	Schedule of Fees and Charges
Customer Service Charter	Strategic Community Plan
Disability Access & Inclusion Plan	Tender Register
Environmental Management and Monitoring Plan	Workforce Plan

3.3. Making an application under the Freedom of Information Act

All applications submitted to MRC, must:

- have enough detail to enable the requested documents to be identified (such as, subject matter, date range, etc.)
- an Australian postal address and contact details (such as telephone number and email address) so that notices can be sent

- the relevant application fee (note: other fees may apply in processing the application which will be identified once the application is received and processed).

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.

3.4. Freedom of information charges

A scale of fees and charges is set under the *FOI Act*.

An applicant must pay an Application Fee of \$30, per FOI application, as required by *the Act*, unless the FOI relates to your personal information held by MRC.

Charges incurred by MRC in the course of processing an application (as outlined below) are levied at the discretion of MRC.

Personal information about the applicant	No fee
Application fee (for non-personal information)	\$30
Charge for time dealing with the application (per hour or pro rata)	\$30
Access time supervised by staff (per hour or pro rata)	\$30
Photocopying staff time (per hour or pro rata)	\$30
Per photocopy	\$0.20
Transcribing from tape, film or computer (per hour or pro rata)	\$30
Duplicating a tape, film or computer information	Full associated costs
Delivery, packaging and postage	Full associated costs

3.5. Deposits

An advance deposit of 25 per cent may be required in respect of the estimated charges associated with your FOI request.

Further interim payments may be required to meet the charges associated with the application up to the value of 75 per cent of the total cost.

Applicants suffering from financial disadvantage or those issued with prescribed pension concession cards are eligible for a 25 per cent discount on fees.

3.6. Access arrangements

Access to documents can be granted by way of inspection (in person at the MRC administration office), 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.

3.7. Notice of decision

As soon as possible - but no later than 45 days from the lodgement of the application - applicants will be 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.

3.8. Right of internal review (refusal of access)

Applicants who are dissatisfied with the decision made by MRC in respect of their application are entitled to ask for an internal review. .

Applications for an internal review 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 that 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.

APPENDIX 1

Legislation and Regulations that may be wholly or partly administered by Local Government and Local Laws of the Local Government

<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	✓
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	✓
Local Laws of the Mindarie Regional Council	
MRC Meeting Procedures Local Law 2020	✓
MRC Waste Facility Site Amendment Local Law 2022	✓