

# FREEDOM OF INFORMATION

## Information Statement

This information statement is published by the Adelaide Hills Council in accordance with the requirements of Sections 9 of the *Freedom of Information Act 1991*. The information contained herein will be reviewed and updated annually.

### 1. Structure and Function of the Council

#### 1.1 Structure of the Council

The Adelaide Hills Council area is located to the east of metropolitan Adelaide and encompasses an area of 795 square kilometres.

The Council comprises of a Mayor and 12 Councillors elected to represent the community, across the following five Wards:

- » Manoah Ward
- » Marble Hill Ward
- » Mount Lofty Ward
- » Onkaparinga Valley Ward
- » Torrens Valley Ward

Mount Lofty and Onkaparinga Valley Wards have three Elected Members representing each Ward and Manoah, Marble Hill and Torrens Valley Wards have two Elected Members representing each Ward.

The Mayor is elected across the entire Council area. The Deputy Mayor is elected by full council from the elected Councillors on an annual basis.

#### 1.2 Function of the Council (as set out in the *Local Government Act 1999*).

A council, under the system of local government established by the *Local Government Act 1999*, is established to provide for the government and management of its area at the local level and, in particular:

- » to act as a representative, informed and responsible decision-maker in the interests of its community
- » to provide and co-ordinate various public services and facilities and to develop its community and resources in a socially just and ecologically sustainable manner
- » to encourage and develop initiatives within its community for improving the quality of life of the community
- » to represent the interests of its community to the wider community
- » to exercise, perform and discharge the powers, functions and duties of local government under this and other Acts in relation to the area for which it is constituted.

The functions of a council include:

- » to plan at the local and regional level for the development and future requirements of its area
- » to provide services and facilities that benefit its area, its ratepayers and residents, and visitors to its area (including general public services or facilities (including electricity, gas and water services, and waste collection, control or disposal services or facilities), health, welfare or community services or facilities, and cultural or recreational services or facilities)
- » to provide for the welfare, well-being and interests of individuals and groups within its community

- » to take measures to protect its area from natural and other hazards and to mitigate the effects of such hazards
- » to manage, develop, protect, restore, enhance and conserve the environment in an ecologically sustainable manner, and to improve amenity
- » to provide infrastructure for its community and for development within its area (including infrastructure that helps to protect any part of the local or broader community from any hazard or other event, or that assists in the management of any area)
- » to promote its area and to provide an attractive climate and locations for the development of business, commerce, industry and tourism
- » to establish or support organisations or programs that benefit people in its area or local government generally
- » to manage and, if appropriate, develop, public areas vested in, or occupied by, the council
- » to manage, improve and develop resources available to the council
- » to undertake other functions and activities conferred by or under an Act.

### **1.3 Council Meetings**

Full Council consists of the Mayor and 12 Ward Councillors and is the ultimate decision-making body of Council.

Ordinary Council meetings are held on the 2nd Tuesdays of each month. Meetings are held at 63 Mt Barker Road, Stirling.

### **1.4 S41 Committees**

The Strategic Planning & Development Policy Committee (SPDPC), formed pursuant to Section 101A of the *Development Act, 1993*, and Section 41 of the Local Government Act, comprises all elected members. The role of this Committee is to develop land-use planning policies and initiate projects for the orderly and sustainable development of the Council district as well as to consider other Council business (as per delegated authority from Council). Meetings of this committee are held on the fourth Tuesday of each month.

Council is required to establish an Audit Committee in accordance with Section 126 of the *Local Government Act, 1999*. The Audit Committee makes recommendations to the Council on areas within its terms of reference. The Audit Committee comprises three independent members plus two elected members of Council. The role of the Audit Committee is to assist Council in the discharge of its responsibilities for financial reporting, maintaining a reliable system of internal controls and risk management, asset management, liaising with the external auditor and fostering the organisation's ethical development.

The Chief Executive Officer Performance Review Panel (CEOPRP) was established as a Section 41 committee on 14 May 2013 to provide advice to Council on matters related to the Chief Executive Officer (CEO) and his performance by reviewing the CEO's performance against an agreed set of key performance indicators and reviewing the remuneration package payable.

### **1.5 Development Assessment Panel**

The *Development Act 1993* requires all Councils in South Australia to establish a Development Assessment Panel to operate as the relevant authority under the Development Act to assess development applications. Council's Development Assessment Panel (CDAP) comprises three elected members of Council plus four independent members (which includes an independent chairperson). The Panel considers development applications (i.e. requests from people wishing to construct buildings or undertake other developments in the area) which cannot be decided upon by staff under delegation. CDAP meetings are held on the first Tuesday of each month

Agendas and Minutes of all full Council and committees are available for inspection at Council's Woodside, Stirling and Gumeracha Service Centres and on Council's website. Agendas are available no less than three days prior to those meetings and Minutes are available within 5 days after the meeting.

## 1.6 Advisory Groups

Council has the following Advisory Groups, operating under their own Terms of Reference, which have been formed to provide advice and support to Council's administration. These groups do not report directly to Council:

- » AHBTC Advisory Group
- » Adelaide Hills Bushfire Advisory Group
- » Animal Management Plan Advisory Group
- » Australia Day/Hills Voice Advisory Group
- » Cemeteries Advisory Group
- » Property Reference Group
- » Rural Land Management Advisory Group
- » Social Planning Reference Group
- » Sport & Recreation Advisory Group
- » Stirling Linear Park Advisory Group
- » Sustainability Advisory Group
- » The Summit Community Centre Advisory Committee
- » Torrens Valley Community Centre Advisory Committee
- » Youth Advisory Group

## 1.7 Delegations

In accordance with Section 44 and 101 of the *Local Government Act, 1999* the Council has delegated relevant powers or functions to the Chief Executive Officer who may then sub-delegate to an employee or a Committee.

The Register of Delegations reflects the delegated authority from the Council to the Chief Executive Officer (and subsequently any sub-delegations) and, as a minimum, is reviewed annually.

The Register of Delegations is available on Council's website and at the Stirling and Woodside office

## 2. Access to Council Documents

The following policies, codes and registers are available through Council's Service Centres for inspection and/or purchase by the public (for a fee as set out in Council's Fees & Charges Policy). Many of these can also be accessed on Council's website at no charge:

### 2.1 Local Government Act 1999 Registers:

- » Section 68                      Members Register of Interests
- » Section 79                      Members Register of Allowances and Benefits
- » Section 105                     Officers Register of Salaries
- » Section 116                     Officers Register of Interests
- » Section 188                     Fees and Charges
- » Section 196                     Community Management Plans
- » Section 207                     Community Land
- » Section 231                     Public Roads
- » Section 252                     By Laws

## 2.2 Local Government Act 1999 Codes:

- » Section 63 Members Code of Conduct
- » Section 92 Code of Practice for Access to Meetings and Documents
- » Section 110 Employees Code of Conduct
- » Reg 7 Code of Practice for Meeting Procedures

## 2.3 Local Government Act 1999 Statutory Policies:

- » Section 48 Prudential Management policy and procedures
- » Section 49 Contracts and Tenders Policies
- » Section 50 Public Consultation Policies
- » Section 77(1)(b) Reimbursement of Council Member Expenses Policy
- » Section 78 Provision of Facilities and Support for Council Members Policy
- » Section 80A Council Member Training and Development Policy
- » Section 125 Internal Control Policies
- » Section 219 Road Naming Policy
- » Section 259 Policy on Order Making
- » Section 270 Internal Review of Council Decisions Procedure

## 2.4 Local Government (Elections) Act 1999:

- » Part 14 Campaign Donation Returns prepared by candidates.

## 2.5 Freedom of Information Act 1991:

- » Section 9 Information Statement

## 2.6 Council Discretionary Policies

- » Account Reconciliation
- » Asset Management
- » Buffers – An Essential Part of Rural Planning
- » Building Inspection
- » Capitalised Assets
- » Caretaker
- » Cat Management
- » CDAP Complaints Handling
- » Community and Neighbourhood Houses
- » Community Grants
- » Community Group Use of Photocopiers
- » Community Groups Access to Waste Disposal Sites
- » Community Information
- » Complaints Handling
- » Development Application Fee Refunds
- » Development Application Fee Waiver
- » Development Applications Involving Significant Trees
- » Directional Signage
- » Disposal of Land
- » Disposal of Materials
- » Engagement of Management Consultants
- » Equitable Commercial Trading Opportunities at Council Operated Events
- » Floral Tributes for Memorial Services Support – Anzac Day
- » Fraud & Corruption Prevention
- » Genetically Modified Crops
- » Kerbside Green Organics Service Implementation
- » Keys to the City & Freedom of Entry
- » Liquor Licencing
- » Management of Built Heritage
- » Mayors/Chairpersons Seeking Legal Advice
- » Occasional Hiring of Council Meeting Rooms
- » Outdoor Dining
- » Privately Funded Development Plan Amendments
- » Provision of Physical Models for Major Development Proposals
- » Public Notification
- » Rate Rebate
- » Recreational Use Of Council Reserves & Public Space
- » Reporting of Offences
- » Risk Management
- » Road Rents

- » Roadside Trading (Use of Public Road Verges for Business Purposes)
- » School Parking & Associated Facilities
- » Social
- » Sport and Recreation
- » Street Lighting
- » Transport
- » Treasury
- » Volunteers
- » Wastewater System Application Fee Refunds
- » Whistleblowers Protection

Enquiries regarding any of Council's policies, codes and registers should be directed to Council's Policy Officer on 8408 0400.

Council's Service Centres and opening hours are:

- |  |                                      |  |
|--|--------------------------------------|--|
| » 63 Mt Barker Road, Stirling          | 8.30am to 5.00pm                     | Monday to Friday                               |
| » 28 Onkaparinga Valley Road, Woodside | 9.00am to 5.00pm<br>9.00am to 8.00pm | Monday, Tuesday, Wednesday, Friday<br>Thursday |
| » 45 Albert Street, Gumeracha          | 11.00am to 2.00pm<br>2.00pm - 5.00pm | Monday, Wednesday, Friday<br>Tuesday, Thursday |

Opening hours are subject to change. Please refer to Council's website for updates.

## 2.7 Other requests for information

Requests to access Council and Council Committee documents not listed above can be made under the *Freedom of Information Act 1991*.

Freedom of Information (FOI) applications should be submitted using the correct application form and be as specific as possible to enable the correct documents to be identified. FOI Application forms are available from the State Records website, Council's website or from any of Council's Service Centres.

An application fee (in accordance with Council's Fees & Charges Policy) must accompany the application. Applications under this legislation will be dealt with as soon as practicable (and in any case, within 30 days) after receipt.

The State Records website also has detailed information on the FOI process or you can also contact Council's FOI Officer on 8408 0400.

FOI requests should be addressed to:  
Freedom of Information Officer  
Adelaide Hills Council  
P O Box 44  
WOODSIDE SA 5244

## 2.8 Amendment to Council Records

Any member of the public may inspect Council Documents relating to their personal affairs by a request under Part 4 Division 2 of the *Freedom of Information Act 1991*. A member of the public may then request a correction to any information about themselves that is incomplete, incorrect or misleading, or out-of-date.

Access to relevant Council records by a member of the public shall be by completion of a Freedom of Information Request Form. Amendment to any Council records, under this section, shall be requested by completion of a Freedom of Information Amendment of Records Form.

### 3. Public Participation

Members of the public may put forward their views to Council on particular issues, in a number of different ways:

- » Public Forum – the Public is allocated a 10 minute segment at each Council meeting to address the Council with comments or questions.
- » Representations/Deputations - with the permission of the Mayor or Committee Chairman, a Member of the Public can address a Committee or the Council personally or on behalf of a group of residents. Each representation is usually limited to a maximum time of 10 minutes. Persons wishing to access this opportunity are asked to make prior arrangements through the Mayor's Office.
- » Petitions – written petitions can be addressed to the Council on any issue within the Council's jurisdiction.
- » Written Requests – a member of the public can write to the Council on any Council service, activity or policy. This can be carried out by post, addressed to the Chief Executive Officer, Adelaide Hills Council, PO Box 44, Woodside, SA 5244, or by Email to [mail@ahc.sa.gov.au](mailto:mail@ahc.sa.gov.au).
- » Community Consultation – the Adelaide Hills Council consults with local residents on particular issues that affect their neighbourhoods, in accordance with its Public Consultation Policy.
- » Public & Private Development – residents are notified of some development applications requiring the approval of Council. A number of applications are exempted from public notification by the Development Act. When an application is publicly notified, residents have the opportunity to write to Council expressing their views and subsequently addressing 'in person' the Council's Development Assessment Panel before a decision is made. Local residents may be consulted on the types of facilities and equipment during the design of infrastructure for public areas, including streetscapes, pursuant to Council's Community Involvement in Council Business Protocol.
- » Three Community Forums were held at Woodside, Norton Summit and Stirling

Members of the public, 18 years of age and over, living, owning or occupying property within the Adelaide Hills Council are encouraged to enrol and participate in Local Government Elections.

The next general election is scheduled for November 2014 and thereafter, every four years.

### 4. Services for the Community

Council is required by legislation to:

- » Determine policies to be applied by the Council
- » Develop and adopt Strategic Management Plans
- » Prepare and adopt Annual Business Plans and Budgets
- » Establish an Audit Committee
- » Develop appropriate policies, practices and procedures of internal control
- » Set performance objectives
- » Establish procedures for the internal review of Council actions
- » Determine the type, range and scope of projects to be undertaken by the Council
- » Planning and development services eg Determining whether or not approvals are to be granted for various forms of development
- » Dog and Cat management
- » Fire Prevention (some building inspection and bushfire prevention planning functions)
- » Administrative requirements such as supporting the elected Council

Other services and activities are provided by local choice and Council is responsive to the needs, interests and aspirations of individuals and groups within its community.

Local Government partners with a number of State Government departments to plan, fund and deliver services to local community.

Council makes decisions on policy issues relating to services that are provided for members of the public and uses its own resources or that of State and Federal Governments to deliver a range of services in its local area.

Council's services are listed below, by department, and currently include (but are not limited to):

Animal Control	Libraries
Asset & Risk Management	Liquor Licensing
Building Fire Safety	Litter Control /Waste Services
Bushfire Management	Marketing
Cemeteries	Natural Resources Management
Commercial Properties	WH&S
Communications	Parking Control
Community Buildings	Parks, Gardens and Reserves
Community Consultation	Pest Plant & Weeds
Community Development	Policy Development/Advice
Community Grants	Private Works
Community Halls and Buildings	Property Access
Community Housing	Public Conveniences
Community Services Groups	Public Relations
Corporate Administration	Purchasing & Contract Management
Corporate Planning	Rates and Assessments
Council Meetings and Committees	Records Management
Customer Services	Road Construction and Maintenance
CWMS	Road Opening/Closing
Development Assessment	Road Reserves
Development Policy	Service Centres/Depots
Disaster Management and Planning	Signage
Dog & Cat Management	Significant Trees
Elected Member Relations	Sport and Recreation Facilities
Elections	Stormwater Drainage
Environmental Health	Strategic Land Use Policy
Finance General	Strategic Planning
Fire Prevention	Street Lighting
Fleet Management	Street Sweeping
Food Premises Inspections	Street Tree Maintenance
Footpaths & Cycle Tracks	Vandalism
Heritage	Waste Control Systems
Home And Community Care (HACC)	Waste Management
Human Resources	Waste Water System
Immunisation	Water Catchment Managemen
Information Services	
Information Technology	

