

FREEDOM OF INFORMATION

Information Statement 2022-2023

August 2022

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

Structure and Function of the Council

Structure of the Council

The Adelaide Hills Council was established in 1997 through the amalgamation of the then District Councils of East Torrens, Gumeracha, Onkaparinga and Stirling.

Council currently comprises the Mayor and 12 Council Members.

The Council area is divided into two (2) wards:

Ranges Ward
Valleys 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.

The current Council was elected at the November 2018 Local Government Election.

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 the *Local Government Act 1999* and other legislation 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 amenities.
- 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 legislation.

Council Meetings

The Elected Council's role is to provide for the governance and management of the Council area. It does this through representing the interests of the community, providing and coordinating public services and facilities, encouraging and developing initiatives to improve the community's quality of life and exercising, performing and discharging its functions under legislation in relation to the Council area.

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 4th Tuesday of each month. Meetings are generally held at 63 Mt Barker Road Stirling. Council meetings are open to the public (unless confidential items are being considered) and the community is welcome to attend in person or to view via the livestream link available on Council's website. Recordings of the Council meetings are made available on the Council website along with the meeting agenda and minutes.

S41 Committees

Council has established two Council Committees to assist it to discharge its responsibilities in specific areas, these are the Audit Committee and the Chief Executive Officer Performance Review Panel (CEOPRP).

The Audit Committee was established by Council in 2005 in accordance with Section 126 of the *Local Government Act 1999*. The Audit Committee's role is to assist Council in the discharge of its responsibilities for financial reporting, maintain a reliable system of internal controls and risk management, asset management, liaising with the external auditor and fostering the organisation's ethical development. There are five members on the Audit Committee – three independent members and two Council Members.

The Chief Executive Officer Performance Review Panel (CEOPRP) was established to provide advice to Council on matters related to the Chief Executive Officer (CEO) and their performance.

Council's Assessment Panel

The *Planning, Development and Infrastructure Act 2016* requires all Councils in South Australia to establish a Development Assessment Panel to operate as the relevant authority under the Act to assess development applications. Council's Assessment Panel (CAP) comprises one elected member 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. CAP meetings are held on the 2nd Wednesday of each month.

Advisory Groups

Advisory Groups (including some working groups), operate under their own terms of reference, provide advice and support to Council's Administration and do not report directly to Council.

The Advisory Groups are:

- Biodiversity Advisory Group
- Bushfire Advisory Group
- Cemetery Advisory Group
- Community and Recreation Facility Framework Internal Working Group
- Property Advisory Group
- Reconciliation Working Group
- Rural Land Management Advisory Group
- Sustainability Advisory Group

Information or Briefing Sessions

An Information or Briefing Session is a session to which more than one (1) member of the council or a council committee is invited by the council or the chief executive officer (CEO) of the council to attend or be involved in for the purpose of providing information or a briefing to attendees. Details of upcoming Information or Briefing Sessions are listed on the Council website and they are open to the public (unless confidential items are being considered) and the community is welcome to attend in person or to view via the livestream link available on Council's website.

Agendas and Minutes

Agendas and Minutes of all Council and Committee meetings are available for inspection at Council's Service Centres and on Council's website www.ahc.sa.gov.au. Agendas are available no less than three days prior to those meetings and Minutes are available within 5 days after the meeting.

Agendas for Advisory Groups and 'Designated Informal Gatherings', are available on Council's website www.ahc.sa.gov.au prior to the meeting.

S43 Regional Subsidiaries

The Adelaide Hills Council is a member of four regional subsidiaries which assist Council in its strategic planning and service delivery activities. The subsidiaries are the Southern and Hills Local Government Association (SHLGA), the Eastern Waste Management Authority (East Waste), the Adelaide Hills Region Waste Management Authority (AHRWMA), and the Gawler River Floodplain Management Authority (GRFMA).

Access to Council Documents

The policies, codes and registers detailed are available at Council's Service Centres for inspection and/or purchase by members of the public for a fee as set out in Council's Fees and Charges Policy. Council's Service Centres and opening hours are:

Gumeracha Civic Centre | 45 Albert Street, Gumeracha

Monday, Wednesday and Friday 9am - 12pm

Tuesday and Thursday 2pm - 5pm

Stirling Service Centre | 63 Mt Barker Road (corner Merrion Terrace), Stirling
Monday to Friday 8:30am - 5pm

Woodside Service Centre | 26 Onkaparinga Valley Road, Woodside
Monday, Tuesday, Wednesday and Friday 9am - 5pm
Thursday 9am - 8pm

Please note: many of these documents may be accessed via Council's website www.ahc.sa.gov.au.

Local Government Act 1999 Registers:

Section 63(1)	Council Member and Council Staff – Gifts and Benefits Register
Section 68	Members Register of Interests
Section 70(a)(1)	Excerpts from Council Members Registers of Interest
Section 79	Members Register of Allowances and Benefits
Section 90	Confidential Items
Section 105	Officers Register of Salaries
Section 174	Assessment Record (may be viewed at Customer Service Centres)
Section 188	Fees and Charges
Section 196	Community Management Plan
Section 207	Community Land
Section 231	Public Roads
Section 252	By Laws

Local Government Act 1999 Statutory Policies:

Chapter 3, Part 1, Div 2	Representation Review Report
Regulation 6	Code of Practice for Meeting Procedures
Schedule 5	Freedom of Information Statement
Section 48	Prudential Management
Section 49	Contracts and Tenders (Procurement)
Section 50	Public Consultation
Section 63	Code of Conduct for Council Members (Mandatory) – included in the Council Member Conduct Policy
Section 77(1)(b) & 78	Council Members Allowance and Benefits
Section 80A	Council Member Training and Development
Section 90(8)	Informal Council Gatherings and Discussions
Section 92	Code of Practice for Access to Council and Council Committee Meetings and Documents
Section 110	Code of Conduct for Council Employees (Mandatory)
Section 123	Annual Business Plan and Budget (including rating)
Section 125	Internal Audit
Section 144	Debt Recovery (inc. CWMS Customer Hardship Policy)
Section 219	Public Place and Road Naming
Section 259	Order Making
Section 270	Complaints Handling
Section 75	Public Interest

Local Government (Elections) Act 1999

Section 91	Caretaker
Part 14	Campaign Donation Returns prepared by candidates

Freedom of Information Act 1991

Section 9	Information Statement
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Council Discretionary Policies

Council Discretionary Policies as at 1 July 2022 were:

Acceptance of External Funding	Lease & Licencing
Acknowledgement and Welcome to Country	Liquor Licensing
Acquisition and Disposal of Land & Materials (refer Disposal of Materials and Disposal of Land)	Management of Built Heritage
Accredited professionals	Mandatory Code of Conduct for Council Employees
Advisory Group Operations and Conduct	Mayors/Chairpersons Seeking Legal Advice (LGA s78A)
Arts & Heritage Collection	Memorials within Council Amenities
Asset Management	Occasional Hiring of Council Meeting Rooms
Buffers	One Team Communication Protocol
Building and Swimming Pool Inspections	Order Making
Burials Outside Cemeteries	Outdoor Dining
Burning Permit	Petitions
Caretaker	Play Space
Cemetery Management	Privately Funded Development Plan Amendments
Code of Practice for access to Council and Council Committee Meeting and Documents	Provision of Physical Models or other Visual Representation Tools for Major Development Proposals which require Public Notification
Code of Practice for Meeting Procedures (LGPAMR r6)	Pubic Consultation
Community Group Use of Photocopiers	Public Transport
Community Information Display	Procurement
Community Loans	Prudential Management
Complaint Handling	Public Interest Disclosure
Council Assessment Panel Review of Decisions of the Assessment Manager	Public Interest Disclosure Procedure
Council Member Conduct	Public Place and Road Naming
Council Member Allowance and Support	Rating (LGA Chapter 10)
Council Member Training and Development	Records and Information Management
Debt Recovery (incl. CWMS Customer Hardship Policy)	Request for Services
Delegation policy for the determination of Development Applications by CAP	Risk Management
Development Application Document Reproduction	Road Rents
Development Application Fee Refunds	Roadside Trading (Use of Public Road Verges for Business Purposes)
Development Application Fee Waiver	Safe Environments
Development Applications Involving Regulated Trees	School Parking and Associated Facilities
Directional Signage	Sports and Recreation
Disposal of Assets	Street Lighting
Enforcement	Telecom Installation (small cell stobbie pole mounted antennae)
Festivals & Events	Trails and Cycling Routes Management
Flags	Treasury Management
Fraud, Corruption, Misconduct and Maladministration	Tree Management
Genetically Modified Crops	Tributes for Commemorative Services
Grant Giving	Unreasonable Complaints Conduct
Informal Council and Committee Gatherings & Discussions	Unsealed Roads
Internal Audit	Volunteer Engagement
Internal Review of Council Decisions	Waste and Resource Recovery Service
	Wastewater System Application Fee Refunds

Community Lands Register & Community Land Management Plan

Council maintains a Community Lands Register and Community Land Management Plan for all land under its care and control that defines ownership details, location, principal usage, user groups, maintenance requirements and capital replacement criteria.

The Register lists community lands and does not include any lands revoked or excluded under the *Local Government Act 1999*. The Plan has details of equipment or improvements located thereon.

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.

Other requests for information

Requests to access Council and Council Committee documents not listed above can be made under the FOI Act. An FOI application should be submitted either in writing or by using the correct application form. It must be specific and contain information that is reasonably necessary to enable a document 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 and be lodged at an office of Council. 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
63 Mount Barker Road
STIRLING SA 5152
(Or emailed to mail@ahc.sa.gov.au and Customer Service will contact you for payment)

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 1 of the FOI Act. 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 made either in writing or by completion of an FOI Request Form. Amendment to any Council records, under this section, shall be requested either in writing or by completion of a FOI Amendment of Records Form.

Public Participation

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

Public Forum – Members of the Public are allocated a 5 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.

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 only notified of development applications where it is a procedural requirement under the Planning Development and Infrastructure Act 2016 to undertake public notification. The Planning and Design Code also includes a table of developments which are exempt from public notification in each zone. When an application is publicly notified, interested parties have the opportunity to lodge a submission on the PlanSA Portal expressing their views and to request to be heard in support of their submission by the Council 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 Public Consultation Policy.

Community Forums – Local community groups are invited to attend Community Forums and address Council on issues of concern. Holding the forums in different townships in the Council area is an important method of providing residents with the opportunity to meet with and present information or concerns to Council.

Facebook – Primarily a platform for engaging with Council's community by providing a range of information relevant to Council activities, events, art and culture, programs and services. The public are able to interact with Council by reacting to posts, commenting on posts, or sending a private message to the page administrators. Separate Pages are separately administered for Council, Libraries, Community Centres, and Youth Programming.

Twitter – Council posts information relevant to its own activities, as well as things of community interest in the region, with a focus on news and items of media interest. The public is able to interact with Council by liking or commenting on posts.

Instagram – Council posts photos predominantly highlighting the unique landscape of the region, arts and cultural experiences, and local wildlife. The public is able to interact with Council by reacting to and commenting on photographs.

Linked In – The Linked In News Feed is used to promote and inform the network with information of career, business or professional interest, including job vacancies and media releases. The public is able to interact with Council by reacting to or commenting on the posts.

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 2022 and thereafter, every four years.

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 e.g. 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 currently include (but are not limited to):

Aged Care Services	Footpaths
Abandoned Vehicles	Free Internet in Libraries
Arts & Cultural Programs	Graffiti Control
Bicycle Tracks	Heritage Protection
Building Applications and Approvals	Immunisations
Bus Shelters	Libraries
Bushfire Prevention	Local Museums & Heritage
Burning Permits	Local Roads
Busking Permits	Online Services
By-laws	On Street Parking
Caravan Parks	Ovals
Cemeteries	Parks & Gardens
Children's Services & Support	Picnic Areas Planning Applications
Community Buses	Playground
Community Centres	Public Swimming Pools
Community Leadership & Advocacy	Public Toilet
Community Wastewater Management Systems (CWMS)	Rates
Control of Public Nuisances	Recreation & Sport Facilities Recycling
Cultural Development	Skate Parks
Dog & Cat Management	Stormwater Drainage & Reuse
Disability Services	Street Cleaning
Economic Development & Business Support	Street Lighting and Street Signs
Employment/Training Programs	Tourism & Information Centres
Environmental Services	Traffic Control
European Wasp Control	Vermin Control
Festivals & Events	Waste Management
Fire Prevention	Youth Support
Food & Health Inspections	Zoning