FREEDOM OF INFORMATION
Information Statement
February 2019

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 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.

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

The Elected Council's role is to provide for the government 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.

1.4   S41 Committees

Council has established three Council Committees to assist it to discharges its responsibilities in specific areas, these are the Strategic Planning & Development Policy Committee (SPDPC), the Audit Committee and the Chief Executive Officer Performance Review Panel (CEOPRP).

The Strategic Planning and Development Policy Committee (SPDPC), formed pursuant to Section 101A of the Development Act 1993, involves all Council Members. The legislated role of the SPDPC is to develop land-use planning policies and initiate projects for the orderly and sustainable development of the Council district. Council has delegated certain powers under the *Local Government Act 1999* to the SPDPC. Meetings of this committee are held as required.

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.

1.5   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 Development 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.

1.6   Advisory Groups

Advisory Groups, operating under their own terms of reference, provide advice and support to Council's Administration.

The Advisory Groups are:

» Biodiversity
» Bushfire
» Cemetery
» Property
» Rural Land Management
» Sustainability

These Groups do not report directly to Council.

1.7   Designated Informal Gatherings

A 'designated informal gathering or discussion' is an event organised and conducted by or on behalf of a council or CEO to which members (of the council or a committee) have been invited and involves discussion of a matter that is, or is intended to be, part of the agenda for a formal council or committee meeting. These gatherings are chaired by the CEO or a senior officer and formal minutes are not recorded. Unless a specific exemption applies, these gatherings are open and members of the public are welcome to attend however they generally will not be provided with the opportunity to participate in the discussion or to address the Council Members present.

1.8   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.

1.9   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).

2.   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

2.1   *Local Government Act 1999* **Registers:**

» Section 68   Members Register of Interests
» Section 79   Members Register of Allowances and Benefits
» Section 90   Confidential Items
» Section 105   Officers Register of Salaries
» Section 188   Fees and Charges
» Section 196   Community Management Plan
» Section 207   Community Land
» Section 231   Public Roads
» Section 252   By Laws

2.2   *Local Government Act 1999* **Statutory Policies:**

» Regulation 7   Code of Practice for Meeting Procedures
» Schedule 4   Freedom of Information Statement
» Section 48   Prudential Management
» Section 49   Contracts and Tenders
» 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   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 302   Whistleblowers Protection

2.3   Development Act 1993

» Section 71A(1)   Building & Swimming Pool Inspection (Dev Act s71A(1))
» Section 34   Delegations Policy for the Determination of Development Applications by CAP

2.4   Local Government (Elections) Act 1999

» Section 91   Caretaker
» Part 14   Campaign Donation Returns prepared by candidates

2.5   Freedom of Information Act 1991

» Section 9   Information Statement

2.6   Council Discretionary Policies

Council Discretionary Policies as at 30 June 2017 were:

» Acceptance of External Funding
» Acquisition and Disposal of Land & Materials (refer Disposal of Materials and Disposal of Land)
» Asset Management
» Buffers
» Burials Outside Cemeteries
» Burning Permit Policy
» Cemetery Management
» Code of Practice for Meeting Procedures (LGPAMR r6)
» Community Group Use of Photocopiers
» Community Information Display
» Community Loans
» Development Application Document Reproduction
» Development Application Fee Refunds
» Development Application Fee Waiver
» Development Applications Involving Regulated Trees
» Directional Signage
» Enforcement Policy
» Festivals & Events
» Flags
» Fraud & Corruption Prevention (ICAC)
» Genetically Modified Crops
» Grant Giving
» Lease & Licencing
» Liquor Licensing

» Management of Built Heritage
» Mayors/Chairpersons Seeking Legal Advice (LGA s78A)
» Outdoor Dining
» Petitions
» Play Space
» Privately Funded Development Plan Amendments
» Provision of Physical Models or other Visual Representation Tools for Major Development Proposals which require Public Notification
» Public Transport
» Rating (LGA Chpt 10)
» Records and Information Management
» Risk Management
» Road Rents
» Roadside Trading (Use of Public Road Verges for Business Purposes)
» Safe Environments
» School Parking and Associated Facilities
» Service Level
» Service Range
» Street Lighting
» Treasury
» Tree Management
» Tributes for Commemorative Services
» Unsealed Roads
» Volunteer Engagement
» Waste and Resource Recovery Service
» Wastewater System Application Fee Refunds

2.7 **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.

2.8 **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.

2.9 **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

2.10 **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** – 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 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.
» **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 is 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.

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 currently include (but are not limited to):

Aged Care Services
Abandoned Vehicles
Arts & Cultural Programs
Bicycle Tracks
Building Applications and Approvals
Bus Shelters
Bushfire Prevention
Burning Permits
Busking Permits
By-laws
Caravan Parks
Cemeteries
Children's Services & Support
Community Buses
Community Centres
Community Leadership & Advocacy
Community Wastewater Management Systems (CWMS)

Control of Public Nuisances
Cultural Development
Dog & Cat Management
Disability Services
Economic Development & Business Support
Employment/Training Programs
Environmental Services
European Wasp Control
Festivals & Events
Fire Prevention
Food & Health Inspections
Footpaths
Free Internet in Libraries
Graffiti Control
Heritage Protection
Immunisations
Libraries
Local Museums & Heritage
Local Roads
Online Services

On Street Parking
Ovals
Parks & Gardens
Picnic Areas Planning Applications
Playground
Public Swimming Pools
Public Toilet
Rates
Recreation & Sport Facilities
Recycling
Skate Parks
Stormwater Drainage & Reuse
Street Cleaning
Street Lighting
Street Signs
Tourism & Information Centres
Traffic Control
Vermin Control
Waste Management
Youth Support
Zoning