

FREEDOM OF INFORMATION STATEMENT 2018-2019

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This Information Statement is published by the City of Onkaparinga (the Council) in accordance with the requirements of the *Freedom of Information Act 1991 (SA)*.

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1 Introduction

The City of Onkaparinga (the Council) is required under section 9(1) and (1a) of the *Freedom of Information Act 1991 (SA)* (the FOI Act) and section 132(3)(j) of the *Local Government Act 1999 (SA)* (the LG Act) to publish every 12 months an up to date information statement.

In accordance with section 9(2) of the FOI Act the information statement must contain:

1. A description of the structure and functions of the council and any committee or other body that is part of or advises the council
2. A description of the ways in which the functions (including, in particular, the decision making functions) of the council affect members of the public
3. A description of any arrangements that exist to enable members of the public to participate in the formulation of the council's policy and the exercise of the council's functions
4. A description of the various kinds of documents that are usually held by and are available from the council
5. A description of the arrangements that exist to enable a member of the public to obtain access to the council's documents and to seek amendment of the council's records concerning his or her personal affairs and
6. A description of the procedures of the council in relation to the giving of access to the council's documents and to the amendment of the council's records concerning the personal affairs of a member of the public.

2 Functions and structure of the council

2.1 Functions of council

The functions of council are set out in section 7 of the LG Act and are summarised below:

- a) To plan at the local and regional level for the development and future requirements of its area
- b) To provide services and facilities that benefits its area, its ratepayers and residents, and visitors to its area
- c) To provide for the welfare, well-being and interests of individuals and groups within its community
- d) To take measures to protect its area from natural and other hazards and to mitigate the effects of such hazards

- e) To manage, develop, protect, restore, enhance and conserve the environment in an ecologically sustainable manner and to improve amenity
- f) To provide infrastructure for its community and for development within its area
- g) To promote its area and to provide an attractive climate and locations for the development of business, commerce, industry and tourism
- h) To establish or support organisations or programs that benefit people in its area or local government generally
- i) To manage, and if appropriate, develop public areas vested in or occupied by the council
- j) To manage, improve and develop resources available to the council and
- k) To undertake other functions and activities conferred by or under an Act.

Other legislation, policies, strategic management plans and budgets also impact on the services delivered by the Council (not intended as an exhaustive list).

Council also acts as the Planning Authority for the area, pursuant to the *Development Act 1993 (SA)* (the DA Act).

2.2 Services to the community that council provides

Council is responsive to the needs, interests and aspirations of individuals and groups within its communities and aims to ensure that resources are used equitably. The Council partners with a number of state government departments to plan fund and deliver services to its local communities.

Council makes decisions on policy issues relating to services that are provided for its communities. Council uses its own resources as well as those of the state and federal governments (where appropriate) to deliver a diverse range of services, projects and programs.

Council employs a number of people to implement the decisions of Council. This is generally known as the council's administration which is headed by the Chief Executive Officer (CEO).

Four separate departments report to the CEO:

- Corporate and City Services
- City Operations
- Finance, Property and Commercial
- Community Relations.

- The structure of the Council is:

Corporate and City Services
Corporate Information
Civic governance Corporate governance Information governance Information communications technology Internal audit
Culture and People
Human resources Volunteer management Organisational development Learning & development Work health and safety Business performance improvement
Development Services
Planning Building Development compliance and development support Development policy
Economic Growth and investment
Business growth and innovation Investment attraction and tourism

Finance, Property and Commercial
Finance
Financial planning and analysis Financial accounting Revenue Finance and commercial administration
Property and Commercial
Property transactions Commercial Procurement services

City Operations
Fleet, Civil and Waste Operations
Fleet and stores Civil maintenance Waste and recycling Business support
Assets and Technical Services
Infrastructure asset management Spatial information services Community assets Technical services
Parks and Facility Operations
Facility operations Parks and natural resources
Construction and Projects
Construction Projects

Community Relations
Libraries
Libraries
Strategic Futures
Strategic services Engagement and grants Environmental sustainability
Community Capacity
Community connections Active ageing Community centres Recreation Youth
Public Relations
Arts and events Marketing and communications
Community Safety and Customer Relations
Community health Community rangers Emergency management and support Customer relations

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2.3 Delegations

Councils have certain functions and duties which they must perform, and certain powers which they may exercise, pursuant to the LG Act and other legislation.

In most cases, the relevant legislation grants these obligations and powers directly to a council. It is not practical or efficient for the Council as a body of Elected Members to perform the many operational activities that are required in the day-to-day administration of the Council's roles and functions.

Sections 44 and 101 of the LG Act allow a council to formally delegate many of its powers and functions (within certain stated conditions and exemptions) to the CEO. The CEO may then sub-delegate these powers and functions to other staff delegates. Council may also delegate their powers and functions to a committee of Council (Committee).

The Delegations Register includes the head instrument of delegation from the Council to the CEO. Access to the Delegations Register is available from Council's website via the following link [Delegations](#).

2.4 Composition of council

The Council consists of a principal member (the Mayor) and 12 ward councillors (elected members). The Council is divided into six wards – Knox, Mid-South Coast, Pimpala, South Coast, Southern Vales and Thalassa Ward. Each ward is represented by two councillors with the Mayor representing the whole city.

Access to Elected Member details is available from Council's website via the following link [Elected Members](#).

Council elections are held every four years with the next election due November 2022

2.5 Council and committee meetings

The LG Act guides the operation of local government in South Australia. The LG Act is supported by the *Local Government (Procedures at Meetings) Regulations 2013* (the LG Regulations).

Council also adheres to its own Code of Practice - Proceedings of Meetings 2015 (the Code of Practice) available via the following link [Proceedings of Council and Committee meetings](#). All Council and Committee meetings are guided by the LG Act, the LG Regulations and the Code of Practice with the exception of the Development Assessment Panel (which is established in accordance with the provisions of the DA Act).

The Council meets at 7pm on a Tuesday once a month in the Council chambers located at Ramsay Place, Noarlunga Centre. Members of the community are encouraged to attend.

Whilst the LG Act requires meetings of Council or any of its Committees to be open to the public, from time to time some matters need to be discussed in confidence.

Confidential matters are covered by section 90 and 91 of the LG Act. Council has adopted a Code of Practice 2015 Access to meetings and documents available via the following link [Public access to council and council committee meetings and council documents](#) which relates to the principles, policies, procedures and practices that the Council applies for the purposes of sections 90 and 91. This code has specific accountability mechanisms including the requirement to provide a summary of the use of the confidentiality provisions in Council's Annual Report.

2.6 Council committees

Committees are appointed under section 41 of the LG Act. They are generally advisory in nature without delegated decision making powers, unless specified otherwise in their Terms of Reference. Committees assist the Council in its functions by addressing issues or projects in a detailed, interactive and less formal manner.

Committee membership and the Terms of Reference are determined by Council and reviewed annually in accordance with Council's decision making structure. The Terms of Reference for each Committee are available via the following link [Terms of Reference](#). Meetings are scheduled as detailed within their Terms of Reference and details are available via the following links [Meetings](#) and [Committee meetings](#).

Council has section 41 Committees and a summary of their roles are listed below:

- The **Strategic Directions Committee** is granted delegated powers to approve or provide advice to Council on strategic issues and initiatives in support of the delivery of its Onkaparinga 2035 long-term vision for 'strong, vibrant communities'.
- The Committee also fulfils the role of the 'Strategic Planning and Development Policy Committee' in accordance with section 101A of the DA Act, including undertaking strategic planning and monitoring.
- The **Civic Awards Committee** will consider applications and determine the recipients of the City of Onkaparinga's Australia Day Awards and Community Civic Awards.

- The **Chief Executive Officer Performance Management Committee** (in accordance with the CEOs contract of employment) aims to ensure a high standard of leadership is provided by the Council's CEO by conducting effective performance management and recruitment processes and providing advice to Council on related matters. The Committee is also responsible to provide guidance and support to the CEO for the performance of duties and to provide formal and informal feedback.
- The **Audit, Risk, Value and Efficiency Committee (ARVEC)** aims to provide advice to Council on its financial reporting and sustainability, internal controls and risk managements systems, whistleblowing and internal and external audit.
- Section 126 of the LG Act requires Council to appoint an audit committee with specific functions and responsibilities. Council has established ARVEC to fulfil this role.
- In addition, the City of Onkaparinga **Council Assessment Panel (CAP)** was appointed as a relevant authority under sections 82 and 83 of the *Planning, Development and Infrastructure Act 2016* (PDI Act) by resolution of Council on 13 June 2017.
- CAP is a relevant authority during the transition to the PDI Act and will act as a delegate of Council for the purpose of the DA Act.
- CAP details are available through the link [Council Assessment Panel Meetings](#).
- CAP can determine:
 - Complex, controversial or high level of public interest development applications
 - DAs that are of significant social, economic or environmental interest
 - DAs where the Minister has determined that CAP is the relevant authority to decide the matter
 - Whether any 'compromise proposal' is appropriate.

2.7 Agendas and minutes

One of the main opportunities for the local communities to gain information about the business of the Council and its Committees is through the agendas and minutes (except for matters subject to an order of confidentiality under section 90 of the LG Act).

All agendas and minutes of the Council and the Committee are publicly available at Council's offices at Noarlunga, Aberfoyle Park, Woodcroft, Aldinga and Willunga. Agendas are available three days prior to the meeting and minutes five days after the meeting.

They are also available via the following link [Meetings and Agendas](#).

Special meetings of Council and its Committees can be called with four hours' notice. On these occasions agendas are available as soon as practicable after that time that notice of the meeting is given to members of the Council.

2.8 Section 43 regional subsidiaries

Section 43 of the LG Act provides councils with the ability to establish a regional subsidiary. Regional subsidiaries allow two or more councils to join together to perform a particular function, beneficial to all its members.

The Council is a member of two regional subsidiaries, (details via the following link [Council Subsidiaries](#)):

- **Southern Region Waste Resource Authority (SRWRA)** was established in December 1998 by the cities of Onkaparinga, Marion and Holdfast Bay. Under its charter, SRWRA is responsible for providing and operating waste management services on behalf of the constituent councils. SRWRA is managed by eight board members comprising three representatives from each council and an independent expert in business/waste management acting as the chairperson.
- Every council representative on the board has one vote on every issue and decisions are carried by simple majority. The chairperson has a deliberative vote only. The proportional interest of council members may only be amended by unanimous agreement.
- The financial statements of SRWRA are detailed in Council's Annual Report.
- **Council Solutions Regional Authority** trading as 'Council Solutions' is a joint initiative of the cities of Adelaide, Charles Sturt, Marion, Onkaparinga, Salisbury and Tea Tree Gully which came into existence in December 2012. Its purpose is to optimise the financial sustainability of its constituent councils through the benefits of collaborative strategic procurement and contract negotiation and management.
- It is governed by a Board of Management comprising an Independent Chairperson and the CEO (or person acting in that capacity) of each constituent council.

3 Opportunities for the public to participate

The public can attend Council and Committee meetings to listen to proceedings (other than confidential items).

Opportunities are provided to allow members of the public to represent their views to Council or Council Committee meetings when they are considering items of interest to the community. Options are:

Deputation

This is where a person or group of persons wish to appear personally before Council or Council Committee in order to speak on a particular matter. The duration of a deputation is 10 minutes with Elected Members invited to ask questions after each deputation. A Deputation request form is available via the following link [Deputation Request Form](#).

Presentation

This provides an opportunity for community groups, organisations, Council officers or members of the public to provide a meeting with information relevant to a matter under consideration in a Council or Committee agenda. Presentations are approved for inclusion in the agenda by the CEO. The duration is up to 10 minutes and is generally limited to one presentation per meeting. Members are invited to ask questions after the presentation. A person wishing to appear as a presentation must deliver a written request to Council's Principal Office.

Petition

This is a formal submission to the Council signed by numerous residents. Typically a petition draws the attention of Council to a particular matter or asks the Council to consider making a particular decision. Petitions must: be legible, clearly state the request or submission of the petitioners, include the name and address of each person who signed or endorsed the petition and be delivered to the principal office of the Council or emailed. A petition template is available via the following link [Petition Form](#).

Contact council

A member of the public can write or email the Council regarding any of its policies, activities, projects or services.

Contact Elected Members

Members of the public can contact their ward's **elected member** to discuss any issue relevant to the Council. Access to Elected Member details is via the following link [Elected Members](#).

4 Community engagement

The Council is committed to ensuring it provides clear and objective information and it offers opportunities

for the public to participate in the decision making which affects them. Further information can be found via following the link [Community Engagement](#).

The Council's approach to community engagement is intended as a continuum of activities ranging from informing to consulting to more active participation with our communities.

There are many ways for the Council to connect with communities to provide opportunities for community participation on a number of diverse topics.

Council's Engagement Framework provides further information about the council's approach, including influences on decision making and the decision making process.

- Becoming involved in decisions

Members of the community are encouraged to participate in the governance of Council in particular in the formation of strategy, policies and the delivery of Council's functions in the following ways:

4.1 Voting in local government elections

Elections are held every four years with the next election due in November 2022. Voting is voluntary and available to all persons on council's voters roll. Persons who are registered on the State Electoral Roll are automatically on the council voters roll but other residents or landowners must apply to go on the roll. Enquires can be made at the Council's offices.

4.2 Standing as candidates for election

A person must be on the council voters roll to be eligible to stand as a candidate in local government elections. Anyone can stand for election as a council member either mayor or councillor, if they are: an Australian citizen and an elector for the area.

Further details available via the following link [2018 Council Elections](#).

4.3 Becoming a member of a committee

Some committees of Council invite participation by community members/specialists. Advertisements are placed in local papers and on Council's website seeking applications.

4.4 Participating in public consultation

Council undertakes public consultation from time to time in relation to policy development and specific issues or projects. These consultations may be promoted across the Council's area using a range of methods including the Council's website.

4.5 Community engagement

Council regularly invites feedback from its communities through community engagement to

inform its decision-making. The approach to community engagement is outlined in the [Engagement Framework](#).

The [Community Engagement Status Board](#) keeps the community up to date about engagement activities including Council decision-making and feedback to the communities about input. Personal details are treated in accordance with Council's [Privacy Statement](#).

4.6 Responding to development applications

Before making a decision on some types of development proposals, Council may be obliged to publicly notify of the application, so that people potentially affected by the development have an opportunity to comment.

Schedule 9 of the *Development Regulations 2008* and/or the zone provisions in Council's Development Plan set out what category of public notification is required for certain types of developments in certain zones. Further details are available via the link [Development applications public notification information](#).

5 Documents held by council

Council holds a number of different types of documents. There is no charge to inspect certain documents and many are available on Council's website. In most cases, copies of the documents (or extracts) may be purchased by the public at a small fee set by Council. Details of fees and charges that apply are available via Council's website [Schedule of Fees and Charges](#).

Where copyright laws apply to a document the Council must have written permission of the copyright owner to reproduce it e.g. house plans, soil reports, engineering reports etc. Further details and the relevant application form are detailed on Council's website and via the following link [Information access and copyright](#). Fees apply.

At the time of publishing this statement the following documents may be accessed from Council's website or available for inspection during business hours. Any new document adopted by Council after publication of this statement may be similarly available.

Documents available for inspection:

Document name	Web	Council
Animal Management Plan	✓	All offices
Annual Business Plan	✓	All offices
Annual Report	✓	All offices
Arts and Cultural Development	✓	All offices

Strategic Management Plan 2014-19		
Assessment Book		All offices
Awards Policy	✓	All offices
Building Inspection Policy	✓	All offices
Caretaker Policy	✓	All offices
Christies Downs Strategic Management Plan	✓	All offices
Climate Change Strategy	✓	All offices
Code of Conduct for Elected Members	✓	All offices
Code of Practice – Access to Meetings and Documents	✓	All offices
Code of Practice – Proceedings of Meetings	✓	All offices
Committees Terms of References	✓	All offices
Community Land Management Plans	✓	All offices
Corporate Asset Management Plan	✓	All offices
Council Appointed Elected Member Liaisons Policy	✓	All offices
Council By-Laws	✓	All offices
Council Informal Gatherings Policy	✓	All offices
Council and Committee Minutes and Agendas	✓	All offices
Customer Complaints Policy	✓	All offices
Delegations Register	✓	All offices
Development Application Register	✓	All offices
Development Plan	✓	All offices
Development Plan Amendments	✓	Noarlunga
Disability Access and Inclusion Management Plan	✓	All offices
Elected Member Allowance, Benefits and Support Policy	✓	All offices
Elected Member Allowance, Benefits and Support Procedure	✓	All offices
Elected Member Training and Development Policy	✓	All offices
Energy Futures Strategy 2010-2014	✓	All offices
Flag Management Procedure	✓	All offices

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Document name	Web	Council
Foreshore Access Plan Citywide Concept 2013	✓	All offices
Green City Strategic Management Plan 2017-2022	✓	All offices
Hardship Policy	✓	All offices
Healthy Active Lifestyles Strategy	✓	All offices
Land Use Strategy 2014-19	✓	All offices
Long term Financial Plan 2016-17 to 2036-37	✓	All offices
Mayoral Civic Receptions and Events Policy	✓	All offices
Native Vegetation Strategy	✓	All offices
Onkaparinga 2035	✓	All offices
Order Making Policy	✓	All offices
Parks and Reserves Style Guide	✓	All offices
Placemaking Strategy 2014-2019	✓	All offices
Place Naming Policy	✓	All offices
Policy on Interaction of the Development Act, State Records Act, Freedom of Information Act and Copyright Act	✓	All offices
Positive Ageing Strategy	✓	All offices
Privacy Statement	✓	All offices
Procedure for Investigation Complaints under the Code of Conduct for Council Members 2017	✓	All offices
Procurement Policy	✓	All offices
Public Consultation Procedure	✓	All offices
Purchase of 'At Risk' heritage properties Procedure	✓	All offices
Rate Rebate Policy	✓	All offices
Rating Policy	✓	All offices
Recreation Open Space Network	✓	All offices
Regional Public Health Plan 2015	✓	All offices
Register of Dogs		Noarlunga
Register of Elected Members Allowances and Benefits	✓	Noarlunga
Register of Elected Members Gifts and Benefits	✓	All offices
Register of Employees Gifts and Benefits	✓	All offices
Register of Staff Salaries Wages and Benefits		Noarlunga
Road Naming Policy	✓	All offices
Road Naming Procedure	✓	All offices
Road Network Plan	✓	All offices
Road Register	✓	All offices
Schedule of Fees and Charges	✓	All offices
Seaford District Centre 2014-2035 Strategic Management	✓	All offices

Plan		
Section 270 Internal Review of a Council Decision Procedure	✓	All offices
Skate Facility Management Plan 2016- 2021	✓	All offices
Sport and Active Recreation Strategic Management Plan 2014-19	✓	All offices
Sundry Debtors Policy	✓	All offices
Supplementary Development Plans		Noarlunga
Trails and Cycling 2016-21	✓	All offices
Voters Roll		Noarlunga
Water Futures Strategy	✓	All offices
Whistleblower Protection Policy	✓	All offices
Youth Strategic Management Plan	✓	All offices

6 Freedom of information (FOI) applications

Requests for other information not publicly available will be considered in accordance with the FOI Act, which gives the right to access documents (subject to certain exemptions) within Council's possession.

6.1 Requirements for submitting an FOI application

An application for access to documents not publicly available must, in accordance with section 13 of the FOI Act:

- be in writing (preferably using the prescribed 'FOI Application form') details available via Council's website and the following link [Freedom of Information](#)
- specify that it is made under the FOI Act
- be accompanied by the prescribed application fee (if applicable) or concession card or fee waiver evidence
- contain such information as is reasonably necessary to enable the document to be identified
- specify an address in Australia to which notices should be sent, and
- must be lodged at an office of the Council and may request that access to the document be given in a particular way.

The application or written request with the application fee (or evidence of fee waiver) must be provided to one of our Council offices.

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6.2 Access to documents to amend personal affairs

Section 30 of the FOI Act allows a person to apply to the Council for the amendment of the Council's records if:

- the documents contains information concerning the person's personal affairs
- the information is available for use by the Council in connection with its administrative functions and
- the information is in the person's opinion incomplete, incorrect, out of date or misleading.

6.3 Time limits

Applications will be dealt with by an accredited Freedom of Information Officer as soon as practicable (and in any case within 30 days) after it is received, unless an extension of time applies or an extension of time is agreed.

6.4 Fees

In accordance with the Freedom of Information (Fees and Charges) Regulations 2003 fees apply to FOI applications, such fees are updated annually.

Fees are not payable by valid concession card holders or those whose evidence of fee waiver is accepted. Postage fees may still apply.

If, in Council's opinion the cost of dealing with an application is likely to exceed general expectations, an advance deposit may be requested from the applicant. A request for an advance deposit will be accompanied by a notice that sets out the basis on which the amount of the deposit has been calculated.

6.5 FOI exemptions

The FOI Act exemptions may apply to information or documents. Access to documents under the FOI Act may be refused or limited if it is deemed exemptions apply.

The Council may consult with a third party if personal or business affairs are involved, as deemed necessary under the FOI Act.

7 Council contact details

For correspondence, please use the [online customer request form](#).

Alternatively contact the customer relations centre or attend a Council office:

Customer Relations Centre

Ph: +61 8 8384 0666

Email: mail@onkaparinga.sa.gov.au

Postal: PO Box 1, Noarlunga Centre SA 5168

After Hours Emergency Only

Ph: +61 8 8384 0622

Noarlunga Office (Principal office)

Ramsay Place

Noarlunga Centre 5168

Ph: +61 8 8384 0666

Fax: +61 8 8382 8744

Monday to Friday 8.30am–5pm

Aberfoyle Park Office

The Hub

Aberfoyle Park 5159

Ph: +61 8 8384 0666

Fax: +61 8 8382 8744

Monday to Friday 9.30am–5pm

Aldinga Office

11 Central Way

Aldinga Beach 5173

Ph: +61 8 8384 0666

Fax: +61 8 8382 8744

Monday to Friday: 9:30am - 1pm

Willunga Office

St Peters Terrace

Willunga 5172

Ph: +61 8 8384 0666

Fax: +61 8 8382 8744

Monday to Friday 8.30am–5pm

Woodcroft Office

175 Bains Road

Morphett Vale 5162

Ph: +61 8 8384 0666

Fax: +61 8 8382 8744

Monday to Friday 9am–5pm

8 Document control

Author (to whom changes are to be recommended):			
Position		Name	
Senior Governance Officer, Corporate Governance		Jane Lawn	
Stakeholders (audience – engagement groups):			
Civic Governance and Engagement and Grants			
Reviewed by:			
Position		Name	Date reviewed
Senior Governance Officer, Civic Governance		Therese Brunette	06/06/2018
Team Leader, Corporate Governance		Kathryn Brown	06/06/2018
Approved by (document owner):			
Position / Group	Name	Approval date	Approval ECM number
Manager, Governance	Desma Morris	20/06/2018	ECM 3996316
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20/06/2017	Nicole Roberts	V 2.0	Annual update
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