

# INFORMATION STATEMENT

# FREEDOM OF INFORMATION – INFORMATION STATEMENT

## CONTENTS

1. Information statement.....	2
2. Functions and structure of council.....	2
3. Services to the community.....	5
4. Community engagement and public participation .....	6
6. Access to council documents.....	8
7. Freedom of information .....	8

## 1. Information statement

The City of Onkaparinga (council) is required under the *Freedom of Information Act 1991* (SA) (FOI Act) and the *Local Government Act 1999* (SA) (LG Act) to publish an up-to-date information statement every 12 months.

In accordance with the FOI Act the information statement must contain:

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

## 2. Functions and structure of council

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

- To plan at the local and regional level for the development and future requirements of its area
- To provide services and facilities that benefits its area, its ratepayers and residents, and visitors to its area.
- To determine the appropriate financial contribution to be made by ratepayers to the resources of the council.
- 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.
- 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.

Other legislation, policies, strategic management plans and budgets also impact on the services delivered by council. Council also acts as a relevant authority under sections 82 and 83 of the *Planning, Development and Infrastructure Act 2016* (PDI Act).

## Delegations

The Chief Executive Officer has delegated authority from Council to make decision on a number of specified administrative and policy matters. The CEO may sub-delegate such authority to other officers in particular circumstances. Delegated powers functions, authorisations and duties are set out in council's Delegations register, available [here](#).

## Composition of Council

Council consists of a principal member (the Mayor) and twelve (12) ward councillors (Elected Members).

Council is divided into six wards-

- Knox
- Mid Coast
- Pimpala
- Thalassa
- Southern Vales
- South Coast.

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 [here](#). Council elections are held every four years with the next election due November 2026.

## 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 (LG Regulations). All Council and Committee meetings are guided by the LG Act, the LG Regulations and Codes of Practice with the exception of the Council Assessment Panel (which is established in accordance with the provisions of the PDI Act).

Council has its own Codes of Practice (Proceedings of Council and Committee Meetings and Public Access to Council and Council Committee Meetings and Council Documents) available [here](#). The Codes of Practice relate to the principles, policies, procedures and practices that council will apply for the purpose of Council and Committee meetings procedure, the operations of public access to Council and Committee meetings, minutes and the release of documents.

Council meets at 6:30pm on a Tuesday once a month in the Council chambers located at Ramsay Place, Noarlunga Centre. Members of the community are encouraged to attend. All meeting details including times, dates, agendas and minutes are listed on our [website](#).

While 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 Committees

Committees are appointed under the LG Act. They are generally advisory in nature without delegated decision-making powers, unless specified otherwise in their Terms of Reference.

Committees assist 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 [here](#). Meetings are scheduled as detailed within their Terms of Reference and details are available [here](#).

Council Committees are listed below:

Committee	Function
<b><i>Audit and Risk Committee (ARC)</i></b>	The ARC aims to provide independent assurance and advice to the Council on accounting, financial management, internal controls, risk management and governance matters. Section 126 of the LG Act requires Council to appoint an audit committee with specific functions and responsibilities. Council has established ARC to fulfil this role
<b><i>Australia Day Awards Committee</i></b>	Considers applications and determines the recipients of the City of Onkaparinga's <a href="#">Australia Day Awards</a>
<b><i>Council Assessment Panel (CAP)</i></b>	Was appointed as a relevant authority under sections 82 and 83 of the PDI Act by resolution of Council on 13 June 2017. The CAP is a relevant authority under the PDI Act and will act as a delegate of Council for the purpose of the <i>Development Act 1993</i> . CAP details are available <a href="#">here</a> . The CAP determines development applications that are complex or controversial or subject to a high level of public interest should be determined by the CAP.
<b><i>Chief Executive Officer Performance Management Committee</i></b>	In accordance with the CEO's contract of employment, aims to ensure a high standard of leadership is provided by 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.
<b><i>First Nations People Advisory Group (FNPAG)</i></b>	Is an advisory group comprising Aboriginal Traditional Owner and First Nations members and Council elected members. It provides a space for discussion early in project planning/policy development processes, so that Traditional Owner and other First Nations perspectives are part of the early stages of forming council's position on relevant projects and matters.
<b><i>Strategic Directions Committee (SDC)</i></b>	Is established as a committee with extensive delegated powers which enable it to make final and binding decisions on behalf of Council, in the same manner as binding decisions are made at formal Council meetings but excluding those powers/functions which are unable to be delegated under section 44(3) of the LG Act.

Agendas and Minutes

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

Agenda and minutes as well as the recording of meetings will be available on council's [website](#). Agendas are available three days prior to a meeting and minutes are available five days after a meeting.

All public Ordinary Council and Special Council meetings, Strategic Directions Committee meetings and Audit and Risk Committee meetings held in the Council Chamber at Ramsay Place, Noarlunga Centre will be recorded and published on Council's website. Recordings for meetings held prior to 20 June 2023 will only be available on the website for a period of (twenty four) 24 months. Members of the public wishing to access a meeting recording that is no longer available on the website will need to apply to council for access to the meeting recording. Please note that fees may apply.

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 notice of the meeting is given to members of the Council.

### **Regional Subsidiaries**

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.

[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 six board members comprising two 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.

## **3. Services to the community**

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. 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 CEO. Five separate departments report to the CEO. Refer to [full organisational overview](#) on website.

The core operational services of council are:

Division	
City Operations	Assets and Technical Services Constructions and Projects Parks and Facility Operations Fleet, Civil and Waste
Community Services	Community Capacity Libraries and Customer Relations Recreation Services
Corporate	Financial Services Governance Information Communications Technology People and Culture Operational Excellence
Planning and Regulatory Services	Development Services Community Safety and Property
Strategy and Engagement	Communication and Engagement Strategy, Sustainability and Economic Growth

#### 4. Community engagement and public participation

Members of the public have several opportunities to express their views on issues before Council and are listed below:

Methods	Description
Attendance at meetings	The public can attend Council and Committee meetings to listen to proceedings, except in the case of confidential items when the public are excluded for specific reasons.
Community Engagement	<p>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. Council's Your Say page is one way of keeping the community up to date about major engagement activities including council decision-making and feedback to the community. Further information can be found <a href="#">here</a>.</p> <p>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. Engagement activities are tailored for each project and the relevant stakeholders on a case-by-case basis.</p>

	Council's Engagement Framework provides further information about council's approach, including influences on decision making and the decision-making process.
<b>Contact Council</b>	A member of the public can write or email council regarding any of its policies, activities, projects or services. Refer to <a href="#">Contact Us</a> on our website.
<b>Council Elected Members</b>	Members of the public can contact their ward's elected members to discuss any issue relevant to council. Access to elected member details can be found <a href="#">here</a> .
<b>Deputation</b>	This is where a person or group of persons wish to appear personally before Council or a Council Committee to speak on a particular matter. The duration of a deputation is 8 minutes with elected members invited to ask questions after each deputation. A Deputation request form is available <a href="#">here</a> .
<b>Petitions</b>	This is a formal submission to 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 Council or emailed. A petition template is available <a href="#">here</a> .

### **Becoming involved in decisions**

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

### **Voting in Local Government Elections**

Elections are held every four years with the next election due in November 2026. Voting is voluntary and available to all persons on council's voter's roll. Persons who are registered on the State Electoral Roll are automatically on the council voters roll but other residents, landowners or business owners must apply to go on the roll. Enquires can be made at council's offices.

### **Standing as Candidates for Election**

A person must be on council voter's 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 are available [here](#).

### **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.

### **Responding to Development Applications**

Before making a decision on some types of development proposals, council may be obliged to make a public notification of the application, so that members of the public potentially affected by the

development have an opportunity to comment. Notification requirements are set out in the Planning and Design Code, or for applications lodged prior to 19 March 2021, in schedule 9 of the Development Regulations 2008 or the Development Plan. Refer to [Applications on Public Notification](#).

## 6. Access to council documents

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 for the fee set by council in its Schedule of Fees and Charges.

Alternatively, documents are available for inspection at council's office located at Ramsay Place, Noarlunga between 8:30am and 5:00pm.

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. Details on how to request a copy of development applications is available [here](#).

The range of documents available on council's website includes, but is not limited to:

- Strategic Plans
- Financial Plans
- Policies and Procedures
- Registers
- Committee Terms of Reference
- Minutes and Agendas
- Expense Reporting
- By-Laws
- Guidelines

## 7. Freedom of information

The purpose of the FOI Act is to make the business of council open and accountable to all. FOI requests provides public access to official documents and records; to provide for the correction of public documents and records in appropriate cases; and for other purposes. FOI requests allows members of the public to apply to have access to documents within council's possession including, paper-based documents as well as computer files, plans, photographs, videos and audio tapes.

### FOI Application Fees and Processing Charges

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

- be in writing (may be via online or hardcopy application form - details available via council's [website](#)).
- 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.



- must be lodged at an office of council or via the online form and may request that access to the document be given in a particular way, and
- the application or written request with the application fee (or evidence of fee waiver) must be provided to one of our council offices.

### Access to Documents to Amend Personal Affairs

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

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

### Contact details

FOI requests should be addressed to:

Accredited FOI Officer  
 City of Onkaparinga  
 PO Box 1  
 Noarlunga Centre SA 5168

Or they can be submitted via the online form on council's [website](#) or via email to [FOI@onkaparinga.sa.gov.au](mailto:FOI@onkaparinga.sa.gov.au).

### 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.

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

### Fees

In accordance with the Freedom of Information (Fees and Charges) Regulations 2018 fees apply to FOI applications; such fees are updated annually. Fees are not payable by valid concession card holders or those whose request for a 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.

Fees and Charges	
Description	Fees and Charges as of 1 July 2023
Application fee	\$40.75

<b>Search</b>	\$15.40 per 15 minutes
<b>Sorting and compiling</b>	\$15.40 per 15 minutes
<b>Consultation</b>	\$15.40 per 15 minutes
<b>Photocopying</b>	0.25 cents per page
<b>Postage and handling</b>	\$8.65 (small) \$10.65 (large)