



FREEDOM OF INFORMATION STATEMENT 2019/20

This Information Statement is published by the Wattle Range Council in accordance with the requirements of Section 9(1a) of the Freedom of Information Act, 1991.

The purpose of this statement is to assist members of the public to identify the functions and decision making processes of Council, detail the type of information held by Council and advise how it can be accessed by the public.

An updated Information Statement will be published on the Council's website at least once every 12 months.

1. STRUCTURE AND FUNCTIONS OF THE COUNCIL

1.1 Council

The Council consists of the Principal Member (Mayor) and 11 Councillors who represent residents and ratepayers in four (4) wards – Corcoran Ward (5 Councillors); Kintore Ward (2 Councillors); Sorby Adams Ward (2 Councillors) and Riddoch Ward (2 Councillors).

“Council” is the body corporate consisting of elected members as constituted under the Local Government Act 1999. Council is established to provide for the government and management of its area at the local level and, in particular:

- a) to act as a representative, informed and responsible decision-makers in the interest of its community; and
- b) to provide and co-ordinate various public services and facilities and to develop its community and resource in a socially just and ecologically sustainable manner; and
- c) to encourage and develop initiatives within its community for improving the quality of life of the community; and
- d) to represent the interests of its community to the wider community; and
- e) to exercise, perform and discharge the powers, functions and duties of local government under the Local Government Act and other acts in relation to the area for which it is constituted. [s.6, Local Government Act]

Ordinary meetings of the Council are held on the second Tuesday of every month at 5.00 p.m. Members of the public are welcome to attend the meetings that are held in the Council Chamber, Civic Centre, George Street, Millicent. All meetings are open to the public, with the exception of any matters subject to an order of confidentiality. [s.90 of the Local Government Act]. Notices of all meetings of Council and its Committees are available on Council's website and from all Council Offices.

One of the main opportunities for the community to gain information about the business of Council is through agendas and associated reports prepared for Council and Committee meetings. Agendas are placed on public display no less than three days prior to meetings. They are available on Council's website at www.wattlerange.sa.gov.au and at each office of the Council that is open to the public for the general administration of Council business.

1.2 Council Committees and Subsidiaries

Council has established a number of Committees as detailed below:-

1.2.1 Council Assessment Panel

The Development Act 1993 requires all Councils in South Australia to establish a Council Assessment Panel pursuant to Section 56A of the Development Act, 1993 to operate as the relevant authority under the Development Act to assess development applications.

The creation of the Panel is to ensure that Council makes development decisions as a relevant planning authority pursuant to the Development Act, 1993 having sole regard to the Council's authorised Development Plan and any referral advice to determine the merit of the proposal. The Local Government Act 1999 does not apply to the Council Assessment Panel.

The Council Assessment Panel holds its meetings on an as required basis. No formal meeting schedule has been adopted.

1.2.2 Audit & Risk Committee

Council is required to establish an Audit Committee in accordance with Section 126 of the Local Government Act, 1999. The Audit Committee makes recommendations to the Council on any area (within its terms of reference) where in its view action or improvement is needed.

The Audit Committee holds its meetings quarterly.

1.2.3 Section 41 Committees

A number of other Committees have been established by Council pursuant to Section 41 of the Local Government Act, 1999 comprising elected members, staff and members of the public to manage properties and/or facilities and to investigate and provide advice to Council on particular issues. These are as follows:-

Beachport Boatramp Advisory Committee
Beachport Recreation Centre Management Committee
Greenrise Lake Advisory Committee
Kalangadoo Riddoch Institute Management Committee
Lake George Management Committee
Lake McIntyre Management Committee
Rendelsham Community Hall Management Committee
Strategic Planning and Development Policy Committee
Tantanoola Institute Hall Management Committee

Committees streamline Council business and assist in the performance of its functions. The membership of Committees and their Terms of Reference are determined by the Council.

Committees meet at intervals determined in their respective Charters (available on Council's website and at Council Offices) and make recommendations to Council. Meetings of Committees are open to the public with the exception of any matters subject to an order of confidentiality [s.90, Local Government Act].

Agendas and Minutes of all Committee Meetings are available on the Wattle Range Council website at www.wattlerange.sa.gov.au

Chapter 6 of the Local Government Act and the Local Government (Procedures at Meetings) Regulations prescribe the way meetings of a Council and its Committees are to be conducted.

1.3 Delegations Schedule

The Council Assessment Panel, Fire Prevention Officers and the Chief Executive Officer have delegated authority from Council to make decisions on specified administrative and policy matters. The Chief Executive Officer may sub-delegate to an employee or a Committee. Council's Delegations Register reflects the delegated authority from the Council to the CEO (and subsequently any further sub-delegations).

The Delegations Register is reviewed annually by Council and is available to be viewed by the public at the Principal Office of Council – Civic Centre, George Street, Millicent during business hours.

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.

1.4 Functions of Council

The functions of Council, set out in s7 of the Local Government Act 1999, include:

- 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 benefit 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;
- k) to undertake other functions and activities conferred by or under the Act. [s6, Local Government Act]

Section 41 of the Local Government Act empowers a Council to establish committees

- To assist the Council in the performance of its functions
- To enquire into and report to the Council on matters within the ambit of the Council's responsibilities
- To provide advice to the Council
- To exercise, perform or discharge delegated powers, functions or duties

1.5 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 processes of internal control
- Set performance objectives
- Establish policies and processes for dealing with complaints, requests for service, and internal review of Council decisions
- Determine the type, range and scope of projects to be undertaken by the Council
- Deliver planning and development, dog and cat management, fire prevention and certain public health services
- Provide the necessary administrative services to support Council's functions

Other services and activities are provided through the decision making processes of Council in response to local needs, interests and aspirations of individuals and groups within the community to ensure that Council resources are used equitably.

These services include:

Roads and Footways	Stormwater Drainage
Cemeteries	Street Sweeping
Street Lighting	Public Conveniences
Streetscapes	Public Libraries
Fire Protection and Prevention	Parking Control
Waste Management and Recycling	Animal Management
Swim Centres	Environmental Health
Development Control	Community Buildings
Tourism Services	Child Care Services
Economic Development	Recreation and Sport Facilities
Parks and Reserves	Livestock Selling Facilities
Youth Services	Foreshore Management
Effluent Disposal (CWMS Schemes)	Aircraft Landing Facilities
Caravan Parks	Boat Launching Facilities

2. PUBLIC PARTICIPTION

Members of the public have a number of opportunities to put forward their views on particular issues before Council. These include:-

Deputations to Council – With consent from the Mayor, a member of the public can address Council personally on or behalf of a group of residents/interested persons.

Deputations/Presentations – With the consent of the Mayor, a member of the public can address the Council on any issues relevant to Council matter currently under consideration.

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 policy, activity or service.

Elected Members – Members of the public can contact the Elected Members of Council to discuss any issues relevant to Council.

Mayor and CEO Meetings – Meetings are held on a quarterly basis in Beachport, Millicent and Penola on a rotational basis. By appointment residents have an opportunity to discuss any issues relevant to Council.

Community Consultation/Engagement - The Wattle Range Council is committed to open, honest, accountable and responsible decision making. Council's Community Engagement Policy facilitates effective communication between Council and the community, encouraging community involvement and partnerships in planning and decision making. The policy sets out the steps Council will take in relation to public consultation and ensures

that the most cost effective methods of informing and involving the community, which are appropriate for specific circumstances and consultation topics, are used. The policy is available via Council's website at www.wattlerange.sa.gov.au.

3. ACCESS TO COUNCIL DOCUMENTS

3.1 Documents held by Council

Most information and documentation held by Council is available for public viewing and is readily available without recourse to the Freedom of Information Act and we invite you to discuss your information needs with us.

Records System: Council operates an electronic records and document management system for the effective management of Council's records.

Land and Property Information System: Council's Land and Property Information system contains property-related information (valuation, rates, ownership details) on each property in the Wattle Range Council area.

3.2 Policy documents available for inspection

At the time of publishing this statement the following documents can be accessed from Council's website and are available for public inspection at Offices of Council during business hours. Any new policy adopted by Council after publication of this statement will be similarly available.

Codes

- Code of Conduct for Council Employees (Local Government (General) Regulations)
- Code of Conduct for Council Members (Gazette)
- Complaints Handling Procedure (Under Code of Conduct for Council Members)
- Code of Conduct Council Assessment Panel
- Code of Conduct Public Access to Council and Committee Meetings and Associated Documents
- Code of Conduct for Volunteers
- Code of Practice Discretionary Procedures (Procedures at Meetings)
- Code of Conduct Child Safe Environment

Mandatory Policies

- Building Inspections Policy
- Caretaker Policy
- Caretaker Guidelines
- Community Engagement Policy
- Compliments and Complaints Handling Policy
- Complaints Handling Procedure
- Contracts and Tenders Sale of Assets Policy
- Elected Member Training & Development Policy
- Informal Gatherings Policy
- Internal Control Policy
- Internal Review of Council Decisions Policy
- Naming of Roads and Public Places Policy
- Order Making Policy
- Procurement Policy
- Prudential Management Policy
- Requests for Service Policy

Other Policies

- Access - Properties Policy
- Applications to Council for Funding Assistance Policy
- Asset Accounting Policy
- Asset Management Policy
- Australia Day Awards Policy
- Budget Reporting and Amendment Policy
- Cemeteries Policy
- Child Safe Environment Policy
- Council Logo Policy
- Customer Charter Sewerage Services
- Deputations to Council Policy
- Enforcement Policy – Unlawful Development
- Fees - Development Applications Policy
- Fencing - Council Contributions Policy
- Fraud & Corruption Prevention Policy
- General Approval for the Placement of Election Signs Guidelines
- General Environmental Policy
- Gifts & Benefits Guideline
- Guarantee of Community Loans Policy
- Hall & Facilities Hire Policy
- Hardship (for Residential Customers of Minor and Intermediate Retailers) Policy and Customer Charter Sewerage Services
- Health - Temporary Habitation Policy
- Healthy Eating Policy
- Internal Review of Council Decisions Policy
- Kerbside Waste and Recycling Collection Service Procedure
- Media and Online Communications Policy
- Millicent Stock Saleyards Quality Policy
- Mobile Food Vendors – Location Rules
- Mobile Food Vendors Policy
- Motor Vehicles Policy
- Outdoor Dining Policy
- Permits - Approval of Street Stalls, Raffles & Badge Days Policy
- Provision of Information Policy
- Rating Policy (Concessions and Rebates)
- Recording of Meetings Policy
- Records Management Policy
- Recovery of Outstanding Debt Policy
- Register of Interests Policy
- Risk Management Policy
- Roads - Contribution of the Provision of Policy
- Smokefree Workplace Policy
- Sponsorship of Events Policy
- Treasury Management Policy
- Tree Management Policy
- Used Relocatable Building Applications Policy
- Vulnerable Groups Policy
- Volunteer Policy
- Whistleblower Protection Policy
- Wood Encouragement Policy

3.3 Other Council Documents

Other documents which can be accessed on Council's website include:

- Animal Management Plan 2012-2017
- Annual Business Plan and Budget 2018/19
- Annual Reports since 2011/2012
- Asset Management Plan – Footways
- Asset Management Plan - Kerb
- Asset Management Plan – Plant and Equipment
- Asset Management Plan - Roads
- Council By-Laws
- Council and Committee Agendas
- Council and Committee Minutes
- Council Committee Charters/Terms of Reference
- Development Plan
- Fees and Charges Schedule 2018/19
- Long Term Financial Plan 2018-2027
- Roadside Native Vegetation Management Plan
- Strategic Plan 2018-2021

The following documents are available for public inspection or copies can be purchased from Council's Principal Office, 'Civic Centre', George Street, Millicent.

- Assessment Book
- Audited Financial Statements
- Community Land Register
- Council By-Laws Register
- Delegations Register
- Development Application Register
- Parking Control Register
- Register of Dogs
- Register of Elected Members – Allowances and Benefits
- Register of Employee's Salaries & Wages and Benefits
- Register of Public Streets and Roads
- Register of Interests
- Register of Gifts and Benefits
- Supplementary Development Plans
- Voters Roll

3.4 Other Information Requests

Requests for other information not publicly available will be considered in accordance with the FOI Act. Under this legislation, applicants seeking access to documents held by Council need to provide sufficient information to enable the correct documents to be identified and must complete the required application form and lodge it at the Council offices.

Applications must be in writing and must specify that it is made under Section 13 of the FOI Act.

If the documents relate to the applicant's personal affairs, proof of identity may be requested. Requests will be dealt with as soon as practicable (and in any case, within 30 days) after receipt. If documents are being sought on behalf of another person relating to their personal affairs, Council may ask for a consent form signed by that person.

Forms of access may include inspection or copies (subject to copyright laws) of documents, hearing and/or viewing of audio and/or video tapes, transcripts of

recorded documents, transcripts of words recorded in shorthand or encoded form, or the reproduction of documents from digitised information.

Council, on receiving a FOI application, may assist the applicant to direct the application to another agency or transfer the application to another agency if appropriate.

If Council refuses access to a document, the Council must issue a certificate stating why the document is a restricted document.

In some cases, retrieving the requested information involves considerable staff time. It is important to specify what is required as clearly as possible so staff can assist quickly and efficiently. If extraordinary staff time is required to comply with an information request, charges may apply.

All general enquiries on FOI Act issues should be directed to Council's Freedom of Information Officer.

4 FREEDOM OF INFORMATION APPLICATION FEES AND PROCESSING CHARGES

Approved application fees are set in the FOI (Fees and Charges) Regulations 2003. A cheque/money order/cash for the appropriate amount must be forwarded to Council with the Freedom of Information Application.

Processing charges may also apply for dealing with the application. These are set in the Freedom of Information Regulations and may include some free time when the request relates to the personal affairs of the applicant.

Schedule	Fees and Charges as at 1 July 2019
On application for access to an agency's documents (section 13(c))	\$36.75
For dealing with an application for access to an agency's document and in respect of the giving of access to the document (section 19(1)(b) and (c))—	
(a) in the case of a document that contains information concerning the personal affairs of the applicant—	
(i) for up to the first 2 hours spent by the agency in dealing with the application and giving access	No charge
(ii) for each subsequent 15 minutes so spent by the agency	\$13.80
(b) in any other case—for each 15 minutes so spent by the agency	\$13.80
Where access is to be given in the form of a photocopy of the document (per page)	\$0.20
Where access is to be given in the form of a written transcript of words recorded or contained in the document (per page)	\$8.25
Where access is to be given in the form of a copy of a photograph, x-ray, video tape, computer tape or computer disk the actual cost incurred by the agency in producing the copy	The actual cost incurred by the agency in producing the copy
Postage or delivery charges	The actual cost incurred by the agency
An application for review by an agency of a determination made by the agency under Part 3 of the Act	\$36.75

Fees will be waived for disadvantaged persons, as set in the Freedom of Information Regulations. i.e. No fee is required for current concession holders or if payment of the fee would cause financial hardship. At all times Council retains a discretion to waive, reduce or remit a fee for any reason it thinks fit.

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

The Freedom of Information Officer will endeavour to work with the applicant to define the scope of the request and the costs involved.

Freedom of Information requests to the Wattle Range Council are to be addressed to:

Freedom of Information Officer
Wattle Range Council
PO Box 27
MILLICENT SA 5280

Forms are available at all Council Offices or via the Wattle Range Council website.

5 **AMENDMENT TO COUNCIL RECORDS**

Under the Freedom of Information Act 1991, persons may request a correction to any information about themselves that is incomplete, incorrect, misleading or out of date.

To gain access to these Council records, a person must complete and lodge with Council an application form as indicated above outlining the records that he/she wishes to inspect.

If it is found that these require amendment, details of the necessary changes are to be lodged with Council's Freedom of Information Officer. There are no fees or charges for the lodgement, or the first two hours of processing of this type of application and where there is a significant correction of personal records and the mistakes were not the applicant's, any fees and charges paid for the original application will be fully refunded.



Ben Gower
CHIEF EXECUTIVE OFFICER

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