



Information Statement

Section 9 Freedom of Information Act 1991

July 2017

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Subject: 13.3.2

The City of Burnside Information Statement

This information statement is published by the City of Burnside in accordance with the requirements of Section 9 of the *Freedom of Information Act 1991 (SA)*.

An up to date information statement will be published every twelve months and is next due for review in July 2017.

1. Structure and Functions of Council

1.1 Council

The Council consists of 12 ward Councillors and the Mayor. It meets at the Civic Centre on the second and fourth Tuesday of each month at 7.00 pm unless otherwise determined.

The Council considers information, reports and recommendations which are prepared by the Administration to assist Council to make decisions on the budget, strategic planning, policies, and other civic matters.

Members of the public are welcome to attend Council and Committee meetings.

1.2 Committees

There are three Committees:

- Strategic Planning & Development Policy Committee
- Audit Committee
- CEO Recruitment, Performance Appraisal and Remuneration Review Committee (CEORPARRC)

For details of the Committees refer to their individual Terms of Reference.

1.2.1 Strategic Planning & Development Policy Committee

The Strategic Planning and Development Policy Committee is formed under Section 101A of the *Development Act, 1993*. This Committee provides advice to Council in accordance with the Planning Strategy, assists in undertaking strategic planning and monitoring and provides advice to Council in relation to strategic planning and development issues. The Committee consists of all Council Members, with the Mayor being the Presiding Member.

1.2.2 Audit Committee

The Audit Committee generally meets bimonthly at 6.00pm on a day to be specified by Audit Committee typically within February, April, June, August and November or as otherwise determined by Council (whether as the result of a motion upon notice in or an Officer's Report to Council). The date of the next Audit Committee is contained in the Minutes of the previous meeting and is promoted on Council's website.

The Audit Committee is comprised of two members of Council and two three independent members.

1.2.3 CEO Recruitment, Performance Appraisal and Remuneration Review Committee (CEORPARRC)

The CEORPARRC meets as required. The Committee's role is to perform the functions of a selection panel for the position of Chief Executive Officer, to monitor

the performance of the appointee, and review conditions of remuneration and employment on an annual basis.

The CEORPARRC consists of the Mayor and three Elected Members as nominated by Council.

1.3 Development Assessment Panel Meeting Times

On the first Tuesday of each month the Development Assessment Panel meets at 6:00pm in the Council Chambers.

The Development Assessment Panel (DAP) is comprised of three Council and four independent members. The DAP is established under Section 56A of the *Development Act 1993*, for the purpose of considering and making decisions on some types of development applications. In accordance with the Development Act, the Presiding Member of the DAP must not be an Elected Member or Council Officer.

Decisions made by the DAP are not subject to review by the Council. Where the *Development Act 1993* provides for an appeal against a decision of the DAP, that appeal must be filed in the Environment, Resources and Development Court in accordance with the *Development Act 1993*.

In October 2017 the DAP will be disbanded and the Council Assessment Panel (CAP) will commence under Section 83 of the *Planning, Development and Infrastructure Act 2016*. The CAP will undertake essentially the same role as the DAP but is a consequence of the transition from the *Development Act 1993* to the *Planning, Development and Infrastructure Act 2016*. The CAP will be comprised of one Council and four independent members.

1.4 Council Agendas and Minutes

Agendas of Council and Committee meetings are placed on display in the Council Office and in the Library no less than three clear days prior to the meetings. Minutes of the meetings are displayed in the Council Office and in the Library from five days after the meetings have taken place. Agendas and minutes are also available on the City of Burnside website at www.burnside.sa.gov.au.

Meetings are closed to the public only if a matter is considered in confidence under Section 90 of the *Local Government Act 1999*. Similarly, some agenda items, reports, attachments to reports and minutes may be retained in confidence by order of the Council under Section 91(7) of the *Local Government Act 1999* and therefore may not always be publicly available until expiry or revocation of that order.

For more details of Council meeting procedure refer to the "Code of Practice - Meetings and Documents – Access and Procedures".

1.5 Management

The Chief Executive Officer and other Officers have delegated authority from Council to make decisions on a number of specified administrative and policy matters. Delegated powers, functions, authorisations and duties are set out in Council's Record of Delegations and Council's Register of Authorised Officers.

Council's senior management comprises the Chief Executive Officer, three General Managers, five Group Managers and two Managers. Senior management is responsible for providing advice to Council on policy and strategic direction, ensuring that Council meets its statutory obligations, and implementing Council decisions. Staff carry out the regulatory and service functions.

2. Services to the Community

Full Council makes decisions on policy issues relating to services that are provided for members of the public.

The services which Council currently provides are:

- Building controls
- Car parks
- Clean air controls
- Community halls
- Dog control
- Environmental Health #
- Fire protection & prevention
- Flood control
- Home assistance
- Immunisation programs #
- Library services
- Litterbins
- Refuse collection & disposal*
- Parking controls
- Parks and reserves
- Planning controls
- Playground equipment
- Public toilets
- Recreational facilities
- Roads, footpaths & kerbing
- Stormwater drainage
- Street lighting
- Street trees
- Swimming centre
- Traffic control

Service provided through a separately constituted controlling authority – Eastern Health Authority

* Provided through Eastern Waste Management Authority

3. Public Participation

3.1 Council meetings

Members of the public have a number of opportunities to put their views on particular issues before Council.

These are:

3.1.1 Deputation to Council

Members of the public may make a Deputation to Council (Council Chambers, 401 Greenhill Road, Tusmore, South Australia) in accordance with the *Local Government (Procedures at Meetings) Regulations, 2013* and Council's Code of Practice – Meetings and Documents – Access and Procedures.

Members of the public may address the Council on a policy issue, general matters of concern to (or affecting the interests of) the City as a whole or a proportion of the residents thereof.

Persons who wish to address the Council should write to or email the Chief Executive Officer (CEO) who will refer the request to the Presiding Member. The Presiding Member may refuse to allow the Deputation before the meeting if the cause for the Deputation relates to:

- a procedural matter;
- development application;
- order, prosecution or expiation matter; or
- any other specific grievance that is not a policy issue or general matter of concern to (or affecting the interests of) the City as a whole or a proportion of the residents of the City;

unless that matter is the subject of a non-confidential report contained in the Agenda papers.

The Presiding Member and CEO will not make arrangements for any person to address the Council where some other method of expressing a viewpoint is more appropriate or if the Council has consulted, or intends to consult with its community.

If approved by the Mayor, the CEO will notify the Deputee in writing of the date and time of the meeting at which the Deputation will be heard.

If the Presiding Member refuses to allow a Deputation, the Deputee will be advised in writing accordingly. The Presiding Member will report the decision to the next meeting of the Council or Council committee.

The Council or Council Committee may resolve to allow a Deputation to appear despite a contrary ruling by the Presiding Member.

A Council may refer the hearing of a Deputation to a Council Committee.

The Mayor may not make arrangements for any person to address the Council on any development application, order, prosecution or expiation matter or any other specific grievance. Planning and building matters are dealt with by the Development Assessment Panel. Other matters should be addressed to the Chief Executive Officer.

Refer to Council's Website for a complete copy of the Code of Practice - Meetings and Documents – Access and Procedures for more information relating to Deputations.

3.1.2 Petitions

The *Local Government (Procedures at Meetings) Regulations 2013*, Regulation 10 and Council's Code of Practice - Meetings and Documents – Access and Procedures, requires that a Petition to the Council must be legibly written or typed or printed.

The Petition must clearly set out the request or submission of the petitioners on each page, including the name and address of each person who signed or endorsed the petition.

A written petition can be addressed to the Council on any issue within the Council's jurisdiction.

Refer to Council's Website for a copy of the Code of Practice - Meetings and Documents – Access and Procedures for more information relating to Petitions.

3.1.3 Written Requests

Members of the public can write to the Council on any Council activity, policy or service.

3.1.4 Elected Members and Staff

Members of the public can contact elected members and staff of the Council to discuss any issue relevant to Council.

3.1.5 Internal Review

A person who may have been aggrieved by a Council decision may request an Internal Review of the Council decision in accordance with Section 270 of the *Local Government Act 1999* and Council's Internal Review of Council's Decisions (Section 270) Procedures.

One application was received during 2016-2017 requesting an internal review of a Council decision. Members of the public may also lodge a complaint with the Ombudsman's Office or the Independent Commissioner Against Corruption through the Office of Public Integrity.

Refer to Council's Website for a copy of the Internal Review of Council's Decisions (Section 270) Procedures for more information relating to internal reviews.

3.1.6 Community Consultation

From time to time the City of Burnside consults with its residents and rate payers on particular issues which affect them. Consultations may utilise a number of methods to engage with the community, including public advertisements, leaflets, direct mail, web-based surveys, public meetings, statistically valid telephone surveys. The following are some examples from 2016-17:

- (1) Residents are notified of some Development Applications requiring approval by Council in accordance with the provisions of the *Development Act 1993*. When an application is publicly advertised, or when those who may be affected by the proposal are notified, residents have the opportunity to make a written submission to Council with their comments on the application or proposal.
- (2) Community Engagements and Surveys via the Council's website (engage.burnside.sa.gov.au) on particular issues including, but not limited to: Asset Management Plan, Council's Draft Business Plan and Budget 2017/18, New Roundabout Keyes Street and Torrens Street, Future of Conyngham Street Depot, Burnside Recreation Trail Strategy, Gurney Road Garden Rose Park; and the revision of Community Land Management Plans.
- (3) City of Burnside has instituted an Annual Community Survey to ascertain community views and preferences on its service levels in all areas of business. This has now been run for four years.
- (4) Public meetings such as those for Burnside's Annual Business Plan process, and Burnside's Annual Community Survey.

4. Access to Council Documents

- 4.1 Council documents are available for public inspection at the Council office located at 401 Greenhill Road, Tusmore SA 5065, between 8.30am and 5.00pm Monday to Friday and the Library where shown on the table below. Documents are also available on Council's website: www.burnside.sa.gov.au.

The Library is open during the following times:

Monday	9.30 am - 6.00 pm
Tuesday	9.30 am - 6.00 pm
Wednesday	9.30 am - 6.00 pm
Thursday	9.30 am - 9.00 pm

Friday 9.30 am - 6.00 pm
 Saturday 10.00 am - 4.00 pm
 Sunday 2.00 pm - 5.00 pm

(The Council office and library are closed on public holidays)

Members of the public may purchase copies of some of these documents and the charges are in Council's Fees and Charges Schedule 2017/18. Library Patrons may use the public computers to access and print public Council Documents (printing costs as per the Fees and Charges Schedule).

Document	Available at Customer Service	Available in Library (hard copy)
Council and Committee Agendas	Yes	Yes
Council and Committee Minutes	Yes	Yes
Council's Annual Business Plan	Yes	
Council's Annual Report (includes audited financial statements)	Yes	
Council Budget	Yes	
Council By-Laws	Yes	
Schedule of Fees and Charges	Yes	
Voters' Roll	Upon request to Rates Department. Voter's Roll may be viewed only	
Registers		
Authorised Officer Register	Yes	
Delegations Record	Yes	
Development Applications Register	Refer Planning Department	
Property Assessments Record	Cdesk laptop – viewed or may be purchased	
Register of By-Laws and Certified Copies	Yes	
Register of Campaign donations returns for: <ul style="list-style-type: none"> • 2006 periodic election • supplementary election 2007 (Eastwood & Glenunga) • supplementary election 2009 (Rose Park & Toorak Gdns) 	Yes	

<ul style="list-style-type: none"> • 2010 periodic election • 2014 periodic election 		
Register of Community Land	Yes	
Register of Dogs	refer Ranger Services	
Register of Elected Members Allowances and Benefits	Yes	
Register of Interests for Elected Members	Upon written request to the Chief Executive Officer	
Register of Interests for independent members of the Development Assessment Panel	Upon written request to the Chief Executive Officer)	
Register of Gifts and Benefits for Council Members	Yes	
Register of Gifts and Benefits for Employees, Staff and Associates	Yes	
Register of Land Management Agreements	Yes	
Register of Public Roads	Yes	
Register of Remuneration, Salaries and Benefits	Yes	
Plans / Strategies		
Adelaide Mount Lofty Ranges Interim Bushfire Management Area Plan	Yes	
Animal Management Plan	Yes	
Building Asset Management Plan	Yes	
Bushfire Management Plan	Yes	
Community Land Management Plans	Yes	
Development Plan	Yes	
Environment and Biodiversity Strategy	Yes	
Hub Precinct Strategy	Yes	
Long Term Financial Plan	Yes	
Open Space Asset Management Plan	Yes	

Open Space Strategy	Yes	
Playground Strategy	Yes	
Property Strategy	Yes	
Sport & Recreation Strategy	Yes	
Strategic Community Plan "Be the Future of Burnside 2025"	Yes	
Stormwater Asset Management Plan	Yes	
Transport Asset Management Plan	Yes	
Tree Management Strategy	Yes	Yes
Charters for subsidiaries		
Charter – Eastern Health Authority	Yes	
Charter – Eastern Waste Management Authority	Yes	
Charter – Highbury Landfill Authority	Yes	
Charter – ERA Water Regional Subsidiary	Yes	

4.2 Other Information Requests

Requests for other information not included in the table above will be considered in accordance with the *Freedom of Information Act 1991 (SA)*. Under this legislation the application fee must be forwarded with the completed request form unless the applicant is granted a fee exemption. The fees are set by the State Government and are reviewed each year.

Freedom of Information (FOI) request forms and a list of fees and charges applicable to requests are available from the Council office.

The form and the list of charges can also be downloaded from the Council's website at www.burnside.sa.gov.au or from the State Records website at www.archives.sa.gov.au

Freedom of Information enquiries and requests should be addressed to:

Freedom of Information Officer
City of Burnside
PO Box 9
GLENSIDE SA 5065

Applicants will be responded to as soon as possible and within the statutory 30 calendar days of Council receiving the properly completed FOI request form together with the application and search fees.

During 2016-2017 Council processed 17 Freedom of Information requests and provided its annual return to State Records.

Members of the public may apply under FOI for access to the Council's documents concerning his or her personal affairs and for amendment of those records. The application form can be obtained from the Council office or downloaded from the websites above.

POLICIES (as at the date of this Statement)

Access to Development Documentation Policy
Arts Cultural Development and Recreation Policy
Asset Management Policy

Bluestone Kerbing Policy
Building Inspection Policy
Bushfire Hazard Management Policy

Caretaker Policy
Cat Desexing Reimbursement Protocol
Chief Executive Officer Code of Conduct Complaint Handling Procedure
City of Burnside Flag Flying Policy
Closed Circuit Television (CCTV) and Recording Policy
Code of Conduct for Council Employees
Code of Conduct for Council Members
Code of Conduct for Volunteers
Code of Practice - Meetings and Documents – Access and Procedures
Community Access Inclusion and Participation Policy
Community Engagement (Public Consultation) Policy
Community Funding Policy
Community Gardens Policy
Complaint Handling Policy
Corporate Credit Card Policy
Council Member Code of Conduct Complaint Handling Procedures
Council Working Party Policy
Customer Service and Public Interaction Policy

Dealing with Disruptive Behaviours Policy
Development Delegations Policy
Discretionary Rebates of Rates Policy

Elected Members Leave of Absence Policy
Elected Members Policy
Elected Members' Training and Development Policy
Elected Members' Allowances and Benefits Policy
Election Signs Policy
Employees, Staff and Associates Gifts and Benefits Policy
Enforcement Policy
Environment and Biodiversity Policy

Fees and Charges (Non Rates) Policy
Fees and Charges (Non Rates) Waivers Discounts and Subsidies Policy
Financial Delegations Policy
Fixed Asset Financial Reporting Policy
Footpath Policy
Fraud and Corruption Prevention Policy

Garden Awards Policy
General Ledger Financial Information Policy
Guidelines and General Approval for the Placement or Affixation of Election Signs

Hedge Encroachment onto Road Reserve Policy
Hire of Community Open Space and Facilities Policy

Independent Commissioner Against Corruption (ICAC) – Awareness and Application Policy
Informal Gatherings Policy
Internal Financial Control Framework Policy
Internal Review of Council Decisions Section 270 Procedure

Kerbside Waste Management Policy

Leasing and Licensing of Community Facilities Policy
Library Policy
Light Fleet Management Policy
Lost and Found Property Policy

Magill Cemetery Policy
Media Policy

Naming of Public Places Policy

Open Space Council Policy
Order Making Policy

Parking Policy
Privately Funded Development Plan Policy
Procurement Governance Framework
Prudential Project Management Policy
Public Lighting Policy

Rating Policy
Records Management Policy
Regulated & Significant Tree Assistance Policy
Request for Service Policy
Risk Management Policy
Road and Traffic Management Policy

Sale or Disposal of Assets Policy
Social Media Policy
Sponsorship and Donation Policy
Streetscape Policy
Swimming Pool Inspection Policy

Taxation Policy
Telecommunications Facilities on Council Land Policy
Tenders and Contract Engagement Policy
Treasury Management Policy
Tree Management Policy

Unsolicited Proposal Treatment Policy
Use of Road Reserves for Commercial Purposes Policy

Verge Development Council Policy
Volunteers Policy

Ward Forums Policy
Water Sensitive Urban Design Policy
Watercourse Management Policy
Whistleblower Protection Policy

The above Policies are available to be downloaded, free of charge, from Council's website www.burnside.sa.gov.au .

The Policies are also available for inspection without charge at the Civic Centre during ordinary business hours and a copy may be purchased for a fee as set annually by Council. Enquiries and requests for inspecting and purchasing copies of policies should be directed to:

Customer Experience Officer
City of Burnside Civic Centre
401 Greenhill Road, Tasmore SA 5065
Telephone: 8366 4200
Fax: 8366 4299
Email: burnside@burnside.sa.gov.au
Office hours: Monday to Friday, 8.30am to 5.00pm (except public holidays)