

## FREEDOM OF INFORMATION

### TOWN OF GAWLER INFORMATION STATEMENT 2016

This Information Statement is published by the Town of Gawler in accordance with the requirements of Part 2 of Section 9 of the Freedom of Information Act, 1991 and Regulation 5 of the Freedom of Information (General) Regulations 2002.

The Town of Gawler is pleased to comply with the legislation and welcomes enquires from the public for information.

An updated Information Statement will be published on Council's website every 12 months and placed in Council's Annual Report.

This Information Statement is reflective of Council's administration as at 30 June, 2016.

## **1 STRUCTURE AND FUNCTIONS OF THE COUNCIL**

### **1.1 COUNCIL**

Full Council consists of a Mayor and ten (10) Council Members and is the peak decision making body on all policy matters. The following members were elected at the Council Election held in November 2014 for a term of 4 years

Mayor: Karen Redman  
Councillors: Ian Tooley (Deputy Mayor)  
Kevin Fischer  
Merylyn Nicolson  
Adrian Shackley  
Beverly Gidman  
Robin Symes  
David Hughes  
Paul Koch  
Jim Vallelonga  
Scott Fraser \*

*\*since deceased*

**Ordinary meetings of the Council** are held on the fourth Tuesday of each month commencing at 7pm. Meetings are held in the Town Hall Council Chamber, 89 Murray Street, Gawler. Special meetings are called as required.

Meetings are open to the public. The public will only be excluded when the need for confidentiality outweighs the principle of open decision making.

Council and Committee meeting times are listed below and published in the Council Diary on Council's website [www.gawler.sa.gov.au](http://www.gawler.sa.gov.au).

Any cancellations or additional meetings are advertised in the Council Diary on Council's website and by public notice on Council's public notice board in the Town Hall foyer.

Agendas for meetings (excluding confidential information) will be available on Council's website 3 days prior to the meeting. Minutes of meetings (excluding confidential information) will be available on Council's website 5 days after meetings.

## **1.2 SPECIAL MEETINGS OF COUNCIL**

Special Council Meetings may be held at any time and are generally held in the Council Chamber, Town Hall 89 Murray Street, Gawler.

Meetings are open to the public – and the public will only be excluded when considered proper and necessary, i.e. the need for confidentiality outweighs the principle of open decision making.

Agendas for meetings are required to be available to each Member of Council at least 4 hours before commencement of meetings. It is endeavoured to have Agendas (excluding confidential information) available on the Website in the same timeframe.

Minutes of meetings are required to be available to each Member of Council within 5 days after meetings. It is endeavoured to have minutes (excluding confidential information) available on this website in the same timeframe.

## **1.3 COMMITTEES**

A number of committees have been established to streamline the consideration of Council business in accordance with the requirements of the Local Government Act (Section 41):

### COUNCIL COMMITTEES

Corporate & Community Services Committee – held bi-monthly on the second Tuesday of the month at 7pm. (January / March / May / July / September / November).

Infrastructure & Environmental Services Committee – held bi-monthly on the second Tuesday in the month at 7pm. (February / April / June / August / October / December).

Members of the public are welcome to attend Committee meetings, which are held as listed or when required (unless there is a need for the public to be excluded when the need for confidentiality outweighs the principle of open decision making)

### OTHER COMMITTEES (under Local Government Act Section 41)

Chief Executive Officer Performance Management Panel (CEO PMP)  
Elderly Centre Advisory Committee (ECAC)  
Gawler Heritage Collection Committee (GHCC)  
Gawler Youth Advisory Committee (GYAC)  
External Funds Committee (EFC)

Meetings are open to the public – and the public will only be excluded when considered proper and necessary ie the need for confidentiality outweighs the principle of open decision making.

OTHER COMMITTEES (including Subsidiaries established in accordance with requirements of the Local Government Act)

Audit Committee (Local Government Act 199 - Section 126)  
Development Assessment Panel (Development Act - Section 34 & 56)  
Building Fire Safety Committee (Under Development Act)  
Gawler River Floodplain Management Authority (Local Government Act - Section 43)  
Northern Adelaide Waste Management Authority (Local Government Act – Section 43)

Meetings are open to the public – and the public will only be excluded when considered proper and necessary ie need for confidentiality outweighs the principle of open decision making

**1.4 INFORMAL GATHERINGS**

Informal gatherings, where appropriate, provide a valuable opportunity to enhance the decision-making processes of Council by providing opportunities for Council Members to become better informed on issues and seek further clarification.

Informal gatherings are not for the purpose of debating issues, building consensus positions or otherwise discharging Council's deliberative and decision-making functions.

Workshops and briefing sessions that are convened to consider matters that will form part of the Council's meeting agenda will be advertised and open to the public. A schedule of planned briefing sessions / workshops, and the matters to be discussed, will be published in the Council Diary on Council's website.

Informal gatherings will not involve a formal minute taking process.

**1.5 AGENDAS AND MINUTES**

Agendas of Council and Committee meetings are placed on public display no less than three days prior to meetings. Minutes are available for viewing within five days of that meeting and on Council's website [www.gawler.sa.gov.au](http://www.gawler.sa.gov.au).

**1.6 WORKING GROUPS**

Gawler Urban Rivers Biodiversity Working Group  
Reconciliation Action Plan (RAP) Working Group  
Social Infrastructure and Services Study Community Reference Group

Members of the public are welcome to attend

## 1.7 EXTERNAL COMMITTEES/BOARDS/ASSOCIATIONS

Council participates in a number of external committees, boards and associations comprising Council Members, staff and the public. Currently they are:

Adelaide and Mount Lofty Ranges Bushfire Management Committee  
 Australian Local Government Association  
 Barossa Sustainable Environs Committee  
 Barossa Zone Emergency Management Committee  
 Child and Youth Friendly Greater Gawler Action Group  
 Gawler & District College B-12 School Council  
 Gawler Business Development Group  
 Gawler Care and Share Group Inc.  
 Gawler Community (Neighbourhood) House  
 Gawler Community Road Safety Group  
 Gawler Community Services forum  
 Gawler District Health Advisory Council  
 Gawler Youth Workers Network  
 Jibba Jabba  
 Local Government Association of South Australia  
 Local Government Finance Authority  
 Metropolitan Local Government Group  
 Regional Development Australia Barossa  
 Suicide Prevention

## 1.8 DELEGATIONS

Under Section 44 of the Local Government Act the Council has delegated certain powers to the Chief Executive Officer who may sub-delegate to staff members. Delegated Authority is reviewed annually. Council maintains a register of such delegations.

## 2 SERVICES FOR THE COMMUNITY

In accordance with Council's Service Range Policy, the following services are provided.

Category	Service	Description of activities
<b>Legislative</b>	Elected Members	Support the Elected member body of Council
	Financial Services	Financial management of Council's operations
	General Administration	Manage and administer general operations of the Council
	Other Environmental Services	Various environmental initiatives, State Govt NRM Levy collection & payment
	Rates Administration	Administer rating activities and collection of outstanding rates
	Records Management	Manage Council records in accordance with State Records Act

FREEDOM OF INFORMATION

TOWN OF GAWLER INFORMATION STATEMENT 2016

Category	Service	Description of activities
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<b>Regulatory</b>	Building Control	Assess and administer compliance with Building Rules
	Dog & Cat Control	Compliance with Dog & Cat Management Act
	Emergency Services	Compliance with Fire & Emergency Services Act
	Other Regulatory Services	Impounding of abandoned vehicles
	Parking Control	Compliance with Expiation of Offences Act
	Preventive Health Services	Compliance with Public & Environmental Health Act and Food Act
	Town Planning	Compliance with Development Act

<b>Core</b>	Car Parks	Provision and maintenance of Car Parks
	Communication & Marketing	Proactive dissemination of Council information to the community
	Community Assistance (Volunteer Services)	Support volunteer activities (e.g. Graffiti Removal team, Volunteer Resource Centre, etc)
	Community Centres & Halls	Maintenance of facilities
	Community Support	Support local community events (e.g. Australia Day breakfast & Awards, Gawler Show, Fringe Festival etc.) and provision of various Community Grants
	Customer Service	Provision of high quality customer services
	Depot	Administration of outdoor staff and associated facilities
	Elderly Centre	Maintenance of Elderly Centre
	Engineering Services	Design/deliver capital works programs, Asset Management Plan
	Gawler Aquatic Centre	Maintain swimming pool in accordance with community health standards, provide various Swim related programs and activities
	Heritage	Maintenance of local heritage collection
	Human Resources	Manage and administer Council's Human Resources
	Information Technology	Manage Council's IT software/hardware
	Library	Provision of Library services
	Litter Control	Collection and disposal of waste from litter bins
	Occupancy	Administer and manage Bldg maintenance programs
	Other Activities (not elsewhere classified)	Weedspraying / mowing of road reserves, removal of dumped rubbish
	Parks & Gardens	Maintenance of facilities in accordance with service standards (including playgrounds)
	Pest Control	Effective pest/vermin control services
	Plant & Machinery	Maintain fleet vehicles and machines in good order
	Public Conveniences	Maintenance of public conveniences
	Roads	Programmed maintenance of Council's road network - including roads, bridges, footpaths, kerb & gutter
	Sports Facilities - Indoor	Gawler Sports & Community Centre
	Sports Facilities - Outdoor	Maintenance of sporting surfaces and facilities
	Stormwater Drainage	Maintenance of stormwater drainage infrastructure

## FREEDOM OF INFORMATION

### TOWN OF GAWLER INFORMATION STATEMENT 2016

Category	Service	Description of activities
	Street Cleaning	Programmed streetsweeping of urban roads
	Streetlighting	Facilitate community safety through appropriate streetlighting
	Streetscaping	Maintain urban streetscapes
	Traffic Management	Maintain traffic control signs and infrastructure to Australian Standards
	Waste Management	Collection and disposal of kerbside waste
<b>Non-Core</b>	Caravan Park	Administer lease of Caravan Park
	Willaston Cemetery	Maintenance of facilities
	Children & Youth Services	Support delivery of youth related activities and events (e.g. Youth Week, Gawler Youth Advisory Committee)
	Crime Prevention	Maintenance of CCTV systems
	Home Assistance Scheme	Support provision of Government-funded program
	Immunisation	Support delivery of immunisation programs
	Investment Properties	Manage Council's property portfolio
	Regional Development	Support regional based programs and initiatives
	Support to Local Businesses	Support the Gawler Business Development Group
	Tourism	Gawler Visitor Information Centre

### 3 **PUBLIC PARTICIPATION**

#### 3.1 **COUNCIL MEETINGS**

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

- a) Deputations – People wishing to appear at a meeting of Council, or Committee, need approval in advance to attend a meeting. A written request to the Chief Executive Officer including a summary of the deputation should be received, no later than 2 weeks prior to the meeting date. There is 5 minutes set aside for each deputation.
- b) Petitions – Council will receive and consider Petitions at meetings and recommend they are presented in the correct format (as listed on Councils Website).
- c) Written Requests – A member of the public can write to the Council regarding any Council policy, activity or service.
- d) Council Members – Citizens can contact the elected body of Council to discuss any issue relevant to Council.
- e) Public Open Forum – This session provides an opportunity for people in the gallery to make a statement to Council or to ask questions. The Public Open Forum has a time limited of up to 20 minutes. The time available will be allocated to the speakers on an equal basis with the provisions of a maximum 5 minutes per speaker. Any extension will need the leave of the Council. Therefore, if there are five (5) people that want to participate in the Public Open forum then a maximum of 4

## FREEDOM OF INFORMATION

### TOWN OF GAWLER INFORMATION STATEMENT 2016

minutes each will be allocated. The Mayor will ask at the meeting for the names of people wishing to participate in the Public Open Forum.

- f) Staff Members – Citizens can contact Council staff to discuss any issue relevant to Council.

### **3.2 PUBLIC CONSULTATION POLICY**

The purposes of this Policy is to outline the principles and procedures that Council will follow to involve the community in planning and decision making in the local area, and to ensure accountability of the Council to the community through effective communication and consultation strategies.

The principles underpinning this policy are:

- The community has a right to be involved in, and informed about, decisions affecting their area
- Community involvement in Council decision making will result in greater confidence in the Council and responsible decision making
- Council decision making should be open, transparent and accountable
- The Council recognises that the level of consultation with the community will vary depending on the community interest in the topic, the number of persons potentially affected by the topic and the requirements for consultation set out in the Act for specific topics.
- The Council's desire to balance community views and interests with the other influences such as budgetary constraints
- The community has a right to be informed and to influence decisions which affect their lives.

Council consultation involves seeking and receiving feedback, as well as providing information. Consultation with residents can take a variety of forms including:

- a) hand delivered or posted circular letters
- b) letters personally addressed to individuals, including questionnaires
- c) street meetings or local area meetings
- d) various pamphlets or publications
- e) telephone sample surveys

## **4 ACCESS TO COUNCIL DOCUMENTS**

### **4.1 POLICY DOCUMENTS AVAILABLE FOR INSPECTION**

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

**POLICY MANUAL** – updated prior to July 2016

#### **Section 1 - MEETINGS**

- 1.1 Code of Practice for Council Meeting Procedures
- 1.2 Code of Practice for Access to Council & \$0.80 p/page

## FREEDOM OF INFORMATION

### TOWN OF GAWLER INFORMATION STATEMENT 2016

#### Committee Meetings & Council Documents

\$0.80 p/page

- 1.3 Code of Practice for Committee Meeting Procedures
- 1.4 Code of Practice for Working Groups

#### **Section 2 - MANDATORY POLICIES**

- 2.1 Order making policy
- 2.2 Internal Review of a Council decision policy
- 2.3 Public consultation Policy
- 2.4 Procurement Policy
- 2.5 Audit and Controls Policy
- 2.6 Building Inspection and Swimming Pool Policy
- 2.7 Caretaker Policy (Elections)
- 2.8 Prudential Management
- 2.9 Disposal of Land and Assets Policy
- 2.10 Requests for Services Policy
- 2.11 Complaints Policy
- 2.12 Building Fire Safety Policy

#### **Section 3 - COUNCIL MEMBERS**

- 3.1 Information Technology support for Council Members Policy
- 3.2 Informal Gatherings
- 3.3 Mayor Seeking legal advice Policy
- 3.4 Council Members Allowances and benefits Policy
- 3.5 Equality of information provision to Council Members Policy
- 3.6 Training and development for Council Members Policy
- 3.7 Supplementary Election Policy
- 3.8 Induction for New Councils Policy

#### **Section 4 - GENERAL**

- 4.1 Acting Chief Executive Officer Appointment Policy
- 4.2 Resource sharing
- 4.3 Risk Management
- 4.4 Safe Environment Policy
- 4.5 Volunteer Management
- 4.6 Records Management
- 4.7 Whistleblower Protection Policy
- 4.8 Fraud and Corruption Prevention Policy
- 4.9 Town of Gawler Brand
- 4.10 Environment Policy
- 4.11 Ombudsman Enquiry and Investigation Management
- 4.12 Social Media
- 4.13 Code of conduct for Volunteers
- 4.14 Code of Conduct for Council Subsidiary Employees

#### **Section 5 - COMMUNITY**

- 5.1 Community Development Grant



## FREEDOM OF INFORMATION

### TOWN OF GAWLER INFORMATION STATEMENT 2016

- 5.7 Sporting and Community Club Organisations Agreement schedule for ground leases - exclusive right
- 5.8 Sporting & Community Club Organisations agreement schedule for leases - Exclusive Rights
- 5.9 Sporting Clubs Associations Agreement Schedule for Shared Facilities leases
- 5.10 Hire of Council Owned Facilities Policy

#### **Section 6 - FINANCE**

- 6.1 Budget Management
- 6.2 Light Fleet, Plant & Heavy Vehicle Replacement and Management
- 6.3 Use of Council Vehicles
- 6.4 Treasury Management Policy
- 6.5 Funding Policy
- 6.6 Corporate Credit Card Policy
- 6.7 National Competition Policy and Complaints Mechanism
- 6.8 Strategic Rating Policy
- 6.9 Asset Capitalisation Policy
- 6.10 Rate Rebates Policy
- 6.11 Debtor Management Policy
- 6.12 Depreciation
- 6.13 Service Range Policy
- 6.14 Community Loans Policy
- 6.15 Service Level Policy – Rates Administration
- 6.16 Service Level Policy – Finance
- 6.17 Service Level Policy – Records Management
- 6.18 Service Level Policy – Preventive Health Services
- 6.19 Service Level Policy – Parking Control

#### **Section 7 - ROADS & FOOTPATHS**

- 7.1 Flags and Banners
- 7.2 Car Parking and Traffic Control – Gawler Show Days
- 7.3 Entranceways – Provision Policy
- 7.4 Town Centre Footpath Designs
  
- 7.6 Footpath and Cycleways Policy
- 7.7 Landscaping Verge Areas (Footways) by Residents Policy
- 7.8 Property Numbering – Uniform Numbering on Road Kerbing Policy
- 7.9 Naming of Public Places Policy
- 7.10 Stobie Poles - Painting Policy
- 7.11 Naming of Roads Policy
- 7.12 Street Tree Planting for New Land Divisions Policy
- 7.13 Street Trees – Removal Policy
- 7.14 Tree Management Policy

#### **Section 8 - PLANNING & DEVELOPMENT**

## FREEDOM OF INFORMATION

### TOWN OF GAWLER INFORMATION STATEMENT 2016

- 8.1 Council's Boundary Adjustments– Principles for Gawler Policy
- 8.2 Caravans on Building Allotments – Occupation of Caravans on Vacant Land Policy
- 8.3 Compliance Development Act – Planning - Policy
- 8.4 Development Delegations Policy
- 8.5 Rural Green Belt Policy
- 8.6 Heritage Development Policy
- 8.7 Land Divisions – Indentures, Bonds & Bank Guarantees Policy
- 8.8 Licensed premises – Liquor Licence and Gaming Policy
- 8.9 Land Development Promotional and Directional Signs on Council Property Policy
  
- 8.12 Third Party Advertising on Council Reserves Policy
- 8.13 Sustainable Urban Development and Infrastructure Funding Policy
- 8.15 Outdoor Dining Policy
- 8.16 Town Centre Car Parking Strategy Policy
- 8.17 Busking
- 8.18 Proponent-Funded Development Plan Amendments Policy

#### **Section 9 - COUNCIL SERVICES**

- 9.2 Library Service
- 9.3 Sport and Recreation
- 9.4 Willaston Cemetery – Services Offered and Fee Policy

#### **Section 10 - ASSET MANAGEMENT**

- 10.1 Asset Management Policy
- 10.2 Stormwater (Watercourse) Management Policy

#### **Section 11 - INSPECTORIAL**

- 11.1 By-law Enforcement – Fines Policy
- 11.2 Dog Registrations Policy
- 11.3 Code of Practice Shopping Trolleys - Abandoned
- 11.4 Wood Collection from Council Property Policy
- 11.5 Expiations Policy

## **4.2 OTHER COUNCIL DOCUMENTS**

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

- Animal Management Plan
- Annual Budget / Business Plan
- Annual Financial Statements
- Annual Report
- Asset Management Plans
- Community Land register
- Council & Committee Agendas / Minutes
- Council By-Laws
- Customer Service Charter
- Community Plan 2014-2024
- Development Plan
- Environmental Management Plan
- Fees & Charges Register
- Gawler Open Space, Sport & Recreation Plan
- Monthly Finance Reports
- Long Term Financial Plan
- Quarterly Budget Reviews

## **4.3 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 office.

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.

FREEDOM OF INFORMATION

TOWN OF GAWLER INFORMATION STATEMENT 2016

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

**4.4 FREEDOM OF INFORMATION APPLICATION FEES AND PROCESSING CHARGES**

Approved application fees are set in the FOI (Fees and Charges) Regulations 2003. Payment of 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.

<b>Schedule</b>	<b>Fees and Charges as at 1 July 2016</b>
On application for access to an agency's documents (section 13(c))	\$33.50
For dealing with an application for access to an agency's documents 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 (b) in any other case—for each 15 minutes so spent by the Council	No charge  \$12.50  \$12.50
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)	\$7.55
Where access is to be given in the form of a copy of a photograph, video tape, computer tape or computer disk the actual cost incurred by the Council in producing the copy	The actual cost incurred by the Council in producing the copy
Postage or delivery charges	The actual cost incurred by the Council
An application for review by an agency of a determination made by the agency under Part 3 of the Act (Section 29(2)(b))	\$33.50

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 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

## FREEDOM OF INFORMATION

### TOWN OF GAWLER INFORMATION STATEMENT 2016

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 application forms are available at the Council Office at 89 Murray Street Office or on Council's website [www.gawler.sa.gov.au](http://www.gawler.sa.gov.au). Enquiries or requests should be addressed to:

Freedom of Information Officer  
Town of Gawler  
P O Box 130  
GAWLER SA 5118

Applications will be responded to as soon as possible within the statutory timeframe of Council receiving the properly completed Freedom of Information request form, together with application search fees.

## **5 AMENDMENT OF 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.

**Henry Inat**  
**Chief Executive Officer**  
**Date: 30 June, 2016**