

Freedom of Information Statement

2023 - 2024

1. Introduction

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) (FOI Act).

The information statement will be updated every 12 months and the next review will occur in June 2023.

Subject to certain restrictions, the FOI Act gives members of the public a legally enforceable right to access information held by South Australian (Local) Government agencies such as Councils.

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.

2. Structure and Functions of Council

2.1 Composition of Council

The Council consists of a principal member (the Mayor) and 12 ward councillors. The Council is divided into 6 wards – Beaumont, Burnside, Eastwood & Glenunga, Kensington Gardens & Magill, Kensington Park and Rose Park & Toorak Gardens Ward. Each ward is represented by two councillors with the Mayor representing the whole city.

Access to Council Member details is available from [Council's website](#).

Council elections are held every four years with the next election due November 2026.

Council and committee meetings are public meetings where the Council considers reports, information and recommendations from Council administration to assist with Council decision making. This includes matters such as policies, budgeting, community engagement and strategic planning. Council administration implements the decisions of Council and performs daily operations under the direction of the Chief Executive Officer

The LG Act is the primary legislation for the operation of Local Government in South Australia. The provisions of the LG Act are supported by the *Local Government (General) Regulations 2013* and the *Local Government (Procedures at Meetings) Regulations 2013*. These regulations apply to all Council Committees with the exception of the Council Assessment Panel

which is established in accordance with the provisions of the *Planning, Development and Infrastructure Act 2016*.

2.2 Council Committees

Council Committees are established under Section 41 of the LG Act. Committees assist the Council in the performance of functions and provide an opportunity to address issues and projects in greater detail. Reports and recommendations are then directed to Council at Ordinary Council Meetings for a final decision or resolution.

The membership of all Council Committees and their terms of reference or charters are determined by Council and reviewed as part of the Committee review process, with some Committees holding delegation to amend their charter. Council Committee meetings occur on a scheduled basis determined by Council.

Special Council Meetings may be called to address a specific matter when a decision of Council is required before the next Ordinary Council meeting.

2.2.1 Audit & Risk Committee

The Audit & Risk Committee is formed under Section 41 of the LG Act, for the purposes of Section 126 of the LG Act and in compliance with Regulation 17 of the *Local Government (Financial Management) Regulations 2011* and generally meets bimonthly during the third week of the month at 6.00pm.

The Audit & Risk Committee meets quarterly.

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

View the [Meetings Timetable](#) and [Committee Terms of Reference](#) for information regarding upcoming meetings and membership.

2.2.2 CEO Review Committee

The CEO Review Committee 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 CEO Review Committee consists of the Mayor and three Elected Members as nominated by Council.

View the [Meetings Timetable](#) and [Committee Terms of Reference](#) for information regarding upcoming meetings and membership.

2.2.3 Council Assessment Panel (CAP)

The Council Assessment Panel is established pursuant to Section 83 of the Planning, Development and Infrastructure Act 2013. The Panel is comprised of 4 independent members and one elected member.

The Council Assessment Panel meets monthly on the first Monday of each month, at 6.00pm in the Council Chambers, 401 Greenhill Road, Tusmore.

View the [Meetings Timetable](#) and [Committee Terms of Reference](#) for information regarding upcoming meetings and membership.

2.3 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 5 regional subsidiaries.

2.3.1 Brownhill Keswick Creek Stormwater Project

The Brown Hill Creek Stormwater Project has been a collaborative undertaking by the catchment councils (Cities of Adelaide, Burnside, Mitcham, Unley and West Torrens) to develop a Stormwater Management Plan (SMP). The scope and complexity of the plan are such that it could only be delivered effectively and efficiently by the five councils working collaboratively through a single entity.

The Councils have therefore established the Brown Hill and Keswick Creeks Stormwater Board as a regional subsidiary to co-ordinate delivery of the SMP. Implementation of the plan will mitigate serious flood risks and help safeguard properties across the catchment.

2.3.2 ERA Water Regional Subsidiary

ERA Water Regional Subsidiary is made up with the other Councils of City of Norwood, Payneham and St Peters and the Town of Walkerville.

The purpose of ERA Water is for Aquifer Storage and Recovery (ASR) - a system of harvesting, cleaning and injecting the cleaned water into aquifers for later. This allows Council to capture, treat, store and deliver stormwater for irrigation purposes at a cheaper rate than purchasing water from SA Water.

2.3.3 Eastern Health Authority Inc. (EHA)

The City of Burnside is one of five Councils of the Eastern Health Authority Inc. (EHA) The other Councils are Campbelltown, Norwood,

Payneham and St Peters, Prospect and Walkerville. The Charter specifies the roles and responsibilities of the Authority. The principal activity of the authority is to provide public and environmental health services to the member Councils. Please refer to the [Eastern Health Authority website](#) for additional information.

2.3.4 Eastern Waste Management Authority Inc. (East Waste)

The member Councils of East Waste are Burnside, Norwood, Payneham and St Peters, Walkerville, Mitcham, Campbelltown, Adelaide Hills. The Charter specifies the roles and responsibilities of the authority. The principal activity of the authority is to collect and dispose of each Council's garbage. Please refer to the [East Waste website](#) for additional information.

2.3.5 Highbury Landfill Authority

The City of Burnside is one of three member Councils of the Highbury Landfill Authority. The other member Councils are: Norwood, Payneham and St Peters and Walkerville. The Charter specifies the roles and responsibilities of the authority. The role of the Authority is to oversee and fund the rehabilitation of the Highbury Landfill site.

2.4 Agendas and Minutes

All Council, Committees and Council Assessment Panel meeting notices, agendas and minutes are available on the City of Burnside website, no less than 3 clear days prior to the meeting.

Minutes of a meeting are available within 5 days after the meeting has taken place.

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.

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 two Codes of Practice covering Access to Meetings and documents and Procedures at Meetings. The [Code of Practice – Access to Meetings and Documents](#) relates to the principles, policies, procedures and practices that the Council applies for the purposes of sections 90 and 91.

All Council, Council Assessment Panel and Committee meeting notices, agendas and minutes, as well as the live stream of Council meetings, can be accessed on the Council website.

View [agendas and minutes](#) and [Council Meetings live stream](#) online.

2.5 Delegations

The Chief Executive Officer has delegated authority from the Council to make decisions on a number of specified administrative and policy matters. The Chief Executive Officer 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 which is available on Council's website.

View the [Delegations Register](#).

2.6 Functions of Council

The functions of council are set out in section 7 of the *Local Government Act 1999* (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 benefit its area, its ratepayers and residents, and visitors to its area;
- (ba) to determine the appropriate financial contribution to be made by ratepayers to the resources of the council;
- (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 (including infrastructure that helps to protect any part of the local or broader community from any hazard or other event, or that assists in the management of any area);
- (g) to promote its area and to provide an attractive climate and locations for the development of business, commerce, industry and tourism;
Local Government Act 1999—20.9.2021 Chapter 2—The system of local government 2 Published under the Legislation Revision and Publication Act 2002
- (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 an Act.

3. Services to the Community

Council makes decisions on policy issues relating to services that are provided to the community. These services currently include, but are not limited to:

- Animal Control
- Arts & Culture Programs
- Asset Maintenance
- Bike Trails
- Building Inspections & Controls
- Bushfire Prevention
- By-Laws
- Community Centres and Halls
- Community Engagement
- Community Transport
- Community Services
- Compliance and Enforcement
- Environmental Health
- Environmental Initiatives
- Library services
- Local History
- Ovals and Playing Fields
- Parks and Reserves
- Pepper Street Arts Centre
- Planning and Building
- Playgrounds
- Recycling
- Stormwater Management
- Street Lighting
- Swimming Pool
- Tennis Courts
- Traffic Management
- Volunteer Programs
- Walking Trails
- Waste Management
- Youth Advisory Committee

For more information about the services council provides go to [Council's website](#).

4. Public Participation

Members of the public are welcome to attend Council and Committee meetings. The community and/or individuals have a number of ways to put their views on particular issues to Council.

4.1 Deputations & Petitions

Deputations and petitions are an important part of the decision making process of the Council. Information on how to lodge a petition or make a deputation including relevant forms can be assessed on [Council's website](#).

4.2 Written Requests

Members of the public can write to Council regarding any Council policy, activity, project, or services.

Postal Address: PO Box 9, Glenside SA 5065

Email: burnside@burnside.sa.gov.au

4.4 Council Members

Members of the public can contact the Mayor or their local ward Council Member to discuss any issue relevant to council. Contact details for the Mayor or Councillors can be found on [Council's website](#).

4.5 Community Consultation

The City of Burnside consults with the community on particular issues which affect their neighbourhood and has adopted a Public Consultation Policy to assist with this process.

Council seeks to ensure that the needs and interests of individuals and groups are considered as part of an effective and fair decision making process and that a proper balance is achieved between economic, social, environmental and cultural considerations. Consultations with residents can take a variety of forms including:

- Hand Delivered or posted circular letters
- Letters personally address to individuals, including questionnaires
- Public meetings may be called to advise residents and provide opportunity for feedback
- Advertising in local newspapers
- Various Pamphlets or Publications
- Burnside Focus – Council Publication
- Publication of information on Council Website
- Information displayed at Council Offices
- Call for submissions to Council
- Presentations to Special Interest Groups

View the [Community Engagement \(Public Consultation\) Policy](#)

4.6 Social Media

Council maintains Facebook, Instagram and Twitter accounts whereby the Community can interact with staff members to inform, communicate or provide feedback on a range of issues. Key Council pages are:

Facebook: <https://www.facebook.com/CityOfBurnside>

Twitter: <https://twitter.com/CityofBurnside>

YouTube: <https://www.youtube.com/user/CityOfBurnside>

5. 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. Details of fees and charges that apply are available via [Council's website](#).

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.

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.

5.1 Council documents available for public inspection

The Council publishes all of its [by-laws](#), [policies](#) and [registers](#) on the council website ensuring that they are available to the public.

In addition to the above, the live streams of council meetings are available on Council's website. Discussions of confidential matters are excluded from these recordings.

Members of the public may purchase copies of some of these documents and the charges are set out in the Fees and Charges Schedule on Council's website.

Enquiries concerning the procedures for inspecting and purchasing the Council policy documents should be made to Customer Service.