



FREEDOM OF INFORMATION STATEMENT

Prepared 1 December 2022

1. Introduction

This information statement is published by the Whyalla City Council 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 December 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 the Council

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. Special meetings and informal gatherings can also be held, with all meetings being open to the public. Documentation for each meeting is available through Council's Civic Building, website and Facebook page.

2.1 Composition of Council

The Council consists of the Mayor and nine (9) Councillors.

Ordinary meetings of the full Council are held on the third Monday of each month commencing at 5.30 pm. In the case of a public holiday falling on the scheduled date of a meeting the meeting will be held on the Tuesday directly following the scheduled meeting date.

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.

Council has two section 41 Committees which are:

2.2.1 Audit and Risk Committee

This is a mandatory committee pursuant to section 126 of the *Local Government Act 1999*. The Audit and Risk Committee plays a critical role in reviewing the financial reporting framework, including the Annual Business Plan and Budget along with Council's Risk Management Framework, Strategic Plan and receiving reports from Council's Auditors. The Audit and Risk Committee must meet at least quarterly and membership comprises a majority of persons who are not a member of any Council.

2.2.2 Chief Executive Officer Review Panel

The Chief Executive Officer's Review Panel was established by way of Council resolution in November 2021 as a section 41 Committee to facilitate the annual CEO performance review. Undertaking an annual CEO performance review is a requirement as per section 102A of the *Local Government Act* which also requires the Council to obtain and consider the advice of a qualified independent person.

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.

2.3.1 Eyre Peninsula Local Government Association (EPLGA)

The City of Whyalla is one of eleven (11) member councils of the Eyre Peninsula Local Government Association (EPLGA). The other member councils are Ceduna, Cleve, Elliston, Franklin Harbour, Kimba, Lower Eyre Peninsula, Port Lincoln, Streaky Bay, Tumby Bay and Wudinna.

The EPLGA is a membership organisation which provides service and leadership relevant to the needs of member councils. Further information can be found [here](#).

2.4 Agenda and Minutes

Agendas are available from the Whyalla City Council website no less than three (3) clear days prior to the meeting. Minutes of a meeting are available from the website within five (5) days of a meeting being held.

Members of the public are welcome to attend a Council meeting either in person or via livestreaming. Livestreamed meetings are recorded and available via Council's website. Special meetings of Council and its committees can be called with four hours' notice. On these occasions, agendas are made available as soon as practicable after the 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.

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.

The delegations register is available [here](#).

3. Services for the community

Council makes decisions on policy issues relating to services that are provided to the community.

These services include, but are not limited to:

- Airport
- Animal control
- Arts and culture
- Asset maintenance
- Bicycle and pedestrian tracks
- By-laws
- Child Care
- Cemetery & Crematorium
- Community engagement
- Community halls and centres
- Community services
- Compliance and enforcement
- Environmental Health
- Library services
- Ovals & playing fields
- Parks & Reserves
- Planning & Building
- Playgrounds
- Point Lowly Lighthouse & Cottages
- Recreation and Leisure Centre
- Roads, footpaths & kerbing
- Stormwater management
- Street sweeping
- Street tree planting
- Tourism
- Traffic control
- Visitor Centre
- Youth Development

For more information about the services council provides please go to our website -

www.whyalla.sa.gov.au

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/Presentations

With the approval of the committee Chairperson or the Mayor, a member of the public can address a committee or the Council personally, or on behalf of a group of residents.

4.2 Public Question Time

Council will allocate a maximum of fifteen minutes to Public Question Time during a Council Meeting. Submissions of Public Question Time questions are to be received by the Chief Executive Officer by 12 noon of each Ordinary Council meeting day. All persons submitting a public question are required to complete a Public Question Time template, the template form is available from the Council office or on the website www.whyalla.sa.gov.au. No verbal questions will be permitted at the time of the Ordinary Council meeting. Public Question Time questions and responses are included in the Council minutes of that meeting.

4.3 Petitions

Written petitions can be addressed to the Council on any issue within the Council's jurisdiction.

4.4 Written Requests

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

Postal address: PO Box 126, WHYALLA SA 5600

Email: council@whyalla.sa.gov.au.

4.5 Council Members

Members of the public can contact the Mayor or one of the Council Members to discuss any issue relevant to council. Contact details can be found on our website www.whyalla.sa.gov.au.

4.6 Council Elections

All residents on Council's Voters Roll are able to vote in Council Elections. The next periodic election is due in November 2026.

4.7 Community Consultation

Council has a [Public Consultation Policy](#) which confirms council's commitment to facilitate effective consultation and encourages community involvement through partnerships in planning and decision-making.

In carrying out its consultation process, Council applies the following principles:

1. Members of the community have a right to be informed about issues affecting their area and their lives and to influence Council's decisions about these;
2. Community interest will vary depending on the issue and the number of people affected, and Council's level of consultation will reflect this;
3. Community involvement in Council decision-making should result in greater confidence in the Council and responsive decision making;
4. Council decision-making will be open, transparent and accountable

Consultation with residents can take a variety of forms including:

- Direct mail (either hard copy or email)
- Letters personally addressed to individuals, including questionnaires
- Council officers attend and provide displays and information at significant public events
- Public meetings may be called to advise residents and provide opportunity for feedback
- Advertising in the Whyalla News
- Various pamphlets or publications
- Publication of information on Council's website www.whyalla.sa.gov.au
- Information displayed at Council Offices
- Call for submissions to Council
- Presentations to Special Interest Groups
- The fortnightly Whyalla Council Show on local community radio station Triple Y

4.7 Social Media

Council maintains Facebook, Instagram, LinkedIn and Twitter accounts, as well as a City of Whyalla YouTube channel.

Key Council pages are:

Facebook: [@whyallacitycouncil](https://www.facebook.com/whyallacitycouncil)

[Facebook.com/whyallacitycouncil](https://www.facebook.com/whyallacitycouncil)

Twitter: [@CityofWhyalla](https://twitter.com/CityofWhyalla)

[Twitter.com/cityofwhyalla](https://twitter.com/cityofwhyalla)

Instagram: [@whyallacitycouncil](https://www.instagram.com/whyallacitycouncil)

[Instagram.com/whyallacitycouncil](https://www.instagram.com/whyallacitycouncil)

LinkedIn: [@City_of_Whyalla](https://www.linkedin.com/company/city-of-whyalla/)

[linkedin.com/company/city-of-whyalla/](https://www.linkedin.com/company/city-of-whyalla/)

Youtube: [@CityofWhyalla](https://www.youtube.com/channel/UCSkJYoxKV_F_TO9V6vNV64A)

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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 by clicking [here](#).

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.

5.1 Council documents available for inspection

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, live streams of council meetings are available on Council's website and the City of Whyalla YouTube channel (click [here](#)).

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 Register](#) on Council's website.

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

5.2 Other Information Requests

Information not included in this document may require the lodgement of a Freedom of Information application. These applications will be processed under the provisions of the *Freedom of Information Act 1991*. Under this legislation, an application fee must be forwarded with the application unless the applicant has been granted an exemption.

Freedom of Information Request Forms should be addressed to:

The Freedom of Information Officer

Whyalla City Council

PO Box 126

WHYALLA SA 5600

6. Amendment of Council records

A member of the public may gain access to Council documents to make amendments to personal information that is incomplete, incorrect, misleading or out of date by making a request under the *Freedom of Information Act 1991*.