

Freedom of Information Statement 2024-2025



This Freedom of Information Statement is published by Southern Mallee District Council in accordance with the *Freedom of Information Act 1991*,

Subject to certain restrictions, the *Freedom of Information Act 1991* gives members of the public a legally enforceable right to access information held by South Australian Government agencies such as councils. The *Freedom of Information Act 1991* requires the Council to publish at intervals of not more than 12 months an up-to-date information statement.

An updated Information statement will be published on the Council's website each financial year. <https://www.southernmallee.sa.gov.au/your-council/freedom-of-information>

This statement was published on 1 July 2025

Structure and functions of Council

The Council consists of the Principal Member, referred to as the Mayor and 6 Council Members who represent residents and ratepayers in the Council area.

Council is a body corporate as constituted under the *Local Government Act 1999* and is established to provide for the government and management of its area at the local level and, in particular¹:

- 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 1999* and other acts in relation to the area for which it is constituted.

Pursuant to section 7 of the *Local Government Act 1999*, the functions of the Council are ²:

- 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 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;

¹ Section 6 *Local Government Act 1999*

² Section 7, *Local Government Act 1999*

- 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 *Local Government Act 1999*.

Pursuant to section 8 of the *Local Government Act 1999*, the Council must act to uphold and promote observance of the following principles in the performance of its roles and functions:

- a) provide open, responsive and accountable government;
- b) be responsive to the needs, interests and aspirations of individuals and groups within its community;
- c) participate with other Councils, and with State and national governments, in setting public policy and achieving regional, State and national objectives;
- d) give due weight, in all its plans, policies and activities, to regional, State and national objectives and strategies concerning the economic, social, physical and environmental development and management of the community;
- e) seek to co-ordinate with State and national government in the planning and delivery of services in which those governments have an interest;
- ea) seek to collaborate, form partnerships and share resources with other Councils and regional bodies for the purposes of delivering cost-effective services (while avoiding cost-shifting among Councils), integrated planning, maintaining local representation of communities and facilitating community benefit;
- f) seek to facilitate sustainable development and the protection of the environment and to ensure a proper balance within its community between economic, social, environmental and cultural considerations;
- g) manage its operations and affairs in a manner that emphasises the importance of service to the community;
- h) seek to ensure that Council resources are used fairly, effectively and efficiently and Council services, facilities and programs are provided effectively and efficiently;
- i) seek to provide services, facilities and programs that are adequate and appropriate and seek to ensure equitable access to its services, facilities and programs;
- ia) seek to balance the provision of services, facilities and programs with the financial impact of the provision of those services, facilities and programs on ratepayers;
- j) achieve and maintain standards of good public administration;

- k) ensure the sustainability of the Council's long-term financial performance and position.

Whilst the majority of the functions of the Council are set out in the *Local Government Act 1999*, it also has functions under other pieces of legislation including:

- *Planning, Development and Infrastructure Act 2016*;
- *South Australian Public Health Act 2011*;
- *Food Act 2001*;
- *Road Traffic Act 1961*; and
- *Dog and Cat Management Act 1995*.

The way in which the functions of the Council affect members of the public include the nature of the services, facilities and programs provided by the Council that benefit the Council's community. The Council is required to use its resources fairly, effectively, and efficiently as well as ensure equitable access. Decisions made by the Council can affect the community as a whole or individuals as the Council is responsible for the government and management of its area at a local area. The Council's regulatory role can affect members of the public who act in contravention of legislation. Further, the Council imposes rates and charges on ratepayers which is used to fund the activities of the Council. Rating decisions can affect individuals and groups within the Council's community differently.

Public Meetings

Ordinary meetings of the Council are held at the Council Chambers in both Lameroo and Pinnaroo as determined by resolution of Council and commence at 6.30pm on the third Wednesday of each month. All Ordinary Council and committee meetings are open to the public, with the exception of any matters which are required to be considered in confidence³. From time to time a special meeting may be called.

One of the main opportunities for the community to gain information about the business of Council is through meeting agendas and associated reports prepared for Council and committee meetings. Agendas of meetings and supporting documentation, are placed on public display no less than three days prior to meetings. Council also holds information/briefing sessions and these dates along with Council meeting dates and associated information are available on Council's website at www.southernmallee.sa.gov.au and at the Council offices.

Ordinary Council meetings are also livestreamed on Councils' You Tube channel.

Council committees and subsidiaries

The Council may establish committees⁴:

- to assist the Council in the performance of its functions.
- to inquire 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.

³ Section 90, *Local Government Act 1999*

⁴ Section 41 (2), *Local Government Act 1999*

The Council has established the following committees:

- Audit and Risk Committee - provides independent assurance and advice to the Council on accounting, financial management, internal controls, risk management and governance matters.
- CEO Performance Review Panel

The membership of committees is determined by the Council. Further information including copies of agenda, minutes, terms of reference and details of committee membership, is available from Council's website: <https://www.southernmallee.sa.gov.au/your-council/committees-of-council>

Council's Assessment Panel

The Council has established a Council Assessment Panel as a relevant authority under the *Planning, Development and Infrastructure Act 2016*. Further information including copies of agenda, minutes, terms of reference and details of panel membership, can be found on Council's website: <https://www.southernmallee.sa.gov.au/your-council/committees-of-council/council-assessment-panel>.

Subsidiaries

The Council may establish a subsidiary to provide a specified service, to manage or administer property, facilities or activities on behalf of the Council or perform a function of the Council under the *Local Government Act 1999* or another Act⁵. The Council may also, with one or more other Councils establish a regional subsidiary to provide a specified service, to manage or perform a function of the Council under the *Local Government Act 1999* or another Act.⁶

A list of Council's subsidiaries are as follows:

- Murraylands and Riverland Local Government Association

Delegations

The Council exercises a range of statutory powers and functions. Most of these powers and functions can be delegated by the Council. The Chief Executive Officer has delegated authority from Council to make decisions on specified matters. Delegations made by the Council under the *Local Government Act 1999* are reviewed by the Council within 12 months after the conclusion of each periodic election. The Council's Delegations Register reflects the delegated authority from the Council to the CEO (and subsequently any further sub-delegations).

A record of delegations is available on Council's website

<https://www.southernmallee.sa.gov.au/your-council/council-documents/registers>

⁵ Section 42, *Local Government Act 1999*

⁶ Section 43, *Local Government Act 1999*

Public Participation

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

Attendance at public meetings – Members of the public are welcome to attend Council and committee meetings which are open to the public.

Deputations to Council – A written request to address the Council by way of a deputation in a Council meeting can be made by a member of the public to address Council personally or on behalf of a group of residents for up to 5 minutes. Further information including how to submit a deputation is available on Council's website:

<https://www.southernmallee.sa.gov.au/your-council/council-meetings>

Petitions – Written petitions can be addressed to the Council on any issue within the Council's jurisdiction. Further information including how to submit a petition are available on Council's website <https://www.southernmallee.sa.gov.au/your-council/council-meetings>

Council Members – Members of the public can contact Members of Council to discuss any issue relevant to Council. Contact details for all Members are available on Council's website <https://www.southernmallee.sa.gov.au/your-council/contacts> .

Written Requests – Members of the public can write to the Council on any Council policy, activity or service via council@southernmallee.sa.gov.au or PO Box 49, Pinnaroo SA 5304.

Community engagement – The Council is committed to open, honest, accountable and responsible decision making. Council's Public Consultation Policy facilitates effective communication between Council and the community, encouraging community involvement and partnerships in planning and decision making. The Council's Public Consultation 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 on the Council's website <https://www.southernmallee.sa.gov.au/your-council/council-policies>.

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 1991* and we invite you to discuss your information needs with us.

Records system: Council operates an electronic records and document management system (Synergy) as well as a hard copy 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 council area.

Access to documents

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 Council during ordinary business hours. Any new policy adopted by Council after publication of this statement will be similarly available.

Community Policies

[Child Safe Environment Policy and Code of Conduct \(May 2024\)](#)

[Community Facility Usage Policy \(November 2024\)](#)

[Memorials and Monuments Policy \(November 2019\)](#)

[Public Consultation Policy \(June 2016\)](#)

[Volunteer Conduct Policy \(March 2025\)](#)

Corporate Governance Policies

[Caretaker Policy \(June 2022\)](#)

[Code of Practice - Public Access to Council and Committee Meetings and Associated Documents \(November 2023\)](#)

[Council Policy Framework Policy \(March 2025\)](#)

[Customer Experience Policy \(May 2024\)](#)

[Electronic Communications Policy \(March 2025\)](#)

[Emergency Management Policy \(February 2024\)](#)

[Flag Use Policy \(March 2025\)](#)

[Fraud and Corruption Prevention Policy \(June 2022\)](#)

[Information or Briefing Sessions Policy \(June 2024\)](#)

[Internal Review of a Council Decision Procedure \(December 2023\)](#)

[Media and Communications Policy \(March 2025\)](#)

[Order Making Policy \(November 2023\)](#)

[Privacy Policy \(March 2025\)](#)

[Procurement Policy \(March 2023\)](#)

[Prudential Management Policy \(May 2023\)](#)

[Public Interest Disclosure Policy \(December 2023\)](#)

[Public Interest Disclosure Procedure \(December 2023\)](#)

[Records Management Policy \(September 2023\)](#)

[Risk Management Policy \(March 2025\)](#)

[Service Range Policy \(December 2020\)](#)

[Supplementary Election Policy \(May 2024\)](#)

[Unreasonable Complainant Conduct Policy \(May 2024\)](#)

[Unsolicited Proposal Policy \(January 2024\)](#)

Council Member Policies

[Council \(Elected\) Member Allowance and Benefits Policy \(August 2024\)](#)

[Council \(Elected\) Member Behavioural Management Policy \(September 2023\)](#)

[Council \(Elected\) Member Behavioural Support Policy \(November 2023\)](#)

[Council \(Elected\) Member Legal Advice Policy \(April 2024\)](#)

[Council \(Elected\) Member Training and Development Policy \(January 2024\)](#)

Development and Engineering Policies

[Naming of Roads, Reserves and Public Places Policy \(March 2024\)](#)

Environment and Open Space Policies

[Open Space Policy \(December 2020\)](#)

[Tree Management Policy \(March 2022\)](#)

[Free Camping Policy \(May 2025\)](#)

Finance Policies

[Annual Budget Policy \(November 2023\)](#)

[Asset Management and Accounting Policy \(February 2024\)](#)

[Corporate Purchase Card Policy \(May 2023\)](#)

[Funding Policy \(April 2022\)](#)

[Hardship Policy for Residential Customers of Minor and Intermediate Water Retailers \(February 2021\)](#)

[Internal Financial Control Policy \(June 2022\)](#)

[Rating Policy \(February 2024\)](#)

[Treasury Management Policy \(January 2022\)](#)

Infrastructure and Assets Policies

[Mineral Pit Policy \(July 2023\)](#)

[Pinnaroo Retirement Village Policy \(November 2024\)](#)

[Roads Policy \(November 2024\)](#)

[Venue Hire Policy \(June 2022\)](#)

[Waste and Recycling Policy \(December 2020\)](#)

Pursuant to section 132 and Schedule 5 of the *Local Government Act 1999*⁷ the following categories of documents are available on [Council's website](#). Upon request a printed copy can be provided (on payment of a fee (if any) fixed by the Council).

- Reviews of council constitution, wards and boundaries
- Registers and Returns
- Codes
- Meeting papers
- Information and briefing session papers
- Policy and administrative documents

All general inquiries regarding access to Council documents should be made to the Governance Officer on 08 8577 8002 or council@southernmallee.sa.gov.au

Freedom of information application fees and processing charges

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

Freedom of Information Officer
PO Box 49
Pinnaroo SA 5304

A Freedom of Information application form is available on Council's website

<https://www.southernmallee.sa.gov.au/your-council/freedom-of-information>

or

To download an Application Form, or to use the online Freedom of Information application form, please visit: <https://www.archives.sa.gov.au/finding-information/sa-government-information/making-a-freedom-of-information-application>

⁷ Section 132, *Local Government Act 1999*

Requests for information not publicly available will be considered in accordance with the *Freedom of Information Act 1991*. Under this legislation, applicants seeking access to documents held by Council need to provide sufficient information to enable the documents to which the application relates to be identified.

If the documents relate to the applicant's personal affairs, proof of identity may be requested.

Applications must be made in accordance with the requirements set out in the *Freedom of Information Act 1991* and will be dealt with by an accredited Freedom of Information officer on behalf of the Council. In dealing with an application under the *Freedom of Information Act 1991*, consultation with third parties may be required. The Council will provide to the applicant written notice of its determination. There are rights of internal and external review where an applicant is dissatisfied with a determination.

In addition to the application fee, other fees and charges may be payable for dealing with an application.

No fee is required for current concession holders or if payment of the fee would cause financial hardship⁸. 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 accredited Freedom of Information Officer will endeavour to work with the applicant to define the scope of the request and the costs involved.

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 they wish 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 lodgment, 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.

⁸ Section 5, *Freedom of Information (fees and Charges) Regulations 2018*