



Information Statement

As at 31 March 2024



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Introduction

This information statement has been prepared to meet the requirements of Section 9(1a) of the *Freedom of Information Act 1991*. The purpose of the Information Statement is to provide the public with:

1. A description of the structure and functions of the Council and any committee or other body that is part of, or advises the Council;
2. A description of the ways in which the functions (including in particular, the decision making functions) of the Council affect members of the public;
3. A description of any arrangements that exist to enable members of the public to participate in the formulation of the Council's policy and the exercise of the agency's functions;
4. A description of the various kinds of documents that are usually held by and are available from the Council;
5. A description of the arrangements that exist to enable a member of the public to obtain access to the Council's documents and to seek amendment of the Council's records concerning his or her personal affairs; and
6. A description of the procedures of the Council in relation to the giving of access to the Council's documents and to the amendment of the Council's records concerning the personal affairs of a member of the public.

Subject to certain restrictions, the *Freedom of Information Act 1991* (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 advises how it can be accessed by the public.

An updated Statement will be published on the Council website every 12 months. The next review will be March 2025.

This information Statement is reflective of Council's administration as at 31 March 2024.

The Structure and Functions of the Council

The Kangaroo Island Council was formed in 1996 after the amalgamation of the District Council of Dudley and the District Council of Kingscote. The Island has a number of settlements including American River, Baudin Beach, Brownlow, Emu Bay, Island Beach, Kingscote, Nepean Bay, Parndana, Penneshaw, Stokes Bay and Vivonne Bay.

Kangaroo Island Council covers an area of approximately 4400 square kilometres (1698 square miles) and is home to a resident population of 5108.

The Council consists of a Mayor and nine (9) Councillors and is the peak decision making body on policy matters. The following members consist of:

Mayor:	Michael Pengilly
Councillors:	Richard Cotterill (Deputy Mayor)
	Bob Teasdale
	Sam Mumford
	Jeanette Gellard
	Shirley Pledge
	Ken Liu
	Pat Austin
	Veronica Bates
	Greg Miller

The roles and functions of Councils are set out in the Local Government Act 1999 as outlined below.

Councils' roles (Section 6 of The Act) are to:

- Act as a representative, informed and responsible decision-maker in the interests of its community;
- Provide and co-ordinate various public services and facilities and to develop its community and resources in a socially just and ecologically sustainable manner;
- Encourage and develop initiatives within its community for improving the quality of life of the community;
- Represent the interests of its community to the wider community; and exercise, perform and discharge the powers, functions and duties of Local Government in relation to its area, as contained in the Local Government Act 1999 and other Acts.

Councils' functions (Section 7 of the Act) are to:

- Plan at the local and regional level for the development and future requirements of its area;
- Provide services and facilities that benefit its area, its ratepayers, residents and visitors to its area;
- Determine the appropriate financial contribution to be made by ratepayers to the resources of the council;
- Provide for the welfare, well-being and interests of individuals and groups within its Community;
- Take measures to protect its area from natural and other hazards and to mitigate the effects of such hazards;
- Manage, develop, protect, restore, enhance and conserve the environment in an ecologically sustainable manner, and to improve amenity;
- Provide infrastructure for its community and for development within its area;
- Promote its area and to provide an attractive climate and locations for the development of business, commerce, industry and tourism;
- Establish or support organisations or programs that benefit people in its area or Local Government generally;
- Manage and if appropriate, develop, public areas vested in, or occupied by, the Council;
- Manage, improve and develop resources available to the Council; and
- Undertake other functions and activities conferred by or under an Act.

Council Decision Making Structure

Council and Committee meetings are conducted in accordance with the relevant Regulations under the *Local Government Act 1999* (S81-86), the Local Government (Procedures at Meetings) Regulations 2013 and Council Code of Practice – Meeting Procedures.

These meetings are held on the 2nd Tuesday of each month commencing at 11am, with the exception of January which is held on the 3rd Tuesday. Meetings are held in the Council Chamber, 43 Dauncey Street, Kingscote.

Meetings are open to the public unless the need for confidentiality outweighs the principal of open decision making and the meeting is moved into a confidential session.

Agendas and Minutes for meetings (excluding confidential information) will be available on Council's website [here](#). Agendas are published 3 days prior to the meeting and Minutes are published within 5 days after the meeting.

Special meetings are called as required and the agendas are published at least 4 hours prior to the commencement of the meeting. Minutes are published within 5 days after the meeting.

Information Briefing Sessions

Information and briefing sessions are a forum where Elected Members, staff and other invited individuals and/or organisations may gather from time to time to discuss matters of relevance to Council. These sessions may be used to assist Elected Members to become better informed on issues, seek further clarification of information and to discuss matters of relevance, but are not used for decision making. Decisions by Council can only be made at formal Meetings of Council.

From time to time an information and briefing session may discuss matters that are, or are intended to later become, part of an Agenda for a formal Meeting of Council. In these cases the session will be open to the public, unless it is determined to be held in confidence as appropriate.

The procedural meeting requirements that apply to Meetings of Council do not apply to information and briefing sessions.

Committees of Council

Kangaroo Island Council has two standing committees of Council. Council determines the terms of reference for each of these committees.

Audit and Risk Committee

This is a mandatory committee pursuant to Section 126 of The Act. Its role and responsibilities are outlined within The Act and associated Regulations.

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 External and Internal Auditors. The membership currently consists of an Independent Chair, 2 x independent members and 2 x Councillors.

Meetings are open to the public unless the need for confidentiality outweighs the principal of open decision making and the meeting is moved into a confidential session.

The committee meets 4 times a year at a minimum.

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

Chief Executive Officer Performance Management & Review Committee

The role of this committee is to undertake an annual review of the performance of the Chief Executive Officer as required by Section 102A of The Act. It has an Independent Member who manages the performance review on behalf of Council and provides a final report to the Committee. Council determines the remaining membership of the committee.

Meetings are open to the public unless the need for confidentiality outweighs the principal of open decision making and the meeting is moved into a confidential session.

The committee meets 2 times a year at a minimum. Agendas and Minutes are published on Council's website in accordance with the publication requirements under the *Local Government Act 1999*.

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

Council Assessment Panel

Council Assessment Panel (CAP) meetings are generally held on the first Monday of every month, however meetings may not occur if there are no items to consider. Meetings are open to the public unless the need for confidentiality outweighs the principal of open decision making and the meeting is moved into a confidential session.

Meetings generally commences at 12:00pm and are held in the Council Chamber, 43 Dauncey Street, Kingscote.

Subsidiaries

Southern & Hills Local Government Association

The Southern and Hills Local Government Association (S&HLGA) is a regional subsidiary under the Local Government Act (SA).

In order to improve the wellbeing of the region and its community the S&HLGA undertakes a regional coordinating, representational, advocating and marketing role on behalf of its member councils.

The six Constituent Councils of the Association are:

- Adelaide Hills Council
- Alexandrina Council
- Kangaroo Island Council
- District Council of Mount Barker
- District Council of Yankalilla
- City of Victor Harbor Council

The Southern and Hills Local Government Association meets every two months.

Fleurieu Regional Waste Authority (FRWA)

Fleurieu Regional Waste Authority (FRWA) - is an authority formed by the member councils of the Fleurieu Peninsula in South Australia in order to manage their waste and recycling. Those member councils are:

- Alexandrina Council
- Kangaroo Island Council
- District Council of Yankalilla
- City of Victor Harbor Council

Under its Charter, FRWA is responsible for providing and operating waste management services on behalf of the four constituent councils. This includes the operation of the region's waste transfer stations and the provision of waste, recycling and green waste kerbside collection services, as well as public litter and event bin collections.

FRWA meets at least 6 times in each Financial Year.

Delegations

Kangaroo Island Council has certain functions and duties which it must perform and certain powers which it may exercise, pursuant to the Local Government Act 1999 ("the Act") as well as a range of other Acts. In most cases the relevant Acts grant these obligations and powers directly to the Elected Council.

As it is not practical or efficient for the Council as a body of Elected Members to perform the many operational activities that are required in the day-to-day administration of the Council's roles and functions, Section 44 of the Act allows the Council to formally delegate many of its powers and functions (within certain stated conditions and exemptions) to the Chief Executive Officer, who may then sub-delegate these powers and functions to other responsible staff members. Council may also delegate its powers and functions to a Council committee or authorised person.

All delegations made by Council can be revoked at any time and do not, except in limited circumstances, prevent Council from acting in a matter itself. In addition, a staff member to whom a delegation has been made may choose not to exercise that delegation and bring a matter before Council for direction.

Council maintains a delegation register on its website:

<https://www.kangarooisland.sa.gov.au/council/registers/delegation-register>

Public Participation

Kangaroo Island Council provides a variety of ways for the community to participate in decisions made by Council.

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 a 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 the Wednesday prior to the scheduled meeting date. Each deputation is allocated 10 minutes.
- b) Petitions – Council will receive and consider Petitions at meetings and recommend that they are presented in the correct format (as outlined in Council's Code of Practice – Meeting Procedures).
- c) Questions from the Gallery - Members of the public may ask questions of the Council at every ordinary Council meeting where public can attend. Question time will be for a maximum of 10 minutes in total or varied by consent of the majority of members present. A member of the public gallery will be permitted to ask 1 question to the Presiding Member and statements will not be permitted.

Members of the public can contact the Elected Members of Council to discuss any issue relevant to Council.

Written requests for information can be made by members of the public to Council regarding any Council policy, service or activity.

Community Consultation

Kangaroo Island Council is committed to open, honest, accountable and responsible decision making. Community knowledge and expertise can assist Council to make decisions that are more informed, credible and acceptable to ratepayers, stakeholders and Council.



Council's Public Consultation Policy aims to:

- Inform Community members, groups and organisations about specific decisions likely to affect them;
- Ensure all views are considered in planning and decision making;
- Enable Council to act as a representative, informed and responsible decision-maker in the interest of its community;
- Initiate action to resolve issues and problems.

Services to the Community

The services Council currently provides include, but not limited to:

Administrative Services	Human Resources
Animal Management	Information Management
Asset and Risk Management	Library Services
Boat Ramps	Litter Control / Waste Services
Building Fire Safety	Parking Control
Bushfire Management	Parks, Gardens and Reserves
Car Parks	Playground Equipment
Caravan Parks	Policy Development / Advice
Citizenship Ceremonies	Private Works
Civic Events	Property Access
Cemeteries	Public Conveniences
Commercial Properties	Public Seating
Communications	Purchasing and Contract Management
Community Buildings	Rates and Assessments
Community Consultation	Road Construction and Maintenance
Community Development	Road Opening / Closing
Corporate Planning	Road Reserves
Customer Services	Service Centres / Depots
Development Assessment	Signage
Development Compliance	Sport and Recreation Facilities
Development Policy	Stormwater Drainage
Disaster Management and Planning	Strategic Land Use Policy
Dog and Cat Management	Strategic Planning
Economic Development	Street Numbering
Effluent Drainage	Street Sweeping
Elected Member Relations	Street Tree Maintenance
Emergency Management	Town Planning
Environmental Health	Traffic Management
Finance General	Vandalism
Fire Prevention	Volunteer Services
Fleet Management	Waste Control Systems
Food Premises Inspections	Waste Management
Footpaths and Cycle Tracks	Waste Water System
Foreshore Facilities	Work Health and Safety
Heritage	

Policy Documents

At the time of publishing this statement, the following documents can be accessed from Councils website or are available for purchase at the Customer Service Area.

Art and Culture

Art and Culture Policy

Building

Building Inspection Policy

Shipping Container Policy

Cemetery

Cemetery Policy

Communication

Public Consultation Policy

Loans to Community Groups Policy

Request for Service Policy

Library Policy

Records Management Policy

Council

Caretaker Policy

Code of Practice: Access to Council and Committee Meetings and Documents

Code of Practice: Meeting Procedures

Elected Members Training and Development Policy

Elected Members Allowances and Benefits Policy

Emergency Management Policy

Emergency Response Support Policy

Induction of New Council Policy

Mayor Seeking Legal Advice Policy

Media Policy

Supplementary Elections Policy

Private Works Policy

Mineral Pit and Royalties Policy

Behavioural Management Policy

Disposal of Land and Asset Policy

Council Assets and Buildings

Disposal of Land and Asset Policy

Leases, Licences and Permits Policy

Public Place and Structure Naming Policy

Memorial Policy

Outdoor Dining Policy

Council Staff

Employee Recognition and Gifts and Benefits Policy

Complaints Against Council Employees Policy

Fire Prevention Officer Policy

Work Health Safety and Injury Management Policy

Finance

Accounting Policy

Asset Accounting Policy

Budget Reporting and Management Policy

Debt Collection Policy

Fees and Charges Policy

Finance Delegations Policy

Funding Policy

Internal Control Policy

Loans to Community Groups Policy

Procurement Policy

Rating and Rebate Policy

Treasury Management Policy

Prudential Management Policy

Sponsorship Policy

Governance

Equal Opportunity Policy

Fraud and Corruption Policy

General Complaints Policy

Internal Review of Council Decisions Procedure

Privacy Policy

Public Interest Disclosure Procedure

Surveillance Systems Policy

Council use of Close Circuit Television (CCTV) Monitory Policy

Order Making Policy

Volunteer Policy

Roads

Road Network Extension and Upgrade Policy

Rural and Urban Address Numbering Maps and Policy

Selection of Road Names Policy

Footpath Construction Policy

Waste / Wastewater

Community Wastewater Management Scheme (CWMS) Policy

FRWA Kerbside Collection & Waste Management Policy

Water Industry Hardship Policy

Other Council Documents

Kangaroo Island Council is required to make the following documents available to the public under various Acts. These are all available either through the Customer Service Area, or the website and most are free to inspect, however, in some instances to obtain an extract, payment of a fee will be required.

- Animal Management Plan
- Annual Business Plan and Budget
- Annual Financial Statements
- Annual Reports
- Assessment Record (Request through Customer Service Area)
- Asset Management Plans
- Council By-Laws
- Community Land Management Plans
- Confidential Council Reports and Minutes Register
- Disability Access and Inclusion Plan
- Environmental Management Plans
- Long Term Financial Plans
- Lands Management Plan
- Register of Elected Member Allowances and Benefits
- Register of Community Land
- Register of Dogs and Cats
- Register of Elected Member Interests
- Register of Development Applications (Request through Customer Service Area)
- Register of Land Management Agreements
- Register of Public Roads
- Salaries Register
- Schedule of Fees and Charges
- Strategic Management Plans
- Terms and Conditions of Contract
- Voters Roll (Please contact Customer Service)

Other Information Requests

Requests for other information not listed above or otherwise publicly available will be considered in accordance with the *Freedom Information Act 1991* (FOI Act). Under this legislation, applications seeking access to documents held by Council need to be submitted using the correct form and be as specific as possible to enable the correct documents to be identified. An application fee must accompany the application.

Application forms are available from the State Records Website <https://archives.sa.gov.au/finding-information/information-held-sa-government/making-freedom-information-application> and are to be submitted either by:

Email: kicouncil@kicouncil.sa.gov.au

Post: Freedom of Information Officer
PO Box 121
Kingscote SA 5223

Personally: 43 Dauncey Street, Kingscote, Kangaroo Island.

Fees and charges will be waived for persons demonstrating financial hardship, in accordance with the *Freedom of Information (Fees and Charges) Regulations, 2003*.

Applications will be responded to as soon as possible within the statutory 30 days of Council receiving a valid completed Freedom of Information request form together with the appropriate application and search fees. Should the application require significant time and resources, a request for extension will be made.

Amendment to Council Records

A member of the public may request access to Council documents containing reference to their personal affairs by making a request under the *Freedom of Information Act 1991*.

To gain access to these Council records, applicants must complete a Freedom of Information Request Form, <https://archives.sa.gov.au/finding-information/information-held-sa-government/making-freedom-information-application>, outlining the records that they wish to inspect.

Applicants may request a correction to any information about themselves that is incomplete, incorrect, misleading or out of date. If it is found that any information requires correcting, there are no fees or charges for lodgement, or for the first two hours of processing. Please contact Council's Freedom of Information officer for further information around lodgement and fees.

For all enquiries regarding Freedom of Information requests, or access to any Council documents for inspection or purchase, please contact Council at 8553 4500 or kicouncil@kicouncil.sa.gov.au

Council's office is open from 9am to 5pm Monday to Friday, except for public holidays.

Council office is located at 43 Dauncey Street, Kingscote, Kangaroo Island 5223.



Daryl Buckingham
Chief Executive Officer

History:		
Date Adopted:	Version No:	Reason for Amendment:
November 2022	Version 1	Endorsed by Chief Executive Officer
March 2024	Version 2	Endorsed by Chief Executive Officer