

# Information Statement

# 1 Purpose

This Information Statement is published by City of Prospect (Council) to meet legislative requirements.<sup>1</sup>

Its purpose is to provide the public with an overview of information held by Council and details of how to access this information.

# 2 Structure and Functions of Council

Council is established to provide for the government and management of City of Prospect at the local level and, in particular—<sup>2</sup>

- a) to act as a representative, informed and responsible decision-maker in the interests of its community; and
- b) to provide and co-ordinate various public services and facilities and to develop its community and resources 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 this and other Acts in relation to the area for which it is constituted.

The functions of Council as stated in Local Government Act 1999, include -

- 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);

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<sup>1</sup> *Freedom of Information Act 1991 (SA) s9.*

<sup>2</sup> *Local Government Act 1999 (SA)*

- 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 an Act.

## **2.1 Full Council**

Council consists of the Mayor and 8 Ward Councillors. Meetings of the full Council are held on the fourth Tuesday of the month starting at 7.00 pm with the exception of public holidays which impact meeting cycles at Payinthe, 128 Prospect Road, Prospect. Members of the public are welcome to attend.

## **2.2 Informal Workshops**

Councillor Information and Workshop Sessions are held on the first and second Tuesday of the month starting at 6.15pm (except for January and December) at Payinthe, 128 Prospect Road, Prospect. Elected Members and the Executive Leadership Team attend the Workshops, and members of the public are welcome to attend.

## **2.3 Audit & Risk Committee**

The objective of the Audit & Risk Committee<sup>3</sup> (the Committee) is to;

- Assist the council in the performance of its functions
- Inquire into and report to the council on matters within the ambit of council's responsibilities
- Provide advice to council
- Exercise or perform or discharge delegated powers, functions or duties.

The committee is comprised of two appointments of Council (one being the Mayor) and three independent positions.

Meetings of the Audit & Risk Committee are held at least four times a year at appropriate times in the reporting and audit cycle as required.

The Audit & Risk Committee agenda, associated reports and minutes of previous meetings, including its Terms of Reference are published on Council's website.

## **2.4 Council Assessment Panel (CAP)**

City of Prospect's Council Assessment Panel is the body established by Council to be the relevant authority appointed pursuant to Section 83 of the Planning, Development and Infrastructure Act 2016. The panel is comprised of up to 3 Elected Members, 1 independent presiding member and a minimum of 3 Independent Members.

The Council Assessment Panel (CAP) meets on the second Monday of the month

<sup>3</sup> The Committee is appointed pursuant to *Local Government Act 1999* (SA) s41.

starting at 5.30 pm (unless this date falls on a public holiday and then an alternative date will be selected if required) at Payinthe, 128 Prospect Road, Prospect SA 5082.

The CAP agenda, associated reports and minutes of previous meetings are published on Council's website under Agendas and Minutes by the Friday prior to the meeting.

## **2.5 Strategic Planning and Development Policy Committee**

The Strategic Planning and Development Policies Committee is established to review code amendments of relevance lodged with the State Planning Commission by third parties; and to prepare submissions to the State Planning Commission in relation to Code Amendment proposals.<sup>4</sup>

The Committee comprises the Mayor and 4 Elected Members.

Meetings of the Strategic Policy and Development Planning Committee occur as required, and once a year as a minimum.

## **2.6 Chief Executive Officer Performance Development Review Committee**

The Chief Executive Officer Performance Development Review Committee is established for the purpose of ensuring Council's compliance with legislative responsibilities including;

- Appointing a Chief Executive Officer should a vacancy in office occur, including appointment procedures<sup>5</sup>
- Assessing the Chief Executive Officer's performance<sup>6</sup>

The process determines, in conjunction with the CEO, relevant Key Performance Measures for undertaking the formal review process of the performance of the CEO and for making other recommendations to the Council relevant to the employment and performance of the CEO.

The committee is comprised of the Mayor, a qualified independent person<sup>7</sup> and four Elected Members.

Meetings of the Chief Executive Officer Performance Development Review Committee occur in accordance with its Terms of Reference.

## **2.7 Agendas and Minutes**

As documented within the Code of Practice for Public Access to Meetings and Documents, Council and Committees are to ensure agendas are publicly available three (3) days prior to meetings and minutes are published within five (5) days after the meeting.

Agendas and minutes are available at Payinthe, 128 Prospect Road, Prospect. They can also be viewed on Council's website, [www.prospect.sa.gov.au](http://www.prospect.sa.gov.au).

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<sup>4</sup> Local Government Act 1999 (SA) s 41.

<sup>5</sup> Local Government Act 1999 (SA) s 97 and 98.

<sup>6</sup> Local Government Act 1999 (SA) s 102A

<sup>7</sup> Local Government Act 1999 (SA) s 4197, 98, 102A.

## **2.8 Eastern Health Authority (EHA)– Section 43 Committee**

City of Prospect, in combination with other constituent councils, established this Regional Subsidiary for the purpose of providing public and environmental health services primarily to and within member council areas.

Member Council's include, City of Prospect, City of Norwood Payneham & St Peters, City of Burnside, Campbelltown City Council and Town of Walkerville.

The Board of Eastern Health Authority Meets five times a year at the EHA Office, 101 Payneham Rd, St Peters.

EHA is governed by a Charter which is administered by a Board (the Board), which includes two persons by each Council. Meetings for the Board are made available on the East Waste Website and, where appropriate, on Council's website.

## **2.9 Eastern Waste Management Authority– Section 43 Committee**

City of Prospect, in combination with other constituent councils, established this Regional Subsidiary for the purpose of

Member council's include Adelaide Hills Council, City of Burnside, Campbelltown City Council, City of Norwood Payneham & St Peters, City of Mitcham, City of Prospect, the City of Unley and Town of Walkerville.

East Waste is governed by a Charter which is administered by a Board of Management (the Board), which includes a director appointed by each Council and an Independent Chair. Meetings for the Board are made available on the East Waste Website and, where appropriate, on Council's website. .

## **2.9 Working Parties and Groups**

A number of Council working parties, management and staff working parties and groups comprising elected members, staff and members of the community have been established to examine and investigate specific issues. These include (but are not limited to):

- City Wide Public Art Roundtable
- Disability Access and Inclusion Group
- Payinthe Kumangka Steering Group
- Prospect Arts Action Network
- Work Health and Safety Committee

## **2.10 Information or Briefing Sessions**

Section 90A of the Local Government Act provides that the Council or CEO may hold or arrange for the holding of a session (not being a formal meeting of council or council committee) to which more than 1 member of the council or a council committee is invited to attend or be involved in for the purposes of providing information or a briefing session.

A matter must not be dealt with at one of these meetings in such a way to obtain, or effectively obtain a decision on the matter outside a formal meeting of the council.

The details regarding these meetings (date, time, matters to be discussed) are published on council's website from the Agenda and Minutes home page.

### **2.11 Delegations**

The CEO has delegated authority from Council to make decisions on a number of specified administrative and policy matters. The CEO may sub-delegate such authority to other officers in particular circumstances.

Delegations are reviewed annually and listed in the City of Prospect Delegations Register, published on Council's website [www.prospect.sa.gov.au](http://www.prospect.sa.gov.au).

### **3 Services to the Community**

Council makes decisions on policy issues relating to the services that are provided to the community. The services Council currently provides are:

#### **City Works and Presentation**

- Street and Footpath Maintenance
- Public Lighting, Stormwater and Drainage
- Street Trees and Nature Strips
- Environmental Management and Waste Management
- Property Management
- Traffic Management and Parking Control
- Open Spaces – Parks and Reserves
- Depot Operations and Fleet Management
- Facility and Parks and Gardens Hire

#### **City Development and Growth**

- Economic Development
- Animal and Pest Control
- City Planning and Development
- Development Assessment and Heritage
- Recreation and Sport

#### **City Corporate Services**

- Corporate and Civic Governance and Elected Member support
- Financial Management and Rates
- Employee Relations
- Information Management
- Information Technology
- ~~Freedom of Information~~
- Risk Management
- Work Health and Safety

#### **City Strategy, Community and Culture**

- Community Development
- Customer and Administrative Support
- Communications
- Arts, Gallery and Events

- Commonwealth Home Support Program
- Youth Development
- Community Services
- Library and Digital Hub

## 4 Public Participation and Community Engagement

### 4.1 Public Participation

Members of the public have a number of opportunities to put forward their view on particular issues before Council. These include:

**Deputations** - with the permission of the Presiding Member a member of the public can address a Council Meeting personally or on behalf of a group of residents. A depute will be given the opportunity to address Council at a Council Meeting for a maximum of five (5) minutes.

Public question time – at a Council Meeting, members of the community can attend to ask questions of Council. A maximum time of 15 minutes is given for this item on the agenda, with a maximum of three (3) minutes per person. The Presiding Member may allow for an extension of time as appropriate.

**Elected Members** – Members of the public can contact Elected Members of Council to discuss any issues relevant to Council. Contact details can be found on Council's website.

**Petitions** - Written petitions can be addressed to Council on any issue within Council's jurisdiction. The head petitioner or their nominee will be invited to attend the appropriate Council Meeting and offered an opportunity to speak to the petition for a maximum of five (5) minutes.

**Written Requests** - a member of the public can write to the Council on any policy, activity or service via email [admin@prospect.sa.gov.au](mailto:admin@prospect.sa.gov.au) or via post PO Box 128, Prospect, SA 5082.

**Website** – Council has a website, [www.prospect.sa.gov.au](http://www.prospect.sa.gov.au), which provides an opportunity for comment and feedback.

**Social Media** – Members of the public can leave comments, ask questions or private message Council on all social media accounts managed by City of Prospect. The official City of Prospect social media accounts are:

#### Twitter

City of Prospect – [www.twitter.com/CityofProspect](https://www.twitter.com/CityofProspect)

Prospect Rd – [www.twitter.com/ProspectRd](https://www.twitter.com/ProspectRd)

#### Facebook

City of Prospect - [www.facebook.com/CityofProspect](https://www.facebook.com/CityofProspect)

Prospect Library - [www.facebook.com/ProspectLibrary](https://www.facebook.com/ProspectLibrary)

Prospect Gallery - [www.facebook.com/ProspectGallery](https://www.facebook.com/ProspectGallery)

Network Prospect - [www.facebook.com/NetworkProspect](https://www.facebook.com/NetworkProspect)

Club5082 - [www.facebook.com/Club5082](https://www.facebook.com/Club5082)

Tourrific Prospect - [www.facebook.com/TourrificProspect](https://www.facebook.com/TourrificProspect)

## YouTube

City of Prospect - [www.youtube.com/CityofProspect1](http://www.youtube.com/CityofProspect1)

## Instagram

City of Prospect – [www.instagram.com/cityofprospect](http://www.instagram.com/cityofprospect)

Network Prospect - [www.instagram.com/networkprospect](http://www.instagram.com/networkprospect)

Tourrific Prospect - [www.instagram.com/tourrificprospect](http://www.instagram.com/tourrificprospect)

## **4.2 Community Consultation and Engagement**

City of Prospect consults local residents and the business community on various matters that affect their neighbourhood and has adopted a Community Engagement Policy to assist with this process to fulfil its legislative requirements.<sup>8</sup>

Some examples of activities that Council conducts community consultation on include:

- Annual Business Plan and Budget and Long Term Financial Planning
- Local area traffic management
- Reserve naming, renaming or leasing
- Local Government boundary issues and electoral representation
- By-Laws
- Policy development.

## **4.3 Development Application Consultation - updated due to the operation of the Planning Development and Infrastructure Act 2016**

On 19 March 2021, the new planning system became operational for all urban councils and councils with regional towns and cities. All remaining development plans were revoked and replaced with the Planning and Design Code.

The implementation of Phase Three was the final milestone in delivering a new planning and development system for the state, replacing all operations under the *Development Act 1993* with the new legislation.

The new planning system is underpinned by the Planning, Development and Infrastructure Act 2016 (the Act) which introduced a raft of new tools, including a 24/7 digital ePlanning system.

The Planning and Design Code is the cornerstone of South Australia's planning system and has replaced all council development plans to become the single source of planning policy for assessing development applications.

The *Development Act 1993* has now been replaced by the Act state-wide and is no longer operational.

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<sup>8</sup> **Local Government Act 1999 (SA) s 50.**

### Council Assessment Panel (CAP)

The CAP is the body established by Council to be a relevant authority appointed pursuant to Section 83 of the Planning, Development and Infrastructure Act, 2016.

Its role is to make decisions on development applications presented by Council planning staff as required by the planning, Development and Infrastructure Act 2016.

The CAP is bound by an Assessment Panel Members - Code of Conduct as determined by the Minister which sets out standards of conduct and professionalism that are to be observed by all members of assessment panels under the Act.

### CAP Review of Assessment Manager Decision

As described in Clause 10 of the CAP's Terms of Reference, and prescribed by Section 201 of the Planning, Development and Infrastructure Act 2016, under certain circumstances an applicant may have a right to request that the CAP review a decision made by the City of Prospect Assessment Manager. Requests for review must be lodged using the relevant form.

The completed application form should be provided to Council in hard copy, or via email to [admin@prospect.sa.gov.au](mailto:admin@prospect.sa.gov.au).

If you would like any more information on the Council Assessment Panel, please phone Council on (08) 8269 5355, or email us at [admin@prospect.sa.gov.au](mailto:admin@prospect.sa.gov.au).

## **5 Access to Council Documents**

### **5.1 Documents required by Legislation**

Under various Acts, City of Prospect is required to publish the below documents. These documents are available to inspect either in person at Council's Payinthei or online at [www.prospect.sa.gov.au](http://www.prospect.sa.gov.au). The documents are free to inspect however to obtain an extract, payment of a fee will be required. The fees and charges are documented within Council's Fees and Charges Register.

### **5.2 List of Registers**

As required under the Local Government Act 1999 or Local Government (Elections) Act 1999, the below documents are required to be kept:

- City of Prospect Delegations Register
- Elected Member Gifts and Benefits Register– Value over /under \$100
- Fees and Charges Register
- Register of By-Laws
- Register of Elected Member Allowances and Benefits
- Register of Interests (Elected Members)
- Register of Public Roads
- Register of Community Land
- Register of Remuneration, Salaries and Benefits
- Fees and Charges Register
- Voters Roll

### **5.3 List of Codes**

- Code of Conduct for Council Employees
- Ministerial Behavioral Standards
- Code of Conduct for Volunteers
- Code of Practice – Meeting Procedures for Meetings of Council and Council Standing Committees
- Code of Practice for Public Access to Meetings and Documents
- Council Assessment Panel Code of Conduct

## **5.4 Council Policies**

- Access to Development Application Plans Policy
- Art Collection Management Policy
- Asset Management Policy
- Behavioural Management Policy
- Budget Framework Policy
- Caretaker Policy
- Children and Vulnerable Persons Safety Policy
- Community Engagement and Consultation Policy
- Community Facility Hire Policy
- Community Emergency Management Policy
- Community Street Event Policy and Procedures
- Corporate Risk Management Policy
- Council Member Conferences, Education and Development Policy
- Council Member Allowances and Benefits Policy
- Council Member Records Management Policy
- Credit Card Policy
- Development and Associated Public Realm (Urban Corridors) Enforcement Policy
- Development Assessment Panel Complaints Handling Policy
- Driveway Crossover Policy
- External Grants Policy
- Financial Hardship Policy
- Fixed Asset Financial Reporting Policy
- Flying of Flags Policy
- Footpath Trading Policy
- Fraud and Corruption Prevention Policy and Reporting
- Internal Review of Council Decisions Policy
- Kerbside Waste Management Policy
- Knowledge and Information Management Policy
- Lease and Licence of Community Facilities Policy
- Loans to Third Parties Policy
- Liquor Licensing Policy
- Mobile Food Vendor Location Policy
- Narrow Streets Policy and Procedure
- Off Street Car Parking Development Fund Policy
- Order Making Policy

- Open Space Reserve Fund Policy
- Parking Management Policy
- Petition Policy
- Procurement Policy
- Protection of Information Policy
- Prudential Review Policy
- Public Interest Disclosure Policy and Procedure
- Rating Policy
- Sale or Disposal of Assets Policy
- Selection of Road Names Policy
- Small Memorials in Parks and Reserves Policy
- Social Media Policy
- Street Numbering Policy
- Temporary Signage Policy
- Traffic Management Policy
- Treasury Management Policy
- Unreasonable Complaint Policy
- Verge Development Policy
- Volunteer Management Policy

## **5.5 Other publicly available documents**

- Annual Business Plan and Budget
- Annual Report
- Delegations Register
- Elected Member Training and Development Plan
- Environmental Action Plan 2018 - 2022
- Reconciliation Statement
- Strategic Economic Development Plan 2014 - 2018
- Strategic Plan 2016 – 2020
- Strategic Urban Animal Management Plan
- Street Tree Manual
- Terms of Reference – Audit Committee
- Terms of Reference – Chief Executive Officer’s Performance Development Review Committee
- Terms of Reference - City Wide Public Art Advisory Board

- Terms of Reference - Council Assessment Panel
- Terms of Reference – Strategic Planning and Development Policies Committee
- Toy Cleaning Procedures

## **5.6 Other Information Requests – Freedom of Information**

Request for other documents not listed above will be considered in accordance with the *Freedom of Information Act 1991* (FOI Act).

A written application must be accompanied by an application fee, unless the applicant is granted an automatic exemption or the fee is able to be waived. Council must waive or remit fees for concession card holders and other prescribed persons. All applicable fees and charges (including photocopying of documents) can be found in the Freedom of Information – (Fees and Charges) Regulations 2003.

Freedom of Information Application forms are available from City of Prospect, Payinthe at 128 Prospect Road, Prospect and can also be downloaded from Council's website at [www.prospect.sa.gov.au](http://www.prospect.sa.gov.au).

Freedom of Information requests should be addressed to:

Freedom of Information Officer  
City of Prospect  
PO BOX 171  
PROSPECT SA 5082

Applications will be responded to within the statutory 30 calendar days of Council receiving the completed Freedom of Information request form including the prescribed application fee.

## **5.7 Amendment to Council Records**

A person to whom access to Council documents has been given may apply under the Freedom of Information Act 1991 for the amendment of Council's records if;

- The document contains information concerning the person's personal affairs; and
- The information is available for use by Council in connection with its administrative functions: and
- The information is, in the person's opinion, incomplete, incorrect, out-of-date and misleading.

## 6 City of Prospect Contact Information

### Opening Hours:

Customer Service Monday – Friday, 9:00am – 5:00pm

Library Monday - Wednesday - Friday, 9:00am - 5:00pm  
Tuesday - Thursday, 9:00am - 7:00pm  
Saturday, 11:00am - 4:00pm  
Sunday, 2:00pm - 5:00pm

Address: 128 Prospect Road, Prospect,  
SA 5082

Postal Address: PO BOX 171, Prospect, SA 5082

Telephone: (08) 8269 5355

Website: [www.prospect.sa.gov.au](http://www.prospect.sa.gov.au)

Email: [admin@prospect.sa.gov.au](mailto:admin@prospect.sa.gov.au)