



City of  
Mount Gambier

## **FREEDOM OF INFORMATION STATEMENT**

2024 / 2025

# CITY OF MOUNT GAMBIER

## FREEDOM OF INFORMATION STATEMENT 2024 / 2025

### 1. INTRODUCTION

This Freedom of Information Statement is published by City of Mount Gambier ('Council') in accordance with the Freedom of Information Act 1991 ('FOI Act').

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 FOI Act requires Council to publish at intervals of not more than 12 months an up-to-date information statement.

This statement was published on Council's website in July 2025.

### 2. STRUCTURE AND FUNCTIONS OF COUNCIL

#### 2.1. Council Provisions

Council consists of the Principal Member, referred to as the Mayor and 8 Council Members who represent residents and ratepayers in the Council area.

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

- 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 LG Act and other acts in relation to the area for which it is constituted.

Pursuant to section 7 of the LG Act, the functions of Council are:

- 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

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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;
- 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 Act.

Pursuant to section 8 of the Local Government Act, 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;

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- 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 Council are set out in the LG Act, it also has functions under other pieces of legislation, not limited to:

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

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

#### 2.2. Ordinary Meetings

Ordinary meetings of Council are held in the Council Chambers at the Civic Centre, 10 Watson Terrace, Mount Gambier ('Principal Council Office') and commence at 6:00pm on the third Tuesday of each month. All ordinary meetings are open to the public, with the exception of any matters which are required to be considered in confidence [s.90 of the LG Act]. From time to time a special meeting may be called.

Agendas and minutes for ordinary meetings are publicly available from Council's [website](#). Printed copies can be provided on request from the Principal Council Office (on payment of a fee (if any) fixed by Council).

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<sup>^</sup>For relevant fees and charges please refer to Council's [Schedule of Fees and Charges](#).

### 3. COUNCIL COMMITTEES AND SUBSIDIARIES

#### 3.1. Section 41 Committees

Section 41 of the LG Act empowers Council to establish committees:

- a) to assist the Council in the performance of its functions;
- b) to enquire into and report to the Council on matters within the ambit of the Council's responsibilities;
- c) to provide advice to the Council; and
- d) to exercise, perform or discharge delegated powers, functions or duties.

The following Committees have been formed by Council under section 41 of the LG Act:

##### 3.1.1. **Audit and Risk Committee**

The Audit and Risk Committee provides independent assurance and advice to Council on accounting, financial management, internal controls, risk management and governance matters.

##### 3.1.2. **Chief Executive Officer Performance Review Committee**

The Chief Executive Officer Performance Review Committee meets as required and its role is to monitor the performance of the appointee, and review conditions of remuneration and employment on an annual basis. The Committee has limited delegated power to appoint an independent human resource management specialist support (including a Qualified Independent Person) to assist with undertaking performance reviews and to provide advice as required by section 102A of the LG Act.

##### 3.1.3. **Junior Sports Assistance Fund**

The Junior Sports Assistance Fund provides financial assistance to local junior athletes in Mount Gambier and the District, who are selected for State teams and compete in National events, as members of Affiliated Sporting Organisations. The Committee has delegated power to receive and expend revenue reasonably required to enable it to carry out the objectives for which it is established.

#### 3.2. Panels/Committees constituted under the PDI Act

The following Panel/Committee has been formed by Council as a relevant authority under the PDI Act:

##### 3.2.1. **Limestone Coast Southern Regional Assessment Panel ('RAP')**

The RAP consists of:

- City of Mount Gambier

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- District Council of Grant, and
- District Council of Robe.

The RAP replaces the City of Mount Gambier Council Assessment Panel as the relevant authority to exercise or perform its powers and functions in accordance with the PDI Act.

The RAP is scheduled to meet on the third Wednesday of each month, subject to there being business to consider. Meetings commence at 5.30pm at the Principal Council Office. Agendas, minutes, terms of reference and details of panel membership are publicly available from Council's [website](#). Printed copies can be provided on request from the Principal Council Office (on payment of a fee (if any) fixed by Council).

#### 3.2.2. Building Fire Safety Committee

The Building Fire Safety Committee was established in accordance with section 157(16) of the PDI Act. The Committee is established by Council for the purpose of acting as the appropriate authority with respect to all fire safety matters within commercial and public buildings.

The membership of committees are determined by Council. Agendas, minutes, terms of reference and details of committee members are publicly available from Council's [website](#). Printed copies can be provided on request from the Principal Council Office (on payment of a fee (if any) fixed by Council).

#### 3.3. Subsidiary

A Council may, with one or more other Councils, establish a regional subsidiary to provide a specified service, to manage or perform a function of Council under the LG Act or another Act. Council established the **Limestone Coast Local Government Association**, a regional subsidiary under section 43 of the LG Act.

#### 3.4. Delegations

The Chief Executive Officer has delegated authority from Council to make decisions on a number of specified administrative and policy matters. The Chief Executive Officer may sub-delegate such authority to an employee or a Committee. The Delegations Register is reviewed by Council once within the first 12 months following a periodic election pursuant to section 44(6a) of the LG Act. Council's Delegations Register reflects the delegated authority from Council to the CEO (and subsequently any further sub-delegations). A record of delegations is available on Council's [website](#).

### 4. PUBLIC PARTICIPATION

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

**Deputations to Council** - a written request to address Council by way of a deputation in a

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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 10 minutes. Further information including how to submit a deputation is available on Council's [website](#).

**Petitions** - written petitions can be addressed to Council on any issue within Council's jurisdiction. Further information including how to submit a petition are available on Council's [website](#).

**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](#).

**Written Requests** - members of the public can write to Council on any Council policy, activity or service via [city@mountgambier.sa.gov.au](mailto:city@mountgambier.sa.gov.au).

**Community Consultation** - 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. 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 Council's [website](#).

## 5. ACCESS TO COUNCIL DOCUMENTS

### 5.1. Documents held by Council

Most information and documentation held by Council is available for public inspection and is readily available without recourse to the FOI Act and we invite you to discuss your information needs with us.

**Records System** - Council operates an electronic document records management 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.

### 5.2. Policies and publicly accessible information

At the time of publishing this statement, Council has the following policies which are available on Council's [website](#). Upon request a printed copy can be provided (on payment of a fee (if any) fixed by Council).

<ul style="list-style-type: none"><li>• A240 - Assemblies and Events on Streets and Other Council Land</li></ul>	<ul style="list-style-type: none"><li>• L230 - Licensed Premises</li></ul>
<ul style="list-style-type: none"><li>• A515 - Animal Control - Dog</li></ul>	<ul style="list-style-type: none"><li>• Library Collection Development</li></ul>
<ul style="list-style-type: none"><li>• A520 - Animal Control</li></ul>	<ul style="list-style-type: none"><li>• M130 - Media - Statements on behalf of Council</li></ul>
<ul style="list-style-type: none"><li>• A900 - Asset Management</li></ul>	<ul style="list-style-type: none"><li>• M205 - Members - Mayor - Anniversary Messages</li></ul>
<ul style="list-style-type: none"><li>• Animal Management - Unclaimed Dogs</li></ul>	<ul style="list-style-type: none"><li>• M270 - Members - Mayor Seeking</li></ul>

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	Legal Advice
<ul style="list-style-type: none"> <li>Asset Accounting</li> </ul>	<ul style="list-style-type: none"> <li>M405 - Council Members - Allowances and Benefits</li> </ul>
<ul style="list-style-type: none"> <li>B300 - Budget Framework</li> </ul>	<ul style="list-style-type: none"> <li>M500 - Members Training &amp; Development Policy</li> </ul>
<ul style="list-style-type: none"> <li>Behavioural Management</li> </ul>	<ul style="list-style-type: none"> <li>Memorials</li> </ul>
<ul style="list-style-type: none"> <li>C120 - Cemeteries - Carinya Gardens and Lake Terrace Cemetery</li> </ul>	<ul style="list-style-type: none"> <li>O110 - Order Making</li> </ul>
<ul style="list-style-type: none"> <li>C200 - Request for Service and Complaint Policy</li> </ul>	<ul style="list-style-type: none"> <li>Onsite Wastewater Systems</li> </ul>
<ul style="list-style-type: none"> <li>C290 - Internal Review of Council's Decisions</li> </ul>	<ul style="list-style-type: none"> <li>P135 – Planning - Entertainment Venues</li> </ul>
<ul style="list-style-type: none"> <li>C320 - Council Chamber and Reception Area - Use of</li> </ul>	<ul style="list-style-type: none"> <li>P155 - Privacy</li> </ul>
<ul style="list-style-type: none"> <li>C355 - Council Land - Irrigation Policy</li> </ul>	<ul style="list-style-type: none"> <li>P195 - Community Consultation and Engagement Policy</li> </ul>
<ul style="list-style-type: none"> <li>C700 - Corporate Branding and Identity</li> </ul>	<ul style="list-style-type: none"> <li>P415 - Prudential Management</li> </ul>
<ul style="list-style-type: none"> <li>Citizen of the Year Awards (formerly A270 - Australia Day Awards)</li> </ul>	<ul style="list-style-type: none"> <li>P900 - Public Interest Disclosure</li> </ul>
<ul style="list-style-type: none"> <li>Council Determined Meeting Procedures</li> </ul>	<ul style="list-style-type: none"> <li>P910 - Provision of Loans or Guarantees to Community Groups (Temporarily Suspended)</li> </ul>
<ul style="list-style-type: none"> <li>Council Election Caretaker Policy (formerly C305 - Caretaker Policy)</li> </ul>	<ul style="list-style-type: none"> <li>Political Neutrality and Government Relations</li> </ul>
<ul style="list-style-type: none"> <li>Disposal of Land and Assets</li> </ul>	<ul style="list-style-type: none"> <li>Private Parking Areas</li> </ul>
<ul style="list-style-type: none"> <li>Dual Naming</li> </ul>	<ul style="list-style-type: none"> <li>Procurement</li> </ul>
<ul style="list-style-type: none"> <li>E115 - Elections - Council Entitlement to Vote</li> </ul>	<ul style="list-style-type: none"> <li>R105 - Rates - Rating</li> </ul>
<ul style="list-style-type: none"> <li>E135 - Encroachments - Protection of Public During Building and Maintenance Works</li> </ul>	<ul style="list-style-type: none"> <li>R155 - Rates - Rebate</li> </ul>
<ul style="list-style-type: none"> <li>E200 - Employees - Service Awards - Gifts as Resignation/Retirement (Temporarily Suspended)</li> </ul>	<ul style="list-style-type: none"> <li>R180 - Records Management</li> </ul>
<ul style="list-style-type: none"> <li>Emergency Management</li> </ul>	<ul style="list-style-type: none"> <li>R200 – Community Land (Reserves) - Lease/Licence/Rental Arrangements</li> </ul>
<ul style="list-style-type: none"> <li>External Grant Funding</li> </ul>	<ul style="list-style-type: none"> <li>R270 - Road Openings and Reinstatements</li> </ul>
<ul style="list-style-type: none"> <li>F110 - Fencing Costs - Contributions by Council</li> </ul>	<ul style="list-style-type: none"> <li>Riddoch Arts and Cultural Centre Hire (formerly C140 - Main Corner Complex - Hire)</li> </ul>



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• F125 - City Burning	• Risk Management
• F135 - Flammable Undergrowth	• S115 - Fencing and Stormwater Retention Basins
• F140 - Flags - Protocol	• S120 - Street Signs - Directional, Tourist and Other Scenic Facility Signs
• F175 - Footways and Crossovers	• S135 - Street - Naming of
• F190 - Footways - Paving in City Centre Zone	• S140 - Street Numbering
• F225 - Fraud, Corruption, Misconduct and Maladministration Prevention Policy	• S400 - Supplementary Elections
• F500 - Footways and Council Land - Removal of Objects	• s92 Code of Practice for Access to Meeting and Documents
• F505 - Footways and Council Land - Sale of Commodities	• T120 - Tree Policy
• F510 - Inspectorial - Footways and Council Land - Fundraising and Promotion	• T150 - Treasury Management
• Grants and Sponsorship	• U900 Unsolicited Proposals
• Illumination of Assets	• Unreasonable Conduct
• Information Security	• Volunteer Management
• Internal Audit	• W115 - Waste Management - Receiving of Waste - Caroline Landfill
• Internal Controls	• W125 - Waste Management - Refuse Collection
• L130 - Land Divisions	• Donations – Authority to Approve Requests

Furthermore, other documents which are available on Council's [website](#) include:

• Register of (Certified) By-Laws	• Records under s90A(4), (5) & (7)
• Register of Confidential Items	• Subsidiary Charter (LCLGA)
• Elected Member Register of Interests	• Schedule of Meetings
• Register of Elected Members Allowances and Benefits	• Draft Annual Business Plan and Budget
• Gifts & Benefits Register (Members and Staff)	• Community Land/Management Plan Register
• Register of (Employees) Salaries	• Annual Report
• Adopted Annual Business Plan & Budget	• Audited Financial Statements
• Register of Land Management	• Schedule of Fees and Charges

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Agreements	
<ul style="list-style-type: none"><li>• Delegation Register</li></ul>	<ul style="list-style-type: none"><li>• Employee Behavioural Standards</li></ul>
<ul style="list-style-type: none"><li>• Strategic Management Plans (including Long Term Financial Plan/Infrastructure and Asset Management Plan)</li></ul>	<ul style="list-style-type: none"><li>• Meeting Notices, Agenda, Reports, Attachments, Recommendations and Minutes</li></ul>

Upon request a printed copy can be provided (on payment of a fee (if any) fixed by Council).

The following documents, where applicable, are also accessible to inspect from Council's Principal Office during Council's ordinary business hours and where permitted, hardcopies/extracts are available (on payment of a fee, if any, fixed by Council)

- Assessment Book
- Parking Control Register
- Voters Roll (not available for purchase)
- Development Application Register
- Register of Elected Members – Allowances and Benefits
- Community Land Management Plans
- Public Road Register

All general inquiries regarding access to Council documents should be made to [city@mountgambier.sa.gov.au](mailto:city@mountgambier.sa.gov.au)

#### 6. FREEDOM OF INFORMATION APPLICATION FEES AND PROCESSING CHARGES

To download an Application Form, or to use the online Freedom of Information application form, please visit: [State Records of South Australia](#).

Requests for information not publicly available will be considered in accordance with the FOI Act. 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 FOI Act and will be dealt with by an accredited FOI officer on behalf of Council. In dealing with an application under the FOI Act, consultation with third parties may be required. 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.

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Fees may be waived for disadvantaged persons, as set out in the Freedom of Information Regulations. At all times Council retains a discretion to waive, reduce or remit a fee for any reason it thinks fit.

If, in 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 FOI Officer will endeavour to work with the applicant to define the scope of the request and the costs involved.

Freedom of Information Requests should be addressed to:

**Freedom of Information Officer**

**City of Mount Gambier**

**PO Box 56**

**Mount Gambier SA 5290**

#### **7. AMENDMENT TO COUNCIL RECORDS**

Under the FOI Act, 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 records require amendment, details of the necessary changes are to be lodged with Council's accredited FOI Officer. There are no fees or charges for the lodgement, 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. APPLICATIONS**

The City of Mount Gambier processed three (3) Freedom of Information applications during 2024/2025 (compared to thirteen (13) in 2023/2024).

One (1) applicant was refused access to information in accordance with section 19(2), and two (2) applicants were granted partial access to the documents requested. Partial access being due to minor information redactions under exemption clause 6 and refusal of access to one document subject to legal professional privilege in accordance with clause 10 of FOI Act.



**Sarah PHILPOTT**  
CHIEF EXECUTIVE OFFICER  
31 July 2025