

Freedom of Information Statement 2026/27

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1. Introduction

Section 9(1a) of the *Freedom of Information Act 1991* (FOI Act) requires Councils to publish an up-to-date Freedom of Information Statement at intervals of not more than 12 months. The Information Statement must contain specified content and must be published in the Councils annual report and/or on the Councils website¹.

This Freedom of Information Statement is provided by Barunga West Council in accordance with the FOI Act, for publication 01 July 2026.

Subject to restrictions contained within, the FOI Act provides members of the public with a legally enforceable right to access information held by South Australian Government Agencies such as councils.

Barunga West Council is committed to open, accountable and transparent decision-making. Council aims to make information publicly available wherever possible without the need for a formal Freedom of Information application.

2. Structure and Functions of Council

The Council consists of the Principal Members, referred to as the Mayor & Deputy Mayor and 7 Council Members who represent residents and ratepayers in the Council area.

Council is a body corporate as constituted under the *Local Government Act 1999* (the Local Government Act) and is established to provide for the government and management of its area at the local level and, in particular²:

- a) to act as a representative, informed and responsible decision-makers in the interest of its community;
- 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;
- c) to encourage and develop initiatives within its community for improving the quality of life of the community;
- 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 and other acts in relation to the area for which it is constituted.

¹ Part 2—Publication of certain information, *Freedom of Information Act 1991* and Regulation 5, *Freedom of Information (General) Regulations 2017*

² Section 6 *Local Government Act 1999*

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The functions³ of the 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;
 - i) 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;
- 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.

The Council must⁴ 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;

³ Section 7, *Local Government Act 1999*

⁴ Section 8 *Local Government Act 1999*

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- i) 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;
 - i) 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, 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 the local level. 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.

2.1. Public meetings

Ordinary meetings of the Council are held in the Barunga West Council Chambers as determined by resolution of Council at the beginning of their term of appointment and currently commence at 6pm on the second Tuesday of each month (except for November and January where the Ordinary Meeting of Council is held on the third Tuesday). All Ordinary Council and committee meetings are open to the public, with the exception of any matters which are required to be considered in confidence⁵. A Special Meeting may be called from time to time on an as needed basis for any urgent matters.

One of the main opportunities for the community to gain information about the business of Council is through the agendas, and associated reports prepared for Council and Committee meetings. Agendas and minutes for these meetings are made publicly available via Council's website:

www.barungawest.sa.gov.au/documents/council-agenda-and-minutes

Printed copies can be provided on request from Council's principal office 11 Bay Street, Port Broughton, SA 5522 (on payment of a fee (if any) fixed by the Council).

Council does not maintain a separate category of documents for purchase. Where applicable, copies of publicly available documents may be provided upon payment of any fee determined by Council.

2.2. Council committees and subsidiaries

The *Planning, Infrastructure and Development Act 2016* (PDI Act) provides⁶ that Council (as a designated authority) may appoint 1 or more Council Assessment Panel/s clearly specifying which class of development each panel is to assess. Barunga West Council has appointed 1 Assessment Panel constituted by a different number of members for different classes of development.

In accordance with the Local Government Act, the Council must establish an Audit & Risk Committee⁷ to provide independent assurance and advice to the Council on accounting, financial management, internal controls, risk management and governance matters.

In addition, the Council may establish Committees⁸:

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

⁵ Section 90, *Local Government Act 1999*

⁶ Section 83 (1), PDI Act 2016

⁷ Section 126 (1), *Local Government Act 1999*

⁸ Section 41 (2), *Local Government Act 1999*

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- to inquire into and report to the Council on matters within the ambit of the Council's responsibilities;
- to provide advice to the Council; and
- to exercise, perform or discharge delegated powers, functions or duties.

The Council has established the following Committees:

- Executive Committee
- Audit & Risk Committee
- Council Assessment Panel (CAP)
- Governance Advisory Panel (GAP)
- Barunga West Community Library (Advisory) Committee
- Building Fire Safety Committee

The membership of all Council Committees are determined by the Council. Further information including copies of agenda, minutes, and terms of reference is available from Council's website www.barungawest.sa.gov.au/documents/committee-meetings

Subsidiaries

The Council may establish a subsidiary⁹ 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 or another Act. The Council may also, with one or more other Councils establish a regional subsidiary¹⁰ to provide a specified service, to manage or perform a function of the Council under the Local Government Act or another Act.

Council's subsidiaries are as follows:

- Northern and Yorke Local Government Association

2.3. Delegations

The Council exercises a range of statutory powers and functions. Most of these powers and functions can be delegated by the Council¹¹. 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 are reviewed by the Council within 12 months after the conclusion of each periodic election and as required as

⁹ Section 42, *Local Government Act 1999*

¹⁰ Section 43, *Local Government Act 1999*

¹¹ Section 44, *Local Government Act 1999*

a result of legislative change. 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 - www.barungawest.sa.gov.au/documents/delegations

3. Public Participation

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

Attendance at public meetings via deputation – Members of the public are welcome to attend Council and committee meetings which are open to the public. 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 – www.barungawest.sa.gov.au/council/council-meeting-dates

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 – www.barungawest.sa.gov.au/services/forms-permits

Council Members – Members of the public can contact Elected Members of Council to discuss any issue relevant to Council. Contact details for all Elected Members are available on Council's website – www.barungawest.sa.gov.au/council/elected-members

Written Requests – Members of the public can write to the Council on any Council policy, activity or service via email to barunga@barungawest.sa.gov.au

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.barungawest.sa.gov.au/documents/policies>

4. Access to Council Documents

4.1. 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 Management - Council manages its official records in accordance with the State Records Act 1997 using the Synergy Electronic Document and Records Management System.

4.2. Policies and publicly accessible information

Pursuant to section 132 and Schedule 5 of the Local Government Act the following categories of documents are available on Council's website - www.barungawest.sa.gov.au/documents/policies

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
- By-laws

Council has published the following policies:

Please note: All documents and website links referred to in this Freedom of Information Statement were current and accurate at the time this Statement was prepared. As Council regularly reviews and updates its website, documents or hyperlinks may change after publication.

- Accounting (Asset) Policy (*PDF File, 449.4 KB*)
- Accounting (General) Policy (*PDF File, 688.7 KB*)
- Australia Day Policy (*PDF File, 329.1 KB*)
- Caretaker Policy (*PDF File, 1.9 MB*)
- Cat Management and Containment Policy Statement (*PDF File, 193.3 KB*)
- Cemetery Management Policy (*PDF File, 3.0 MB*)
- Code of Practice- Access to Council Meetings (*PDF File, 375.2 KB*)
- Complaints Handling - Elected Members (*PDF File, 147.1 KB*)

- Complaints Handling (Services) Policy (*PDF File, 90.6 KB*)
- Contractor Management Policy (*PDF File, 1.6 MB*)
- Council and Committee Meeting Procedures (*PDF File, 337.3 KB*)
- CWMS Customer Charter (*PDF File, 124.1 KB*)
- CWMS Hardship Policy (*PDF File, 65.3 KB*)
- CWMS Policy (*PDF File, 140.9 KB*)
- CWMS Pricing Policy Statement (*PDF File, 599.3 KB*)
- Disposal of Assets Policy (*PDF File, 676.7 KB*)
- Elected Members Allowance and Benefits Policy (*PDF File, 819.5 KB*)
- Elected Members Behavioural Management Policy (*PDF File, 623.3 KB*)
- Elected Member Training and Development Policy (*PDF File, 665.0 KB*)
- Election Signs Policy (*PDF File, 534.9 KB*)
- Emergency Management Council Ready Policy (*PDF File, 565.5 KB*)
- Employee Bullying Harassment and Sexual Harassment Policy (*PDF File, 156.7 KB*)
- Employee Drug and Alcohol Management Policy (*PDF File, 1.4 MB*)
- Employee Motor Vehicle Policy (*PDF File, 295.8 KB*)
- Employee Use of Credit Card Policy (*PDF File, 698.5 KB*)
- External Grant Funding Policy 2016 (*PDF File, 93.2 KB*)
- Hazardous Work Policy 2015 (*PDF File, 207.2 KB*)
- Horses on Beaches Policy (*PDF File, 86.3 KB*)
- Internal Financial Control Policy (*PDF File, 723.6 KB*)
- Kerbside Waste Collection Guidelines (*PDF File, 461.7 KB*)
- Kerbside Waste Collection Policy (*PDF File, 801.5 KB*)
- Leases Licenses and Permits Policy (*PDF File, 704.8 KB*)
- Mobile Vendor Policy (*PDF File, 291.5 KB*)
- Naming Roads and Public Places Policy (*PDF File, 125.8 KB*)
- Order Making Policy (*PDF File, 412.1 KB*)
- Procurement Policy (*PDF File, 508.2 KB*)
- Prudential Management Policy (*PDF File, 150.6 KB*)
- Public Art Policy (*PDF File, 146.9 KB*)
- Public Consultation Policy (*PDF File, 147.3 KB*)
- Public Interest Disclosure Procedure (*PDF File, 534.9 KB*)
- Rating Policy (*PDF File, 555.7 KB*)
- Records Management Policy (*PDF File, 101.2 KB*)
- Return to Work Policy – Workers Compensation Scheme (*PDF File, 1.6 MB*)
- Request for Service Policy (*PDF File, 102.4 KB*)

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- Safe Environment Policy (*PDF File, 284.3 KB*)
- Social Media Policy (*PDF File, 4.8 MB*)
- Supplementary Election Policy (*PDF File, 668.0 KB*)
- Timber Collection from Roadside Permit Policy (*PDF File, 80.3 KB*)
- Treasury Management Policy (*PDF File, 354.8 KB*)
- Unsolicited Proposal Policy (*PDF File, 454.3 KB*)
- Virtual Meeting and Live Streaming Guidelines (*PDF File, 92.8 KB*)
- Volunteer Management Policy (*PDF File, 300.6 KB*)
- WHS Communication and Consultation Policy (*PDF File, 201.9 KB*)

All general inquiries regarding access to Council documents should be made via email to:
barunga@barungawest.sa.gov.au

5. 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 3, Port Broughton, SA, 5522.

To download an Application Form, please visit: www.barungawest.sa.gov.au/services/forms-permits

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 the Council.

In dealing with an application under the FOI Act, 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 hardship¹². Section 53 of the FOI Act allows Council (as the Agency) to waive, reduce or remit a fee or charge in circumstances other than those provided for in the Regulations¹³.

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

5.1. 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 FOI 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.

¹² Section 5, *Freedom of Information (fees and Charges) Regulations 2018*

¹³ *Freedom of Information (General) Regulations 2017*