

DISTRICT COUNCIL OF  
KIMBA

**1.26**

# **FREEDOM OF INFORMATION STATEMENT**



*District Council of*

**KIMBA**

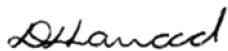
*Est. 1924*

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

[council@kimba.sa.gov.au](mailto:council@kimba.sa.gov.au)

**2026**

This document has been endorsed and approved for use by:



Debra Larwood  
Chief Executive Officer

11/03/2026

Date

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### Change History

| <b>Version</b> | <b>Issue Date</b> | <b>Author</b> | <b>Reasons for Change</b> | <b>Review Due</b>                                           |
|----------------|-------------------|---------------|---------------------------|-------------------------------------------------------------|
| 1              | 14/03/2018        | L Keane       | New policy                | March 2019                                                  |
| 2              | 13/03/2019        | L Keane       | Review                    | March 2020                                                  |
| 3              | 13/05/2020        | EM &          | Review                    | March 2021                                                  |
| 4              | 10/03/2021        | EM &          | Review                    | March 2022                                                  |
| 5              | 09/03/2022        | EM &          | Review                    | March 2023                                                  |
| 6              | 08/03/2023        | EM            | Review                    | March 2024                                                  |
| 7              | 13/03/2024        | EM            | Review                    | Extensive review due to Local Government Reform (July 2024) |
| 8              | 12/03/2025        | EM            | Review                    | March 2025                                                  |
| 10             | 11/03/2026        | EM            | Review                    | March 2026                                                  |

# FREEDOM OF INFORMATION STATEMENT

**2026**

This Freedom of Information Statement is published by the District Council of Kimba (Council) in accordance with the *Freedom of Information Act 1991* (FOI Act) and Schedule 4 1(gb) of the *Local Government Act 1999*.

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 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 advise how it can be accessed by the public.

An updated Information Statement will be published on the Council's website each financial year. This statement was released on Wednesday, 11<sup>th</sup> March 2026

## **1 Structure and Functions of Council**

### **1.1 Full Council and provisions for meeting procedures**

The Council consists of the Principal Member, a Mayor, and six Elected Members who represent residents and ratepayers within the District of Kimba Local Government Area boundary. "Council" is the body corporate consisting of Elected Members as constituted under the *Local Government Act 1999*. Council 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 coordinate various public services and facilities and to develop its community and resource in a socially just and ecologically sustainable manner; and
- c) to encourage and develop initiatives within its community for improving the quality of life of the community; and
- d) to represent the interests of its community to the wider community; and
- e) to exercise, perform and discharge the powers, functions and duties of Local Government under the *Local Government Act 1999* and other acts in relation to the area for which it is constituted. [section 6 of the *Local Government Act 1999*].

Pursuant to section 7 of the Local Government Act, the functions of the Council are <sup>1</sup>:

- 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;
- c) to determine the appropriate financial contribution to be made by ratepayers to the resources of Council;
- d) to provide for the welfare, well-being and interests of individuals and groups within its community;
- e) to take measures to protect its area from natural and other hazards and to mitigate the effects of such hazards;
- f) to manage, develop, protect, restore, enhance and conserve the environment in an ecologically sustainable manner, and to improve amenity;
- g) to provide infrastructure for its community and for development within its area;
- h) to promote its area and to provide an attractive climate and locations for the development of business, commerce, industry and tourism;

- i) to establish or support organisations or programs that benefit people in its area or local government generally;
- j) to manage and, if appropriate, develop, public areas vested in, or occupied by, the Council;
- k) to manage, improve and develop resources available to the Council;
- l) to undertake other functions and activities conferred by or under the Act.

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

- a) provide open, responsive and accountable government;
- b) be responsive to the needs, interests and aspirations of individuals and groups within its community;
- c) participate with other Councils, and with State and national governments, in setting public policy and achieving regional, State and national objectives;
- d) give due weight, in all its plans, policies and activities, to regional, State and national objectives and strategies concerning the economic, social, physical and environmental development and management of the community;
- e) seek to co-ordinate with State and national government in the planning and delivery of services in which those governments have an interest;
- f) 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;
- g) 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;
- h) manage its operations and affairs in a manner that emphasises the importance of service to the community;
- i) seek to ensure that Council resources are used fairly, effectively and efficiently and Council services, facilities and programs are provided effectively and efficiently;
- j) seek to provide services, facilities and programs that are adequate and appropriate and seek to ensure equitable access to its services, facilities and programs;
- k) 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;
- l) achieve and maintain standards of good public administration;
- m) 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 a local area. The Council's regulatory role can affect members of the public who act in contravention of legislation. Further, the Council imposes rates and charges on ratepayers which is used to fund the activities of the Council. Rating decisions can affect individuals and groups within the Council's community differently.

Ordinary meetings of the Council are held in the chambers of the District Council of Kimba at 9 Cross Street, Kimba, and commence at 2pm on the second Wednesday of each month. All meetings are open to the public, with the exception of any matters subject to an order of confidentiality pursuant to s90 of the *Local Government Act 1999*. Notices of all meetings of Council and its committees are available on the website and from the Council office.

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 publicly available from Council's website [www.kimba.sa.gov.au](http://www.kimba.sa.gov.au). Printed copies can be provided on request from Council's principal office 9 Cross Street, Kimba SA 5641 (on payment of a fee (if any) fixed by the Council).

### 1.2 Council committees and subsidiaries

**Schedule 1** of this statement lists the various committees of Council. Committees streamline Council business and assist in the performance of its functions. The membership of committees and their terms of reference are determined by the Council and available on the Council Website

Committees meet at intervals determined in their terms of reference (available on Council's website and at the Council office) and make recommendations to Council. Meetings of committees are open to the public with the exception of any matters subject to an order of confidentiality pursuant to s90 of the *Local Government Act 1999*, and are publicly notified in the same way as Council meetings. (See 1.1 above)

Chapter 6 of the *Local Government Act 1999* and the *Local Government (Procedures at Meetings) Regulations 2013* prescribe the way meetings of a Council and its committees are to be conducted.

### 1.3 External committees/boards/associations

Council participates in a number of external committees, boards and associations, comprising Elected Members, staff, and the public, and these are listed in **Schedule 1**. The minutes of meetings of external Committees, Boards and Associations are included in the agenda for the meetings of the full Council (or appropriate committee).

### 1.4 Delegations

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

### 1.5 Functions of Council

The functions of Council, set out in s7 of the *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;
- 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. [s6 of the *Local Government Act 1999*]

Section 41 of the *Local Government Act 1999* empowers a Council to establish committees:

- To assist the Council in the performance of its functions;
- To enquire 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.

#### 1.6 Services for the Community

Council is required by legislation to:

- Determine policies to be applied by the Council;
- Develop and adopt Strategic Management Plans;
- Prepare and adopt Annual Business Plans and Budgets;
- Establish an Audit Committee;
- Develop appropriate policies, practices and processes of internal control;
- Set performance objectives;
- Establish policies and processes for dealing with complaints, requests for service, and internal review of Council decisions;
- Determine the type, range and scope of projects to be undertaken by the Council;
- Deliver planning and development, dog and cat management, fire prevention and certain public health services; and
- Provide the necessary administrative services to support Council's functions.

Other services and activities are provided through the decision-making processes of Council in response to local needs, interests and aspirations of individuals and groups within the community to ensure that Council resources are used equitably.

Other core services provided by Council include the provision of waste management and recycling services within the District of Kimba Local Government Area, and the management and maintenance of Council-controlled roads.

## 2 **Public Participation**

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

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

**Deputations to Council** – With the written permission of the Presiding Member of the committee or the Mayor, a member of the public can address a committee or the Council personally or on behalf of a group of residents for up to 15 minutes on any item that is relevant to that committee or the Council, depending on the number of deputations scheduled for a particular meeting. Contact Council's Chief Executive Officer for further information via 08 8627 2026.

**Petitions** – Written petitions can be addressed to the Council on any issue within the Council's jurisdiction.

**Presentations** – Presentations provide an opportunity for an organisation, Council officer(s) or member of the public to provide a committee or the Council with information relevant to a matter currently under consideration. The duration is up to 15 minutes and generally is limited to one presentation per meeting.

**Council Members** – Members of the public can contact Elected Members to discuss any issue relevant to Council. The contact details for all Elected Members are available on Council's website.

**Written requests** – Members of the public can write to Council on any Council policy, activity or service.

**Community Engagement** - The District Council of Kimba 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 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.

### 3 Access to Council Documents

#### 3.1 Documents held by Council

Most information and documentation held by Council is available for public viewing and is readily available without recourse to the *Freedom of Information Act 1991* and we invite you to discuss your information needs with us.

**Records system:** Council operates an electronic record (MAGIQ Documents) and document 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 District Council of Kimba area.

#### 3.2 Policies and publicly available 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.kimba.sa.gov.au](http://www.kimba.sa.gov.au). Upon request a printed copy can be provided (on payment of a fee (if any) fixed by the Council). Any new policy adopted by Council after publication of this statement will be similarly available.

|                                             |                                                                                           |
|---------------------------------------------|-------------------------------------------------------------------------------------------|
| Members Training and Development Policy     | Procurement Policy                                                                        |
| Internal Review of Council Decisions Policy | Order Making Policy                                                                       |
| Public Consultation Policy                  | Behavioural Standards for Employees                                                       |
| Travel & Accommodation Policy               | Code of Practice for Access to Council Meetings, Council Committees and Council Documents |

|                                                          |                                      |
|----------------------------------------------------------|--------------------------------------|
| Council Member Casual Vacancy Policy                     | Selection of Road Names Policy       |
| Elected Member Behavioural Management & Support Policies | Internal Financial Control Policy    |
| Elected Members Allowances and Support Policy            | Climate Change Policy                |
| Customer Complaints, Service and Comments Policy         | Fair Treatment Policy                |
| Caretaker Policy                                         | Hardship Policy                      |
| Prudential Management Policy                             | Outdoor Business Policy              |
| Risk Management Framework                                | Waste Management Policy              |
| Fraud and Corruption Prevention Policy                   | Social Media Policy                  |
| Rating Policy                                            | Council Induction Policy             |
| Tree Management Policy                                   | Election Signs Guidelines            |
| Safe Environment Policy                                  | KPMV Tenancy Policy                  |
| Unsealed Roads Policy                                    | Disability Access & Inclusion Policy |

### 3.3 Other Council documents

Other documents which can be accessed on Council's website include:

|                                           |                                    |
|-------------------------------------------|------------------------------------|
| Animal Management Plan                    | Annual Business Plans              |
| Annual Reports                            | Asset Management Long-Term Program |
| Council By-laws                           | Council and Committee Agendas      |
| Council and Committee Minutes             | Development Plan                   |
| Environmental Health Management Plan      | Fees and Charges Schedule          |
| Infrastructure and Asset Management Plans | Long-Term Financial Plan           |
| Strategic Plan                            | Audit Committee terms of reference |
| Register of Salaries                      | Annual Budget                      |

All general inquiries regarding access to Council documents should be made to the Chief Executive Officer via 08 8627 2026 or [council@kimba.sa.gov.au](mailto:council@kimba.sa.gov.au)

## 4 **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 189  
Kimba SA 5641

An FOI application form is available on Council's website  
or

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

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 hardship. At all times Council retains a discretion to waive, reduce or remit a fee for any reason it thinks fit.

If, in the Council's opinion, the cost of dealing with an application is likely to exceed the application fee, an advance deposit may be requested. The request will be accompanied by a notice that sets out the basis on which the amount of the deposit has been calculated. The accredited FOI Officer will endeavour to work with the applicant to define the scope of the request and the costs involved.

## **5 Amendment to Council records**

Under the *Freedom of Information Act 1991*, persons may request a correction to any information about themselves that is incomplete, incorrect, misleading or out of date.

To gain access to these Council records, a person must complete and lodge with Council an application form as indicated above outlining the records that he/she wishes to inspect.

If it is found that these require amendment, details of the necessary changes are to be lodged with Council's Freedom of Information Officer. There are no fees or charges for the 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.

## **Schedule 1 Committees of Council**

### Council committees and subsidiaries

Audit & Risk Committee  
Australia Day and Other State Awards Selection Committee  
Bushfire Management Advisory Committee  
Emergency Management Team  
Work Health and Safety Committee  
Kimba Tourism Committee

### External committees/boards/associations

Eyre Peninsula Local Government Association  
Eyre Peninsula Regional Assessment Panel