



GLEN INNES SEVERN COUNCIL
STATEMENT OF AFFAIRS
June 2008

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The Statement of Affairs has been published to aid members of the public in obtaining information that is held by the Glen Innes Severn Council and provide advice on Council's structure, functions and services.

1.0 AUTHORITY

1.1 This document is prepared in accordance with the following legislation:

- *Freedom of Information Act 1989 (Sect 14);*
- *Local Government Act 1993 (Section 12), and*
- *Local Government Act 1993 (Section 22).*

2.0 LEGISLATION

2.1 The Freedom of Information Act, 1989 (Section 14) states as follows:

“14 Publication of information concerning affairs of agencies

(1) The responsible Minister for an agency (other than a local authority):

(a) shall (within 12 months after the commencement of this section and at intervals of not more than 12 months thereafter) cause to be published, in such manner as the Minister administering this Act may approve, an up-to-date statement of the affairs of the agency, and

(b) shall (within 12 months after the commencement of this section and at intervals of not more than 6 months thereafter) cause to be published in the Gazette an up-to-date summary of those affairs.

(1A) The general manager of a local authority has, in relation to the local authority, the same functions under subsection (1) as the responsible Minister has in relation to an agency.

(2) A statement of the affairs of an agency shall contain:

(a) a description of the structure and functions of the agency, and

(b) a description of the ways in which the functions (including, in particular, the decision-making functions) of the agency affect members of the public, and

(c) a description of any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and the exercise of the agency's functions, and

- (d) a description of the various kinds of documents that are usually held by the agency, including:
 - (i) a description of the various kinds of [documents](#) that are available for inspection at the [agency](#) (whether as part of a public register or otherwise) in accordance with the provisions of a [legislative instrument](#) other than this Act, whether or not inspection of any such [document](#) is subject to a fee or charge, and
 - (ii) a description of the various kinds of [documents](#) that are available for purchase from the [agency](#), and
 - (iii) a description of the various kinds of [documents](#) that are available from the [agency](#) free of charge, and
 - (e) a description of the arrangements that exist to enable a member of the public to obtain access to the agency's documents and to seek amendment of the agency's records concerning his or her personal affairs, and
 - (f) a description of the procedures of the agency in relation to the giving of access to the agency's documents and to the amendment of the agency's records concerning the personal affairs of a member of the public, including:
 - (i) the designation of the officer or officers to whom inquiries should be made, and
 - (ii) the address or addresses at which applications under this Act should be lodged.
- (3) A summary of the affairs of an [agency](#):
- (a) shall identify each of the [agency's policy documents](#), and
 - (b) shall identify the most recent [statement](#) of affairs published under this section, and
 - (c) shall specify the designation of the officer or officers to whom inquiries concerning the procedures for inspecting and purchasing the [agency's policy documents](#) and [statements](#) of affairs should be made, and
 - (d) shall specify the address or addresses at which, and the times during which, the [agency's policy documents](#) and [statements](#) of affairs may be inspected and purchased.
- (4) Nothing in this section requires the publication of information that is of such a nature that its inclusion in a [document](#) would cause the [document](#) to be an [exempt document](#)."

2.2 *The Local Government Act 1993* (Section 22) states as follows:

“22 Other functions

A council has the functions conferred or imposed on it by or under any other Act or law.”

Note: The exercise by a Council of its functions under this Act may also be modified by the provisions of another Act. These Acts are listed in 3.4 Other Functions.

3.0 STRUCTURE AND FUNCTION OF COUNCIL

3.1 Organisation Structure

Glen Innes Severn Council is a duly incorporated Council in the State of New South Wales under the terms of the *Local Government Act 1993*.

Refer to Appendix “A” for Glen Innes Severn Council’s Organisation Structure.

3.2 Areas of Functions and Responsibilities

Section 8(1) of the *Local Government Act 1993* sets out the charter of a Council. The charter comprises a set of principles that are to guide a Council in the carrying out of its functions. These principles are:

- To provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively;
- To exercise community leadership;
- To exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism;
- To promote and to provide and plan for the needs of children;
- To properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development;
- To have regard to the long term and cumulative effects of its decisions;
- To bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible;

- To facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government;
- To raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants;
- To keep the local community and the State government (and through it, the wider community) informed about its activities;
- To ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected, and
- To be a responsible employer.

3.3 Functions under the Local Government Act, 1993

The *Local Government Act 1993*, classifies certain Council functions as services, ie:

Non-regulatory functions (Chapter 6)

Regulatory functions (Chapter 7)

Ancillary functions (Chapter 8)

Ancillary functions are those functions that assist the carrying out of a Council’s service and the regulatory functions.

A Council also has revenue functions (Chapter 15), administrative functions (Chapters 11, 12 and 13) and functions relating to the enforcement of this Act (Chapters 16 and 17).

These functions are summarised in the following table:

Service Functions	Regulatory Functions	Ancillary Functions	Revenue Functions	Administrative Functions	Enforcement Functions
<i>Including:</i> Provision of community health, recreation, education and information services Environmental protection Waste removal and disposal Land and property, industry and tourism development and assistance	<i>Including:</i> Approvals Orders Building Certificates	<i>Including:</i> Resumption of land Powers of entry and inspection	<i>Including:</i> Rates Charges Fees Borrowings Investments	<i>Including:</i> Employment of staff Management plans Financial reporting Annual reports	<i>Including:</i> Proceedings for breaches of various acts Prosecution of offences Recovery of rates and charges

3.4 Other Functions

Compliance with other Legislation: Council must comply with legislation under Acts other than the *Local Government Act 1993*, including those listed below and all related legislation.

- *Anti Discrimination Act, 1977*
- *Catchment Management Authorities Act, 2003*
- *Child Protection (Prohibited Employment) Act, 1998*
- *Child and Young Persons (Care and Protection) Act, 1998*
- *Commission for Children and Young People Act, 1998*
- *Community Land Development Act, 1989*
- *Companion Animals Act, 1998*
- *Companion Animals Amendment Act, 2005*
- *Contaminated Land Management Act, 1997*
- *Conveyancing Act, 1919*
- *Crimes Act 1900 (NSW);*
- *Crown Lands Act, 1989*
- *Dams Safety Act, 1978*
- *Dangerous Goods Act, 1975*
- *Disability Discrimination Act, 1992 (Comm)*
- *Dividing Fences Act, 1991*
- *Environmentally Hazardous Chemicals Act, 1985*
- *Environmental Offences and Penalties Act, 1989*
- *Environmental Planning and Assessment Act, 1979*
- *Environment Protection and Biodiversity Conservation Act 1999 (Comm)*
- *Evidence Act, 1995*
- *Finance and Audit Act 1983*
- *Fire Brigades Act, 1989*
- *Fisheries Management Act, 1994*
- *Fluoridation of Public Water Supplies Act, 1957*
- *Food Act, 2003*
- *Freedom of Information Act, 1989*
- *Heritage Act, 1977*

- *Human Rights and Equal Opportunity Commission Act, 1986 (Comm)*
- *Impounding Act, 1993*
- *Independent Commission Against Corruption Act, 1988*
- *Independent Pricing and Regulatory Tribunal Act , 1992*
- *Industrial Relations Act, 1996 (NSW)*
- *Interpretations Act, 1987*
- *Land Acquisition (Just Terms Compensation) Act, 1991*
- *Library Act, 1939*
- *Local Court (Civil Claims) Act, 1970*
- *National Parks and Wildlife Conservation Act, 1975*
- *Native Title Act, 1993 (Comm)*
- *Native Title Act (New South Wales) Act, 1994*
- *Native Vegetation Act, 2003*
- *Noxious Weeds Act, 1993*
- *Occupational Health and Safety Act, 2000*
- *Ozone Protection Act, 1989*
- *Pesticides Act, 1999*
- *Pipelines Act, 1967*
- *Privacy Act, 1988*
- *Privacy and Personal Information Protection Act, 1998*
- *Protected Disclosures Act, 1994*
- *Protection of the Environment Operations Act, 1997*
- *Public Health Act, 1991*
- *Public Works Act, 1912*
- *Racial Discrimination Act, 1975 (Comm)*
- *Real Property Amendment (Comp) Act, 2000*
- *Roads Act, 1993*
- *Rural Fires Act, 1997*
- *Sex Discrimination Act, 1984 (Comm)*
- *Soil Conservation Act, 1938*
- *State Emergency and Rescue Management Act, 1989*
- *State Emergency Service Act, 1989*
- *State Records Act, 1998*
- *Strata Schemes (Freehold) Act, 1973*

- *Strata Titles (Leasehold) Act, 1986*
- *Surveyors Act, 1929*
- *Swimming Pools Act, 1992*
- *Threatened Species Conservation Act, 1995*
- *Trade Practices Act, 1974 (Comm)*
- *Unclaimed Money Act, 1995*
- *Waste Avoidance and Resource Recovery Act, 2001*
- *Waste Recycling and Processing Corporation Act 2001*
- *Water Management Act, 2000*
- *Workers Compensation Act, 1987*

The functions of Glen Innes Severn Council are administered through Council's Management Plan that sets the direction of the Council so that the community's needs and expectations are met in a planned, coordinated and cost effective manner.

The Management Plan includes the Council's Vision and Mission for the Glen Innes Severn Council area. (Refer to Appendix "B"). These serve as an inspiration for the Council and the community.

Fourteen (14) major Principle Activities have been identified for Glen Innes Severn Council:

- Governance;
- Administration and Human Resources;
- Finance;
- Community Services;
- Library and Learning Centre;
- Recreation and Open Spaces;
- Economic Development and Tourism;
- Development and Environmental Services;
- Engineering Management and Administration;
- Works;
- Water Supply and Sewerage;
- Design and Special Projects;
- Plant and Trades, and
- Saleyards.

All programs are linked to the annual budget and forward financial plan.

The Principle Activities mentioned above are administered through three (3) departments. The specific functional responsibilities of each department are as follows:

CORPORATE AND COMMUNITY SERVICES	DEVELOPMENT AND ENVIRONMENTAL SERVICES	ENGINEERING SERVICES
General Administration Accounting Services Financial Planning Information Technology and Information Management Services Legal Matters Insurance Risk Management Property Acquisition and Sale Leases Occupational Health and Safety Business Recovery Social Planning Cultural Planning Community Safety Community Development Aged and Disability Services Children and Family Services Youth Services and Activities Aboriginal Services Food Services Brokered and Packaged Care Services Volunteers Community Information Library Services Human Resources Section 355 Committees Public Relations Freedom of Information	Development Assessment Strategic Planning Urban Design Building Regulation and Control Environmental Health Pollution Monitoring Water Sampling Shop Inspections Heritage Assessment Fire Safety and Upgrading Waste Management Tree Preservation Order Parks, Ovals and Gardens Cleaning Regulation of: <ul style="list-style-type: none"> • Car Parking • Street Parking • Dogs • Litter Control • Abandoned Vehicles Event Management Economic Development Tourism Swimming Pools Cemeteries Catchment Management Bushland Reserves	Roads Construction and Maintenance Kerb and Guttering construction Footpaths Stormwater Drainage Disaster Management Traffic Management Asset Management Design and Special Projects Saleyards Water Services Wastewater Services Fleet Management Plant Management Aerodrome Bridges Village Maintenance

* In addition to the above the Personal Assistant to the General Manager has a functional responsibility dealing with Civic Functions and the Communications / Media Officer, who also reports direct to the General Manager has a functional responsibility dealing with Communications.

4.0 AFFECT OF DECISION MAKING ON MEMBERS OF THE PUBLIC

- 4.1 Nearly all of the functions of Council have an effect on members of the public. The following is an outline of how the broad functions of Council affect the public:

Service functions affect the public as Council provides services and facilities to the public. These include extensive Community Services, halls and community centres, recreation facilities and the removal of excess garbage.

Regulatory functions place restrictions on development and buildings to ensure that they meet certain requirements and will not endanger the lives and safety of any person. Members of the public must be aware of and must comply with such regulations.

Ancillary functions affect only some members of the public. These functions include, for example, the resumption of land or the power for Council to enter onto a person's land. In these circumstances, only the owner of the property would be affected.

Revenue functions affect the public directly in that revenue from rates and other charges paid by the public is used to fund services and facilities provided to the community.

Administrative functions do not necessarily affect the public directly, but have an indirect impact on the community. For example, Council has developed a Management Plan that outlines the strategies of the Council over a short term and long term period.

Enforcement functions only affect those members of the public who are in breach of certain legislation. This includes matters such as the non-payment of rates and charges, unregistered dogs and parking offences.

5.0 PUBLIC PARTICIPATION IN THE FORMULATION OF COUNCIL POLICY AND THE EXERCISE OF COUNCIL FUNCTIONS

- 5.1 Council is required, and actively encourages, under the provisions of Section 10(1) of the Local Government Act, 1993, to open its full Council (Ordinary and Extraordinary) meetings and meetings of its Committees and Advisory Groups to the press and general public.
- 5.2 Similarly, Council is required to give notice to the public of the times and places of its meetings and those of its Committees. Copies of the business papers for all meetings are available for the general public at Council offices, libraries and at each meeting venue.

- 5.3** Whilst Glen Innes Severn Council is committed to, and has fostered, the practice of open local government, some matters are of a sensitive nature and for that reason are dealt with in closed committee.

The nature of such matters is contained within Section 10(A-E) of the Local Government Act, 1993.

- 5.4** Open Community Consultation time is held for 15 minutes prior to the commencement of an Ordinary meeting of Council. Questions from members of the gallery may be directed to the Mayor on any relevant matter.
- 5.5** Council usually holds its Ordinary Meetings on the fourth Thursday of each month (except January) and these meetings are held in the Conference Room at the Glen Innes Severn Learning Centre and are scheduled to commence at 9.15am.

6.0 TYPES OF DOCUMENTS HELD BY COUNCIL FOR PUBLIC INSPECTION FREE OF CHARGE / PURCHASE

- 6.1** The following documents held by Glen Innes Severn Council, are available for inspection, free of charge in accordance with Section 12 of the Local Government Act, 1993. Selected documents are also available on Council's web site at www.gisc.nsw.gov.au:

- Council's Code of Conduct;
- Annual Report;
- Annual Financial Reports;
- Auditor's Report;
- Management Plan;
- Social Plan;
- EEO Management Plan;
- Council's Policy concerning the payment of expenses incurred by, and the provision of facilities to Councillors;
- Council's Land Register;
- Register of Investments;
- Returns of the interests of Councillors, designated persons and delegates;

- Agendas and business papers for Council and Committee Meetings (but not including business papers for matters considered when a meeting is closed to the public);
- Minutes of Council and Committee Meetings, but restricted to the recommendations of the meeting (in the case of any part of a meeting that is closed to the public);
- Register of Delegations;
- Applications under Part 1 of Chapter 7 (*Local Government Act 1993*) for approval to erect a building, and associated documents;
- Development Applications (within the meaning of the *Environmental Planning and Assessment Act 1979*) and associated documents;
- Records of building certificates;
- Plans of land proposed to be compulsorily acquired by Council;
- Leases and licences for use of public land classified as community land;
- Plans of management for community land;
- Environmental Planning Instruments, development control plans made under Section 94AB of the *Environmental Planning and Assessment Act 1979* applying to land within the Council's area;
- Statement of Affairs, the Summary of Affairs and the Register of Policy documents required under the *Freedom of Information Act 1989*;
- Electoral Roll for Glen Innes Severn Council area;
- Register of Council's Policies;
- Complaints Policy;
- Procurement Policy, and
- Cemetery Register.

6.2 Documents produced by Council and available for viewing and / or sale:

- Local Environmental Plan;
- Development Control Plans;
- State of the Environment Report;
- Management Plan;
- Annual Report, and
- EEO Management Plan.

7.0 HOW MEMBERS OF THE PUBLIC MAY ACCESS AND AMEND COUNCIL DOCUMENTS

7.1 Public Access to Files

The Documents listed in the Summary of Affairs are accessible to the public. These documents can be obtained by contacting Council's Administration Centre, Grey Street, Glen Innes during office hours or by contacting Council's Public Officer on 02 6730 2300.

7.2 Freedom of Information Requests

Application for access to other information / documents under the Freedom of Information Act must be made by written application, accompanied by an application fee of \$30.00. Prior to making an application it is suggested that contact be made with the FOI Coordinator, as some information may be provided as part of a free service.

7.3 Public Officer

Council has appointed the Director of Corporate and Community Services, Ms Lotta Jackson, as it's Public Officer. Amongst other duties, the Public Officer may deal with requests from the public concerning the Council's affairs and has the responsibility of assisting people to gain access to public documents of the Council. If you have any difficulty in obtaining access to Council documents, you may wish to refer your enquiry to the Public Officer.

Also, if you would like to amend a document of Council, which you feel is incorrect, it is necessary for you to make written application to the Public Officer in the first instance.

Requests for access to and / or for the purchase of documents held by Council should be directed to:

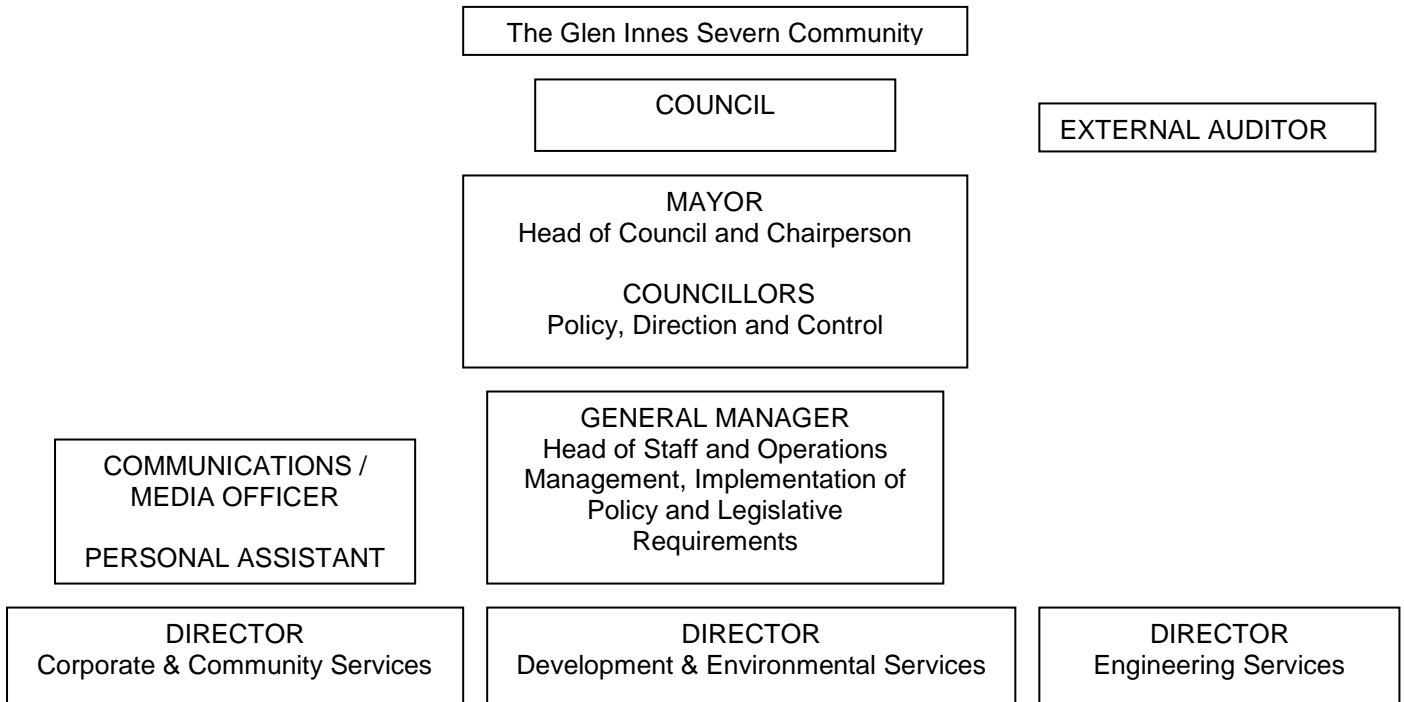
Ms Lotta Jackson
Director of Corporate and Community Services
(Public Officer)

Glen Innes Severn Council
PO Box 61
GLEN INNES NSW 2370

Telephone 02 6730 2300
Fax 02 6732 3764
Email council@gisc.nsw.gov.au
Office Hours 8.30am - 4.30pm (Monday – Friday)

APPENDIX A

ORGANISATION STRUCTURE



COUNCILLORS: 2004-2008

- Steve Toms (*Mayor*)
- Colin Price (*Deputy Mayor*)
- David Cooper
- Rosemary Curtis
- Stephen Hicks
- Dianne Newman
- Robert Schroder
- Shirley Taylor

SENIOR STAFF

General Manager:

Hein Basson

EXECUTIVE STAFF

Director Corporate & Community Services:

Lotta Jackson

Director Development & Environmental Services:

Graham Price

Director Engineering Services (*Acting*):

Malcolm Donnelly

ANNEXURE B

COUNCIL SLOGAN: *“Embracing change, building on history”*

VISION: To lead a confident, inclusive community that embraces change, and is proud of its heritage, spirit and collective achievements.

MISSION: To effectively manage appropriate community facilities and services through responsive, progressive and efficient local government*
**In accordance with Section 8 of the Local Government Act, 1993 (The Council's Charter)*

VALUES:

- Integrity
- Accountability
- Respect
- Openness
- Objectivity

Strategic Objectives

1. Provide accountable and effective **financial management**.
2. Develop a responsive **communication** strategy.
3. Facilitate **land use** planning and **environmental** management.
4. Provide sustainable **infrastructure** management.
5. Attract **external funding**.
6. Facilitate **economic development**.
7. Develop **organisational capacity**.
8. Provide appropriate **community care**.

Strategic Financial Objectives

1. To maintain a realistic and achievable budgeted cash surplus of between \$250,000 and \$500,000 per annum, and to increase the current accumulated unrestricted ratio from the present ratio of 2:26 to 3:1; thereby increasing Council's working capital availability over the next number of years.
2. To ensure that a realistic and defensible percentage of Council's rural rate revenue is expended on local rural roads.
3. To maintain sufficient funds to meet known financial commitments beyond the current financial year, and to renew or acquire new capital infrastructure assets in line with Council's Asset Management Plans for its various infrastructure assets.
4. To continually assess all expenditure to ensure consistency with Council's newly developed and adopted strategic objectives.
5. To continually review all operating expenditure and improve efficiency in service delivery where possible.
6. To concentrate expenditure upon capital renewal, rather than creating new assets which will increase Council's maintenance budget into the future.
7. To reduce Council-owned assets which do not sit comfortably with Council's adopted strategic objectives, and place an unnecessary ongoing maintenance burden on Council.
8. To implement user-pay principles on service provision and assets, excluding known and Council-approved community service obligations.
9. To maximise returns on Council's investments, without increasing Council's investment risk above acceptable levels.
10. To attract and maximise government grants and subsidies as external funding sources for Council services.