



CLARE & GILBERT
VALLEYS COUNCIL

Freedom of Information Statement 2019-2020

This Information Statement is published by the Clare & Gilbert Valleys Council in accordance with the requirements of Section 9 (1a) of the Freedom of Information Act 1991 (the 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 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.

Council documents are available on Council's website www.claregilbertvalleys.sa.gov.au

These include: Council and Committee Agendas, Minutes, Terms of Reference, Policies, Community Plan, Long Term Financial Plan, Annual Business Plan and Budget, Register of Confidential Items and delegations Register.

You have a legal right to:

- seek access to documents from a state government agency, local council or university
- request amendments to documents relating to you that are incomplete, incorrect, out-of-date or misleading.

Freedom of information (FOI) requests are processed by the agency that holds the information.

PROFILE OF COUNCIL

The Clare & Gilbert Valleys form part of the traditional lands of the Ngadjuri peoples and their rich connection and association with this place is recognised.

Our district comprises some of the most productive lands and scenic landscapes in Australia which deliver premium products and experiences. Located adjacent to the outer metropolitan area of South Australia's capital Adelaide, the Clare & Gilbert Valleys enjoy the advantages of proximity and accessibility with an enviable rural lifestyle.

The Clare Valley wine region is famous for its world class Riesling and has achieved recognition as Australia's Capital of Riesling. Combined with Shiraz as another staple, and emerging wine varieties, the Clare Valley continues to have a strong future in viticulture and winemaking.

The corner stones of the economy are the productive and fertile lands of the Clare & Gilbert Valleys combined with favourable climatic conditions resulting in excellent broad acre cropping opportunities and livestock production. This strength provides a solid foundation for enviable food experiences and an increasing trend towards value-adding beyond the farm gate.

The Clare & Gilbert Valleys is described as a tapestry of towns, villages and rural landscapes across which our population of 9,311 is dispersed. Ranging from the service towns of Clare, Riverton, Saddleworth and Auburn through to the villages of Stockport, Tarlee, Rhynie, Manoora, Mintaro, Watervale, Sevenhill, Armagh, Waterloo, Hilltown, Leasingham, Stanley Flat and Marrabel each has a proud history, great stories and a positive future.

The Clare & Gilbert Valleys is home to the renowned Riesling Trail, which hosts cycling and walking from Barinia in the north to Auburn in the south, it covers more than 35kms along the old railway corridor. A southern extension through the Rattler Trail, from Auburn through to Riverton, makes a total distance of 60kms. The Heysen, Mawson, Kidman and Lavender Trails also traverse the Council's landscape offering a diversity of active experiences.

Education is a focus for the Clare & Gilbert Valleys with excellent public and private schools and a number of training organisations. A quality library service is provided through full time libraries at Clare, Saddleworth and Riverton, with an agency in Auburn. The strong presence of the University of the Third Age enables a wide variety and range of interests to be explored. Clare & Gilbert Valleys is also represented by a number of service clubs including Lions, Rotary and Apex.

The high level of health and associated services available locally, including two hospitals, four medical and two dental practices, and an excellent ambulance service along with the presence of the Mid North Community Passenger Network Scheme, provide well for those who need assistance.

SERVICES TO THE COMMUNITY

All Councils have basic responsibilities under the Local Government Act and other relevant legislation. These mandatory activities include:

- Regulatory activities e.g. maintaining the voters' roll and supporting Council Members
- Setting rates, preparing an Annual Budget and determining longer-term strategic management plans for the area
- Management of basic infrastructure including roads, footpaths, parks, public open space, street lighting and storm-water drainage
- Community wastewater management systems
- Development planning and control, including building safety assessment
- Various environmental health services
- Dog and Cat Management
- Fire season preparedness
- Rubbish Collection

In response to community needs the Council also provides non-mandatory services and programs including:

- Library services
- Street cleaning and rubbish collection
- Town Halls and community buildings
- Cemetery management
- Economic development
- Fire prevention services
- Environmental programs
- The Clare Art House and other community spaces
- Community & volunteer programs
- Valleys Lifestyle Centre – Managed by YMCA
- Sporting and recreational facilities
- Community Passenger Network

In all services, the Council seeks to be responsive to changing needs. Community feedback and surveys undertaken from time to time, check levels of satisfaction and areas for improvement.

The Council also operates a number of facilities on a fee for service basis (but not necessarily at full cost recovery). These facilities provide important community benefits while also generating revenue for services and projects of benefit to the Clare & Gilbert Valleys Council and include:

- Caravan parks at Riverton and Auburn
- Rubbish Collection including recycling
- Community Waste Management Schemes.

COUNCIL MEETINGS, AGENDAS & REPORTS

Clare & Gilbert Valleys Council encourage members of the public to attend regular Council meetings which are held every third Monday of the month, commencing at 7pm. Public question time is held during the meetings and anyone wishing to ask a question of Council is encouraged to attend. Further information about public question time and Council meetings is available from the Council offices (Clare, Riverton and Saddleworth).

Agendas & Minutes of monthly Council meetings are placed on public display at the Council offices and also posted on Councils website. Agendas are available no less than three days prior to the meetings. Minutes are available within 5 days after the meetings.

The following documents are available for public inspection at the Clare & Gilbert Valleys Council offices free of charge or members of the public may purchase copies at a set fee:

- Annual Business Plan
- Annual Report
- Annual Budget
- Agendas and Minutes of all meetings
- Audited Financial Statements

FREEDOM OF INFORMATION (FOI) APPLICATIONS

If the information and documents you want cannot be accessed by any of these means, then the Freedom of Information Act 1982 gives you a right of access to documents that we hold.

You can make a request or you can authorise another person to make a request on your behalf (for example, a solicitor). If you want someone to make the request on your behalf, we will not process the request unless we receive your written authorisation.

Similarly, if the documents are about your personal affairs, please provide us with evidence of your identity (for example, a copy of your driver's licence).

The term 'document' is broad and covers written documents, whether printed or in electronic form, the contents of files, maps, film, microfiche, photographs and audio and video recordings.

Requests for information will be considered in accordance with the Freedom of Information Act 1991 (SA). The Act gives individuals the right to access documents (subject to certain restrictions) that are within the Council's possession. It also allows for the amendment of documents which contain personal information that is incomplete, incorrect, out of date or misleading.

The Freedom of Information Act 1991 provides legislation and guidelines for access and provision of information to the public. Most information and files held by the Clare & Gilbert Valleys Council are available for public viewing. There are a few exceptions, such as personal and personnel records and matters which are subject to litigation, but generally, information is readily available for viewing at no charge or a minimal reproduction charge.

In rare cases, retrieving the requested information involves considerable staff time. It is important to specify what you require as clearly as possible so staff can quickly and efficiently assist. If extraordinary staff time is required to comply with an information request, charges may apply.

For the year 1 July 2019 to 30 June 2021, Council received 1 request under provisions of the Freedom of Information Act to provide information.

Requests under the Freedom of Information Act 1991 for access to documents in the possession of Council should be directed in writing to:

Freedom of Information Officer
Clare & Gilbert Valleys Council
4 Gleeson Street
CLARE SA 5453

How long will the process take?

A request for access will be dealt with as soon as practicable, or within 30 (calendar) days of it being received. In certain circumstances Council may extend the timeframe for dealing with applications and Council will advise within 20 (calendar) days if an extension is necessary.

How much will it cost?

The fees and charges for making and processing a Freedom of Information application are as set out in the Freedom of Information (Fees and Charges) Regulations 2003 under the Freedom of Information Act 1991:

	Where a person is liable to pay a fee or charge to an agency under the Act satisfies the agency - (a) that he or she is a concession card holder; or (b) that payment of the fee or charge would cause financial hardship to the person, the agency must waive or remit the fee or charge.	Yes	\$0.00
1	On application for access to any agency's document	Yes	\$37.50
2(1)	For dealing with an application for access to an agency's document and in respect of the giving of access to the document (section 19(1)(b) and (c))		
2(1) (a)	In the case of a document that contains information concerning the personal affairs of the applicant		
2(1) (i)	For up to the first 2 hours spent by the agency in dealing with the application and giving access	Yes	\$0.00
2(1) (ii)	For each subsequent 15 minutes so spent by the agency	Yes	\$14.10
2(1) (b)	In any other case - for each 15 minutes so spent by the agency	Yes	\$14.10
2(2)	In addition to the fees specified in subclause (1), the following fees are payable in respect of the giving of access to an agency's document:		
2(2) (a)	Where access is to be given in the form of a photocopy of the document (per page)	Yes	\$0.20
2(2) (b)	Where access is to be given in the form of a written transcript of words recorded or contained in the document (per page)	Yes	\$8.40
2(2) (c)	Where access is to be given in the form of a copy of a photograph, x-ray, video tape, computer tape or computer disk	Yes	Actual cost incurred in producing the copy
	Note - If the applicant requires that a document be posted or delivered, the applicant may pay the actual costs incurred by the agency in posting or delivering the document.		
3	On application for review by an agency of a determination made by the agency under Part 3 of the Act (Section 29(2)(b))	Yes	\$37.50