



CLARE & GILBERT
VALLEYS COUNCIL

Freedom of Information Statement 2026-2027

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Information Statement

This Freedom of Information Statement is published by the Clare & Gilbert Valleys Council in accordance with Section 9 of the [Freedom of Information Act 1991](#) (FOI Act).

Subject to certain exemptions, 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.

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.

1. Structure of the Council

The Council is established under the [Local Government Act 1999](#) (the Act) to provide for the government and management of its area. The provisions of the Act are supported by the [Local Government \(General\) Regulations 2013](#) and the [Local Government \(Procedures at Meetings\) Regulations 2013](#). "Council" is the body corporate consisting of 10 Elected Members as constituted under the Act.

The Mayor is elected by the electors of the area and nine Elected Members are elected by the electors of the electorate as a representative of the area as a whole. It operates as a single area council with no wards.

Council elections are held every four years with the next election originally scheduled to take place in November 2026, however this has been deferred to April 2027. Residents and ratepayers of the area are eligible to vote in Council elections.

Councils in South Australia are required to undertake a representation review in accordance with Section 12 of the Act at least once in each 'relevant period'. The 'relevant period' is a period set by the Minister responsible for the Act by notice in the Gazette. The last representation review was completed in February 2025.

Council is primarily accountable to the local community and also to State, legal and administrative review systems.

1.1 Mayor

The Mayor carries out the civic and ceremonial duties of the office and therefore attends most functions on behalf of the Council. The Mayor is the principal spokesperson of the Council and Chairs all Council Meetings.

1.2 Elected Members

Elected Members participate in the deliberations and civic activities of the Council, they keep the objectives and policies of Council under review as well as Council's resource allocation and efficiency and effectiveness of service delivery.

Elected Members represent the interests of residents and ratepayers. They provide the community with leadership and guidance, and also assist with facilitation of communication between the community and the Council.

1.3 Chief Executive Officer

The Chief Executive Officer is responsible for staff, and the day-to-day operations and affairs of the Council, as well as providing advice to the Council as necessary.

2. Council Role and Functions

Section 7 of the Act sets out the functions of a Council as follows:

- (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, residents, and visitors to its area;
- (ba) to determine the appropriate financial contribution to be made by ratepayers to the resources of the 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 (including infrastructure that helps to protect any part of the local or broader community from any hazard or other event, or that assists in the management of any 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 Section 6 of the Act.

Section 8 of the Act requires Council 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;
 - 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 the Council are set out in the Act, Council also has functions under other legislation, such as:

- [Planning, Development and Infrastructure Act 2016](#); and
- [South Australian Public Health Act 2011](#); and
- [Food Act 2001](#); and
- [Road Traffic Act 1961](#); and
- [Dog and Cat Management Act 1995](#)

3. Decision Making Structure

The Act provides for decisions to be made at Council meetings, by committees and subsidiaries of Councils, by the Chief Executive Officer - specifically in relation to staffing matters, and by Council employees and other authorised people through delegated powers from Council.

Council determines policy and makes other decisions at Council meetings on an ongoing basis. Policies and budgets endorsed by the Council provide a framework for the provision of services and programs and for day-to-day operational decision-making. Provided a quorum is present, a decision is made by the votes of the majority of Elected Members present at a meeting.

The Mayor does not have a deliberative vote at Council meetings but has a casting vote if there is a tied vote. A Chairperson at a Committee meeting has a deliberative vote, but not a casting vote.

Individual Elected Members cannot make decisions nor give directions to Council employees. Their key role is to develop and review policy as a group, leaving day-to-day administration and operational matters to the Chief Executive Officer and Council employees.

3.1 Council and Council Section 41 Committee Agenda and Minutes

Agendas and minutes for Council and Council Section 41 Committees will be publicly displayed at the principal office of Council and also available on Council's website www.claregilbertvalleys.sa.gov.au.

Agendas will be available at least three clear days prior to the meeting and minutes are published within five clear days after the meeting.

Council's practice for Section 41 Committees (unless otherwise stated in their Terms of Reference), is that agendas can be accessed at least five clear days prior to the meeting and minutes are published within five clear days after the meeting.

The dates of all Council and Committee meetings are published on Council's website.

3.2 Council Meetings

Clare & Gilbert Valleys Council encourage members of the public to attend regular Council meetings which are held in the Council Chamber, 4 Gleeson Street, Clare, every third Wednesday of the month, commencing at 6pm, with the exception of the December and January meetings which are to be held on the second and fourth Wednesday respectively, and with the exception of the meetings that are held away from the principal office, which will be held at 7.00pm.

Special meetings of Council are called as required.

Members of the public can also request a link to view Council meetings via Zoom.

Meetings are open to the public unless the need for confidentiality outweighs the principle of open decision making and the meeting is moved into a confidential session, in accordance with section 90 of the Act.

3.3 Council Committees

Committees are generally established by Council under Section 41 of the Local Government Act 1999 or the Planning, Development and Infrastructure Act 2016 and do not have any delegated decision-making power (unless specified otherwise by Council), they are advisory in nature and their purpose is set out in each Committee Terms of Reference located on Council's website.

Council must determine the membership and the reporting requirements of each of its key Committees. The Council encourages community participation by including community representation on its Committees.

The Key Section 41 Committees are listed below:

- [Audit & Risk Committee](#)
- [Auburn Recreation Park Committee](#)
- [Clare Town Hall Committee](#)
- [Chief Executive Officer Panel](#)
- [Mid North Community Passenger Network Committee](#)
- [Reconciliation Advisory Group](#)
- [Riverton Recreation Ground Committee](#)

The [Mid North Regional Assessment Panel](#) was established pursuant to Section 84 of the Planning, Development and Infrastructure Act 2016 (The PDI Act), and consists of the Clare & Gilbert Valleys Council, Northern Areas Council, Regional Council of Goyder and the Wakefield Regional Council.

3.4 Delegations Register

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 the delegated authority from Council to make decisions on specified administrative and policy matters. The Chief Executive Officer may sub-delegate to an employee.

Council's [Delegations Register](#) reflects the delegated authority from the Council to the Chief Executive Officer (and subsequently any sub-delegations). The Delegations Register is available on Council's website. A full review of the Delegations Register is undertaken within 12 months after the conclusion of each periodic election, while partial reviews are undertaken when there has been a legislative amendment.

4. Conduct of Meetings

The Act and the [Local Government \(Procedures at Meetings\) Regulations 2013](#) apply to all Council and Council Committee meetings.

Council's meeting procedures are recorded in its [Council Meeting Code of Practice](#) available on the website. In addition, Council has adopted a [Code of Practice for Access to Council Meetings and Documents Policy](#), also available on its website or available for viewing or purchase at the principal office of the Council.

5. Services Provided by Council

The following services are provided by Council, as required by legislation:

- Development of strategic management plans for the area including Long Term Financial Plan, Asset Management Plans and Annual Business Plan and Budget
- Determine the type, range and scope of projects to be undertaken by the Council
- Establish policies and processes for dealing with complaints, requests for service, and internal review of Council decisions

- Development of appropriate policies, practices, reports and procedures of internal control and performance objectives
- Establishment of an Audit Committee and other Council Committees as required
- Provision of administrative requirements such as supporting the elected Council
- Planning, development and building assessment
- Environmental health services
- Regulatory services
- Fire prevention
- Dog and cat management

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 its community to ensure that Council resources are used equitably.

Council may also partner with other councils, private sector partners, Commonwealth or State Government departments to plan, fund and deliver services to local communities.

Examples of other discretionary services that Council provides include:

- Library services
- Street cleaning and rubbish collection
- Parks and gardens
- Local roads
- Town Halls and community buildings
- Cemetery management
- Economic development
- Environmental programs
- The Clare Art House and other community spaces
- Community & volunteer programs
- Sporting and recreational facilities
- Youth programs

6. Community Participation

Members of the public can participate and have opportunities to bring matters to the attention of the Council as follows:

6.1 Council and Council Committee Meetings

Members of the public are encouraged to attend Council or Council Committee Meetings. Agendas for Council and Committee meetings are provided on Council's website or available for viewing at the Principal office.

6.2 Informal Briefing Sessions

A Briefing Session may be held between Elected Members and/or Council Employees.

The purpose of the Briefing Sessions is to discuss a matter that will or is intended to be on the Agenda of an Ordinary Council Meeting or a Council Committee Meeting.

Briefing Sessions will be advertised on Council's website and where a session is closed to the public, an explanation will be provided on the Agenda.

6.3 Deputations and Petitions to Council

A deputation is a person or group of persons who wish to appear personally before Council in order to address the Council on a particular matter that is relevant to the Council. With the written permission of the Mayor a member of the public can address the Council personally on behalf of a group of residents/ratepayers, individual and/or community group. Each deputation is allowed a maximum of 5 minutes to make their presentation on any item that is relevant to Council. For more details refer to the [Agendas and Minutes](#) page of Council's website

Petitions can be submitted to Council on any issue within Council's jurisdiction. They should set out clearly the request or submission of the petitioners and be delivered to the Council's principal office. As per the [Council Meeting Code of Practice](#) only a summary of the petition will be included in the Council agenda.

6.4 Questions from the Gallery

Members of the public are able to ask a question from the gallery at a Council meeting. For more details refer to the [Council Meeting Code of Practice](#) on the website.

6.5 Written Requests

Members of the public can write to Council on any service or activity of the Council and provide feedback through Council's website <https://www.claregilbertvalleys.sa.gov.au/online-forms>

6.6 Elected Members

Members of the public can contact an Elected Member to discuss any issue relevant to Council. Contact details for Elected Members can be found on Council's website www.claregilbertvalleys.sa.gov.au/council-organisation/elected-members

7. Public Consultation

Council is committed to effective, ongoing and timely community engagement and upholds the view that the involvement of the community in planning and decision making is fundamental to effective local governance.

Adherence with its [Public Consultation Policy](#) will ensure that Council will be proactive in informing and seeking the views of its community in order to understand concerns and aspirations, support mutually beneficial relationships with the community and encourage active citizenship.

Council uses a range of communications and engagement tools to promote opportunities to get involved, inform and consult with its community. Some examples include newspaper advertisements, media releases, Clare & Gilbert Valleys Council website, social media, public meetings and focus groups.

Community consultation or notification also occurs on matters associated with development in the area as prescribed in the [Planning, Development and Infrastructure Act 2016](#).

8. Access to Council Documents

Council documents including policies, strategies and other documents are available for public inspection at the principal council office, 4 Gleeson Street, Clare or at www.claregilbertvalleys.sa.gov.au without requiring lodgement of a Freedom of Information application.

8.1 Registers

The Act requires Councils must make publicly available the following registers:

- Members Register of Interests – Section 68
- Member Register of Allowances and Benefits – Section 79
- Confidential Items Register – Section 90
- Register of Salaries – Section 105
- Fees and Charges Register – Section 188
- Community Land Register – Section 207
- Register of Public Roads – Section 231
- Register of By-laws – Section 252

Council registers are available on the website:

<https://www.claregilbertvalleys.sa.gov.au/council-documents/council-registers>

8.2 Council Policy Documents

Council has adopted several Policies, Strategic Plans and Documents which are available on Council's website.

Any new Policy adopted by Council after publication of this statement will be similarly available.

Members of the public who wish to inspect or purchase copies of the above documents should contact the Council during ordinary office hours 8.30am to 5.00pm Monday to Friday on 8842 6400 or at 4 Gleeson Street, Clare. Fees are set out in Council's [Schedule of Fees and Charges](#). Council policy documents are available on the website:

www.claregilbertvalleys.sa.gov.au/council-documents/clare-and-gilbert-valleys-council-council-policies

8.3 Documents Available for Inspection

The following documents are made available on Council's website (within a reasonable time after they are available at the Council Office in accordance with Section 132 of the Act). In addition to those documents prescribed by legislation, Council makes available all key documents on

its website for public convenience, these include Strategic Management Plans, documents and reports to Council and Council Committees and Council Policies.

Reviews of council constitution, wards and boundaries

- Representation options papers and reports on reviews of council composition or ward structure

Registers and Returns

- Registers required under the Act or the Local Government (Elections) Act 1999, other than the Register of Interests kept for the purposes of Chapter 7 Part 4 Division 1 Subdivision 2

Codes

- Codes of conduct or codes of practice adopted by the Council under the Local Government Act 1999 or the Local Government (Elections) Act 1999

Meeting papers

- Notice and agenda for meetings of the council, council committees and electors
- Minutes of meetings
- Documents and reports (including attachments and any information or material referred to in the documents or reports) supplied to the council or a council committee that are able to be supplied to members of the public
- Recommendations adopted by resolution of the council
- Schedule of dates, times and places set for meetings of the council or council committee

Information and briefing session papers

- Record made by Council or Chief Executive Officer relating to an order under section 90(2) (in accordance with section 90A(4)) made at or in relation to an information or briefing session
- Record made by Council or Chief Executive Officer of the information that is required to be published as soon as practicable after the holding

Policy and administrative documents

- Record of delegations under the Act (other than delegations made by the Minister)
- Contract and tenders policies
- Policy for the reimbursement of members' expenses
- Strategic Management Plans
- Draft Annual Business Plan, Annual Business Plan (after adoption by Council) and the summary required under the Act
- Annual Budget (after adoption by Council)
- Audited financial statements
- Annual report
- List of fees and charges
- Public consultation policies
- Behavioural management policies
- Behavioural support policies

- Employee behavioural standards
- Management plans for community land
- Policy on the making of orders
- Procedures for the review of council decisions (Chapter 13 Part 2) and any report under section 270(8)
- Charter for subsidiaries established by the council or for which the council is a constituent council

By-Laws

- By-laws made by the council
- Any determination in respect of a by-law made under section 246(3)(e)

8.4 Other Documents

- Agendas and minutes of the Mid North Regional Assessment Panel
- Register of Land Management Agreements (in accordance with the Development Regulations)
- Register of Development Applications up to March 2021, now transferred to the Plan SA website at www.plan.sa.gov.au
- Documents relating to approved development (in accordance with the relevant consents and/or copyright obligations)
- Planning and Design Code
- Rates Policy Summary (refer to Annual Business Plan)

9. Freedom of Information (FOI) Requests

Requests for information other than that provided above will be considered in accordance with the FOI Act which 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.

9.1 Requirements for submitting a Freedom of Information Request

A person wishing to seek access to the Council's documents that are not available publicly must apply in writing. As prescribed in the FOI Act the application must:

- Be in writing, preferably on the form provided on Council's website;
- Specify that it is made under the *Freedom of Information Act 1991*; and
- Be accompanied by the application fee as prescribed on the form; and
- Must contain information as is reasonably necessary to enable the document to be identified; and
- Specify an address in Australia to which notices under the Act should be sent; and
- Be lodged at the Council office and may specify that access to the document be given in a particular way.

The application will be dealt with by an accredited Freedom of Information Officer of the Council and will be dealt with within 30 days after it has been received.

9.2 Fees

Fees will be determined by the accredited Freedom of Information Officer in accordance with the [Freedom of Information \(Fees\) Notice 2026](#).

Fees will be waived for concession card holders or persons under financial hardship.

The [Freedom of Information \(Fees\) Notice 2026](#) currently provides the fee structure as follows:

Application Fee	\$44.70
Administration costs for processing personal affairs applications	2 hours free, then \$16.90 per 15 minutes
Administration costs for processing all other applications	\$16.90 per 15 minutes
Photocopy charge	\$0.30 per page
Written transcript of words recorded or contained in document	\$10.00 per page
Photograph, x-ray, DVD or other medium in or on which information is recorded or stored	The actual cost incurred in producing the copy
Postage or delivery charges	The actual cost incurred in posting or delivering the document
Application Fee for Internal Review of FOI determination by council	\$44.70

The Accredited Freedom of Information Officer will work with the applicant to define the scope of the request and the costs involved.

Access to documents under the FOI Act is subject to the exceptions and exemptions necessary to protect essential public interests and the private and business affairs of persons.

9.3 Amendment to Council Records

The FOI Act also provides for the amendment of documents held by Council which contain personal information that is incomplete, incorrect, out of date or misleading. To gain access to these Council records, a person must complete and lodge with Council an application form as outlined in paragraph 9.1 above outlining the records that s/he wishes to inspect.

If it is found that the 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 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.

10. Definitions

Accredited Freedom of Information Officer means the principal officer of the agency; or an officer of the Council who has completed training of a type approved by the Minister for an accredited Freedom of Information Officer; and has been designated by the principal officer of the agency as an accredited Freedom of Information Officer for the agency.

Agency means the Council

Agenda means a list of items of business to be considered at a meeting

Council means the Clare & Gilbert Valleys Council, including the Elected Body

Elected Member means a person appointed or elected as a councillor of a Council under the *Local Government Act 1999*

Principal Officer means the Chief Executive Officer of the Clare & Gilbert Valleys Council

Policy Document means:

- a) a document containing interpretations, rules, guidelines, statements of policy practices or precedents; or
- b) a document containing a statement of the manner, or intended manner, of administration of any legislative instrument or administrative scheme; or
- c) a document describing the procedures to be followed in investigating any contravention or possible contravention of any legislative instrument or administrative scheme; or
- d) any other document of a similar kind

That is used by the agency in connection with the exercise of its functions as it affects or is likely to affect rights, privileges or other benefits or obligations, penalties or other detriments, to which members of the public are or may become entitled, eligible, liable or subject, but does not include a legislative instrument.