Notice is hereby given that the next Policy Review Committee Meeting is to be held at the Community & Civic Centre Eighteenth Street Renmark on Tuesday 12 April 2016 commencing at 4pm.

AGENDA

Welcome to Country (Acknowledgement of Country)
“I would like to acknowledge and pay respects to the First Peoples of the River Murray and Mallee region who are the traditional custodians of this land on which we meet”

Page Number

1. OPENING BY THE CHAIRPERSON
2. PRESENT
3. APOLOGIES
4. DEPUTATIONS - NIL
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6. BUSINESS ARISING FROM THE MINUTES OF 17 MARCH 2016
7. NOTICE OF MOTION
8. COMMITTEE MEMBERS REPORTS
9. LATE REPORTS
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11. INFORMATION ONLY REPORTS
12. MOTIONS WITHOUT NOTICE
13. GENERAL BUSINESS
14. CLOSURE

Tim Vonderwall
DIRECTOR – CORPORATE & COMMUNITY SERVICES

Date Issued: 7 April 2016

Agenda Policy Review Committee 12 April 2016
Minutes of the Policy Review Committee meeting held at the Community & Civic Centre Eighteenth Street, Renmark on Thursday 17 March 2016 commencing at 4.01pm.

Welcome to Country (acknowledgement of Country)
“\textit{I would like to acknowledge and pay respect to the First Peoples of the River Murray and Mallee region who are the traditional custodians of this land on which we meet.}”

1. **OPENING BY THE CHAIRPERSON**

2. **PRESENT**
   Mayor Martinson (Chair), Crs Chown, Hunter, Turton, Maddocks, Mr T Vonderwall (Director Corporate & Community Services), and Mrs S Edmonds (Executive Assistant to DCCS)

   Cr Gibb in attendance.

3. **APOLOGIES** – Nil

4. **DEPUTATION** – Nil

5. **CONFIRMATION OF MINUTES OF A MEETING HELD ON 9 FEBRUARY 2015**
   Moved Cr Maddocks
   That the minutes of the Policy Review Committee meeting held on 9 February 2015 be confirmed.
   Seconded Cr Chown
   CARRIED

6. **BUSINESS ARISING FROM MINUTES 9 FEBRUARY 2015** – Nil

7. **NOTICE OF MOTION** – Nil

8. **COMMITTEE MEMBERS REPORT** – Nil

9. **LATE REPORTS** – Nil

10. **DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORTS**
10.1 **Council Policies**
Moved Cr Hunter
That the Informal Gatherings Policy and the Code of Practice – Access to Meetings, Council Committees and Council Documents policy be laid on the table to enable staff to seek more clarification regarding the model policy for the Informal Gatherings as recommended by the Local Government Association of South Australia.
Seconded Cr Chown
CARRIED

10.2 **Policy Review Committee Workplan**
Moved Cr Hunter
That the Policy Review Committee recommend to Council that it approves the Work Plan.
Seconded Cr Maddocks
CARRIED

11. **INFORMATION ONLY REPORTS**

11.1 **Equal Employment Opportunity**
Moved Cr Hunter
That the Information only report be received.
Seconded Cr Chown
CARRIED

12. **MOTIONS WITHOUT NOTICE** - Nil

13. **GENERAL BUSINESS** - Nil

14. **CLOSURE** – 4.42pm.
Report No: 10.1

Subject: Council Policies

From: Director Corporate and Community Services

Purpose: To ensure that Council’s key policies are up to date; ensuring that business rules and expectations are clear for staff, Elected Members, community members and contractors.

Recommendation:
That the Policy Review Committee recommends that Council ratifies the following Council policies.

- Alternative Effluent Disposal Systems
- Annual Staff & Elected Members Function
- Council Meetings – Elected Members Reports
- Council Meetings – Late Agenda Items
- Council Meetings – Protocols
- Council Meetings – Questions from the Gallery
- Memorial Policy
- Treasury Management for Consultation

Background:
Council staff have developed a policy register and determined a number of policies require review. Council staff determined that it is prudent to review the statutory policies initially regardless of their review date. This ensured that Council is compliant with any legislation changes and ensures that Elected Members, Staff, Volunteers and Contractors have up to date direction.

Based on legal advice, staff review and Elected Member input all of Council’s statutory policies are compliant and up to date. Staff are now in the process of formatting and uploading the policies to the internet.

Now that the Council’s statutory policies are compliant, it is time to review the discretionary policies. Some of these policies are higher risk than others, but have been scheduled due to one of the following factors;

- Due date has passed
• Requires update to better inform community, Elected Members, Contractors or staff
• Changes in legislation or other circumstances
• Timely due to seasonal or external impacts

Attached are the following policies for review and recommendation for Council to adopt.

• Alternative Effluent Disposal Systems
• Annual Staff & Elected Members Function
• Council Meetings – Elected Members Reports
• Council Meetings – Late Agenda Items
• Council Meetings – Protocols
• Council Meetings – Questions from the Gallery
• Memorial Policy
• Treasury Management for Consultation

The review dates of all policies attached are varied due to their differing objectives.

Relevant Legislation: Nil

Community Plan Reference: 4.1.3 Ensure management practices enable Council to meet its legislative and governance responsibilities.

Risk/OH&S Impact: Nil

Changes to Risk profile - LGAMLS notification required: Nil

Financial Impact: Nil

Asset Management Impact: Nil

Sustainability Impact: Nil
Note: An alternative effluent disposal system means a system which does not connect to Council’s Community Wastewater Management Scheme (CWMS) and requires on-site effluent disposal. These systems include, but are not limited to, aerobic wastewater treatment, soakage trench, composting toilet and similar systems.

Objective
To provide guidelines for householders and developers when submitting development applications for alternative effluent disposal systems in CWMS serviced areas.

Policy
Alternative effluent disposal system applications should consider the following:

1. Allotments must be equal to or greater than 3000sqm.
2. Allotments less than 3000sqm must be connected to Council’s Community Wastewater Management Scheme, and
3. Any subdivision that creates an allotment less than 3000sqm, the owner of the system will be required to disconnect the alternative effluent disposal system and dispose of the effluent generated from the premises via Council’s Community Wastewater Management Scheme, pursuant to Regulation 24 of the Public and Environmental Health (Waste Control) Regulations, 1995 with all costs associated with the works being borne by the property owner.

Delegation
That pursuant to section 44 of the Local Government Act 1999, Council delegates to the Chief Executive Officer authority to administer Council’s Policies.
**ANNUAL STAFF AND ELECTED MEMBER FUNCTION**

<table>
<thead>
<tr>
<th>Responsible Officer</th>
<th>Executive Services</th>
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<td>Local Government Act 1999 Reference</td>
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<td>24 July 2012</td>
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<td>July 2014</td>
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**OBJECTIVE**

To foster a good working relationship between staff and elected members, and recognise the importance and achievements of the Council team.

**POLICY**

An annual staff/elected member function is to be held in December of each year at a venue selected by the Mayor.

**DELEGATION**

That pursuant to section 44 of the Local Government Act 1999, Council delegates to the Chief Executive Officer authority to administer Council's Policies. Refer Delegations Register for sub delegation if granted.
COUNCIL MEETINGS –
ELECTED MEMBER
REPORTS

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**Objective**

- To specify the requirements for inclusion of “Member’s Reports” in the agenda and minutes for Council and Committee meetings.
- To set standards of protocol to ensure the smooth operation of meetings.

**Policy**

1. Elected Members are encouraged to provide a report to Council meetings on their official activities for the previous month.

2. Elected Member reports must be in writing and submitted to the Chief Executive Officer prior to the closure of the Agenda being 5pm the Monday-Wednesday day of the week prior to the ordinary meeting. (Refer “Council Meeting – Protocols” policy)

3. Written reports will be included in the Agenda for the next subsequent meeting of Council.

4. Only reports submitted in writing will be put forward for formal receipt by a resolution of Council.

5. All written reports formally received by Council will be summarised in the Minutes for that meeting.

**Delegation**

That pursuant to section 44 of the Local Government Act 1999, Council delegates to the Chief Executive Officer authority to administer Council’s Policies. Refer Delegations Register for sub delegation if granted.
**COUNCIL MEETINGS - LATE AGENDA ITEMS**

<table>
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<tr>
<td>25 July 2006</td>
<td>24 July 2012April 2016</td>
<td>July 2014 April 2018</td>
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**OBJECTIVE**

To provide an opportunity for urgent matters to be brought forward to a Council meeting for consideration/decision.

**POLICY**

Provision shall be made in the Agenda for Council Meetings for “Late Agenda Items” however any such items shall be approved by the Chief Executive Officer prior to the meeting after considering the intent of Section 83(4) of the Local Government Act, 1999.

**DELEGATION**

That pursuant to section 44 of the Local Government Act 1999, Council delegates to the Chief Executive Officer authority to administer Council’s Policies. Refer Delegations Register for sub delegation if granted.
COUNCIL MEETINGS - PROTOCOLS

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<th>Responsible Officer</th>
<th>Executive Services</th>
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<td>Local Government Act 1999 Reference</td>
<td>Section 90N/A</td>
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</table>

**OBJECTIVE**

- To specify the requirements for inclusion of items in the agenda for Council and Committee meetings.
- To set standards of protocol to ensure the smooth operation of meetings.
- To set staff attendance requirements for Council and Committee Meetings.

**POLICY**

1. **Agendas items** for scheduled council and committee meetings have a closing date of 5.00 pm on the **Monday** preceding the meeting date. The Chief Executive Officer prior to that time must receive any items Members wish to include in the Agenda.

2. If persons wish to leave a meeting, during the course of the meeting, they do so only after seeking and obtaining, permission of the Mayor or Chairperson of that meeting.

3. Persons attending Council and Committee meetings shall turn off their Mobile phones or switch to silent/vibrate mode.

4. To maintain the formality of Council meetings, Elected Members and staff are encouraged to dress in a business like manner.

5. (a) The Chief Executive Officer, Director - Corporate and Community Services and Director – Infrastructure and Environmental Services will be invited to attend all Meetings of Council and Committees, unless precluded pursuant to Section 90 of the Local Government Act, 1999. Attendance is at the discretion of the Chief Executive Officer.

   (b) Staff other than the Chief Executive Officer will attend committee meetings of Council as directed by the Chief Executive Officer, Director – Corporate & Community Services and or Director – Infrastructure & Environmental Services.
(c) Other staff will attend Meetings of Council, in an official capacity, if directed to do so by the Chief Executive Officer, Director – Corporate & Community Services and or Director - Infrastructure & Environmental Services.

DELEGATION

That pursuant to section 44 of the Local Government Act 1999, Council delegates to the Chief Executive Officer authority to administer Council's Policies. Refer Delegations Register for sub delegation if granted.
COUNCIL MEETINGS - QUESTIONS FROM THE GALLERY

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<th>Responsible Officer</th>
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**Adopted** 25 July 2006  
**Reviewed** 24 July 2012 - April 2016  
**Next Review** July 2014 - April 2018

**OBJECTIVE**

To enable openness and accountability in Council's decision making.

**POLICY**

The Agenda for each ordinary meeting of Council will provide a “Questions from the Gallery” segment.

A period of no more than 15 minutes will be allowed for “Questions from the Gallery”.

Individuals will be permitted to ask only one question, relating to Council business, of the Mayor. In the event that the Mayor is unable to answer the question he will seek advice from Council officers. In the event that questions cannot be answered at the time of being asked they will be taken on notice and a written response will be provided.

The Mayor may rule that a question not be answered if he/she considers that the question is vague, irrelevant, insulting or improper.

Statements will not be permitted.

The Mayor may require that the question be provided in writing at the meeting to ensure an accurate interpretation is made.

Questions from the Gallery and any answer given will not be recorded in summary format in the minutes of the relevant meeting unless resolved otherwise with reasons given, unless the members present at the meeting resolve that an entry should be made.

**DELEGATION**

That pursuant to section 44 of the Local Government Act 1999, Council delegates to the Chief Executive Officer authority to administer Council’s Policies. Refer Delegations Register for sub delegation if granted.
MEMORIAL POLICY

POLICY/PROCEDURE INFORMATION

<table>
<thead>
<tr>
<th>RESPONSIBLE OFFICER:</th>
<th>Director Infrastructure and Environmental Services</th>
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<tr>
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<td>REVIEWED:</td>
<td>March 2016</td>
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<td>NEXT REVIEW:</td>
<td>March 2018</td>
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POLICY

OBJECTIVE
To ensure all applications for memorial plaques and seats within the Renmark Paringa Council area are managed consistently.

POLICY
Council recognises the sensitivity of each application and understands that often the intention of the individual’s application is to honour the person who was special to them or groups of the community. An application for a memorial plaque and/or seat will be considered by Council to commemorate:

- An individual who was a member of the Renmark Paringa community and made a significant contribution to the cultural, political, sporting or social life of the community, and
- Placement of the memorial would benefit the community in acknowledging that individual

Design
Council will specify the size and the design of the plaque in accordance with the type of seat it will be placed on. An example of a plaque for a Council bench and an approximate cost is shown in attachment 1.

Locality
The placement of memorial plaques and/or seats in Council parks, reserves, public open space and streetscapes will by guided by Council staff in consultation with the applicant to determine the appropriate location within the Renmark Paringa area with the aim to utilise the existing infrastructure rather than installing new seats and benches.

Cost
Plaques, furniture and the associated installation costs are documented in Council’s Fees and Charges Register and are to be borne by the applicant/s and Council will maintain.
MEMORIAL POLICY

the structure.
MEMORIAL POLICY

Attachment 1- Plaques examples

This seat has been donated to the community by the ___________ Family

In loving memory of ____________

Date of birth – Date of Death

*** Minor word changes can be made in consultation with Council staff***
TREASURY MANAGEMENT POLICY

POLICY/PROCEDURE INFORMATION

RESPONSIBLE OFFICER: Director of Corporate and Community Services

LOCAL GOVERNMENT ACT 1999 REFERENCE: Section(s) 44,47,122,134,139,140

ADOPTED:

REVIEWED:

NEXT REVIEW:

INTRODUCTION

This policy provides clear direction to management, staff and Council in relation to the treasury function. It underpins Council’s decision-making regarding the financing of its operations as documented in its annual budget and long-term financial plan and associated projected and actual cash flow receipts and outlays.

Council is committed to operating in a financially sustainable manner and maintains a Long-term Financial Plan (updated at least annually) to assist it to determine affordable service levels and revenue raising needs. This Plan also provides projections of future cashflow availability and need.

POLICY OBJECTIVES

This Treasury Management Policy establishes a decision framework to ensure that:

• funds are available as required to support approved outlays;
• interest rate and other risks (e.g. liquidity and investment credit risks) are acknowledged and responsibly managed;
• the net interest costs associated with borrowing and investing are reasonably likely to be minimised on average over the longer term.

POLICY STATEMENTS

3.1 Treasury Management Strategy

Council’s operating and capital expenditure decisions are made on the basis of:

• identified community need and benefit relative to other expenditure options;
• cost effectiveness of the proposed means of service delivery; and
• affordability of proposals having regard to Council’s long-term financial sustainability (including consideration of the cost of capital and the impact of the
proposals on Council’s Net Financial Liabilities ratio).

Council manages its finances holistically in accordance with its overall financial sustainability strategies and targets. This means Council will:

• maintain target ranges for its Net Financial Liabilities ratio;
• not retain and quarantine money for particular future purposes unless required by legislation or agreement with other parties;
• borrow funds in accordance with the requirements set out in its Long-term Financial Plan;
• apply any funds that are not immediately required to meet approved expenditure (including funds that are required to be expended for specific purposes but are not required to be kept in separate bank accounts) to reduce its level of borrowings or to defer and/or reduce the level of new borrowings that would otherwise be required.

3.2 Interest Rate Risk Exposures

Council has set range limits for both fixed and variable interest rate borrowings in order to minimise net interest costs on average over the longer term and at the same time manage interest rate movement risks within acceptable limits.

3.2.1 Fixed Interest Rate Borrowings

To ensure an adequate mix of interest rate exposures, Council will restructure its portfolio of borrowings, as old borrowings mature and new ones are raised, to progressively achieve and thereafter maintain on average in any year, not less than 30% of its gross debt in the form of fixed interest rate borrowings.

In order to spread its exposure to interest rate movements, Council will aim to have a variety of maturity dates on its fixed interest rate borrowings over the available maturity spectrum.

3.2.2 Variable Interest Rate Borrowings

Council will restructure its portfolio of borrowings, as old borrowings mature and new ones are raised, to progressively achieve, and then maintain, not less than 20% of its gross debt on average in any year in the form of variable interest rate borrowings.

Council will establish, and make extensive use of, LGFA’s Cash Advance Debenture facility that requires interest payments only and that enables any amount of principal to be repaid or redrawn at call. The redraw facility will provide Council with access to liquidity when needed.
3.3 Investments

Council funds that are not immediately required for operational needs and cannot be applied to either reduce existing borrowings or avoid the raising of new borrowings will be invested. The balance of funds held in any operating bank account that does not provide investment returns at least consistent with “at call” market rates shall be kept at a level that is no greater than is required to meet immediate working capital requirements.

Council funds available for investment will be lodged “at call” or, having regard to differences in interest rates for fixed term investments of varying maturity dates, may be invested for a fixed term. In the case of fixed term investments the term should not exceed a point in time where the funds otherwise could be applied to cost-effectively either defer the need to raise a new borrowing or reduce the level of Council’s variable interest rate borrowing facility.

When investing funds Council will select the investment type that delivers the best value, having regard to investment returns, transaction costs and other relevant and objectively quantifiable factors.

Council management may from time to time invest surplus funds in:

- deposits with the Local Government Financing Authority; and/or
- bank interest bearing deposits.

Any other investment requires the specific approval of Council. Where Council authorises any investments of a type outside of those specified above, the amount so invested will be cumulatively limited to no more than 20% of the average level of funds expected to be available for investment by Council over the duration of the specific authorised investments.

3.4 Reporting

At least once a year Council’s Audit Committee shall receive a specific report regarding treasury management performance relative to this policy document. The report shall highlight:

- for each Council borrowing and investment - the quantum of funds, its interest rate and maturity date, and changes in the quantum since the previous report; and,
- the proportion of fixed interest rate and variable interest rate borrowings at the end date of the reporting period and an estimate of the average of these proportions across this period along with key reasons for significant variances compared with the targets specified in this policy.
Purpose: Provide additional information as requested by the Policy Committee from the LGA and seek Council endorsement of the Informal Gatherings Policy and the Code of Practice – Access to Meetings, Council Committees and Council Documents Policy

Recommendation:
That the Policy Review Committee recommends that Council ratifies the following Council policies:

- Informal Gatherings Policy
- Code of Practice – Access to Meetings, Council Committees and Council Documents Policy

That the Informal Gatherings Policy is brought back for review in March 2017 due to the amendments to the Local Government Act being in their infancy.

Background:

At the March Policy Review meeting, Council staff provided the Policy Review Committee a report seeking ratification on the following policies;

- Informal Gatherings Policy
- Code of Practice – Access to Meetings, Council Committees and Council Documents Policy

The Informal Gatherings Policy was brought to the March Committee meeting as a result of amendments to the Local Government Act made by the Local Government (Accountability and Governance) Amendment Act 2015 which commenced on 31 March 2016. The changes effectively encourage further transparency of decision making, requiring Councils to adopt a policy on informal gatherings. The LGA released a circular providing information to Councils as a result of the amendments which can be found in Attachment A.

Further to this, the LGA released a model policy based on the amendments to the Local Government Act and consulted with the Ombudsman, the Office of
Local Government and endorsement by the LGA board. This policy was the version recommended to Council. At the March Committee meeting, it was requested that staff seek clarity from the LGA as to the intent/purpose of the following section of the policy:

“Both the CEO and the council are responsible for ensuring informal gatherings and discussions are conducted in accordance with the Local Government Act. Informal gatherings will be chaired by the CEO or another senior council officer and it is the CEO’s responsibility to ensure that the purpose, intent and outcomes of the meeting fall within the permitted parameters of the legislative provisions.”

Council staff sought advice from the policy writer at the LGA. The following reasons were outlined for the purpose/intent of the above section of the policy.

- The primary reason that this was included was at the request of the ombudsman through consultation with them. As it is the CEO’s administrative responsibility to ensure that Council is compliant with the Local Government ACT, particularly in the case of policies where discretion is required under the act. This is as opposed to items directly the responsibility of the Mayor; such as Elected Member Code of Conduct.
- As there are no decisions to be made within an Informal Gathering, there is no formal meeting, where the Mayor/Presiding Member is required to control meeting proceedings.
- The LGA understands that it’s important to create a clear delineation between formal Council meetings and Informal Gatherings. This reduces the potential to make unintentional decisions through blurred meeting proceedings. Therefore separate agendas, and separated chairs provides clarity for the Mayor, CEO, staff and Elected Members.
- Although it is not a legislative requirement for the CEO to chair Informal Gatherings, it is best practice according to the LGA and ombudsman; however Councils may amend to suit individual requirements.
- Additionally it provides a safe environment for the Mayor to participate in the meeting, with the CEO (or delegate) facilitating the informal conversation, yet guiding the requirements under the act for which administration is responsible for.

On the basis of the information provided above, the model policy is provided as recommendation for ratification as best practice by the LGA, (Attachment B).

In addition to the Informal Gatherings Policy, the Code of Practice – Access to Meetings, Council Committees and Council Documents Policy (Attachment C) was presented for ratification at the March meeting as this code is affected by the introduction of the Informal Gatherings Policy. The
Code in Attachment C is also as provided to the Committee in March with track changes.

Until Council ratifies and Informal Gathering Policy is ratified, Council is unable to hold an Informal Gathering.

Due to the infancy of the recent amendments to the Local Government Act relating to Informal Gatherings, it is suggested that the Informal Gatherings Policy is brought back in a shorter 12 month timeframe to assess its effectiveness and revise as the sector learns from the changes.

**Relevant Legislation:** Local Government Act

**Community Plan Reference:** 4.1.3 Ensure management practices enable Council to meet its legislative and governance responsibilities.

**Risk/OH&S Impact:** Nil

**Changes to Risk profile - LGAMLS notification required:** Nil

**Financial Impact:** Nil

**Asset Management Impact:** Nil

**Sustainability Impact:** Nil
Policies and Procedures under Changes to the Local Government Act - Circular 5.1

To
Chief Executive Officer
Elected Members
Governance Officers

Date
29 January 2016

Contact
Andrea Malone
Email: andrea.malone@lga.sa.gov.au

Response
No

Summary
The amendments to the Local Government Act made by the Local Government (Accountability and Governance) Amendment Act 2015 are expected to commence on 31 March 2016. The changes will require councils to adopt a policy before holding any ‘informal gatherings’ and to disclose specified details from the council members’ registers of interests on councils’ websites. A model policy for informal gatherings and a template for disclosure of interests are provided in this circular.

The amendments to the Local Government Act made by the Local Government (Accountability and Governance) Amendment Act 2015 are expected to commence on 31 March 2016. The changes will require councils to adopt a policy before holding any ‘informal gatherings’ and to disclose specified details from the council members’ registers of interests on councils’ websites.

The Informal Gatherings – Model Policy was endorsed by the LGA board at its meeting of 28 January 2016. This model policy has also been the subject of detailed consultation with the Office of Local Government (OLG) and the SA Ombudsman, given that both the Minister and the Ombudsman have expressed views about the expected contents of the policy. The Minister has the power to make regulations to mandate the contents of the Informal Gatherings policy but the LGA understands that no regulations are planned at this stage. However, the option of regulations remains open if the Minister perceives a lack of policy compliance by councils. The LGAs model policy incorporates the feedback from the OLG and most of the feedback from the Ombudsman.

A copy of the model policy is available here under the heading Policies and Procedures.

The changes also require the disclosure of the following information on a council’s website

- the member’s income sources (within the meaning of Schedule 3 to the Local Government Act) or employer;
- the name of any political party, any body or association formed for political purposes or any trade or professional organisation (within the meaning of Schedule 3) of which the member is a member;
- any gifts received by the member that are required to be included in the information entered in the Register in relation to the member.

The LGA has developed a template for councils to use for the purposes of publishing this information.

A copy of the template is available here under the heading Codes and Guidelines.

For further information please contact Andrea Malone (andrea.malone@lga.sa.gov.au)
Informal Gatherings Policy

Introduction
Open and transparent council meetings underpin representative democracy and ensure public confidence in council’s decision-making processes. Informal gatherings, where appropriate, provide a valuable opportunity to enhance the decision-making processes by providing opportunities for council members to become better informed on issues and seek further clarification.

Policy Objective
To ensure council members have sufficient opportunity to conduct planning sessions, to receive informal briefings and educational sessions, and convene other informal gatherings without prejudicing the requirements for openness and transparency as required by the Local Government Act 1999.

Section 90(8) of the Local Government Act allows informal gatherings to be held provided that the discussion does not lead to a decision, or effectively obtain a decision, on a matter that would ordinarily be dealt with at a council meeting. This policy reflects the intention of the legislation for informal gatherings to be used for briefing, planning and educational sessions and is aimed at avoiding any perception that informal gatherings will be used to build consensus for council agenda items.

Scope
Informal gatherings, briefing sessions, planning sessions and other discussions captured under this policy are those gatherings that are arranged by the council, either by the CEO or by the elected council. Section 90(8) of the Local Government Act provides a list of non-exclusive examples of informal gatherings, which are:

- Planning sessions associated with the development of policies or strategies
- Briefing or training sessions
• Workshops
• Social gatherings to encourage informal communication between members or between members and staff.

Informal gatherings and discussions of these kinds will be used solely for the purpose of information sharing and not for the purpose of debating issues, building consensus positions or otherwise discharging council’s deliberative and decision-making functions.

Informal gatherings of council members, or council members and council staff are, by their nature, a non-compulsory meeting of the council. All council members are encouraged to attend as these sessions, particularly those designed to provide history, context or additional information to assist council members to carry out their functions.

Both the CEO and the council are responsible for ensuring informal gatherings and discussions are conducted in accordance with the Local Government Act. Informal gatherings will be chaired by the CEO or another senior council officer and it is the CEO’s responsibility to ensure that the purpose, intent and outcomes of the meeting fall within the permitted parameters of the legislative provisions.

**Policy Statement**

**General Business of the Council**
Informal gatherings will not be used for the purpose of conducting the general business of the council or to stifle debate on issues that may subsequently be dealt with by the council at a formal meeting. However informal gatherings may be used to discuss issues that involve strategy or policy or other matters of council administration and to brief council members on issues relating to their decision-making function.

**Timing of, and Access to, Informal Gatherings of Council**
(i) Where informal gatherings, such as workshops and briefing sessions, are scheduled regularly to coincide with the council’s meeting cycle and to consider matters that will form part of the council’s meeting agenda, the gatherings will be advertised and open to the public. Any *ad hoc* informal gatherings or discussions that are convened to discuss items that will form part of the council’s meeting agenda will also be advertised and open to the public.

A schedule of planned briefing sessions will be published on the council's website.

If a topic falls into a category that would normally be kept confidential if it arose at a council meeting, the item will be placed last and the gathering will be closed when that item is reached.

(ii) For all other informal gatherings public access will be determined on a case by case basis. The council is aware of the need to balance openness and transparency with opportunities for private discussions between council members and council members and staff.

**Agendas and Minute Taking**
Informal gatherings will not involve a formal minute taking process. However, a list of the matters to be discussed at an informal meeting may be published on the council’s website in accordance with (i) above. Any notes taken at these sessions will be tabled at the next council meeting.
POLICY

1. STATEMENT OF PRINCIPLE

In fulfilling the role of an effective Council that is responsive to the needs of the community and which operates within the legal framework prescribed by the Local Government Act 1999 (the Act), the Renmark Paringa Council is fully committed to the principle of open and accountable government and encourages appropriate community participation in the affairs of the Council. However, the Council also recognises that in some circumstances it may be necessary, in the broader community interest, to restrict public access to discussion/decision and/or documents.

2. INTRODUCTION

2.1. This Code is adopted in accordance with section 92 of the Act and relates to the principles, policies, procedures and practices that the Council will apply for the purposes of the operation of Part 3 and Part 4 of Chapter 6 of the Act, including to restrict public access to meetings and documents.

2.2. The objective of the Code include to:
   - provide information regarding community access to Council and Council Committee meetings and the documents of those meetings, including regarding the relevant legislative provisions;
   - summarise the legal position relating to public access to the Council and Council Committee meetings, agendas, documents and minutes of meetings; and
   - outline the circumstances in which the Council may apply the provisions of the Act to restrict public access to Council and Council Committee meetings or documents and minutes.
2.3. This Code applies to Council and Committee meetings and the associated agenda, minutes and attachments that relate to those meetings and addresses:
- public access to meetings associated documents including agenda and minutes;
- the process to exclude the public from meetings and the circumstances in which this may occur;
- how the Council will approach the use of the confidentiality provisions in the Act;
- review of confidentiality orders; and
- accountability and reporting to the community, and the availability of the code.

3. PUBLIC ACCESS TO THE AGENDA FOR MEETINGS

3.1. The Council meets every fourth Tuesday of the month.

3.2. At least three clear days before a Council or Council Committee meeting (unless it is a special meeting) the Chief Executive Officer (CEO) must give written notice of the meeting to all Council or Committee members setting out the date, time and place of the meeting. The notice must contain or be accompanied by the agenda for the meeting.

3.3. The notice and agenda for Council and Committee meetings will be placed on public display at:

3.3.1. the principal office of the Council situated at the Community and Civic Centre, 61 Eighteenth Street, Renmark; on the Council’s website. www.renmarkparinga.sa.gov.au

3.3.2. Renmark Paringa Public Library (James Ave, Renmark),

3.3.3. the Visitor Information Centre (Murray Ave, Renmark); and

3.3.4. Chaffey Community Centre (Nineteenth St, Renmark).

3.4. The link to our Website and location of the Agenda for Council meetings will be forwarded to the local media outlets (Murray Pioneer, Riverland Weekly, WIN TV and ABC Riverland) on the Friday preceding a meeting.

3.5. Items listed on the agenda will be described accurately and in reasonable detail.

3.6. Where the CEO of the Council (after consultation with the principal member of the Council, or in the case of a Committee - the presiding member) believes that a document or report on a particular matter should be considered in confidence with the public to be excluded, the basis under which the order could be made in accordance with Section 90(3) of the Act will be specified. [See Sections 83(5) (Council) and 87(10) (Committee) of the Act.]
3.7. Copies of the agenda documents and non-confidential reports (being those reports in respect of which a confidentiality order is recommended) that are to be considered at a Council or Committee meeting will be made available with the public agenda.

3.8. Members of the public may obtain a copy of the agenda, including non-confidential reports for a fee to cover the costs of photocopying, in accordance with a Council's schedule of fees and charges.

4. PUBLIC ACCESS TO MEETINGS

4.1. Council and Council Committee meetings are open to the public and attendance is encouraged. The exception is where the Council (or the Council Committee) believes it is necessary in the broader community interest to exclude the public during discussion of a particular matter.

4.2. The public will only be excluded when the Council is satisfied that the need for confidentiality outweighs the principle of open decision making, and that one or more of the grounds under Section 90(3) of the Act apply.

4.3. Council encourages public attendance at meetings of the Council and Committees through public notification of meetings. All Council Meetings are held on the 4th Tuesday of each month, commencing at 7pm, unless otherwise determined by Council. In these instances notices will be placed in the Murray Pioneer advising of the new date and time. Notices will also be displayed on the Community and Civic Centre notice board.

4.4. In accordance with Section 90(8) of the Act, members of Council, a Committee and/or staff may participate in informal gatherings or discussion provided that a matter which would ordinarily form part of the agenda for a formal meeting is not dealt with in such a way as to obtain, or effectively obtain, a decision outside of a formally constituted meeting of Council or Committee. The Council may will generally provide public access to an informal gathering, but it is not required to do so. Where Council is does advertise its informal gatherings, it will do so in conjunction with the Council or Committee agenda in section 3 of this policy.

4.5. The following are examples of informal gatherings or discussions that may be held in accordance with Section 90(8) of the Act:

4.5.1. planning sessions associated with the development of policies and strategies;
4.5.2. briefing or training sessions;
4.5.3. workshops; or
4.5.4. Social gatherings to encourage informal communication between members or between members and staff.
5. PROCESS TO EXCLUDE THE PUBLIC FROM A MEETING

The practice of the Renmark Paringa Council is as follows:-

5.1. for the convenience of the public present at a meeting, where it is resolved to consider a matter in confidence, this matter may be deferred until all other business has been dealt with rather than ask the public to leave the room and wait for however long it takes until the matter is concluded and then allow the public to return to the meeting room with the possibility of the same process being repeated for a subsequent matter.

5.2. before making an order that the public be excluded to enable the consideration of a particular matter, the meeting must, in public, formally determine if this is necessary and appropriate, and then pass a resolution to exclude the public while dealing with that particular matter. If this occurs then everyone, except those persons permitted to stay by express inclusion in the resolution of Council (or the Council Committee), must leave the room.

5.3. Once the Council, or a committee, has made the order it is an offence for a person, knowing that an order is in force, to enter or remain in a room in which such a meeting is being held.

5.4. Once discussion on that particular matter is concluded, the public are then permitted to re-enter the meeting. If there is a further matter that needs to be considered in confidence, it is necessary to again undertake the formal determination process and to resolve to exclude the public as above.

5.5. The Council, or the Council Committee, can by inclusion within the resolution, permit a particular person or persons to remain in the meeting. An example would be allowing a ratepayer who is suffering personal hardship to remain in the meeting when their circumstances concerning the payment of rates are being discussed.

5.6. Details of the grounds that the Council or a Council Committee may rely upon to exclude the public from a meeting pursuant to section 90(3) of the Act are set out in Attachment 1.

5.7. In considering whether an order should be made under Section 90(2), it is irrelevant that discussion of a matter in public may:

5.7.1. cause embarrassment to the Council or Committee concerned, or to members or employees of the Council; or

5.7.2. cause a loss of confidence in the Council or Committee.

5.8. If a decision to exclude the public is made, the Council or the Council Committee is
required to make a note in the minutes of the making of the order and the grounds on which it was made. Sufficient detail of the grounds on which the order was made will be included in the minutes.

6. PUBLIC ACCESS TO MINUTES

Minutes of a meeting of Council or a Council Committee will be publicly available, including on the internet within 5 days after the meeting. The version of the minutes available to the public will exclude and minutes subject of a confidentiality order under section 91(7) of the Act.

7. USE OF THE CONFIDENTIALITY PROVISIONS

7.1. any consideration of the use of the confidentiality provisions under the Act to exclude the public from the discussion of a particular matter at a meeting will require the identification of one or more of the grounds listed within Section 90(3) of the Act (i.e. which grounds are listed in Attachment 1) and the factual reasons for the relevance and application of the ground(s) in the circumstances.

7.2. the policy approach of the Renmark Paringa Council is that:

7.3. the principle of open and accountable government is strongly supported;

7.4. information of the grounds on which an order to exclude the public is made will be conveyed to the public at the time to the order is made— the public will not be excluded until after a confidentiality motion has been debated and passed and sufficient reasons for the need to exclude the public have been given;

7.5. once discussion of the matter is concluded, the meeting will then consider if it is necessary to make an order that a document associated with this agenda item (including minutes) remain confidential pursuant to section 91(7) of the Act. Part 8 of this Policy outlines the considerations relevant to determining whether to make such order.

7.6. the Council will not consider a number of agenda items “in confidence” together i.e. en bloc. It will determine each item separately and consider the exemptions relevant to each item.

7.7. once discussion of the matter is concluded and the public have returned, the decision of the meeting in relation to this matter will be made publicly known unless the Council has resolved to order that this information remain confidential. Details relating to any order to keep information or a document confidential in accordance with section 91(7) are also to be made known;

7.8. in all cases the objective is that the information be made publicly available at the earliest possible opportunity and that the community is informed of any Council order and the associated implications; and
7.9. where a person provides information to the Council that is to be considered at a Council meeting and requests that it be kept confidential, Council is not able to consider this request unless the matter is one that falls within the grounds under section 90(3) of the Act. If this is the case, Council will then be in a position to consider the request on its merits.

7.10. there is no legal requirement for Council to resolve to come out of confidence. It will be Council practice to invite any members of the public who may have remained outside the Council Chamber or meeting room, to re-enter the meeting.

8. PUBLIC ACCESS TO DOCUMENTS

8.1. various documents can be available for inspection and purchase (for a fee) by the public. Council may also make a document available in electronic form and place it on the Internet for public access.

the Council or the Council Committee may order that a document associated with a discussion during a meeting from which the public are excluded is to remain confidential if it is considered proper and necessary in the broader community interest. The Council or a Council Committee can only resolve to keep minutes and/or documents confidential under Section 91(7) if they were considered in confidence pursuant to sections 90(2) and 90(3) of the Act.

8.2. in accordance with Section 91(8) the Council or the Council Committee must not make an order to prevent:

8.3. the disclosure of the remuneration or conditions of service of an employee of the council after the remuneration or conditions have been set or determined; or

8.4. the disclosure of the identity of a successful tenderer for the supply of goods or the provision of services (including the carrying out of works), or of any reasons adopted by the council as to why a successful tenderer has been selected; or

8.5. the disclosure of the amount or amounts payable by the council under a contract for the supply of goods or the provision of services (including the carrying out of works) to, or for the benefit of, the council after the contract has been entered into by all parties to the contract; or

8.6. The disclosure of the identity of land that has been acquired or disposed of by the council, or of any reasons adopted by the council as to why land has been acquired or disposed of by the council.
8.7. If the meeting determines that it is proper and necessary to keep a document confidential, then a resolution for an order to this effect is required to be resolved by the meeting in accordance with section 91(7) of the Act. The resolution will include the following information:
8.7.1 The grounds for confidentiality; and
8.7.2 the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed – if the order has a duration of more than 12 months, the order must be reviewed annually; and
8.7.3 (If applicable) whether the power to revoke the order will be delegated to an employee of the Council.

8.8. A confidentiality order will lapse if the time or event specified has been reached or carried out. There is no need for the Council to resolve for the confidential order to be lifted. Once the order has lapsed, the minutes and/or documents automatically become public. At this point in time the Council will make this information publicly available, including on the Council's website.

8.9. Requests to access Council and Council Committee documents can be made under the Freedom of Information Act 1991. Inquiries in relation to the process for seeking access to documents held by Council should be directed to Council’s accredited Freedom of Information Officer on 85803000.

9. REVIEW OF CONFIDENTIALITY ORDERS

9.1. A review of the reports or documents that are subject to confidentiality orders under section 91(7) of the Act will be conducted at least every six months to ensure that information is made publicly available when the order expires in accordance with the resolution of Council.

9.2. Orders that exceed 12 months must be reviewed annually and the Council must assess whether the grounds for non disclosure are still relevant and, if so, provide the relevant grounds and reasons for the minutes and/or documents remaining confidential. The conduct of the annual review will be delegated to the Chief Executive Officer and may be sub-delegated to an employee of the Council where the Chief Executive Officer deems appropriate. The following applies to such reviews:
9.2.1 if there are any items that require a fresh confidentiality order because the original order is about to expire, the reviewer will prepare a report to Council making recommendations with respect to each item to be retained in confidence. Each item must then be considered separately by the Council (i.e. not en-bloc) and assessed against Section 90(3) and Section 91(7) of the Act (note the Council may delegate the power to undertake an annual review, however, it cannot delegate the power to apply Sections 90(3) and 91(7) of the Act);
9.2.2 the Council may resolve to exclude the public from a meeting to discuss and
undertake consideration of the recommendations arising from the annual review in confidence, subject to the application of the relevant ground under Section 90(3) of the Act; and

9.2.3 if there is no longer any need for the confidentiality order then the Chief Executive Officer (or sub-delegate) will revoke the order under delegated authority.

10. ACCOUNTABILITY AND REPORTING TO THE COMMUNITY

A report on the use of Sections 90(2) and 91(7) by the Council and Council Committees will be included in the Annual Report of a Council as required by Schedule 4 of the Act. This supports Council’s commitment to the principle of accountability to the community. The reporting will include the following information, separately identified for both Council and Committees:

10.1. the number of occasions each of the provisions of Sections 90(2) and 90(3) were utilised;
10.2. the number of occasions each of the provisions of Sections 90(2) and 90(3) and Section 91(7) were utilised, expressed as a percentage of total agenda items considered;
10.3. an indication of any particular issues that contributed to the use of confidentiality provisions on more than one occasion e.g. a proposal to acquire a parcel of land was considered on 3 separate occasions;
10.4. the number of occasions that information originally declared confidential has subsequently been made publicly available; and
10.5. the number of occasions that information declared confidential has not been made publicly available and the reason for this in each case.

11. AVAILABILITY OF THE CODE

The public may inspect a copy of this Code, without charge, at the Community and Civic Centre during office hours, and may obtain a copy for a fee fixed by Council. The Code is also available on Council’s web site – www.renmarkparinga.sa.gov.au

12. REVIEW OF THE CODE

The Council is required to review this code within 12 months after the conclusion of each periodic election. The Council will otherwise review this code biennially

13. COUNCIL CONTACT PERSON

Questions concerning this Code of Practice can be directed to the following:-
The Chief Executive Officer,
Renmark Paringa Council,
PO Box 730,
RENMARK, SA 5341
Telephone 85803000
Email: council@renmarkparinga.sa.gov.au
ATTACHMENT 1

In accordance with the requirements of Section 90(3) of the Act, Council, or a Council Committee, may order that the public be excluded from a meeting during such time as the following is being considered:

(a) Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);

(b) Information the disclosure of which—
   (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
   (ii) would, on balance, be contrary to the public interest;

(c) Information the disclosure of which would reveal a trade secret;

(d) Commercial information of a confidential nature (not being a trade secret) the disclosure of which—
   (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
   (ii) would, on balance, be contrary to the public interest;

(e) Matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person;

(f) Information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;

(g) Matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;

(h) Legal advice;

(i) Information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council;
(j) Information the disclosure of which—
(i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
(ii) would, on balance, be contrary to the public interest;

(k) Tenders for the supply of goods, the provision of services or the carrying out of works;

(l) information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Plan Amendment Report relating to the amendment is released for public consultation under that Act; or

(m) Information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Development Plan Amendment proposal relating to the amendment is released for public consultation under that Act;

(n) Information relevant to the review of a determination of a council under the Freedom of Information Act 1991.

The Act provides for a definition of “personal affairs”, being a person’s financial affairs, criminal records, marital or other personal relationships, personal qualities, attributes or health status, or that person’s employment records, employment performance or suitability for a particular position, or other personnel matters relating to the person, but does not include the personal affairs of a body corporate.
Report No: 10.3
Subject: Establishment of a Carparking Fund
From: Director Infrastructure and Environmental Services

Purpose

To enable the Council to accept contributions to a Carparking Fund under the Development Act 1993 (“the Act”), the Council must establish a fund in accordance with section 50A of the Act.

The fund would enable an applicant to contribute funds, in lieu of requiring provision of on-site car parking in accordance with specified rates under the Renmark Paringa Council Development Plan (“the Development Plan”).

Recommendation

That the Policy Review Committee recommends that Council resolve to establish a Carparking Fund with a contribution rate of $400 per carparking space, and endorse the Carparking Fund Policy.

Background

Section 50A of the Act sets out the procedure to be followed in order to establish a Carparking Fund (“the fund”).

The purpose of this Report is to set out the reasons for the establishment of the fund, and the procedure to be followed.

Carparking requirements

Carparking requirements for development proposals are based on the rates prescribed in Table RePa/3 of the Development Plan (Annexure A).

When a development application is received, the Table allows the assessing officer to calculate how many carparking spaces would be required for the proposal.

Accordingly, if an application is received for an addition, alteration, extension, replacement or change of use to an existing building, the
carparking requirements for that proposal would be reviewed during the assessment process in accordance with Table RePa/3.

A fund operates such that if a person is proposing to undertake development within a designated area, and it is determined that the proposal does not provide for sufficient spaces for the parking of cars, then if the Council and the applicant agree, the applicant can make a contribution to the fund in lieu of providing a certain number of spaces for the parking of cars.

That is, the fund will provide an alternative for applicants from the provision of carparking for the proposal in accordance with specified rates under the Development Plan.

Use of the contributions to the fund

Section 50A(8) of the Act provides that the money standing to the credit of a carparking fund may be applied by the Council for any of the following purposes:

a) to provide carparking facilities within the designated area; or

b) to provide funds for (or towards) the maintenance, operation or improvement of carparking facilities within the designated area; or

c) to provide funds for (or towards) the establishment, maintenance or improvement of transport facilities within the area of the council with a view to reducing the need or demand for carparking facilities within the designated area.

Proposed designated area

It is predicted that carparking within the proposed designated area, in particular around the Murray Avenue precinct, will become a critical issue in the near future.

It is to be noted that many allotments within the proposed designated area are space constrained, and do not allow for sufficient off-street parking. The fund will ensure that adequate parking facilities can be provided and maintained throughout the designated area.

The creation of the fund will provide an equitable solution to the issue of carparking, and the maintenance of the existing carparking facilities, within the designated area.
Procedure

Pursuant to section 50A of the Act, to establish the fund the Council must complete the following steps:

(1) Define a designated area for the fund

The Council must define a designated area for the fund, by reference to an area established by the Development Plan.

It is proposed that the designated area for the purposes of the fund be the District Business, District Centre and Local Centre Zones, as depicted in blue on Zone Maps RePa/16, RePa/17 and RePa/19 in the Development Plan (Annexure B).

(2) Determine the Contribution Rate for the fund

The Council must make a determination for the purposes of calculating amounts to be paid into the fund.

To assist in the drive for economic development within the designated area, and in particular Murray Avenue, a heavily discounted price has been proposed.

The Council has determined that the Contribution Rate for the fund is to be set at $400 per car parking space across the designated area.

The amount proposed is significantly less than the contribution rates applied in other council areas. For example, the contribution rate for Alexandrina Council is $10,000 per car parking space, $23,250 at the Mount Barker District Council and $8,000 - $15,000 at the City of Victor Harbour.

(3) Obtain approval for the fund from the Minister

Following resolution of the Council to establish the fund, the Council must obtain approval from the Minister. The Minister responsible for the administration of the Act is the Minister for Planning, currently the Honourable John Robert Rau.

Following the Council's resolution to establish the fund, and a resolution regarding the contribution amount, the Council will provide the Minister with the necessary details for the establishment of the fund, including details of the designated area and proposed contribution rate, for approval.
(4) Publish a notice in the Gazette

Once approval from the Minister has been obtained, the Council must publish a notice in the South Australian Government Gazette to give effect to the fund. The notice must include details of the fund including the designated area and the contribution rates.

A draft Gazette notice template is Annexure C.

**Relevant Legislation**

Development Act 1993

**Community Plan Reference**

4.1.3 - Ensure management practices enable Council to meet its legislative and governance responsibilities.

**Risk/OH&S Impact**

NIL

**Changes to Risk profile - LGAMLS notification required**

NIL

**Financial Impact**

NIL

**Asset Management Impact**

NIL

**Sustainability Impact**

NIL

**Author:** Sharon Jardine  
Town Planner

**Date:** 29 March 2016
CAR PARKING FUND POLICY

POLICY/PROCEDURE INFORMATION

<table>
<thead>
<tr>
<th>RESPONSIBLE OFFICER</th>
<th>Town Planner</th>
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<tr>
<td>DEVELOPMENT ACT 1993 REFERENCE</td>
<td>Section 50A</td>
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<tr>
<td>ADOPTED:</td>
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<tr>
<td>REVIEWED:</td>
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<td>NEXT REVIEW:</td>
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POLICY

1. Policy Objectives

To explain and support the equitable application of the Renmark Paringa Council Carparking Fund (“the Fund”).

2. Principles

Carparking requirements for development proposals are assessed based upon the rates prescribed in Table RePa/3 “Off Street Vehicle Parking Requirements” in the Renmark Paringa Development Plan (“the Development Plan”), and as may be recommended by specific parking demand analysis undertaken by a qualified traffic engineer.

The Fund provides an alternative in certain circumstances from an applicant having to meet carparking requirements, calculated in accordance with the Development Plan. A contribution to the Fund is a discretionary option and must be mutually negotiated and agreed by the Council and the applicant as an appropriate solution.

Pursuant to section 50A(8) of the Development Act 1993 (“the Act”), contributions to the Fund can be used to:

- provide carparking facilities within the designated area; or
- to provide funds for (or towards) the maintenance, operation or improvement of carparking facilities within the designated area; or
- to provide funds for (or towards) the establishment, maintenance or improvement of transport facilities within the area of the Council with a view to reducing the need or demand for carparking facilities within the designated area.
3. Background

The Renmark Paringa town centre ("the town centre") is focused on the intersection of Renmark Avenue and Ral Ral Avenue, Renmark, which together with Murray Avenue, Renmark and the River Murray, provides an attractive, unique and interesting setting.

The town centre is the primary focus of retail, business and community life for residents of the Renmark area, as well as the broader district and region.

The town centre is divided into a series of policy areas under the Development Plan, established to guide the growth of the commercial centre, and to reinforce the precinct as a place for local residents and visitors to shop, work, meet, entertain and relax.

The “main street" strip origin and the historic building stock remaining from the historical establishment of the town centre, has, to a large extent, set the pattern of development within the precinct and imposed major physical constraints to contemporary improvement, for example, the ability to accommodate sufficient carparking spaces on existing allotments.

An increase in demand to develop the town centre has led to the need to redevelop under-utilised sites. However, often due to the small size and fragmented nature of land holdings, on-site carparking requirements calculated in accordance with the Development Plan can often not be met.

While redevelopment may exacerbate an increasing short fall in carparking within the town centre, to refuse such proposals poses a threat to the town centre’s viability and capacity to meet evolving needs.

4. Establishment of the Carparking Fund

Accordingly, pursuant to section 50A of the Act, the Council has established the Fund.

The Fund operates such that if an applicant is proposing to undertake development within the designated area, and it is determined that the proposal does not provide for sufficient spaces for carparking at the site of the development, then if the Council and the applicant agree, the applicant can make a contribution to the fund in lieu of providing a certain number of spaces for the parking of cars at the site.
CAR PARKING FUND POLICY

That is, the Fund provides an alternative in certain circumstances from the requirement to provide for sufficient carparking spaces, calculated in accordance with specified rates under the Development Plan, at the site of a development.

5. Details of the Fund

5.1 Name of the Fund

The account receiving contribution under this Policy shall be designated as the “Carparking Contributions Fund”.

5.2 Establishment of the Fund

The Fund was established in accordance with Section 50A of the Act.

The Minister for Urban Development and Planning approved the establishment of the Fund on [DATE].

5.3 Commencement of the Fund

The Fund commenced on [DATE], effected by notice in the Government Gazette on that day.

5.4 Designated Area for the Fund

The designated area for the purposes of the Fund are the District Business, District Centre and Local Centre Zones, as depicted in Zone Maps RePa/16, RePa/17 and RePa/19 in the Development Plan, consolidation 21 February 2013 (Annexure A).

6. Determination of Contribution

The Council has determined that the contribution to the Fund is to be $400 per car park. This figure is derived from the following formula:

\[(300) + (65 \times 20m^2) \times \text{less 75\%} = 400\]

- $300 is the cost to construct the space, being an area of space 20m2 x $15 construction costs per square metre;
- $65 is the dollar value per square metre of vacant land;
- 20 is the square metre area of car-parking space
- 75\% is the discount applied, detailed below.
In determining the contribution rate per car park, a 75% discount to the full land and construction costs has been determined as appropriate to take into account the following factors:

- the contributor does not retain ownership of the carparking space(s) and therefore cannot trade them as an asset;
- the occupants, clients and employees of the development proposal cannot have reserved or guaranteed use of the spaces for which a contribution is made;
- Council may receive income from the management of parking spaces created with the Fund contributions;
- Council may generate income in other forms through the development of air space or portions of land initially acquired with contributions into the Fund;
- While the contribution funded carparking spaces and other facilities must be related to the development to provide some benefit, they will rarely be as conveniently located as spaces provided on site;
- the Fund may be used for any vehicular and pedestrian purposes (e.g. improvements to existing car parks, integration of existing areas; provision of alternative facilities such as bicycle parking, local bus services) to optimise the strategic management of carparking space.
- the greater the discount the more likely investors will develop within the designated area.

The contribution rate will be reviewed annually to reflect changing land components and construction costs in the designated area.

7. Payments into the Fund

The monies received from contributions into the Fund shall be held by the Council in the Carparking Contributions Fund, to be used to improve management of parking within the respective designated area in accordance with section 50A(8) of the Act.

Agreement to make a contribution to the Fund, in lieu of providing a certain number of spaces at the site of the proposed development, shall be included as part of the development application, and if agreed by the Council, shall be appropriately conditioned on any Development Plan Consent.

Payment of the contribution into the Fund will be required before the grant of any Development Approval in respect to the development application.
Payment into the Fund may be supported by a Bank Guarantee, with payment to be received by Council prior to the subject building being occupied.

With the agreement of the Council, payment into the Fund can be made by installment, the first installment being required prior to the grant of Development Approval, to be equal to 25 percent of the total value required in lieu of carparking space being provided on site, with the remainder of the contribution to be paid in four equal payments at intervals no greater than twelve (12) months duration from the initial and subsequent installments, or as agreed by both parties.

8. Application of contributions into the Fund

The Council’s approach to management of carparking in the town centre includes:

- optimal management of on-street carparking;
- encouragement of integration and shared use of rear yards and/or upgrading and formalisation of spaces to increase carparking provision and/or improve utilisation efficiency;
- purchase of land to develop public car parks when suitable sites become available in retail precincts;
- facilitation of bicycle use; and
- local community bus to service key locations.

In accordance with the requirement set out at section 50a(8) of the Act, the Council intends to utilise any contributions received into the Fund for the purchase of land (or interest in land) for the purposes of developing suitable carparking facilities, and for the improvement of carparking facilities within the designated area.

9. Management of the Fund

To ensure there is clear record keeping and public accountability, a “Carparking Contribution Fund Register” will be established and available for public inspection.

The Register will maintain details of the following for the designated area:

- subject development applications;
- total of approved parking shortfall;
- the amount of individual contributions due to be paid to the Fund;
- records of payments received;
- expenditure of Fund monies and implemented improvements;
- total number of additional parking spaces and improved parking facilities developed by the Fund.
10. **Policy Review**

This Policy will be reviewed annually, with particular attention to:

- reflecting changing land components and construction costs in the designated areas;
- the effectiveness of this Policy in achieving its desired outcomes;
- the contribution rate per carparking space, relative to applicable costs;
- the extent to which the Policy provisions have been taken up; and
- the overall management of the Fund.

11. **Additional Funds**

From time to time, Council may consider the allocation of additional funds, from either General Revenue or other sources, to the Fund for specific purposes.

12. **Further information**

This Policy will be available for inspection at the Council offices during ordinary business hours and available to be downloaded, free of charge, from the Council’s website.
**Table RePa/3 - Off Street Vehicle Parking Requirements**

<table>
<thead>
<tr>
<th>Form of Development</th>
<th>Number of Required Car Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement machine centre</td>
<td>1 per 10 square metres of gross leasable area.</td>
</tr>
<tr>
<td>Bank</td>
<td>1 per 15 square metres of gross leasable area.</td>
</tr>
<tr>
<td>Bowling club</td>
<td>20 per bowling green.</td>
</tr>
<tr>
<td>Clubroom</td>
<td>1 per 10 square metres of gross leasable area.</td>
</tr>
<tr>
<td>Community centre</td>
<td>1 per 10 square metres of gross leasable area.</td>
</tr>
<tr>
<td>Consulting room</td>
<td>4 for the first surgery, plus 2 per each additional surgery.</td>
</tr>
<tr>
<td>Detached dwelling</td>
<td>2 per dwelling, one of which is covered (the second space can be tandem).</td>
</tr>
<tr>
<td>Educational establishment</td>
<td>Pre-school, Primary School and Secondary School - 1 per full time employee plus 1 space for wheelchair users plus an additional 10 per cent of the total for visitors. 0.6 spaces per full-time student, plus 0.2 spaces per part-time student for tertiary institutions.</td>
</tr>
<tr>
<td>Entertainment venue</td>
<td>1 per 5 seats.</td>
</tr>
<tr>
<td>Funeral parlour</td>
<td>1 per 5 chapel seats plus provision for vehicles operated by parlour.</td>
</tr>
<tr>
<td>General industry</td>
<td>1 per 75 square metres of gross leasable area or 1 per 2 employees</td>
</tr>
<tr>
<td>Group dwelling</td>
<td>2 per dwelling, one of which is covered (the second space can be tandem)</td>
</tr>
<tr>
<td>Hall</td>
<td>1 per 10 square metres of gross leasable area</td>
</tr>
<tr>
<td>Hotel</td>
<td>1 per 2 square metres of bar floor area plus 1 per 10 square metres of lounge bar or beer garden floor area; or 1 per 3 guest rooms (whichever provides the larger parking area)</td>
</tr>
<tr>
<td>Indoor recreation centre</td>
<td>1 per 10 square metres of gross leasable area</td>
</tr>
<tr>
<td>Licensed premises in the form of a nightclub</td>
<td>1 per 3 square metres of total floor area intended to offer unrestricted patron access.</td>
</tr>
<tr>
<td>Light industry</td>
<td>1 per 75 square metres of gross leasable area or 1 per 2 employees.</td>
</tr>
<tr>
<td>Marina</td>
<td>1 per 2 berths.</td>
</tr>
<tr>
<td>Motel</td>
<td>1 per accommodation unit plus 1 per 10 square metres of gross leasable area of restaurant where provided.</td>
</tr>
<tr>
<td>Motor repair station</td>
<td>1 per 75 square metres of gross leasable area or 1 per 2 employees.</td>
</tr>
<tr>
<td>Multiple dwelling in the form of a boarding house</td>
<td>1 per 2 beds.</td>
</tr>
<tr>
<td>Multiple dwelling</td>
<td>1 roofed parking space per dwelling unit plus 1 per 2 dwelling units for visitor parking.</td>
</tr>
<tr>
<td>Night clubs</td>
<td>1 per 3 square metres of total floor area intended to offer unrestricted patron access.</td>
</tr>
<tr>
<td>Form of Development</td>
<td>Number of Required Car Parking Spaces</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>---------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Non-residential club</td>
<td>1 per 6 square metres of total floor area.</td>
</tr>
<tr>
<td>Office</td>
<td>1 per 25 square metres of gross leasable area with a minimum of four car parking spaces.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>1 per 5 seats.</td>
</tr>
<tr>
<td>Pre-school</td>
<td>1 per full time equivalent staff member.</td>
</tr>
<tr>
<td>Primary school</td>
<td>1 per full time equivalent staff member.</td>
</tr>
<tr>
<td>Public meeting hall</td>
<td>1 per 5 seats.</td>
</tr>
<tr>
<td>Residential flat building</td>
<td>1 rooded parking space per dwelling unit plus 1 per 2 dwelling units for visitor parking.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>1 per 10 square metres of gross leasable area.</td>
</tr>
<tr>
<td>Row dwelling</td>
<td>2 per dwelling, one of which is covered (the second space can be tandem).</td>
</tr>
<tr>
<td>Semi-detached dwelling</td>
<td>2 per dwelling, one of which is covered (the second space can be tandem).</td>
</tr>
<tr>
<td>Service industry</td>
<td>1 per 75 square metres of gross leasable area or 1 per 2 employees.</td>
</tr>
<tr>
<td>Service trade premises</td>
<td>1 per 75 square metres of gross leasable area or 1 per 2 employees.</td>
</tr>
<tr>
<td>Shop in the form of a service station</td>
<td>10 spaces per station for customer and employee use.</td>
</tr>
<tr>
<td>Shop (all other types)</td>
<td>7 car parking spaces for every 100 square metres of total floor area.</td>
</tr>
<tr>
<td>Special industry</td>
<td>1 per 75 square metres of gross leasable area or 1 per 2 employees.</td>
</tr>
<tr>
<td>Store</td>
<td>1 per 75 square metres of gross leasable area or 1 per 3 employees (whichever provides the larger parking area).</td>
</tr>
<tr>
<td>Squash/tennis court</td>
<td>3 per court.</td>
</tr>
<tr>
<td>Supported accommodation</td>
<td>1 per 10 residents plus 1 per 2 staff plus 1 per 5 residents (for visitors).</td>
</tr>
<tr>
<td>Warehouse</td>
<td>1 per 75 square metres of gross leasable area or 1 per 3 employees (whichever provides the larger parking area).</td>
</tr>
</tbody>
</table>
Annexure B

Zone Map RePa/16

RENMARK PARINGA COUNCIL
Consolidated - 21 February 2013
Annexure C

REMARK PARINGA COUNCIL

Car Parking Fund

NOTICE is hereby given that the Minister for Planning has approved the establishment of a Car parking Fund by the Renmark Paringa Council, pursuant to section 50A of the Development Act 1993.

Details of the Fund are as follows:

Name of the Fund:
Renmark Paringa Council Carparking Fund.

Designated Area:
The Carparking Fund applies to the following designated areas of the Renmark Paringa Council Development Plan:

- District Business Zone as described in Zone Maps RePa/16, Re/Pa/17 and Re/Pa/19 in the Renmark Paringa Council Development Plan, consolidated 21 February 2013;
- District Centre Zone as described in Zone Map Re/Pa/17 in the Renmark Paringa Council Development Plan, consolidated 21 February 2013;
- Local Centre Zone as described in Zone Map Re/Pa/17 in the Renmark Paringa Council Development Plan,

Contribution Rates:
The Council has determined that the contribution rate per car parking space will be:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Contribution Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>District Business Zone</td>
<td>$400</td>
</tr>
<tr>
<td>District Centre Zone</td>
<td>$400</td>
</tr>
<tr>
<td>Local Centre Zone</td>
<td>$400</td>
</tr>
</tbody>
</table>

Tony Siviour, Chief Executive Officer
Report No: 10.4
Subject: Policy Committee Work Plan
From: Director of Corporate and Community Services

Purpose: Policy Committee to consider the 2015-16 work plan.

Recommendation:
That the Policy Review Committee recommend to Council that it approves the Work Plan.

Background: The work plan (Attachment 1) contains items appropriate for consideration by the committee and sets out the timing of such attention and the current status for each item. The work plan will be presented for review at each meeting.

Council staff maintain a policy register and review the highest priority policies due for review. Council’s statutory policies have been sanitised and any that are out of date or need review will be brought to the proposed Policy Committee meetings in September and October with a schedule for other prioritised policies.

There are a number of policies scheduled for review this financial year. Additionally, Council staff have documented the policy review process, which will clarify the approach to reviewing policies. Therefore monthly meetings are proposed until the end of the financial year.

Relevant Legislation: Nil

Strategic Plan Reference: Emerging Priority 4.1.3 – Ensure management practices enable Council to meet its legislative and governance responsibilities.

Risk/OH&S Impact: Nil

Changes to Risk profile - LGAMLS notification required: Nil

Financial Impact: Nil

Asset Management Impact: Nil

Sustainability Impact: Nil
<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>Agenda Items</th>
<th>Responsible Officer</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/04/2016</td>
<td>Policy Reports; Workplan Review</td>
<td>DCCS/DIES</td>
<td>Review Priority Policies: alternative Effluent Disposal policy; Annual Staff &amp; Elected Members Function Policy; Council Meetings - Elected Members Report Policy; Council Meetings - Late Report Policy; Council Meetings - Protocols policy; Council Meetings - Questions from the Gallery policy; Informal Gatherings; Memorial policy; Car Park Fund Policy.</td>
</tr>
<tr>
<td>10/05/2016</td>
<td>Policy Reports; Workplan Review</td>
<td>DCCS/DIES</td>
<td>Review Priority Policies - CWMS - Land Division; Dog Control - Exemption on Dog Numbers Policy; Driveway Access Policy; Elected Member - Service recognition Policy; Company Vehicle, Facilities &amp; Equipment Use Policy; Property Numbering Policy.</td>
</tr>
</tbody>
</table>