



NOTICE

of

POLICY REVIEW COMMITTEE MEETING

Pursuant to the provisions of Section 88(1) of the Local Government Act 1999

TO BE HELD IN

**COMMITTEE ROOM
PLAYFORD CIVIC CENTRE
10 PLAYFORD BOULEVARD, ELIZABETH**

MEMBERS MAY PARTICIPATE BY ELECTRONIC MEANS

ON

TUESDAY, 10 MARCH 2026 AT 6:00 PM

A handwritten signature in blue ink, appearing to read "Tina Hudson".

**TINA HUDSON
ACTING CHIEF EXECUTIVE OFFICER**

Issue Date: Thursday, 5 March 2026

MEMBERSHIP

MAYOR GLENN DOCHERTY – PRESIDING MEMBER

Ms Tina Hudson
Cr Jane Onuzans

Ms Janey Mitson
Cr Tanya Smiljanic

Cr Misty Norris

**City of Playford
Policy Review Committee Meeting**

AGENDA

TUESDAY, 10 MARCH 2026 AT 6:00 PM

1 ATTENDANCE RECORD

- 1.1 Present
- 1.2 Apologies
- 1.3 Not Present

2 CONFIRMATION OF MINUTES

RECOMMENDATION

The Minutes of the Policy Review Committee Meeting held 16 June 2025 be confirmed as a true and accurate record of proceedings.

3 DECLARATIONS OF INTEREST

4 DEPUTATION / REPRESENTATIONS

Nil

5 STAFF REPORTS

Matters to be considered by the Committee and referred to Council

Matters which cannot be delegated to a Committee or Staff

5.1 Rating Policy and Procedure and Rate Rebate Policy and Procedure (Attachments)6

Matters to be considered by the Committee Only

Matters delegated to the Committee

5.2 Revocation of the Privately Funded Code Amendments Policy and Procedure (Attachments)51

6 INFORMAL DISCUSSION

Nil

7 INFORMAL ACTIONS

8 CONFIDENTIAL MATTERS

Nil

9 CLOSURE

STAFF REPORTS

MATTERS TO BE CONSIDERED BY THE COMMITTEE AND REFERRED TO COUNCIL

***Matters which cannot be
delegated to a Committee or Staff***

5.1 RATING POLICY AND PROCEDURE AND RATE REBATE POLICY AND PROCEDURE

Responsible Executive Manager : Luke Culhane

Report Author : Iolanda Calabrese

Delegated Authority : Matters which cannot be delegated to a Committee or Staff

Attachments :

- 1. Proposed Rating Policy
- 2. Proposed Rating Procedure
- 3. Proposed Rate Rebate Policy
- 4. Proposed Rate Rebate Procedure
- 5. Proposed Rating Policy - Tracked Changes
- 6. Proposed Rating Procedure - Tracked Changes
- 7. Proposed Rate Rebate Policy - Tracked Changes
- 8. Proposed Rate Rebate Procedure - Tracked Changes

PURPOSE

For Council to endorse the proposed Rating Policy (Attachment 1), Rating Procedure (Attachment 2), Rate Rebate Policy (Attachment 3) and Rate Rebate Procedure (Attachment 4).

STAFF RECOMMENDATION

1. Council endorse the proposed Rating Policy (Attachment 1), Rating Procedure (Attachment 2), Rate Rebate Policy (Attachment 3) and Rate Rebate Procedure (Attachment 4), to be incorporated in the public consultation process for the Draft 2026/27 Annual Business Plan and Long-Term Financial Plan in line with Council's Community Engagement Policy and Procedure.
2. Council authorise the CEO to make further minor amendments to the proposed Rating Policy and Procedure and the Rate Rebate Policy and Procedure that do not alter the intent of the documents.

EXECUTIVE SUMMARY

The Rating Policy and Procedure and the Rate Rebate Policy and Procedure are subject to an annual scheduled review to ensure legislative compliance is maintained. Minor amendments have been made and include an update to the due dates for rates.

In accordance with Section 123(2)(d) of the *Local Government Act 1999* (the Act), the Annual Business Plan must set out the rates structure and policies for the financial year. To achieve this, the Rating Policy and Procedure and Rate Rebate Policy and Procedure are planned for public consultation with the Draft 2026/27 Annual Business Plan.

1. BACKGROUND

In South Australia, Council rates are a form of property tax levied by local government, as the primary source of funding for the mandatory and discretionary services provided by Councils. Rates are administered by each Council in accordance with the Act, which allows some flexibility for each Council to make decisions to suit its local community.

The Rating Policy and Procedure outlines Council's process for setting and collecting rates from the community.

The Rate Rebate Policy and Procedure ensures that all applications for rate rebates are considered in a fair and equitable manner in accordance with the provisions set out under the Act.

The Rating Policy and Procedure and the Rate Rebate Policy and Procedure are reviewed annually to ensure ongoing legislative compliance is maintained each financial year.

2. RELEVANCE TO STRATEGIC PLAN

Decision-making filter: We will ensure that we meet our legislative requirements and legal obligations.

This item ensures Council meets its legislative requirements under Section 123(2)(d) of the Act.

In addition, the Rating Policy and Procedure and the Rate Rebate Policy and Procedure articulate the City of Playford's strategies to effectively set and collect rates from its community, and ensure we are effectively able to deliver on the services to our community to meet the objectives of the Strategic Plan.

3. PUBLIC CONSULTATION

In accordance with Section 123(3) of the Act, Councils must consult on the Draft Annual Business Plan, which includes the Rating Policy and Procedure and Rate Rebate Policy and Procedure.

Following public consultation and once the Rating Policy and Procedure and the Rate Rebate Policy and Procedure are endorsed by Council, the updated policies and procedures will be made available on Council's website.

4. DISCUSSION

- 4.1 The proposed Rating Policy and Procedure include changes to reflect updated due dates for rates, date changes to reflect the annual review and the removal of paragraphs relating to the Commercial Rate Strategy that has been revoked by Council.
- 4.2 The proposed Rate Rebate Policy and Procedure include changes to dates to reflect the annual review.
- 4.3 The proposed Rating Policy and Procedure are provided in Attachments 1 and 2. The track changed versions are included as Attachments 5 and 6.
- 4.4 The proposed Rate Rebate Policy and Procedure are provided in Attachments 3 and 4. The track changed versions are included as Attachments 7 and 8.

5. OPTIONS

Recommendation

1. Council endorse the proposed Rating Policy (Attachment 1), Rating Procedure (Attachment 2), Rate Rebate Policy (Attachment 3) and Rate Rebate Procedure (Attachment 4), to be incorporated in the public consultation process for the Draft 2026/27 Annual Business Plan and Long-Term Financial Plan in line with Council's Community Engagement Policy and Procedure.
2. Council authorise the CEO to make further minor amendments to the proposed Rating Policy and Procedure and the Rate Rebate Policy and Procedure that do not alter the intent of the documents.

Option 2

1. Council endorse the proposed Rating Policy (Attachment 1), Rating Procedure (Attachment 2), Rate Rebate Policy (Attachment 3) and Rate Rebate Procedure (Attachment 4) to be incorporated in the public consultation process for the Draft 2026/27 Annual Business Plan and Long-Term Financial Plan in line with Council's Community Engagement Policy and Procedure subject to the following amendments:
 - _____
 - _____
 - _____
2. Council authorise the CEO to make further minor amendments to the proposed Rating Policy and Procedure and the Rate Rebate Policy and Procedure that do not alter the intent of the documents.

6. ANALYSIS OF OPTIONS

6.1 Recommendation Analysis

6.1.1 Analysis & Implications of the Recommendation

The recommendation to endorse the proposed Rating Policy and Procedure and the Rate Rebate Policy and Procedure ensures the documentation is compliant with legislative obligations and enables consultation as part of the Draft 2026/27 Annual Business Plan and Long-Term Financial Plan.

Risk Appetite

Regulatory Compliance

Council has a zero tolerance for non-compliance with applicable legislation including but not limited to: Local Government Act (LGA) 1999; Independent Commissioner Against Corruption (ICAC) Act 2012; Work Health & Safety (WHS) Act 2012; Environment Protection Act (EPA) 1993; Development Act 1993; Equal Employment Opportunity legislation; and Public Consultation legislation.

This decision will ensure Council meets its legislative obligations.

Financial Sustainability

Council has a low appetite for short-term financial risk that adversely impacts on the delivery of the long-term financial plan and the Council's overall stability and sustainability.

This decision will ensure the updated policies and procedures are compliant with legislative requirements and that rates can be collected to fund Council services.

6.1.2 Financial Implications

There are no financial or resource implications.

6.2 Option 2 Analysis

6.2.1 Analysis & Implications of Option 2

Option 2 facilitates the endorsement of the proposed Rating Policy and Procedure and Rate Rebate Policy and Procedure subject to any amendments. Any amendments made to the Policy and Procedure must be compliant with legislative requirements.

6.2.2 Financial Implications

Any financial implications associated with the endorsement of the proposed Rating Policy and Procedure and Rate Rebate Policy and Procedure with amendment, will be dependent on the amendments made.

Rating Policy



Policy Author	General Manager Corporate Services
Date of next review	June 2027

1. Statement of Intent

In South Australia, council rates are a form of property tax levied by local government as the primary source of funding for the many mandatory and discretionary services provided by councils. Rates are administered by each council in line with the *Local Government Act 1999* (the Act). This document sets out the Council's policy for setting and collecting rates from its community.

Council rates are not a fee for service but a system of taxation for local government purposes.

All land within the Council's area is rateable except land that is subject to an exemption under the Act.

Council considers a general rate, which consists of two components – one based on the value of the land and the other a fixed charge – to be the fairest and most equitable method of imposing rates. A fixed charge is a means of ensuring all ratepayers contribute equally to Council services and the development and maintenance of community infrastructure.

Council may impose differential general rates that vary based on land use. It assesses rates against each piece or section of land subject to separate occupation, except for land with a commercial or industrial land use where rates are assessed against each piece or section of such land subject to separate ownership.

Council's rates are based on the capital values of land in its area as assessed by the Valuer-General. An owner of land may, in accordance with the *Valuation of Land Act 1971*, object to a valuation made by the Valuer-General of their land.

Council considers that this method of valuing land provides the fairest method of distributing the rate burden across all ratepayers on the following basis:

- Rates constitute a system of taxation, and the equity principle of taxation requires that ratepayers of similar wealth pay similar taxes, and ratepayers of greater wealth pay more tax than ratepayers of lesser wealth.
- Property value is considered a relatively good indicator of wealth, and the capital value, which closely approximates the market value of a property, provides the best indicator of overall property value.

Council is required to collect a separate rate, the Regional Landscape Levy, to reimburse the Council for the funding contribution required by the *Landscape South Australia Act 2019* for the Green Adelaide Board. The total value of this contribution is fully recoverable. This separate rate is effectively a state tax and Council does not retain the revenue collected by way of the separate rate.

Council may apply rate remissions, postponements, and rebates in accordance with the Act and the Rate Rebate Policy. In addition, if a ratepayer is experiencing hardship with paying their rates, they may make an application for rate relief by way of a remission or postponement in accordance with the Act and Council's Hardship Policy. Fines and interest apply to overdue rates and if an amount payable by way of rates is in arrears for three years or more, Council may sell the land for non-payment of rates.

Disclaimer

A rate cannot be challenged on the basis of non-compliance with this Policy and must be paid in accordance with the required payment provisions.

Where a ratepayer believes that Council has failed to properly apply this Policy, they should raise the matter with Council.

2. Scope

This Policy applies to all ratepayers within the Council's area.

3. Legislation and References

This Policy should be read in conjunction with the Rating Procedure.

Related documents include:

- *Landscape South Australia Act 2019*
- *Local Government Act 1999* – Sections 148, 151 and 152
- *Local Government (Financial Management) Regulations 2011*
- *Local Government (General) Regulations 2013* – Regulation 14
- *Valuation of Land Act 1971*
- City of Playford Annual Business Plan and Budget
- City of Playford Global Glossary
- City of Playford Long Term Financial Plan
- City of Playford Strategic Plan
- Debt Recovery Procedure
- Hardship Policy and Procedure
- Rate Rebate Policy and Procedure

This Policy should not be considered as the only document that may relate to rating matters; other tiers of government, agencies or organisations may have legislation or policies that also apply.

4. Application

CEO	To facilitate the endorsement of the Rating Policy as part of the Annual Business Plan (ABP) and Long Term Financial Plan (LTFP) process.
General Manager Corporate Services	To ensure an effective rating system.
Senior Manager Financial Services	To facilitate and deliver an effective rating system as part of the ABP and LTFP.
Manager Rates	To oversee the consistent application of the Rating Policy.
Rates Officers	To apply consistent delivery of the Rating Policy to ratepayers.

5. Relevance to Risk Appetite Statement

Regulatory Compliance

The City of Playford has **ZERO TOLERANCE** for non-compliance with applicable legislation. The Rating Policy and Procedure are updated annually to ensure compliance is maintained for each financial year, as part of the ABP and LTFP process.

Service Delivery

The City of Playford has a **MODERATE** appetite for service delivery requirements. Maintaining the Rating Policy and Procedure ensures service delivery within required timeframes.

6. Feedback

Your feedback on this Policy is invited and can be directed to the Manager Governance via email to governance@playford.sa.gov.au or by calling the Customer Contact Team on 8256 0333.

Administration use only

ECM document set no.	3994059
Version no.	8
Procedure link	Rating Procedure
Policy author	General Manager Corporate Services
Endorsed by	Council
Resolution no.	TBC
Legal requirement	Section 123(2)(d) of the <i>Local Government Act 1999</i>
Review schedule	Annually
Date of current version	June 2026
Date of next review	June 2027

Version history

Version no.	Approval date	Approval by	Change
1	02 July 2019	Ordinary Council Resolution No. 3630	Annual review
2	30 June 2020	Ordinary Council Resolution No. 4105	Annual review



3	22 June 2021	Ordinary Council Resolution No. 4660	Annual review
4	28 June 2022	Ordinary Council Resolution No. 5025	Annual review
5	27 June 2023	Ordinary Council Resolution No. 5455	Name change of Regional Landscape Levy
6	25 June 2024	Ordinary Council Resolution No. 5890	Annual review, author position title change
7	24 June 2025	Ordinary Council Resolution No. 6302	Annual review
8	23 June 2026	Ordinary Council Resolution No. TBC	Annual review

Rating Procedure



Procedure Author	General Manager Corporate Services
Date of next review	June 2027

1. Purpose

In South Australia, council rates are a form of property tax levied by local government as the primary source of funding for the many mandatory and discretionary services provided by councils. Rates are administered by each council in line with the *Local Government Act 1999* (the Act) which allows some flexibility for each council to make decisions to suit its local community. This Procedure outlines Council's process for setting and collecting rates from its community.

This Procedure applies to all ratepayers within the Council's area.

2. References and Supporting Documentation

This Procedure should be read in conjunction with the Rating Policy.

Related documents include:

- *Landscape South Australia Act 2019*
- *Local Government Act 1999*
- *Local Government (General) Regulations 2013*
- Hardship Policy and Procedure
- Rate Rebate Policy and Procedure
- Annual Business Plan
- Long Term Financial Plan
- City of Playford Global Glossary

3. Application

Senior Manager Financial Services	To conduct an annual review as part of Annual Business Plan (ABP) and Long Term Financial Plan (LTFP).
Manager Rates	To oversee the consistent application of the Rating Policy and Procedure.
Rates Officer	To apply consistent delivery of the Rating Policy and Procedure to ratepayers.

4. Procedure

4.1 General rates

Each year, Council plans the services and programs it will deliver to the community through its ABP, budget, LTFP and asset management plans. The ABP and budget are developed in accordance with the decision-making filters and community themes outlined in Council's strategic plan.

Council declares rates every year for the following financial year, taking into consideration the ABP and budget.

To meet its rating objectives, Council adopts the following approach:

- Valuations are based on capital value as assessed by the Valuer-General.
- A general rate is declared each year comprising two components: a rate based on the capital value of the land and a fixed charge, in accordance with Sections 151(1)(c) and 152(1)(c) of the Act.

The first quarterly rates notice is issued in July each year with a 30-day terms of payment period. Ratepayers can elect to pay their annual rates in full; however, where payments are not made in full, three further quarterly rates notices are issued in October, January and April of each year to facilitate quarterly payments.

4.1 Fixed charge

Section 152 of the Act allows councils to impose a fixed charge on each rateable property in its area, provided that a minimum rate has not also been imposed. The fixed charge ensures that all rateable properties make a base contribution towards the cost of administering Council activities and maintaining the services and physical infrastructure that support each property. A fixed charge has the effect of reducing the rate in the dollar applied to property valuations.

Council declares a fixed charge each year as part of its rating strategy.

In accordance with the Act, Council cannot raise more than 50% of total general rate revenue through the imposition of a fixed charge as a component of general rates.

In applying a fixed charge, only one charge can be imposed on two or more adjoining assessments with the same owner and occupier (contiguous).

4.2 Differential rates

In addition to a fixed charge, a general rate can include a component based on the value of the land. Council can also impose differential rates that vary according to the use of land (e.g., residential, commercial, industrial), the locality of the land, or a combination of both. Council has declared differential general rates that vary according to land use as prescribed by Regulation 14 of the *Local Government (General) Regulations 2013*. For rating purposes, Council attributes a land use category to each piece of land in its area. The percentage of total rate revenue to be raised from each land use category is used to determine the rate in the dollar (differential rate) for each category.

4.3 Method used to value land

In accordance with the principles in Section 148 of the Act, Council assesses rates against each piece or section of land subject to separate occupation, except for land with a commercial or industrial land use for which rates are assessed against each separate piece or section of land subject to separate ownership.

For rating purposes, Council adopts the valuations determined by the Valuer-General that are available at the time Council adopts its budget for the following financial year.

Where a ratepayer is dissatisfied with a valuation made by the Valuer-General, the rates notice issued by Council will include information on how to lodge an objection. Council has no role in the valuation objection process. The lodgement of an objection does not alter the due date for payment of rates.

4.4 Objections to land use classification

If a ratepayer believes that Council has incorrectly attributed a land use to their land, the ratepayer may lodge a written objection with Council within 60 days of receiving the first rates notice of the current financial year (or within such longer period as Council may allow). The objection must set out the basis for the objection and specify the land use that the ratepayer considers should be attributed to the land. The Land Use Objection form is available on Council's website www.playford.sa.gov.au or by contacting Council on 8256 0333.

Council may determine an objection as it sees fit and may request the Valuer-General to reassess the land use classification. Upon receipt of the Valuer-General's recommendation, Council will make a determination in relation to the objection.

If a ratepayer is not satisfied with Council's decision, the ratepayer may appeal to the South Australian Civil and Administrative Tribunal (SACAT) within 21 days after receiving notice of Council's decision (or within such longer period as SACAT may allow).

4.5 Landscapes SA Levy

Council is required under the *Landscape South Australia Act 2019* to make a specified contribution to the Green Adelaide Board. Council recovers this contribution by imposing a separate rate on land within the area of both the Green Adelaide Board and Council.

The total value of this contribution is fully recoverable. Council does not retain any of the revenue collected, does not determine the amount of the contribution, and has no role in determining how the revenue is spent.

The Regional Landscape Levy is shown as a separate item on rate notices.

Any enquiries relating to the Regional Landscape Levy should be directed to the Green Adelaide Board via its website www.landscape.sa.gov.au.

4.6 Rates cap

The Act requires Council to determine each year whether to apply a maximum rate increase (or a rates cap) to a ratepayer's principal place of residence.

A rates cap can be applied to provide relief where there has been a substantial change in rates payable due to rapid changes in property valuations.

Council has determined that it will not apply a maximum increase (rates cap) to the general rate charged on rateable land that constitutes a ratepayer's principal place of residence.

4.7 Pensioner concessions and State beneficiaries of concessions

From 1 July 2015, Council concessions were replaced by the State Government's cost of living concession for pensioners.

Ratepayers seeking further information are directed to the ConcessionsSA Hotline on 1800 307 758 or to the concessions section of the www.sa.gov.au website.

4.8 Rate relief

An application form for rate relief is available from Council's Customer Service Centres and on Council's website.

Remission of rates – Hardship

Section 182 of the Act permits Council to grant a postponement or remission of rates in cases of hardship and for other prescribed reasons. Ratepayers seeking further information are directed to Council's Hardship Policy.

A ratepayer who is experiencing, or is likely to experience, difficulty in meeting standard payment arrangements is encouraged to contact a Council Rates Officer to discuss alternative payment arrangements. All such enquiries are treated with the strictest confidence.

Seniors postponement

Section 182A of the Act provides for the postponement of rates for seniors.

The scheme is designed to assist senior card holders who may be asset rich but cash poor by allowing the postponement of annual rates amounts exceeding \$500. At least \$500 of the annual Council rates payable must be paid by the due date, with any amount above \$500 able to be postponed for an indefinite period (up until the property is sold or eligibility ceases).

Ratepayers seeking further information are directed to the Seniors Rate Postponement Scheme information available on Council's website.

Discretionary rebates

Council may consider applications for discretionary rebates and approve a rebate in accordance with Section 166 of the Act. Further information is available in Council's Rate Rebate Policy.

4.9 Payment of rates

Council will collect rates quarterly on the dates determined by Council. For the relevant financial year, the due dates are:

- 02 September 2026
- 02 December 2026
- 02 March 2027
- 02 June 2027

Rates may be paid in person at Council's Customer Service Centres or by any of the payment methods detailed on the rates notice.

4.10 Late payment of rates

The Act provides that Council may impose a fine of 2% on any instalment of rates that is not paid on or before the due date. In addition, overdue rates are charged interest at the prescribed rate for each full month that the amount remains unpaid after the due date.

Where Council receives a payment in respect of overdue rates, the payment is applied in accordance with Section 183 of the Act in the following order:

- first – to satisfy any costs awarded in connection with court proceedings;
- second – to satisfy any interest charged;
- third – to satisfy any fines imposed;
- fourth – in payment of rates, in chronological order, starting with the oldest outstanding amount first.

4.11 Non-payment of rates

Section 184 of the Act provides that Council may sell land to recover outstanding rates where an amount payable by way of rates has been in arrears for three years or more.

5. Feedback

Your feedback on this Procedure is invited and can be directed to the Manager Governance via email to governance@playford.sa.gov.au or by calling the Customer Contact Team on 8256 0333.

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ECM document set no.	3994060
Version no.	6
Policy link	Rating Policy
Procedure author	General Manager Corporate Services
Endorsed by	Council
Resolution no.	TBC
Legal requirement	<i>Local Government Act 1999</i>
Review schedule	Annually
Date of current version	June 2026
Date of next review	June 2027

Version history

Version no.	Approval date	Approval by	Change
1	22 June 2021	Ordinary Council Resolution No. 4660	New procedure to support Rating Policy.
2	28 June 2022	Ordinary Council Resolution No. 5025	Annual Review.
3	27 June 2023	Ordinary Council Resolution No. 5455	Name change of Regional Landscape Levy and due dates.
4	25 June 2024	Ordinary Council Resolution No. 5890	Annual review, author title change, due dates updated.
5	24 June 2025	Ordinary Council Resolution No. 6302	Annual review. Added web address for Land Use Objection Form, removed phone number for Landscape Levy and due dates updated.
6	23 June 2025	Ordinary Council Resolution No. TBC	Annual review. Updated due dates.

Rate Rebate Policy



Policy Author	General Manager Corporate Services
Date of next review	June 2027

1. Statement of Intent

The objective of this Policy is to ensure that all applications for rate rebates are considered in an equal and fair manner in line with the provisions set out under the *Local Government Act 1999* (the Act) and this Policy.

Rates are a form of taxation and provide the main revenue stream for Council to deliver services to the community. Rates are levied under the Act on the basis of land value and use, which is widely accepted as a reasonable indicator of capacity to pay. Recognising that there may be circumstances where this may not always be the case, the Act makes provision for Council to consider applications for rate rebates. This supports the provision of equitable services and facilities to meet the needs of the whole community.

This Policy is intended to provide guidance as to the grounds upon which relief of rates payable is available to a person, body, or organisation, in the form of rebates. Council will consider each application to ensure the requirements under the Act have been met.

When assessing requests for rebates, Council may take into account, but is not limited to, the following:

- the availability of rebates under the Act
- the applicant's need for financial assistance
- whether, and to what extent, the applicant provides a benefit or service to the local community
- whether the applicant is a public sector, not-for-profit or commercial entity
- whether the rebate will assist in securing new development in the City of Playford
- if the applicant has been subject to a substantial change in rating or valuation
- the impact of adverse environmental impacts on existing business
- the extent of other financial assistance, if any, available to the applicant from other sources (e.g., Commonwealth or State government)
- whether there are any historical considerations that may be relevant
- the level of rates that would be applied by neighbouring councils
- the financial consequences of the rebate for the Council
- any other matters, and policies of the Council, which the Council considers relevant.

When considering rate rebates, Council gives consideration to the following five principles that apply to the imposition of taxes on communities:

- equity
- benefit
- ability-to-pay
- efficiency
- simplicity

Council rebates will be annually assessed to determine if the circumstances justify the continued endorsement of the application of the rebate.

2. Scope

Mandatory rebates must be applied where ratepayers meet eligibility as prescribed in Sections 160-165 of the Act.

Discretionary rebates may be applied, at Council's discretion, where ratepayers make an application and they meet the eligibility criteria prescribed by Section 166 of the Act.

3. Legislation and References

This Policy should be read in conjunction with the Rate Rebate Procedure.

Related documents include:

- *Local Government Act 1999* – Sections 159-166
- Rating Policy and Procedure
- City of Playford Global Glossary

This Policy should not be considered as the only document that may relate to rate rebates; other tiers of government, agencies or organisations may have legislation or policies that also apply.

4. Application

Council	Approval of discretionary rebates greater than 50%, or for a commitment of greater than one year.
CEO, General Manager Corporate Services or Senior Manager Financial Services	Approval of discretionary rebates less than 50% for a period of less than one year.
Manager Rates	To oversee the consistent application of the Rate Rebate Policy.
Rates Officers	To apply consistent delivery of the Rate Rebate Policy to ratepayers.

5. Relevance to Risk Appetite Statement

Regulatory Compliance

The City of Playford has **ZERO TOLERANCE** for non-compliance with applicable legislation. Maintaining the Rate Rebate Policy and Procedure ensures compliance is maintained.

Service Delivery

The City of Playford has a **MODERATE** appetite for service delivery requirements. Maintaining the Rate Rebate Policy and Procedure ensures service delivery within required timeframes.

6. Feedback

Your feedback on this Policy is invited and can be directed to the Manager Governance via email to governance@playford.sa.gov.au or by calling the Customer Contact Team on 8256 0333.

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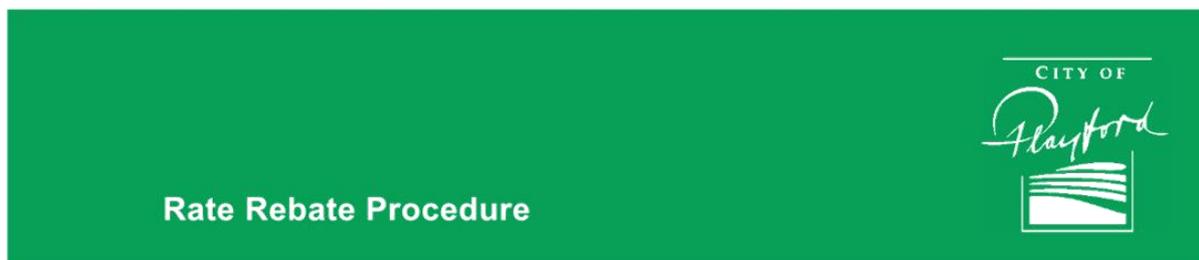
ECM document set no.	3978634
Version no.	11
Policy link	Rate Rebate Policy
Policy author	General Manager Corporate Services
Endorsed by	Council
Resolution no.	TBC
Legal requirement	Sections 159-166 of the <i>Local Government Act 1999</i>
Review schedule	Annual
Date of current version	June 2026
Date of next review	June 2027

Version history

Version no.	Approval date	Approval by	Change
1	24 April 2007	Ordinary Council Resolution No. 208	Adopted by Council
2	28 August 2012	Ordinary Council Resolution No. 895	Reviewed
3	28 August 2018	Ordinary Council Resolution No. 3252	Annual review
4	02 July 2019	Ordinary Council Resolution No. 3630	Annual review



5	30 June 2020	Ordinary Council Resolution No. 4105	Annual review
6	22 June 2021	Ordinary Council Resolution No. 4660	Annual review
7	28 June 2022	Ordinary Council Resolution No. 5025	Annual review
8	27 June 2023	Ordinary Council Resolution No. 5455	Annual review
9	25 June 2024	Ordinary Council Resolution No. 5890	Annual review, author title change
10	24 June 2025	Ordinary Council Resolution No. 6302	Annual review
11	23 June 2026	Ordinary Council Resolution No. TBC	Annual review



Procedure Author	General Manager Corporate Services
Date of next review	June 2027

1. Purpose

This Procedure provides guidance as to the grounds upon which a person, body or organisation, is entitled to receive a rebate of rates. Council will consider each application to ensure the requirements under the *Local Government Act 1999* (the Act) have been met.

This Procedure includes both mandatory and discretionary rebates and supports the provision of equitable services and facilities to meet the needs of the whole community.

2. References and Supporting Documentation

This Procedure should be read in conjunction with the Rate Rebate Policy.

Related documents include:

- *Local Government Act 1999*
- Complaints Handling Policy and Procedure
- Rating Policy and Procedure

3. Application

Council	To approve discretionary rebates greater than 50%, or for a commitment of greater than one year.
CEO, General Manager Corporate Services or Senior Manager Financial Services	To approve discretionary rebates less than 50% for a period of less than one year.
Manager Rates	To oversee the consistent application of the Rate Rebate Policy and Procedure.
Rates Officers	To apply consistent delivery of the Rate Rebate Policy and Procedure to ratepayers.

4. Procedures

Division 5 – Rebates of Rates

Sections 159-166 of the Act outline the provision of rate rebates through mandatory and discretionary rebates.

4.1 Preliminary grounds and penalties

Section 159 of the Act provides guidance regarding the grounds for rebates and penalties that may apply. These include:

- Section 159(1): If grounds exist for a person or body to receive a rebate of rates in pursuance of this Division, the person or body may apply to the council in a manner and form determined by the council (supplying such information as the council may reasonably require).
- Section 159(2): A person or body must not:
 - make a false or misleading statement or representation in an application made (or purporting to be made) under this Division
 - or
 - provide false or misleading information or evidence in support of an application made (or purporting to be made) under this Division.Maximum penalty: \$5,000.
- Section 159(7): If a person or body has the benefit of a rebate of rates under this Division and the grounds on which the rebate has been granted cease to exist, the person or body must immediately inform the council of that fact and (whether or not the council is so informed) the entitlement to a rebate ceases.
- Section 159(8): If a person or body fails to comply with subsection (7), the person or body is guilty of an offence.
Maximum penalty: \$5,000.
- Section 159(10): A council may, for proper cause, determine that an entitlement to a rebate of rates in pursuance of this Division no longer applies.
- Section 159(11): If an entitlement to a rebate of rates ceases or no longer applies during the course of a financial year, the council is entitled to recover rates, or rates at the increased level (as the case may be), proportionate to the remaining part of the financial year.

4.2 Mandatory rebates

Ratepayers entitled to a mandatory rebate may make an application in the form determined by Council (refer to 4.6 below). Ratepayers are required to include evidence, where requested, and meet the requirements of Section 159 of the Act.

Where a council is aware that a mandatory rebate applies to land, the council must apply the rebate regardless of whether or not an application has been made. This approach has equal application in respect of a property that becomes eligible for a mandatory rebate part way through a financial year when the rebate will be applied on a pro-rata basis.

Otherwise, the Act does not impose any obligation on a council to seek out persons who may be eligible for a mandatory rebate if they have not made an application.

Where an application is made, or if a council becomes aware that an entitlement to a mandatory rebate exists during the course of the financial year, the council must apply the mandatory rebate for the whole of the financial year. The only exception is where the land becomes rateable during the course of a financial year where the rebate will be applied pro-rata for the period of rateability.

Refunds for previous financial years are not required, unless the Council was made aware or knew that an entitlement existed in that previous year or years.

Mandatory rebate eligibility is prescribed in the Act under the following sections:

- s160 – 100% Rebate of rates-health services
- s161 – 75% Rebate of rates-community services
- s162 – 100% Rebate of rates-religious purposes
- s163 – 100% Rebate of rates-public cemeteries
- s164 – 100% Rebate of rates-Royal Zoological Society of SA
- s165 – 75% Rebate of rates-educational purposes

4.3 Discretionary rebates

Discretionary rebate eligibility is listed under Section 166 of the Act.

Ratepayers may make an application for a discretionary rebate by completing the application form on Council's website www.playford.sa.gov.au or by contacting Council on 8256 0333.

The discretion to grant a rebate must be exercised consistently and in the interests of the community. In this regard, Council must consider its community, not the wider community of the State. This is because decisions regarding rate rebates impact directly on the ratepayers and residents of individual council areas.

4.4 Council-endorsed multi-year rebates

The Senior Manager Financial Services and the Rates Manager will review multi-year rate rebates as per the conditions set out in the Council-endorsed application or agreement for ongoing eligibility.

4.5 Granting of rebates

Under Section 166 – Discretionary rebate of rates:

- A rebate of rates or charges under subsection (1) may be granted on such conditions as the council thinks fit.
- A rebate of rates or charges under subsection (1)(a), (b) or (k) may be granted for a period exceeding one year, but not exceeding 10 years.
- A rebate of rates or charges under subsection (1)(l) may be granted for a period exceeding one year, but not exceeding three years.
- A council should give reasonable consideration to the granting of rebates under this section and should not adopt a policy that excludes the consideration of applications for rebates on their merits.
- A council may grant a rebate under this Section that is up to (and including) 100 per cent of the relevant rates or service charge.

4.6 Application and approval process

Applications for rate rebates are to be made on Council's application form and accompanied by the appropriate supporting documentation. The Rate Rebate Policy, and application form, are available on Council's website www.playford.sa.gov.au or by contacting Council on 8256 0333.

In accordance with Section 159(1) of the Act, Council may request any information from an applicant that it reasonably requires in order to make a decision in respect of a rebate application.

Where an application for a discretionary rebate is made after the date on which rates are declared, the council may choose not to consider the application for that financial year. However, the council will need to consider the application for a rebate applicable in the next financial year.

Retrospective discretionary rebates may, but need not, be given by the council.

Assessment of discretionary rebates are to be undertaken in a fair and consistent manner, using the assessment eligibility weighting matrix based on reasons for application which assists with recommendation for approval and calculating the per cent and value of rebate.

Approval of rebates must be made in line with delegation levels.

The applicant should be advised of the Council's decision and rights of review should the applicant not be satisfied with the decision.

5. Complaints and Appeals

Complaints and appeals will be considered in accordance with Council's complaints and grievance procedures and Sections 270 and 271 of the Act. A copy of the Complaints Handling Policy can be found at www.playford.sa.gov.au.

Customers not satisfied with the outcome of their complaint should be directed to contact the Ombudsman SA on 8226 8699 or Ombudsman@ombudsman.sa.gov.au.

6. Feedback

Your feedback on this Procedure is invited and can be directed to the Manager Governance via email to governance@playford.sa.gov.au or by calling the Customer Contact Team on 8256 0333.

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ECM document set no.	3978636
Version no.	7
Policy link	Rate Rebate Policy
Procedure author	General Manager Corporate Services
Endorsed by	Council
Resolution no.	TBC
Legal requirement	Sections 159-166 of the <i>Local Government Act 1999</i>
Review schedule	Annually
Date of current version	June 2026
Date of next review	June 2027

Version history

Version no.	Approval date	Approval by	Change
1	June 2018	Senior Manager Finance	New
2	22 June 2021	Ordinary Council Resolution No. 4660	Annual Review
3	28 June 2022	Ordinary Council Resolution No. 5025	Annual Review
4	27 June 2023	Ordinary Council Resolution No. 5455	Annual Review
5	25 June 2024	Ordinary Council Resolution No. 5890	Annual Review
6	24 June 2025	Ordinary Council Resolution No. 6302	Annual Review
7	23 June 2026	Ordinary Council Resolution No. TBC	Annual Review



Policy Author	General Manager Corporate Services
Date of next review	June 2026 ⁷

1. Statement of Intent

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In South Australia, council rates are a form of property tax levied by Local Government as the primary source of funding for the many mandatory and discretionary services provided by councils. Rates are administered by each council in line with the *Local Government Act 1999* (the Act). This document sets out the Council's policy for setting and collecting rates from its community.

Council rates are not a fee for service but a system of taxation for Local Government purposes. All land within the Council's area is rateable except land that is subject to an exemption under the Act.

Council considers a general rate, which consists of two components – one based on the value of the land and the other a fixed charge – to be the fairest and most equitable method of imposing rates. A fixed charge is a means of ensuring all ratepayers contribute equally to Council services and the development and maintenance of community infrastructure.

Council may impose differential general rates that vary based on land use. It assesses rates against each piece or section of land subject to separate occupation, except for land with a commercial or industrial land use where rates are assessed against each piece or section of such land subject to separate ownership.

~~Council's aim is to have a competitive rating environment for commercial properties. Its strategy is to gradually reduce the rate in the dollar for commercial properties in a staged approach, that balances the demands from businesses for rate relief with the needs from residential rate payers to continue to provide a sustainable level of services.~~

Council's rates are based on the capital values of land in its area as assessed by the Valuer-General. An owner of land may, in accordance with the *Valuation of Land Act 1971*, object to a valuation made by the Valuer-General of their land.

Council considers that this method of valuing land provides the fairest method of distributing the rate burden across all ratepayers on the following basis:

- Rates constitute a system of taxation, and the equity principle of taxation requires that ratepayers of similar wealth pay similar taxes, and ratepayers of greater wealth pay more tax than ratepayers of lesser wealth.
- Property value is considered a relatively good indicator of wealth, and the capital value, which closely approximates the market value of a property, provides the best indicator of overall property value.

Council is required to collect a separate rate, the Regional Landscape Levy, to reimburse the Council for the funding contribution required by the *Landscape South Australia Act 2019* for the Green Adelaide Board. The total value of this contribution is fully recoverable. This separate rate is effectively a state tax and Council does not retain the revenue collected by way of the separate rate.

Council may apply rate remissions, postponements, and rebates in accordance with the Act and the Rate Rebate Policy. In addition, if a ratepayer is experiencing hardship with paying their rates, they may make an application for rate relief by way of a remission or postponement in accordance with the Act and Council's Hardship Policy. Fines and interest apply to overdue rates and if an amount payable by way of rates is in arrears for three years or more, Council may sell the land for non-payment of rates.

Disclaimer

A rate cannot be challenged on the basis of non-compliance with this Policy and must be paid in accordance with the required payment provisions.

Where a ratepayer believes that Council has failed to properly apply this Policy, they should raise the matter with Council.

2. Scope

This Policy applies to all ratepayers within the Council's area.

3. Legislation and References

This Policy should be read in conjunction with the Rating Procedure.

Related documents include:

- *Landscape South Australia Act 2019*
- *Local Government Act 1999 – Sections 148, 151 and 152*
- *Local Government (Financial Management) Regulations 2011*
- *Local Government (General) Regulations 2013 – Regulation 14*
- *Local Government Act 1999 – Sections 148, 151 and 152*
- *Valuation of Land Act 1971*
- City of Playford Annual Business Plan and Budget
- City of Playford Global Glossary
- City of Playford Long Term Financial Plan
- City of Playford Strategic Plan
- Debt Recovery Procedure
- Hardship Policy and Procedure
- Rate Rebate Policy and Procedure

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This Policy should not be considered as the only document that may relate to rating matters; other tiers of government, agencies or organisations may have legislation or policies that also apply.

4. Application

CEO	To facilitate the endorsement of the Rating Policy as part of the Annual Business Plan (ABP) and Long Term Financial Planning (LTFP) process.
General Manager Corporate Services	To ensure an effective rating system.

Senior Manager Financial Services	To facilitate and deliver an effective rating system as part of the ABP and LTFP.
Manager Rates	To oversee the consistent application of the Rating Policy.
Rates Officers	To apply consistent delivery of the Rating Policy to ratepayers.

5. Relevance to Risk Appetite Statement

Regulatory Compliance

The City of Playford has **ZERO TOLERANCE** for non-compliance with applicable legislation. The Rating Policy and Procedure are updated annually to ensure compliance is maintained for each financial year, as part of the ABP and LTFP process.

Service Delivery

The City of Playford has a **MODERATE** appetite for service delivery requirements. Maintaining the Rating Policy and Procedure ensures service delivery within required timeframes.

6. Feedback

Your feedback on this Policy is invited and can be directed to the Manager Governance via email to governance@playford.sa.gov.au or by calling the Customer Contact Team on 8256 0333.

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ECM document set no.	3994059
Version no.	8 7
Procedure link	Rating Procedure
Policy author	General Manager Corporate Services
Endorsed by	Council
Resolution no.	6302 TBC
Legal requirement	Section 123(2)(d) of the <i>Local Government Act 1999</i>
Review schedule	Annually
Date of current version	June 202 5 6
Date of next review	June 202 6 7

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Version history

Version no.	Approval date	Approval by	Change
1	02 July 2019	Ordinary Council Resolution No. 3630	Annual review
2	30 June 2020	Ordinary Council Resolution No. 4105	Annual review
3	22 June 2021	Ordinary Council Resolution No. 4660	Annual review
4	28 June 2022	Ordinary Council Resolution No. 5025	Annual review
5	27 June 2023	Ordinary Council Resolution No. 5455	Name change of Regional Landscape Levy
6	25 June 2024	Ordinary Council Resolution No. 5890	Annual review, author position title change
7	24 June 2025	Ordinary Council Resolution No. 6302	Annual review
8	23 June 2026	Council	Annual review
8	23 June 2026	Ordinary Council Resolution No. TBC	Annual review

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Procedure Author	General Manager Corporate Services
Date of next review	June 2026 7

1. Purpose

In South Australia, council rates are a form of property tax levied by Local Government as the primary source of funding for the many mandatory and discretionary services provided by councils. Rates are administered by each council in line with the *Local Government Act 1999* (the Act) which allows some flexibility for each council to make decisions to suit its local community. This Procedure outlines Council’s process for setting and collecting rates from its community.

This Procedure applies to all ratepayers within the Council’s area.

2. References and Supporting Documentation

This Procedure should be read in conjunction with the Rating Policy.

Related documents include:

- [Landscapes South Australia Act 2019](#)
- [Local Government Act 1999](#)
- [Local Government \(General\) Regulations 2013](#)
- [Hardship Policy and Procedure](#)
- [Rate Rebate Policy and Procedure](#)
- [Annual Business Plan](#)
- [Long Term Financial Plan](#)
- [City of Playford Global Glossary](#)

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3. Application

Senior Manager Financial Services	To conduct an a Annual review as part of Annual Business Plan (ABP) and Long Term Financial Plan (LTFP).
Manager Rates	To oversee the consistent application of the Rating Policy <u>and Procedure</u> .
Rates Officer	To apply consistent delivery of the Rating Policy <u>and Procedure</u> to ratepayers.

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4. Procedure

4.1 General Rates-rates

Each year, Council plans the services and programs it will deliver to the community ~~in-through~~ its ABP, ~~and-b~~Budget, LTFP and ~~a~~Asset ~~M~~management ~~p~~Plans. The ABP and ~~b~~Budget are developed in ~~line-accordance~~ with the decision-making filters and community themes outlined in ~~the-Council's~~ ~~S~~strategic ~~P~~plan.

~~The~~ Council declares rates every year for the following financial year, taking into consideration the ABP and ~~b~~Budget.

To meet its rating objectives, Council adopts the following ~~approach~~:

- Valuations are based on capital value ~~as~~ assessed by the Valuer-General.
- A general rate is declared each year ~~that-consists-of~~comprising two components: ~~one-a~~ ~~rate~~ based on the capital value of the land and ~~the-other~~ a fixed charge, pursuant ~~in~~ ~~accordance~~ ~~with~~ Sections 151(1)(c); and 152(1)(c) of the Act.

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The first quarterly rates notices ~~are is~~ issued in July each year, with a 30-day terms of payment ~~period~~. Ratepayers can elect to pay their annual rates in full; however, where ~~ratepayers payments are not~~ ~~made~~ in full, three further ~~quarterly~~ rates notices are issued – in October, January, and April of each year – to facilitate quarterly payments.

4.24.1 Fixed Charge ~~charge~~

Section 152 of the Act allows Councils to impose a fixed charge on each rateable property in its area, ~~providing provided that it has not also imposed~~ a minimum rate ~~has not also been imposed~~. ~~A~~ The fixed charge ensures that all rateable properties make a base contribution towards the cost of administering Council activities and maintaining the services and physical infrastructure that supports each property. A fixed charge has the effect of reducing the rate in the dollar ~~that will be~~ applied to ~~the~~ property valuations.

~~Each year~~ Council declares a fixed charge ~~each year~~ as part of its rating strategy.

~~In accordance with the Act, The~~ Council ~~is unable to cannot~~ raise more than 50% of total general rate revenue through the imposition of a fixed charge as a component of general rates.

In applying a fixed charge, only one charge can be imposed on two or more adjoining assessments with the same owner and occupier (contiguous).

4.2 Differential Rates ~~rates~~

~~A general rate can include, in~~ addition to a fixed charge, ~~a general rate can include~~ a component ~~that is~~ based on the value of the land. ~~Further, the~~ Council can ~~also~~ impose differential rates that vary according to the ~~location of land or the~~ use of land (e.g., residential, commercial, industrial etc.), ~~or according to~~ the locality of the land, ~~or a combination of both and its use~~. The Council has declared differential general rates that vary according to ~~the use of the land use as~~ prescribed by Regulation 14 of the *Local Government (General) Regulations 2013*. ~~For rating purposes, The~~ Council attributes a land use ~~for rating purposes~~ category to each piece of land in its area. The percentage of total rate revenue ~~required to be raised~~ from each land use category ~~will be is~~ used to determine the rate in the dollar (differential rate) for each category.

4.3 Commercial Rating Strategy

~~Council's Commercial Rating Strategy will be applied for the year following a year in which a surplus occurs. The impact of the Commercial Rating Strategy on individual business rates remains subject to changes in property valuations.~~

4.44.3 Method Used ~~used to Value value Land land~~

In accordance with the principles in Section 148 of the Act, ~~the~~ Council assesses rates against each piece or section of land subject to separate occupation, except for land with a commercial or industrial land use for which rates are assessed against each separate piece or section of land subject to separate ownership.

For rating purposes, ~~the~~ Council adopts the valuations ~~made determined~~ by the Valuer-General ~~that are~~ available ~~to it~~ at the time ~~it~~ Council adopts its budget for the following financial year.

~~If~~ ~~Where~~ a ratepayer is dissatisfied with ~~the a~~ valuation made by the Valuer-General, the rates notice issued by ~~the~~ Council will include information ~~about on~~ how to ~~lodge an~~ objection ~~to the~~ valuation. ~~The~~ Council has no role in ~~this the~~ valuation objection process. The lodgement of an objection does not ~~change alter~~ the due date for ~~the~~ payment of rates.

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4.54.4 ~~Objections to Land Use Classification~~

If a ratepayer believes that ~~Council a particular land use~~ has ~~incorrectly been wrongly~~ attributed by the Council a land use to their land, then the ratepayer may lodge a written objection to that land use by writing to with Council within 60 days of receiving the first rates notices of the current financial year (or within such longer period as the Council may allow). The objection must set out the basis for the objection and details specify of the land use that the ratepayer considers should be attributed to the land. The Land Use Objection Form is available on Council's website www.playford.sa.gov.au or by contacting Council on 8256 0333.

Council may ~~decide and determine~~ an objection as it sees fit, and may request the Valuer-General to reassess the land use classification, and upon receiving receipt of the Valuer-General's recommendation, Council will make a decision-determination regarding in relation to the objection.

A ~~if a~~ ratepayer, if is not satisfied with the Council's decision, the ratepayer may appeal to the South Australian Civil and Administrative Tribunal (SACAT) against Council's decision within 21 days after the ratepayer receives notice of the Council's decision (or within such longer period as SACAT may allow).

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4.64.5 Landscapes SA Levy

The Council is required under the *Landscapes South Australia Act 2019* to make a specified contribution to the Green Adelaide Board. Council ~~it~~ recovers the ~~this~~ contribution it makes to the Green Adelaide Board by imposing a separate rate on land within the area of both the Green Adelaide Board and the Council.

The total value of this contribution is fully recoverable, and Council does not retain any of the revenue collected, does not determine calculate the amount of its the contribution, and has no role in determining or determine how the revenue is spent.

The Regional Landscape Levy is shown as a separate item appears separately on rate notices.

Any enquiries relating ~~if a ratepayer has any questions in relation to~~ the Regional Landscape Levy, they are should be directed to the Green Adelaide Board at via its website www.landscape.sa.gov.au.

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4.74.6 Rates Cap cap

The Act requires the Council to ~~decide determine~~ each year whether to apply a maximum rate increase (or a rates cap) to a ratepayer's principal place of residence.

A rates cap can be applied to provide relief where there has been against a substantial change in rates payable incurred due to rapid changes in property valuations.

The Council has determined that it will not apply a maximum increase (rates cap) for to the general rate to be charged on rateable land constituting that constitutes a ratepayer's the principal place of residence of a ratepayer.

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4.84.7 Pensioner Concessions concessions and State Beneficiaries beneficiaries of Concessions concessions

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From 1 July 2015, Council concessions were replaced ~~with~~by the State Government's cost of living concession for pensioners.

~~If a~~Ratepayer ~~seeks~~seeking further information, ~~they~~ are directed to the Concessions-SA Hotline on 1800 307 758 or to the concessions section of the www.sa.gov.au website.

4.94.8 Rate Relief-relief

An application form for rate relief is available from Council's Customer Service Centres and [on Council's website](#).

Remission of Rates-rates – Hardship

Section 182 of the Act permits a Council to [grant a postponement](#) or [give remission on-of](#) rates [due in cases of](#) hardship and [for other defined-prescribed](#) reasons. [If a ratepayerRatepayers seeks-seeking](#) further information, [they are directed to the Council's](#) Hardship Policy.

A ratepayer who [will, or is likely to, is](#) experience [experiencing, or is likely to experience,](#) difficulty [with in](#) meeting the standard [payment](#) arrangements is [invited-encouraged](#) to contact a Council [rates-Rates officer-Officer](#) to discuss alternative payment arrangements. [Such-All such](#) enquiries are treated with the strictest confidence.

Seniors Postponementpostponement

Section 182A of the Act provides for [the](#) postponement of rates for seniors.

The [system-scheme](#) is designed to assist senior card holders who may [find themselves in the situation-of-being-be](#) asset rich [and-but](#) cash poor by allowing them [to](#) [postponement of](#) annual rates amounts [greater-than-exceeding](#) \$500. At least \$500 of the annual Council rates payable must be paid [as-it-falls-by the](#) due date, [but-with](#) any amount [in-excess-of-above](#) \$500 [per-year mayable to](#) be postponed for an indefinite period (up until the property is sold or eligibility ceases).

[If a rRatepayers seeks-seeking](#) further information, [they will be are](#) directed to the [information about-the](#) Seniors Rate Postponement Scheme [information](#) available on Council's website.

Discretionary Rebatesrebates

Council may consider [an applications for discretionary rebates](#) and approve a rebate [at its discretion](#) in accordance with Section 166 of the Act. Further information is [detailed-available](#) in the [Council's](#) Rate Rebate Policy.

4.104.9 Payment of Ratesrates

Council will collect rates quarterly on the dates [set-determined](#) by Council [For the relevant financial year, the due dates are as detailed below:](#)

[4.10.1](#) 02 September 2025⁶

[4.10.2](#) 02 December 2025⁶

[4.10.3](#) 02 March 2026⁷

[4.10.4](#) 02 June 2026⁷

Rates may be paid in person at Council's Customer Service Centres or by any [of the payment methods](#) detailed on the rates notice.

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4.114.10 ~~Late Payment~~ ~~payment of Rates~~ ~~rates~~

The Act provides that ~~the~~ Council may impose a fine of 2% on any instalment of rates that is not paid on or before the due date. In addition, ~~overdue rates are a payment that is late is also charged a prescribed interest at the prescribed rate for each full month that the amount remains unpaid from after the due date it continues to be late.~~

~~When~~ ~~Where~~ Council receives a payment in respect of overdue rates, ~~the payment is~~ Council applies ~~the money received~~ in accordance with Section 183 of the Act ~~as follows~~ in the following order:

- first – to satisfy any costs awarded in connection with court proceedings;
- second – to satisfy any interest ~~costs~~ charged;
- third – ~~to satisfy in payment of any~~ fines imposed;
- fourth – in payment of rates, in chronological order, (starting with the oldest ~~account outstanding amount~~ first).

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4.124.11 ~~Non-Payment~~ ~~payment of Rates~~ ~~rates~~

Section 184 of the Act provides that ~~a~~ Council may sell ~~any~~ land to recover outstanding rates where an amount payable by way of rates has been in arrears for three years or more.

5. Feedback

Your feedback on this Procedure is invited and can be directed to the Manager Governance via email to governance@playford.sa.gov.au or by calling the Customer Contact Team on 8256 0333.

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ECM document set no.	3994060
Version no.	65
Policy link	Rating Policy
Procedure author	General Manager Corporate Services
Endorsed by	Council
Resolution no.	6302TBC
Legal requirement	Local Government Act 1999
Review schedule	Annually
Date of current version	June 2025 6
Date of next review	June 2026 7

Version history

Version no.	Approval date	Approval by	Change
1	22 June 2021	Ordinary Council Resolution No. 4660	New procedure to support Rating Policy.
2	28 June 2022	Ordinary Council Resolution No. 5025	Annual Review.
3	27 June 2023	Ordinary Council Resolution No. 5455	Name change of Regional Landscape Levy and due dates.
4	25 June 2024	Ordinary Council Resolution No. 5890	Annual review, author title change, due dates updated.
5	24 June 2025	Ordinary Council Resolution No. 6302	Annual review.
6	23 June 2026	Council	Added web address for Land Use Objection Form, removed phone number for Landscape Levy and due dates updated.
			Annual review. Updated due dates
6	23 June 2025	Ordinary Council Resolution No. TBC	Annual review. Updated due dates.

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Policy Author	General Manager Corporate Services
Date of next review	June 2027

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1. Statement of Intent

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The objective of this Policy is to ensure that all applications for rate rebates are considered in an equal and fair manner in line with the provisions set out under the *Local Government Act 1999* (the Act) and this Policy.

Rates are a form of taxation and provide the main revenue stream for Council to deliver services to the community. Rates are levied under the Act on the basis of land value and use, which is widely accepted as a reasonable indicator of capacity to pay. Recognising that there may be circumstances where this may not always be the case, the Act makes provision for Council to consider applications for rate rebates. This supports the provision of equitable services and facilities to meet the needs of the whole community.

This Policy is intended to provide guidance as to the grounds upon which relief of rates payable is available to a person, body, or organisation, in the form of rebates. Council will consider each application to ensure the requirements under the Act have been met.

When assessing requests for rebates, Council may take into account, but is not limited to, the following:

- the availability of rebates under the Act
- the applicant's need for financial assistance
- whether, and to what extent, the applicant provides a benefit or service to the local community
- whether the applicant is a public sector, not-for-profit or commercial entity
- whether the rebate will assist in securing new development in the City of Playford
- if the applicant has been subject to a substantial change in rating or valuation
- the impact of adverse environmental impacts on existing business
- the extent of other financial assistance, if any, available to the applicant from other sources (e.g., Commonwealth or State government)
- whether there are any historical considerations that may be relevant
- the level of rates that would be applied by neighbouring councils
- the financial consequences of the rebate for the Council
- any other matters, and policies of the Council, which the Council considers relevant.

When considering rate rebates, Council gives consideration to the following five principles that apply to the imposition of taxes on communities:

- equity
- benefit
- ability-to-pay
- efficiency
- simplicity

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Council rebates will be annually assessed to determine if the circumstances justify the continued endorsement of the application of the rebate.

2. Scope

Mandatory rebates must be applied where ratepayers meet eligibility, as prescribed in Sections 160-165 of the Act.

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Discretionary rebates may be applied, at Council's discretion, where ratepayers make an application, and they meet the eligibility criteria, prescribed by Section 166 of the Act.

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3. Legislation and References

This Policy should be read in conjunction with the Rate Rebate Procedure.

Related documents include:

- *Local Government Act 1999* – Sections 159-166
- Rating Policy and Procedure
- City of Playford Global Glossary

This Policy should not be considered as the only document that may relate to rate rebates; other tiers of government, agencies or organisations may have legislation or policies that also apply.

4. Application

Council	Approval of discretionary rebates greater than 50%, or for a commitment of greater than one year.
CEO, General Manager Corporate Services or Senior Manager Financial Services	Approval of discretionary rebates less than 50% for a period of less than one year.
Manager Rates	To oversee the consistent application of the Rate Rebate Policy.
Rates Officers	To apply consistent delivery of the Rate Rebate Policy to ratepayers.

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5. Relevance to Risk Appetite Statement

Regulatory Compliance

The City of Playford has **ZERO TOLERANCE** for non-compliance with applicable legislation. Maintaining the Rate Rebate Policy and Procedure ensures compliance is maintained.

Service Delivery

The City of Playford has a **MODERATE** appetite for service delivery requirements. Maintaining the Rate Rebate Policy and Procedure ensures service delivery within required timeframes.

6. Feedback

Your feedback on this Policy is invited and can be directed to the Manager Governance via email to governance@playford.sa.gov.au or by calling the Customer Contact Team on 8256 0333.

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Administration use only

ECM document set no. 3978634

Version no. ~~1~~1

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Policy link Rate Rebate Policy

Policy author General Manager Corporate Services

Endorsed by Council

Resolution no. ~~TBC~~

Deleted: 6302

Legal requirement Sections 159-166 of the *Local Government Act 1999*

Review schedule Annual

Date of current version June ~~2026~~

Deleted: 2025

Date of next review June ~~2027~~

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Deleted: 2026

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Version history

Version no.	Approval date	Approval by	Change
1	24 April 2007	Ordinary Council Resolution No. 208	Adopted by Council
2	28 August 2012	Ordinary Council Resolution No. 895	Reviewed
3	28 August 2018	Ordinary Council Resolution No. 3252	Annual review
4	02 July 2019	Ordinary Council Resolution No. 3630	Annual review

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5	30 June 2020	Ordinary Council Resolution No. 4105	Annual review	
6	22 June 2021	Ordinary Council Resolution No. 4660	Annual review	
7	28 June 2022	Ordinary Council Resolution No. 5025	Annual review	
8	27 June 2023	Ordinary Council Resolution No. 5455	Annual review	
9	25 June 2024	Ordinary Council Resolution No. 5890	Annual review, author title change	Deleted: Author
10	24 June 2025	Ordinary Council Resolution No. 6302	Annual review	Deleted: ¶ 11
11	23 June 2026	Ordinary Council Resolution No. TBC	Annual review	Deleted: ¶ 23 June 2026
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				Deleted: Annual review¶ ¶
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Procedure Author	General Manager Corporate Services
Date of next review	June 2027

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1. Purpose

This Procedure provides guidance as to the grounds upon which a person, ~~body~~ ~~or~~ organisation, is entitled to receive a rebate of rates. Council will consider each application to ensure the requirements under the *Local Government Act 1999* (the Act) have been met.

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This Procedure includes both mandatory and discretionary rebates and supports the provision of equitable services and facilities to meet the needs of the whole community.

2. References and Supporting Documentation

This Procedure should be read in conjunction with the Rate Rebate Policy.

Related documents include:

- [Local Government Act 1999](#)
- Complaints Handling Policy and Procedure
- Rating Policy and Procedure

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3. Application

Council	To approve discretionary rebates greater than 50%, or for a commitment of greater than one year.
CEO, General Manager Corporate Services or Senior Manager Financial Services	To approve discretionary rebates less than 50% for a period of less than one year.
Manager Rates	To oversee the consistent application of the Rate Rebate Policy and Procedure .
Rates Officers	To apply consistent delivery of the Rate Rebate Policy and Procedure to ratepayers.

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4. Procedures

Division 5 – Rebates of Rates

Sections 159-166 of the Act outline the provision of rate, rebates through mandatory and discretionary rebates.

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4.1 Preliminary grounds and penalties

Section 159 of the Act provides guidance regarding the grounds for rebates and penalties that may apply. These include:

- Section 159(1): If grounds exist for a person or body to receive a rebate of rates in pursuance of this Division, the person or body may apply to the council in a manner and form determined by the council (supplying such information as the council may reasonably require).
- Section 159(2): A person or body must not:
 - make a false or misleading statement or representation in an application made (or purporting to be made) under this Division
 - or
 - provide false or misleading information or evidence in support of an application made (or purporting to be made) under this Division.
 Maximum penalty: \$5,000.
- Section 159(7): If a person or body has the benefit of a rebate of rates under this Division and the grounds on which the rebate has been granted cease to exist, the person or body must immediately inform the council of that fact and (whether or not the council is so informed) the entitlement to a rebate ceases.
- Section 159(8): If a person or body fails to comply with subsection (7), the person or body is guilty of an offence.
Maximum penalty: \$5,000.
- Section 159(10): A council may, for proper cause, determine that an entitlement to a rebate of rates in pursuance of this Division no longer applies.
- Section 159(11): If an entitlement to a rebate of rates ceases or no longer applies during the course of a financial year, the council is entitled to recover rates, or rates at the increased level (as the case may be), proportionate to the remaining part of the financial year.

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4.2 Mandatory rebates

Ratepayers entitled to a mandatory rebate may make an application in the form determined by Council (refer to 4.6 below). Ratepayers are required to include evidence, where requested, and meet the requirements of Section 159 of the Act.

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Where a council is aware that a mandatory rebate applies to land, the council must apply the rebate regardless of whether or not an application has been made. This approach has equal application in respect of a property that becomes eligible for a mandatory rebate part way through a financial year when the rebate will be applied on a pro-rata basis.

Otherwise, the Act does not impose any obligation on a council to seek out persons who may be eligible for a mandatory rebate if they have not made an application.

Where an application is made, or if a council becomes aware that an entitlement to a mandatory rebate exists during the course of the financial year, the council must apply the mandatory rebate for the whole of the financial year. The only exception is where the land becomes rateable during the course of a financial year where the rebate will be applied pro-rata for the period of rateability.

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Refunds for previous financial years are not required, unless the Council was made aware or knew that an entitlement existed in that previous year or years.

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Mandatory rebate eligibility is prescribed in the Act under the following sections:

- s160 ~~-~~100% Rebate of rates-health services
- s161 ~~-~~75% Rebate of rates-community services
- s162 ~~-~~100% Rebate of rates-religious purposes
- s163 ~~-~~100% Rebate of rates-public cemeteries
- s164 ~~-~~100% Rebate of rates-Royal Zoological Society of SA
- s165 ~~-~~75% Rebate of rates-educational purposes

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4.3 Discretionary rebates

Discretionary rebate eligibility is listed under Section 166 of the Act.

Ratepayers may make an application for a discretionary rebate by completing the application form on Council's website www.playford.sa.gov.au or by contacting Council on 8256 0333.

The discretion to grant a rebate must be exercised consistently and in the interests of the community. In this regard, Council must consider its community, not the wider community of the State. This is because decisions regarding rate rebates impact directly on the ratepayers and residents of individual council areas.

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4.4 Council-endorsed multi-year rebates

The Senior Manager Financial Services and the Rates Manager will review multi-year rate rebates as per the conditions set out in the Council-endorsed application or agreement for ongoing eligibility.

4.5 Granting of rebates

Under Section 166 – Discretionary rebate of rates:

- A rebate of rates or charges under subsection (1) may be granted on such conditions as the council thinks fit.
- A rebate of rates or charges under subsection (1)(a), (b) or (k) may be granted for a period exceeding one year, but not exceeding 10 years.
- A rebate of rates or charges under subsection (1)(l) may be granted for a period exceeding one year, but not exceeding three years.
- A council should give reasonable consideration to the granting of rebates under this section and should not adopt a policy that excludes the consideration of applications for rebates on their merits.
- A council may grant a rebate under this Section that is up to (and including) 100 per cent of the relevant rates or service charge.

4.6 Application and approval process

Applications for rate rebates are to be made on Council's application form and accompanied by the appropriate supporting documentation. The Rate Rebate Policy, and application form, are available on Council's website www.playford.sa.gov.au or by contacting Council on 8256 0333.

In accordance with Section 159(1) of the Act, Council may request any information from an applicant that it reasonably requires in order to make a decision in respect of a rebate application.

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Where an application for a discretionary rebate is made after the date on which rates are declared, the council may choose not to consider the application for that financial year. However, the council will need to consider the application for a rebate applicable in the next financial year.

Retrospective discretionary rebates may, but need not, be given by the council.

Assessment of discretionary rebates are to be undertaken in a fair and consistent manner, using the assessment eligibility weighting matrix based on reasons for application which assists with recommendation for approval and calculating the per cent and value of rebate.

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Approval of rebates must be made in line with delegation levels.

The applicant should be advised of the Council's decision and rights of review should the applicant not be satisfied with the decision.

5. Complaints and Appeals

Complaints and appeals will be considered in accordance with Council's complaints and grievance procedures and Sections 270 and 271 of the Act. A copy of the Complaints Handling Policy can be found at www.playford.sa.gov.au.

Customers not satisfied with the outcome of their complaint should be directed to contact the Ombudsman SA on 8226 8699 or Ombudsman@ombudsman.sa.gov.au.

6. Feedback

Your feedback on this Procedure is invited and can be directed to the Manager Governance via email to governance@playford.sa.gov.au or by calling the Customer Contact Team on 8256 0333.

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ECM document set no. 3978636

Version no.

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Policy link

Rate Rebate Policy

Procedure author

General Manager Corporate Services

Endorsed by

Council

Resolution no.

JBC

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Legal requirement

Sections 159-166 of the *Local Government Act 1999*

Review schedule

Annually

Date of current version

June 2026

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Date of next review

June 2027

Deleted: 6

Version history

Version no.	Approval date	Approval by	Change
1	June 2018	Senior Manager Finance	New
2	22 June 2021	Ordinary Council Resolution No. 4660	Annual Review
3	28 June 2022	Ordinary Council Resolution No. 5025	Annual Review
4	27 June 2023	Ordinary Council Resolution No. 5455	Annual Review
5	25 June 2024	Ordinary Council Resolution No. 5890	Annual Review
6	24 June 2025	Ordinary Council Resolution No. 6302	Annual Review
7	23 June 2026	Ordinary Council Resolution No. TBC	Annual Review

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Council

STAFF REPORTS

MATTERS TO BE CONSIDERED BY THE COMMITTEE ONLY

***Matters delegated to the
Committee***

5.2 REVOCATION OF THE PRIVATELY FUNDED CODE AMENDMENTS POLICY AND PROCEDURE

Responsible Executive Manager : Sam Green

Report Author : Matthew Henderson

Delegated Authority : Matters which cannot be delegated to a Committee or Staff

Attachments :

- 1. Privately Funded Code Amendments Policy
- 2. Privately Funded Code Amendments Procedure

PURPOSE

For Council to revoke the Privately Funded Code Amendments Policy (Attachments 1) and Privately Funded Code Amendments Procedure (Attachment 2).

STAFF RECOMMENDATION

Council revoke the Privately Funded Code Amendments Policy (Attachment 1) and Privately Funded Code Amendments Procedure (Attachment 2).

EXECUTIVE SUMMARY

The Privately Funded Code Amendments Policy (Attachment 1) and Privately Funded Code Amendments Procedure (Attachment 2) were due for review in 2025. A review was undertaken, including consultation with relevant staff, and it was determined that the Policy and Procedure are no longer required due to legislative change.

Under the repealed *Development Act 1993* only Councils or the State Government could progress changes to planning policy and zoning contained in development plans, against which development was assessed. As a result, there were circumstances where a proponent would fund Council to undertake Development Plan Amendments on their behalf. The Privately Funded Code Amendments Policy and Procedure provided a framework within which such requests could be managed appropriately.

Under the *Planning, Development and Infrastructure Act 2016* (the PDI Act), the state-wide Planning and Design Code has replaced Council based development plans. The PDI Act enables anyone with an interest in land to propose amendments to the Planning and Design Code, removing the need to fund Councils to act on their behalf. Accordingly, the Privately Funded Code Amendments Policy and Procedure are not required to manage a circumstance that no longer occurs due to legislative change.

1. BACKGROUND

The Privately Funded Code Amendments Policy and Procedure were scheduled for review in 2025. This review was undertaken by Councils Urban Policy Planner and resulted in a recommendation for revocation of the Policy and Procedure. The Executive concurred with the recommendation of the Urban Policy Planner at their meeting on 17 July 2025. As the Policy and Procedure were previously endorsed by Council, the endorsement of Council is also required to revoke the Policy and Procedure.

2. RELEVANCE TO STRATEGIC PLAN

Decision-making filter: We will ensure that we meet our legislative requirements and legal obligations.

The Privately Funded Code Amendments Policy and Procedure no longer assist Council to ensure that it conforms with any current legislative requirement.

3. PUBLIC CONSULTATION

There is no requirement to engage with the public on the revocation of an internal policy.

4. DISCUSSION

- 4.1 The Policy and Procedure were required to manage situations that arose in relation to Development Plan Amendments (DPA) under the repealed *Development Act 1993*, where a proponent would fund Council to undertake a DPA. This would usually occur because a person or entity wanted to change how the development plan applied to land that they had an interest in (i.e. rezone it to facilitate different land uses) but had no means of doing so themselves because under the *Development Act 1993*, only Councils or the State Government could make changes to development plans.
- 4.2 The passage and eventual implementation of the PDI Act resulted in the replacement of Council based development plans with the state-wide Planning and Design Code as a single rule book for development assessment across South Australia. Section 73(2)(b)(vii) of the PDI Act enables anyone with an interest in land to propose amendments to the Planning and Design Code, subject to approval of the Minister for Planning. In such cases, the proponent will usually engage an Accredited Professional to act as the Designated Entity for the Code Amendment, rather than seeking an arrangement whereby they would fund Council to carry the Code Amendment forwards.
- 4.3 Council has not received any requests to progress a DPA on behalf of a landowner since the implementation of the PDI Act. If such a request was received, Council could manage this on a case-by-case basis.
- 4.4 The Privately Funded Code Amendments Policy (Attachment 1) and the Privately Funded Code Amendments Procedure (Attachment 2) are no longer required to manage a circumstance that no longer occurs due to legislative change.

5. OPTIONS

Recommendation

Council revoke the Privately Funded Code Amendments Policy (Attachment 1) and Privately Funded Code Amendments Procedure (Attachment 2).

Option 2

Council resolve to retain the Privately Funded Code Amendments Policy (Attachment 1) and Privately Funded Code Amendments Procedure (Attachment 2).to guide Council's dealings with private entities that may propose to rezone land.

6. ANALYSIS OF OPTIONS

6.1 Recommendation Analysis

6.1.1 Analysis & Implications of the Recommendation

The Policy and Procedure used to manage a circumstance that no longer occurs due to legislative change. Revoking the Policy and Procedure removes the administrative burden of maintaining obsolete documents within Council's registry.

Risk Appetite

Regulatory Compliance

Council has a zero tolerance for non-compliance with applicable legislation including but not limited to: Local Government Act (LGA) 1999; Independent Commissioner Against Corruption (ICAC) Act 2012; Work Health & Safety (WHS) Act 2012; Environment Protection Act (EPA) 1993; Development Act 1993; Equal Employment Opportunity legislation; and Public Consultation legislation.

The Privately Funded Code Amendments Policy and Procedure ensured Council acted in accordance with the *Development Act 1993*, which has been repealed. This decision will not affect Council's compliance with the PDI Act.

6.1.2 Financial Implications

There are no financial or resource implications.

6.2 Option 2 Analysis

6.2.1 Analysis & Implications of Option 2

Retaining the Policy and Procedure them to assist in dealing with Code Amendments proposed by private entities will not assist Council to satisfy its legal obligations in relation to Code Amendments and will place an unnecessary administrative burden on staff to maintain unnecessary documentation.

6.2.2 Financial Implications

There are no financial or resource implications.



Privately Funded Code Amendments Policy

Policy Author	General Manager - Strategy & Corporate
Date of next review	May 2025

1. Statement of Intent

The *Planning, Development and Infrastructure Act 2016* (the Act) has established the Planning and Design Code (the Code) and enabled preparation of standards which provide planning rules and guidelines regarding the form(s) of development that may take place throughout the state, including within the Council's area.

A significant range of proponents are potentially able to undertake Code Amendments including land owners/people with an interest in land (called private proponents).

The intent of this Policy is to:

- a) Provide guidance where private proponents who seeking to fund the Council (in accordance with Section 73(9) of the Act) to undertake a Code Amendment or amendment to a design standard;
 - b) Describe the matters that Council may take into account when considering a request to privately fund a Code Amendment; and
 - c) Ensure proponents are aware that the Council cannot provide any assurances regarding a Code amendment or amendment to a design standard.
- (1) The Council may seek to initiate a privately funded Code Amendment having regard to, but not limited to the following principles:
- a) Whether the Code Amendment is consistent with Council's strategic plan and the relevant regional plan (currently the 30 Year Plan for Greater Adelaide).
 - b) Whether the Code Amendment is supportable from a social, environmental and economic perspective.
 - c) Council's capacity to undertake the Code Amendment including the required timing and administrative/management resources.
 - d) The impact on Council's policy / Code Amendment and strategic planning program.
 - e) The proponents' willingness to fund the costs in order to bring the Code Amendment forward on Council's program of Code Amendments.
 - f) Whether an agreement ought to be entered into between the Council and the proponent and the proponent's willingness to enter into such an agreement.
 - g) Whether the Code Amendment ought to be prepared by a person appointed by the Council or appointed by the private proponent with an independent peer review.

- (2) The Council is not required to consider undertaking a Code Amendment as requested by the proponent at all or in the form requested.
- (3) The Council does not and cannot give any assurances as to the outcome of the Code Amendment.

2. Scope

This policy applies to a request by a private proponent to undertake a Code Amendment or amendment to a design standard.

3. Legislation and References

This Policy is to be read in conjunction with the Privately Funded Code Amendments Procedure.

- City of Playford Global Glossary
- *Planning, Development and Infrastructure Act 2016* (the Act) – Section 73
- Planning and Design Code (the Code)
- Practice Direction 2 - Preparation and Amendment of Designated Instruments.
- Government of South Australia – Amending the Planning and Design Code Introductory Guide, November 2019
- 30 Year Plan for Greater Adelaide

This Policy should not be considered as the only document that may relate to privately funded Code amendments, other tiers of government, agencies or organisations may have legislation or policies that also apply.

4. Application

Council	Council (elected body) will have responsibility for decisions regarding Code Amendments pursuant to this Policy.
Policy Planner Specialist Senior Manager City and Corporate Planning	Provide advice to Council in regard to any formal requests for privately funded Code Amendments.
Chief Executive Officer	Approval of all required reports to Council in regard to privately funded Code Amendments and approval of any relevant sub-delegations of authority in regard to privately funded Code Amendments.

5. Relevance to Risk Appetite Statement

Regulatory Compliance

The City of Playford has **ZERO TOLERANCE** for non-compliance with applicable legislation.

This policy addresses this risk by ensuring that appropriate policies and procedures are established for consideration and receipt of private funding in relation to Section 73(9) of the *Planning Development and Infrastructure Act 2016*.

Service Delivery

The City of Playford has a **MODERATE** appetite for supporting and enhancing existing services and programs to improve the social, recreation and health and wellbeing outcomes for residents. This policy addresses this risk by ensuring that appropriate policies and procedures are established for consideration and receipt of private funding in relation to Section 73(9) of the *Planning Development and Infrastructure Act 2016*.

Reputation

The City of Playford has a **LOW** appetite for negative perceptions that compromise its credibility and reputation. This policy addresses this risk by ensuring that appropriate policies and procedures are established for consideration and receipt of private funding in relation to Section 73(9) of the *Planning Development and Infrastructure Act 2016*.

6. Feedback

Your feedback on this policy is invited and can be directed to the Manager Governance via email to governance@playford.sa.gov.au or by calling the Customer Contact Team on 8256 0333.

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ECM document set no.	3958272
Version no.	3
Procedure link	Privately Funded Code Amendments
Policy author	General Manager – Strategy & Corporate
Endorsed by	Council
Resolution no.	4614
Legal requirement	N/A
Review schedule	4 Years
Date of current version	May 2021
Date of next review	May 2025

Version history

Version no.	Approval date	Approval by	Change
1	23 March 2010	Ordinary Council	New Policy
2	15 December 2015	Ordinary Council	Entire policy reworked
3	25 May 2021	Ordinary Council Resolution No. 4614	Policy title change from 'Non-Government Funded DPA Policy'. Separation of policy from procedures. Provision of greater flexibility for proponent to prepare Code Amendment (with peer review under appropriate circumstances). Provision of ability for proponent to submit statement of justification and Code initiation documentation together under appropriate circumstances.

Privately Funded Code Amendments Procedure



Procedure Author	General Manager – Strategy & Corporate
Date of next review	May 2025

1. Purpose

While a significant range of proponents may, with the approval of the Minister for Planning (the Minister), initiate a Code Amendment pursuant to Section 73 of the *Planning Development and Infrastructure Act 2016* (the Act), the Act specifically provides for persons with an interest in land to initiate a Code Amendment.

Approval from the Minister is required to initiate a Code Amendment. However, a person with an interest in land may request the Council to undertake a Code Amendment with Council seeking the approval of the Minister for the initiation.

This Procedure commences at the point that a request is made to the Council to initiate a Code Amendment.

The purpose of this procedure is to outline the process relating to the Council's consideration of a Code Amendment where the Council has been requested to undertake a Code Amendment by a private proponent.

2. References and Supporting Documentation

This Procedure is to be read in conjunction with the Privately Funded Code Amendments Policy.

3. Application

Policy Planner Specialist	<p>Monitor any changes to State Government legislation, policies or procedures that may impact on Council's procedures or policy.</p> <p>Liaise with any potential proponents undertaking, or giving consideration to preparing, a privately funded Code Amendment regarding these procedures and related policies.</p>
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4. Procedure

4.1 Statement of Justification

The Council may as an initial step in the process of considering a Code amendment request from a private proponent, require the proponent to prepare and submit to the Council for its consideration a statement of justification.

This involves the proponent providing a brief statement outlining the justification for the request to Council to undertake a Code Amendment, without necessarily including the initiation documents required to be considered by the Council and the Minister. A Statement

of Justification also provides an early opportunity to consider the resource requirements and the private funding.

The Council may consider it appropriate to provide the option for Private Proponents to prepare and submit to the Council a Statement of Justification at the same time as the Code Amendment Proposal to Initiate (the documentation required to be submitted to the Minister) is to be considered by the Council.

The Statement of Justification should address the following matters and such other matters as the Council may require:

- a) Whether the proposed Code Amendment demonstrates the potential for consistency (subject to further investigation as necessary) with Council's strategic plan, the relevant regional plan (currently the 30 Year Plan for Greater Adelaide) and is supportable from a social, environmental and economic perspective.
- b) The willingness of the Private Proponent to fund the costs associated with the Code Amendment and to enter into an agreement with Council on terms provided by the Council prior to the Council's consideration of the Code amendment initiation documentation.
- c) Whether it is the Private Proponent's intention that the Council will drive the entire process including the procurement and management of consultants, or whether the Private Proponent intends to manage key elements of the process (excluding community engagement, internal Council processes and independent peer review if undertaken). Council will determine which process will be followed.

4.1.1 Legal agreement

If Council agrees to the Statement of Justification, or to both the Statement of Justification and Code amendment initiation documentation (where these are combined), the Council may require an agreement be entered into by the Council and the Private Proponent before submitting the Code initiation documentation to the Minister. The Council will determine the form of the agreement and may include the following terms and provisions:

- a) The funding of the costs associated with Code Amendment by the Private Proponent is to be undertaken in an open and transparent manner and is not to be taken as any assurance or indication that the Code Amendment outcome sought by the proponent will be realised;
- b) The roles of the parties to the agreement, legal requirements and procedures, and project and financial management;
- c) The nature of the Code Amendment including the area to be covered, the purpose of the amendment and what the investigations will encompass;
- d) An acknowledgement by the Private Proponent that the Council maintains ultimate control of the Code Amendment, in that key stages are reported to the elected body of the Council for consideration prior to being submitted to the Minister for Planning for adoption;
- e) An acknowledgement that Council cannot be fettered in its discretion under the Act to make decisions, including potentially to not proceed with a Code Amendment;
- f) An indication that the proponent will be kept informed of progress at key stages and that

consultation may occur between Council staff and the proponent if it is seen as potentially benefiting the quality of proposed policy;

- g) An acknowledgement that some parts of the Code Amendment process cannot be outsourced and management, policy oversight and processing will be required to be undertaken by Council staff, therefore the Code Amendment process will be managed according to Council priorities and timeframes;
- h) An acknowledgement that while the Council may initiate a Code Amendment, ultimately the decision on its adoption is for the Minister, and not the Council, and that the Council has no control over this decision;
- i) An acknowledgement and acceptance by the Private Proponent that even in the event the Code Amendment is not adopted by the Minister, or adopted with amendments, the proponent is still responsible for the costs associated with the Code Amendment preparation and that there will be no refund of any funds expended by the Private Proponent;
- j) The costs of the preparation of the agreement are to be borne by the Private Proponent including legal costs associated with preparation of the Code Amendment, including legal review and all legal proceedings including judicial review proceedings that may be commenced in relation to the process;
- k) The Private Proponent will be responsible for any costs associated with any additional investigations that may be required by Council;
- l) The costs associated with the Code amendment to be paid by the Proponent will include the full costs of any consultants as required by the Council and an additional 20% towards administrative costs;
- m) An acknowledgement that the agreement does not and shall not in any way affect a relevant authority's role and powers to assess applications for development approval in respect of land affected by a privately funded Code amendment.

4.1.2 Code Amendment process

- 4.1.2.1 Following preparation and signing of an agreement between the Council and the Private Proponent and/or the approval by the Minister of the Proposal to Initiate, the formal Code Amendment process can commence/proceed and will follow the procedures set out in the Act, related regulations and Practice Directions.
- 4.1.2.2 The Council will retain responsibility for the procurement process unless the Council agrees otherwise. The Council may engage external consultants in relation to the Code Amendment process where that process is to be undertaken by the Council. If the proponent has indicated a desire to appoint and manage consultants to undertake the Code Amendment and Council is agreeable, this will not include those components of the process which are required to be undertaken by the Council such as community engagement and preparation of Council reports which the Council determines to undertake.
- 4.1.2.3 Council will indicate within all publicly available documentation that it has, or intends to receive payment for the costs associated with the Code Amendment and/or that the proponent is, or intends to be, responsible for commissioning elements of the related work.

- 4.1.2.4 The Code Amendment will not progress beyond the Proposal to Initiate being submitted to the Minister, until such time as notice of approval under Section 73 2(b)(vii) of the Act has been received from the Minister.

5. Feedback

Your feedback on this procedure is invited and can be directed to the Manager Governance via email to governance@playford.sa.gov.au or by calling the Customer Contact Team on 8256 0333.

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ECM document set no.	3958279
Version no.	1
Policy link	Privately Funded Code Amendments Policy
Procedure author	General Manager – Strategy & Corporate
Endorsed by	Council
Resolution no.	4614
Legal requirement	N/A
Review schedule	4 Years
Date of current version	May 2021
Date of next review	May 2025

Version history

Version no.	Approval date	Approval by	Change
1	25 May 2021	Ordinary Council Resolution No. 4614	New Procedure
