



NOTICE

of

SERVICES COMMITTEE MEETING

*Pursuant to the provisions of Section 84(1) of the
Local Government Act 1999*

TO BE HELD IN

**COUNCIL CHAMBERS
PLAYFORD CIVIC CENTRE
10 PLAYFORD BOULEVARD, ELIZABETH**

ON

TUESDAY, 19 MARCH 2019 AT 7:00PM

A handwritten signature in blue ink, appearing to read "S Green".

**SAM GREEN
ACTING CHIEF EXECUTIVE OFFICER**

Issue Date: Thursday, 14 March 2019

MEMBERSHIP

PRESIDING MEMBER – CR ANDREW CRAIG

Cr Akram Arifi	Cr Marilyn Baker	Cr Stephen Coppins
Cr Andrew Craig	Cr Veronica Gossink	Cr Shirley Halls
Cr David Kerrison	Cr Clint Marsh	Cr Misty Norris
Cr Jane Onuzans	Cr Peter Rentoulis	Cr Dennis Ryan
Cr Gay Smallwood-Smith	Cr Katrina Stroet	Cr Cathy-Jo Tame

CITY OF PLAYFORD STRATEGIC PLAN

1. Smart Service Delivery Program	
<p>This program is about continuing to provide for the changing needs and expectations of our diverse community, delivering the services they require. It means making the most of our community's existing strengths, talents and diversity, and working smarter to connect our community with each other to contribute to overall wellbeing and the economic life of the City.</p>	<p><i>Outcomes</i></p> <ul style="list-style-type: none"> 1.1 High quality services and amenities 1.2 Improved service delivery 1.3 Working smarter with our community 1.4 Enhanced City presentation, community pride and reputation
2. Smart Living Program	
<p>This program is about Council playing its part to make the City more liveable and connected. As our older suburbs age and our population and urban footprint expands, we will find innovative ways to renew and 'future proof' the liveability of our neighbourhoods. It also means ensuring our community has access to smart technologies.</p>	<p><i>Outcomes</i></p> <ul style="list-style-type: none"> 2.1 Smart development and urban renewal 2.2 Enhanced City presentation, community pride and reputation 2.3 Liveable neighbourhoods
3. Smart Jobs & Education Program	
<p>This program is about Council leading by example and advocating to other organisations to support the diversification of our local economy and improve the employment prospects for our community. This includes providing the right environment for investment and business attraction and connecting our community up with the right skills and education for the transitioning economy.</p>	<p><i>Outcomes</i></p> <ul style="list-style-type: none"> 3.1 Growth and diversification of local jobs matched with relevant education and training 3.2 Commercial and industrial growth 3.3 Sustainable economic transformation 3.4 International market connections
4. Smart CBD Program	
<p>This program relates to Council's long term strategy for the redevelopment and expansion of the Elizabeth Regional Centre. In the longer term Elizabeth can expect to be home to a number of facilities and services such as hospitals, a university, significant retail services, medium to high density commercial offices, peak business organisations and high density housing.</p>	<p><i>Outcomes</i></p> <ul style="list-style-type: none"> 4.1 Expanded range of local services 4.2 Growth and diversification of local jobs in the CBD 4.3 Greater housing choice 4.4 Increased social connections 4.5 Commercial growth
5. Smart Sport Program	
<p>This program is about Council's long term vision to create the Playford City Sports Precinct providing local community, state and national level sporting facilities. It will create a focus on healthy communities and promote greater participation in sport and physical activity. It will also support the renewal of adjoining suburbs.</p>	<p><i>Outcomes</i></p> <ul style="list-style-type: none"> 5.1 Enhanced community pride and reputation 5.2 Healthy and socially connected community 5.3 Access to elite sporting facilities
6. Smart Health	
<p>In the longer term the Playford will see expansion of the area around the Lyell McEwin Hospital into a key precinct with tertiary training, research, allied health facilities and residential accommodation. It will have potential links to advanced manufacturing in assistive devices in health, aged and disability. This program is about raising the profile and amenity of the precinct and facilitating new investment.</p>	<p><i>Outcomes</i></p> <ul style="list-style-type: none"> 6.1 Access to quality, local health services 6.2 Increased employment opportunities in health, disability and aged sectors



SERVICES COMMITTEE CHARTER

1 Role

1.1 The Committee's role is to:

- 1.1.1 Act in an advisory capacity to the Council regarding all high level operations.
- 1.1.2 Monitor the Operational performance of the Council as it relates to the delivery of services to standards.

2 Terms of Reference

2.1 The Committee's terms of reference are to consider all matters relating to the:

- 2.1.1 Review and develop operational aspects of Council business.
- 2.1.2 Review and develop the delivery of Council services.
- 2.1.3 Review and develop Council service standards assessed against community need.
- 2.1.4 Review and approve relevant policies where delegation permits.
- 2.1.5 To consider on a regular basis reports on the performance of the Council.

3 Definitions

Act for the purpose of this policy means the *Local Government Act 1999*.

Chief Executive Officer (CEO) means the Chief Executive Officer of a council and includes a deputy or other person acting in the officer of Chief Executive Officer.

Committee includes Section 41 Committees, other Committees and Panels established by Council.

Elected Member means the principal member or a councillor of the Council

Executive Officer is a staff member appointed by the Chief Executive Officer to support a Section 41 Committee, other committee or advisory group.

Independent Members are members on a committee or panel who are not elected but have been appointed by the Council to undertake a similar role as Councillors on Council's Section 41 Committees or the Council Development Assessment Panel. They are external appointees.

Mayor is the person elected as the Principal Member of the Council to represent the local government area as a whole.

Staff includes Council staff, contractors, volunteers and all others who perform work on behalf of Council.

4 Delegations

- 4.1** The Committee has delegation for the following:
- 4.1.1 Approve Committee's Minutes as a true and accurate record of proceedings.
 - 4.1.2 Develop and approve the Committee's Work Plan.
 - 4.1.3 Appoint a Presiding Member from within the Committee.
 - 4.1.4 Consider and provide a response to LGA Circulars, or other business of an operational nature, in line with the Committee's role.
 - 4.1.5 Consider and approve relevant policies submitted to the Committee in line with the Committee's Role and Terms of Reference. Nothing in this clause prevents the Committee from referring the policy to Council for consideration.
 - 4.1.6 The Committee has the power pursuant to Section 87 (1) of the Act to determine the months of the year that the Committee meets.
- 4.2** Any other business referred to the Committee in accordance with its Role and Terms of Reference, or where the Committee does not hold the delegated authority, this business may be debated with a recommendation referred to the next Ordinary Council Meeting for consideration.
- 4.3** The Executive Officer in consultation with the Presiding Member may approve a deputation request for business that falls in-line with the Committee's Role and Terms of Reference. The Committee may resolve to seek further information on the business of a deputation, although no further resolution may be passed for the business of a deputation at the meeting the deputation was provided.
- 4.4** Petitions are not delegated to the Committee and are only to be presented to Council.

5 Meetings

- 5.1** The Committee Meeting will be held on the 3rd Tuesday of the month, starting at 7:00pm, with the months of the year to be determined and reviewed by the Committee.
- 5.2** The Committee Meeting will be held in Council Chambers at the Playford Civic Centre, 10 Playford Boulevard, Elizabeth, unless otherwise determined by the Committee prior to the meeting.
- 5.3** Committee Meetings may be called, amended or cancelled by the Committee's Executive Officer of the Committee, in consultation with the Presiding Member.
- 5.4** The agenda will be prepared and distributed to all Committee Members on the Thursday prior to the meeting, with the preference being to distribute electronically.

5.5 Special Meetings of the Committee may be necessary from time to time and may be called in accordance with Section 82 of the Local Government Act 1999. Notice of a Special Committee Meeting may be at a minimum of four (4) hours notice, due to the urgency of the matters on the agenda.

6 Membership

6.1 The Committee shall comprise the Mayor and all Elected Members.

6.2 The Presiding Member will be determined by the Committee.

6.3 The Term of the Presiding Member will be one (1) year, after which they may stand for re-election.

6.4 The term of the Council Committee Members' appointment will be for a period not exceeding the next General Election.

7 Role of the Presiding Member

7.1 Oversee the conduct of Committee Meetings in accordance with the Local Government Act 1999 and Code of Practice for Council, Special and Committee Meetings.

7.2 Ensure all Committee Members have the opportunity to participate in debate and discussions in an open and encouraging manner.

7.3 Where a matter has been debated significantly and no new information is being discussed the Presiding Member may call the meeting to order and ask for the debate to be finalised and a motion be put forward.

8 Role of Committee Members

8.1 Actively participate in debate and discussion in a professional manner at all times.

8.2 Ensure the Member is prepared and informed of meeting matters prior to the meeting.

8.3 Utilise the skills and experience of the Committee Members to effectively carry out the Committee's role.

9 Role of the Executive Officer and Administrative Support

9.1 The Executive Officer is appointed by the CEO to support the administration and operation of the Committee.

9.2 The Executive Officer and relevant staff may provide advice during the meeting in order to aid informed decision making.

9.3 The Committee is appointed a Minute Taker.

10 Reporting and Review

10.1 Council will assess the on-going role and effectiveness of the Committee as part of the Committee Review following a General Election or as required by Council.

- 10.2** As determined by the Committee, it may communicate with Elected Members and staff on issues of importance to the Council. This communication may be delivered by the Presiding Member or Executive Officer in the form of a presentation to Elected Members, a communiqué, a written memo or a report to Council.

11 Supporting Documentation

- [Local Government Act 1999](#)
- [Code of Practice for Council and Committee Meetings](#)
- [Code of Practice for Public Access to Meetings and Associated Meeting Documents](#)
- [Code of Conduct for Council Members](#)

12 Approval and Change History

Approval Date	Approval by	Change
27 Nov 2012	Council Resolution	Scheduled review.
16 Dec 2014	Council Resolution No. 2008	Alignment to Council Elections 2014, Name change from Assets & Services to Services Committee, change to common format, meeting day changed to second Tuesday of month and other minor amendments
28 Jun 2016	Council Resolution No. 2604	Template & Committee Structure Review
18 Dec 2018	Council Resolution No. 3362	Alignment to Council Elections 2018 and the inclusion of clause 2.1.5 Terminology changed – Council Member replaced with Elected Member Definition of Elected Member updated Committee now delegated to determine meeting schedule

**City of Playford
Services Committee Meeting**

AGENDA

TUESDAY, 19 MARCH 2019 AT 7:00PM

1 ATTENDANCE RECORD

- 1.1 Present
- 1.2 Apologies
- 1.3 Not Present

2 CONFIRMATION OF MINUTES

RECOMMENDATION

The Minutes of the Services Committee Meeting held 19 February 2019 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 Council Member Training and Development Policy and Guidelines (Attachments).....10

Matters for Information.

- 5.2 Open Space Fund52

Matters to be considered by the Committee Only

Matters delegated to the Committee.

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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 COUNCIL MEMBER TRAINING AND DEVELOPMENT POLICY AND GUIDELINES

Responsible Executive Manager : Mr Greg Pattinson

Report Author : Ms Susie Reichstein

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

Attachments :

- 1 [↓](#). Draft Council Member Training and Development Policy
- 2 [↓](#). Draft Council Member Training and Development Policy Guidelines
- 3 [↓](#). Summary of Changes - Council Member Training and Development Policy and Guidelines
- 4 [↓](#). 2018/2019 Training and Development Plan
- 5 [↓](#). Council Member Training and Development Policy - Current
- 6 [↓](#). Council Member Training and Development Policy Guidelines - Current

PURPOSE

For Council to consider adopting the Council Member Training and Development Policy and Guidelines and the 2018/2019 Training and Development Plan.

STAFF RECOMMENDATION

1. Council adopts the Council Member Training and Development Policy (Attachment 1) and Council Member Training and Development Policy Guidelines (Attachment 2).
2. Council endorses the 2018/2019 Training and Development Plan (Attachment 4).

EXECUTIVE SUMMARY

Under Section 80A of the *Local Government Act 1999* it is a requirement for Council to prepare and adopt a Training and Development Policy for Elected Members. A review of the current Council Member Training and Development Policy (Attachment 5) and Guidelines (Attachment 6) has been undertaken, in accordance with the *Local Government Act 1999* and *Local Government (General) Regulations 2013*.

1. BACKGROUND

The Council Member Training and Development Policy and Guidelines were last reviewed in March 2016.

A revised Policy is now presented for Council consideration, following a scheduled review post the November 2018 general election. In accordance with section 80A (3) of the *Local Government Act 1999*, the Council is able to alter the Training and Development Policy or substitute a new Policy.

2. RELEVANCE TO STRATEGIC PLAN

1: Smart Service Delivery Program

Outcome 1.2 Improved service delivery

An updated Training and Development Policy will provide Council Members with an appropriate framework to guide training and development activities; to assist Members in the performance and discharge of their official functions and duties and contribute to the strategic objectives of Council.

3. PUBLIC CONSULTATION

There is no requirement under the *Local Government Act 1999* to consult the community on the Council Members Training and Development Policy and Guidelines.

4. DISCUSSION

- 4.1** The Training and Development Policy was scheduled for review following the November 2018 general election. The revised Policy has been formulated taking into consideration the needs of the new Council and in accordance with the *Local Government Act 1999* and *Local Government (General) Regulations 2013*.
- 4.2** A summary of changes proposed, which are included in the draft Council Members Training and Development Policy and Guidelines is provided in Attachment 3. The major amendments relate to the following areas:
- Updates to definitions to reflect what is referenced in the Policy and Guidelines;
 - Policy and Guidelines inserted into new corporate policy template including sections on Policy accessibility, responsibilities and feedback;
 - Biennial Training and Development Plan to be presented to Council;
 - Gap Analysis Form has been revised and renamed Training Needs Form;
 - Clarification regarding the LGA Training Standard and requirements for Council Members to complete the Mandatory Training Modules;
 - Multiple possible group training topics included;
 - Provision included for Committee to resolve to appoint a Council Member to attend an annual conference where resolved attendee can no longer attend;
 - Stipulation of requirements for reimbursement of costs associated with partner, spouse or family member attendance; and
 - Updated Annexure A, Example Council Member Training and Development Plan.
- 4.3** Elected Members were provided a draft Training and Development Plan in February 2019, accompanied by a Training Needs Form. Members were requested to provide feedback to inform the draft plan via the Form so training needs can be identified for group training activities scheduled as required.

4.4 The draft 2018/2019 Training and Development Plan (Attachment 4) is now presented to Council for endorsement. The Plan is subject to change and is flexible to enable training to be responsive to Elected Member needs and requirements. The Plan currently only contains proposed activities through to August, to enable future training requirements to be accommodated. Elected Members are encouraged to provide feedback and suggestions for group training topics and activities.

5. OPTIONS

Recommendation

1. Council adopts the Council Member Training and Development Policy (Attachment 1) and Council Member Training and Development Policy Guidelines (Attachment 2).
2. Council endorses the 2018/2019 Training and Development Plan (Attachment 4).

Option 2

1. That Council proposes the following amendments to the draft Council Member Training and Development Policy and Guidelines:
 - _____
 - _____
 - _____
2. A report is brought back for Council to consider the proposed amendments and to adopt the Policy and Guidelines.
3. Council endorses the 2018/2019 Training and Development Plan (Attachment 4).

6. ANALYSIS OF OPTIONS

6.1 Recommendation Analysis

6.1.1 Analysis & Implications of the Recommendation

A comprehensive review of the Council Member Training and Development Policy and the accompanying Guidelines has been undertaken. The recommendation reflects this thorough review and ensures Council meets its legislative requirements in regards to Elected Member training and development.

The proposed 2018/2019 Training Plan ensures Council meets its legislative obligations in delivering the four Mandatory Training Modules. The Plan also incorporates group training activities suggested by Elected Members via the Training Needs Form or other feedback provided.

6.1.2 Financial Implications

There are no financial or resource implications associated with the adoption of the Policy and Guidelines. Resource and financial impacts will arise through the provision of Elected Member training and development activities, including the delivery of the Mandatory Training Modules and other group training. Group training will be allocated \$20,000 per annum for Council Member and Independent Member training.

Individual training and personal development will be funded through individual Council Member's budget allocation of \$8,000 per term.

The budget allocations for group and individual training and development activities are provided for through the adoption of Council's training and development budget each financial year.

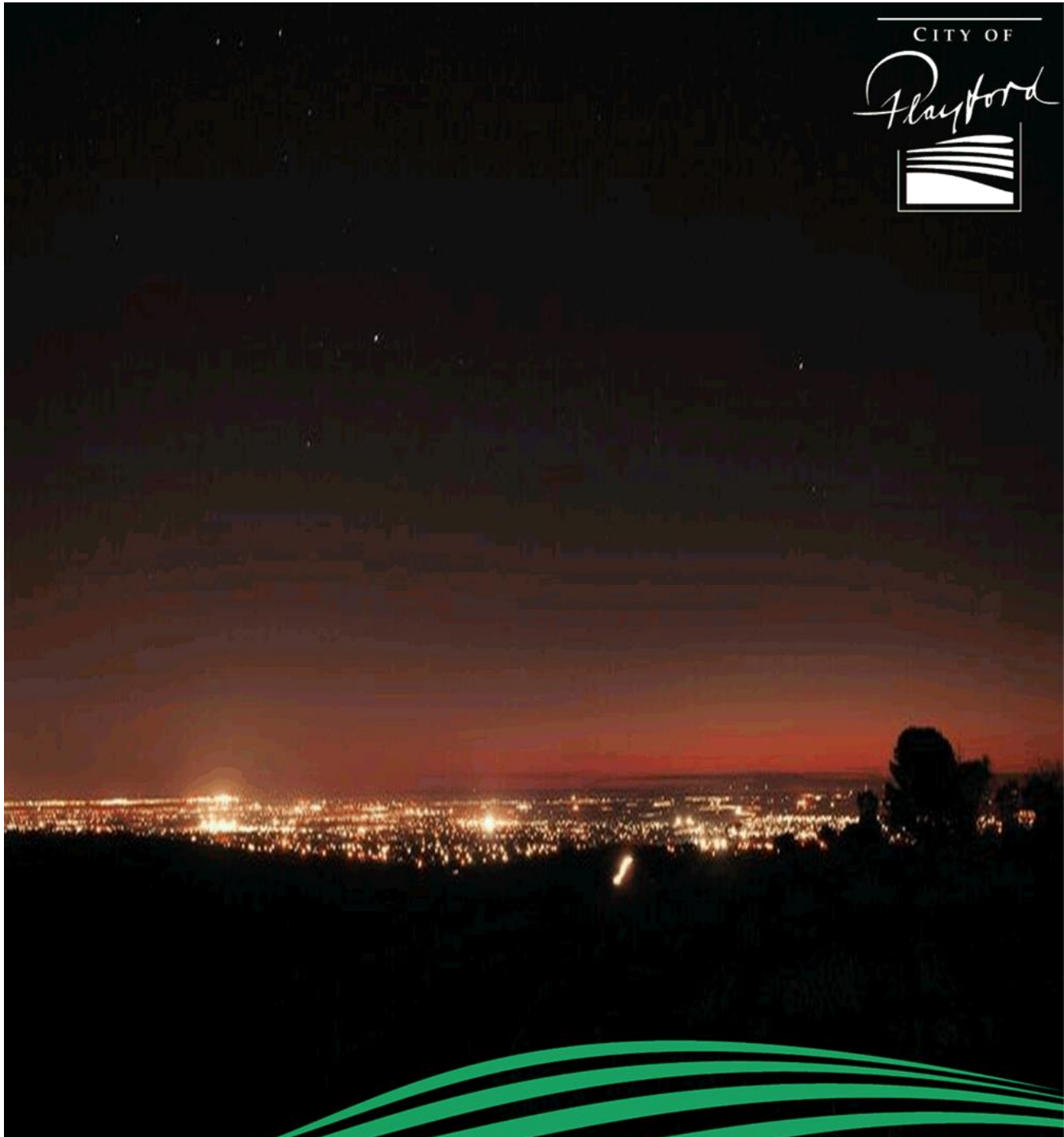
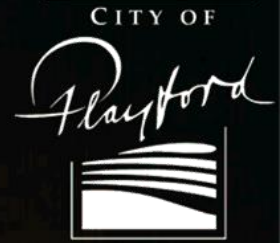
6.2 Option 2 Analysis

6.2.1 Analysis & Implications of Option 2

Option 2 allows Council to propose amendments to the Policy and Guidelines and consider the adoption of a revised Policy and Guidelines at a future Ordinary Council meeting. Any proposed amendments must be in accordance with legislative requirements and as such will be considered by staff to ensure compliance with the *Local Government Act 1999* and *Local Government (General) Regulations 2013*.

6.2.2 Financial Implications

If Council proposes amendments, staff resources will be utilised to prepare a report for Council's consideration at a future meeting, to ensure a training and development policy and guidelines is adopted as required. Financial expenditure may be necessary if Council's legal services provider is engaged to provide advice on any proposed amendments.



Council Member Training and Development Policy

playford.sa.gov.au



Council Member Training and Development Policy

This policy is set by Council for use by the community and council administration

ECM Document Set No.:

Version No.: 4

Date of Current Version 22/03/2016

Responsible Team Governance

Other Key Internal Stakeholders

Initial Date of Adoption 28/02/2012

Last Reviewed 22/03/2016

Authorised By Council

Resolution No.:

Legal Requirement Local Government Act 1999, Section 80A

Date of Next Review March 2021

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1. Purpose

The City of Playford is committed to providing Council Members training and development opportunities. Under Section 80A of the *Local Government Act 1999* it is a requirement for Council to prepare and adopt a training and development policy for Council Members. The aim of training and development is to enable Council Members to have the appropriate knowledge, skills and competencies to assist Members in the performance and discharge of their official functions and duties; and contribute to good governance and the strategic objectives of Council.

2. Scope

This policy applies to all Council Members, who each have an obligation to abide by this policy.

Accompanying this Policy is a set of Guidelines specifying how the Policy is to be applied. The Guidelines may be amended as required to best reflect the Policy.

3. Legislation and References

- Section 80A *Local Government Act 1999*
- Regulation 8AA *Local Government (General) Regulations 2013*
- *LGA Training Standards*
- *City of Playford Strategic Plan 2016-2020*
- Council Member Training and Development Policy: Guidelines
- Council Member Support Policy and Guidelines
- Council Members Register of Allowances and Benefits
- Code of Conduct for Council Members

4. Definitions

Act is the Local Government Act 1999

Council Member as stated in the Local Government Act 1999, member of a council means the principal member or a councillor of the Council. Elected Member is commonly utilised to refer to Council Member.

Mayor is the person elected as the Principal Member of the Council to represent the local government area as a whole.

Training is any facilitated learning activity which is considered by council to be a requirement for Council Members to discharge their duties and responsibilities.

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5. Policy

Council will develop and adopt a Training and Development Policy as required by Section 80 of the Act.

This Policy includes the requirement for Council Members to undertake mandatory training within the first year of election to office, which complies with the *LGA Training Standards* as defined in Regulation 8AA of the *Local Government (General) Regulations 2013*.

Council will develop and deliver Council Member induction and orientation programs following each general or periodic election. Additional induction, orientation and training sessions will be held for first time Council Members.

In preparing a Training and Development Plan, Council will utilise a range of strategies to identify the needs of Council Members and match these needs against the Council's strategic objectives. Council Members will be requested to provide feedback via the Training Needs Form, to enable training needs and preferences to be identified, which will inform the Training and Development Plan.

6. Responsibilities

The Chief Executive Officer is responsible for ensuring appropriate planning, training and budgeting for Council Member training and development.

7. Relevance to Strategic Plan

1: Smart Service Delivery program
Outcome 1.2 Improved service delivery

8. Accessibility

The policy will be located on the City of Playford website and at the Civic Centre, 10 Playford Boulevard, Elizabeth, as required under section 80A of the Local Government Act 1999.

9. Feedback

We invite your feedback on this policy which can be directed to Manager – Governance playford@playford.sa.gov.au.

10. Approval and Change History

Version	Approval Date	Approval by	Change
1	28/02/12	Council	New Policy
2	September 2013	Council	Review Requested by Governance Review Committee

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Version	Approval Date	Approval by	Change
			April 2013.
3	22/03/16	Council	Scheduled Review; <ul style="list-style-type: none"> • Policy inserted into new Corporate Policy Template • Policy has been separated into Policy and Procedure Inclusion of mandated training for Council Members incorporate into the policy, following legislative amendments in 2014
4	26/3/2019	Council	Scheduled Review following the November 2018 general elections

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Council Member Training and Development Policy Guidelines

This guideline template can be used to support Council policy or administration policy

ECM Document Set No.:

Version No.: 2

Date of Current Version 22/03/2016

Responsible Team Governance

Other Key Internal Stakeholders

Initial Date of Adoption 22/03/2016

Last Reviewed Council

Authorised By Council

Resolution No.: *Only applicable if a Council endorsed guideline*

Legal Requirement

Date of Next Review March 2021

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1. Purpose

The City of Playford is committed to providing Council Members training and development opportunities. The aim of training and development is to enable Council Members to have the appropriate knowledge, skills and competencies to be able to perform their official functions and duties and contribute towards achieving the strategic objectives of Council.

2. Scope

This policy and guidelines applies to all Council Members, who each have an obligation to abide by this policy.

3. Legislation and References

- Section 80A *Local Government Act 1999*
- Regulation 8AA *Local Government (General) Regulations 2013*
- *LGA Training Standards*
- *City of Playford Strategic Plan 2016-2020*
- Council Member Training and Development Policy
- Elected Member Support Policy and Guidelines
- Council Members Register of Allowances and Benefits
- Code of Conduct for Council Members
- Local Government (Members Allowances and Benefits) Regulations 2010

4. Definitions

ALGA is the Australian Local Government Association.

Budget allocation is the annual budget allocation provided for group or individual Council Member training and development.

Council Member as stated in the Local Government Act 1999, member of a council means the principal member or a councillor of the Council. Elected Member is commonly utilised to refer to Council Member.

Development includes study tours, industry workshops, courses, seminars and conferences that may improve a Council Members' skills and knowledge relevant to their responsibilities as a Council Member.

Group Training is training that is provided to either all Council Members or any of Council's Section 41 Committees, including Local Government Association (LGA) Training Standard four Mandatory Training Modules.

Independent Members are members on a committee or panel who are not elected but have been appointment by the Council to undertake a similar role as Councillors on Council's Section 41 Committees or the Council Assessment Panel. They are external appointees.

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LGA is the Local Government Association.

Mayor is the person elected as the Principal Member of the Council to represent the local government area as a whole.

Organisation is the body corporate known as the City of Playford which includes the Employing Authority

Personal development may include the development of personal skills related to the activities as a Council Member such as public speaking or leadership.

Training is any facilitated learning activity which is considered by council to be a requirement for Council Members to discharge their duties and responsibilities.

5. Guidelines

5.1. TRAINING AND DEVELOPMENT PLAN

Council recognises that in order to perform and discharge official functions and duties, Council Members may need to undertake **specific** training, professional development and refresher courses. A Training and Development Plan will be developed for Council, outlining proposed group training sessions and presented to Council biennially for endorsement.

Council will develop and deliver Council Member induction and orientation programs following each general or periodic election, including the four mandatory training modules outlined in the LGA Training Guidelines. These training, orientation and induction sessions will be incorporated into the Training and Development Plan in addition to other group training sessions. Council Members holding positions on specific committees may also be required or choose to complete specific training associated with that committee.

5.1.1 Training Needs

5.1.1.1 Following a general election, Council Members will be requested to provide feedback via a Training Needs Form (Annexure A) to enable training needs and preferences to be identified, which will inform the Training and Development Plan.

5.1.2. Training Delivery

5.1.2.1. Mandatory and group training will be scheduled with as much notice as possible, with no less than two weeks notice provided.

5.1.2.2. It is recognised that a range of delivery methods will be required to support the training needs of Council Members, including:

- a. in-house workshops, seminars and briefing sessions conducted by Council administration with appropriately qualified trainers and guest speakers;
- b. attendance at workshops, seminars and conferences offered by training providers and industry bodies including the Local Government Association of South Australia or private providers.

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- c. printed material, including training booklets and discussion papers, that may be distributed for information;
- d. on-line self-paced learning; and
- e. electronic information.

5.1.3. Budget Allocation

- 5.1.3.1. An annual budget allocation will be provided to support the training and development activities undertaken by Council.
- 5.1.3.2. Council will adopt an annual training and development budget each financial year.
- 5.1.3.3. Council Members will be allocated \$8,000 per Council term for individual training. Council Members can use their training budget at any time throughout the four year period and does not need to be proportioned out annually.
- 5.1.3.4. Group training will be allocated \$20,000 per annum for Council Member and Independent Member training.
- 5.1.3.5. As part of budgeting for Council Member Training and Development, Council will also budget for Independent Members who are appointed to a Section 41 Committee or Council Assessment Panel. Each Independent Member will be allocated an annual training budget of \$500.
- 5.1.3.6. Funds from the group training budget that are not spent during the relevant financial year will not rollover to subsequent years.
- 5.1.3.7. Individual training budget allocations are not transferable to another Council Member, nor do they extend beyond the Council term should a Council Member be re-elected.
- 5.1.3.8. When possible training manuals, presentations and documents are to be made available to Council Members as provided by the presenter and through electronic means or printed copy as required.

5.2. MANDATORY TRAINING

- 5.2.1. The LGA Training Standard applies to all new and continuing members, pursuant to Regulation 8AA of the Local Government (General) Regulations 2013.
- 5.2.2. The mandatory requirements consist of the following modules:
 - a. Module 1 – Introduction to Local Government – Role and function of Council Members (1.5 hours);
 - b. Module 2 – Legal Responsibilities (2 hours);
 - c. Module 3 – Council and Committee Meetings (1.5 hours); and
 - d. Module 4 – Financial Management and Reporting (2.5 hours).
- 5.2.3. Newly elected Council Members will be required to undertake all mandatory training within the legislated timeframe of their election term as specified by the LGA Training Standards. Continuing Council Members as a minimum are required

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to undertake Modules 2 and 4; however are strongly encouraged to undertake Modules 1 and 3 as a refresher. This ensures that Council Members' legal and financial management responsibilities are at the forefront in the discharge of their functions and duties.

Council administration will provide reasonable access to scheduled training sessions. Should a Council Member not attend one of the scheduled training sessions, the Council Member will be responsible to complete the training at an alternate time.

5.3. GROUP TRAINING

5.3.1. Group training may include:

- Equity and Diversity Training
- Risk Management
- Emergency Management
- Work Health Safety

5.3.2 Other group training sessions may be scheduled as required based on feedback from Council Members via the Training Needs Form or other feedback provided by Council Members.

5.4. INDIVIDUAL TRAINING AND DEVELOPMENT

5.4.1. Council Members are encouraged to undertake further individual training and development, throughout their term, that will assist in the performance and discharge of official functions and duties. This can include short training courses, professional development programs and/or conferences.

5.4.2. The following requirements apply to the approval of Council Member attendance at training and development programs:

5.4.2.1. Training and development programs should be relevant to areas identified in the Council Member Training Needs Form or be training required for the performance and discharge of official Council Member duties and responsibilities.

5.4.2.2. Requesting attendance at training and development activities (including conferences) or personal development activities is permitted at any time during the year, by submitting a completed Council Member Training and Development Application Form (Annexure B) to the Mayor or Chief Executive Officer (CEO), outlining the details of the event including all costs and a justification for attending.

5.4.2.3. In the case of the Mayor, the application is to be submitted to the CEO.

5.4.3. Training and development (including conference attendance) can only be approved where it:

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- a. assists the Council Member to develop skills and competencies required by the Member for the performance and discharge of their official functions and duties ;
- b. contributes to good governance and the strategic objectives of Council and/or
- c. has an identified benefit to the organisation or community.

5.4.4. If a request for attendance at a training and development event is refused, a right of appeal exists through Council resolution, via a Motion on Notice.

5.5. COUNCIL REPRESENTATION AT CONFERENCES AND MEETINGS

5.5.1. Annual Conferences

5.5.1.1. The Mayor and a maximum of two Council Members, approved by Council resolution, may attend the:

- a. Australian Local Government Association (ALGA) Conference.
- b. Local Government Association (LGA) of South Australian Annual General Meeting.
- c. Local Government Association (LGA) of South Australian Ordinary Meeting.
- d. Murray Darling Association (MDA) National Conference and Annual General Meeting.

5.5.1.2. Attendances at these conferences and meetings are not considered to be classed as individual training and development. Attendance is as a representative of the City of Playford; therefore, these conferences will be budgeted separately to the annual approved training and development budget.

5.5.1.3. Council will fund a Council Member's partner or family member to attend the LGA Showcase Dinner where that Council Member has been notified that they will receive a 'Years of Service Award'.

5.5.1.4. The Mayor and MDA representatives are eligible to attend the annual MDA Conference and Annual General Meeting.

5.5.1.5. Where an appointed representative is unable to attend the event, a substitute Council Member can be appointed by Committee or Council resolution to attend in their absence.

5.5.2. Other Conferences

5.5.2.1. In the event that Council Member representation is required at another conference or meeting, the CEO may, in order to select a Council Member representative:

- a. ask the Mayor to attend;
- b. call for nominations from Council Members; or
- c. request a resolution by Council.

- 5.5.2.2. The nature of the conference or meeting will be considered to determine if the cost will be allocated to the Council Member's individual training budget or to a separate budget.

5.6. ATTENDANCE AT TRAINING PROGRAMS AND RECORD KEEPING

- 5.6.1. Following attendance at a training program or activity, other than mandatory or other group training, Council Members are required to complete the *Council Member Training and Conferences Report Form (Annexure C)*. This report form requires the Council Member to outline the nature of the training, program or activity and the benefits gained through attendance, along with how the learning's could be implemented. The reports will be displayed on the City of Playford website.
- 5.6.2. Council will develop and maintain the following registers to support this policy and guidelines:
- 5.6.2.1. Council Member Allowances and Benefits Register; and
- 5.6.2.2. Council Member Training and Development Register.

5.7. PAYMENTS AND REIMBURSEMENTS

- 5.7.1. Expenses incurred by Council Members attending approved individual training and development will be paid for through the Council Members Individual Training and Development Budget.
- 5.7.2. Accommodation, travel, meal allowances and registration costs associated with the attendance at approved individual training and development activities by Council Members will occur in accordance the Elected Member Support Policy: Guidelines.

5.8. REGIONAL OR INTERSTATE ATTENDANCE BY PARTNERS OR FAMILY MEMBERS

- 5.8.1. Council Members may choose to take their partner, spouse or family member with them when they travel to regional or interstate locations on Council business, when it is appropriate to do so. The Council Member will be required to reimburse Council for any costs associated with the attendance of their partner, spouse or family member, including costs for registration, travel, accommodation and meals.
- 5.8.2. Council will pay the standard accommodation provided within the conference program.
- 5.8.3. If the accommodation costs increase due to the additional person(s), the Council Member will reimburse Council for the difference between the standard room rate and the cost of the extra person(s).

5.8.4. If transport of a Council Member's family member occurs simultaneously with the Council Member, via taxi or private motor vehicle council will not require partial reimbursement of transport expenses.

5.8.5. All travel arrangements will be made through the Executive Assistant Mayor and Councillors.

6. Responsibilities

The Chief Executive Officer is responsible for ensuring appropriate planning, training and budgeting for Council Member training and development.

Governance will assist Council Members in the administration of the guidelines.

7. Accessibility

The policy will be located on the City of Playford website and at the Civic Centre, 10 Playford Boulevard, Elizabeth, as required under section 80A of the Local Government Act 1999.

8. Approval and Change History

Version	Approval Date	Approval by	Change
1		Council	New Guidelines
2	26/3/2019	Council	Scheduled Review following a general election.

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ANNEXURE A – TRAINING NEEDS FORM

In addition to the mandatory training modules that Elected Members are required to undertake in accordance with the LGA Training Guidelines, additional induction and training sessions will be scheduled as a part of the Training and Development Plan. Elected Members preferences and requests for further training will inform the future training and development schedule. Please complete this form and return to Manager Governance.



Training Needs Form

In addition to the mandatory training modules that Elected Members are required to undertake in accordance with the LGA Training Guidelines, additional induction and training sessions will be scheduled as a part of the Training and Development Plan. Elected Members preferences and requests for further training will inform the future training and development schedule. Please complete this form and return to Manager Governance.

Elected Member Name:	Date:
----------------------	-------

Council Training Area	Interest (✓)	Comments (e.g. experience level)
Communication		
Effective Communication Skills		
Teamwork and Team Building		
Public Speaking		
Conflict Resolution & Mediation		
Media Skills		
Information Communication and Technology		
Internet		
Mobile		
iPad		
Microsoft Office (e.g. Microsoft Word/ Microsoft Excel/PowerPoint)		
Outlook		
Other		
Serving on a Board of Management		

Please detail any training you would like to undertake below.

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ANNEXURE B - COUNCIL MEMBER TRAINING AND DEVELOPMENT APPLICATION FORM

Council Member Training & Development Application Form



Council Member Name: _____
 Training or Development Title: _____
 Dates of Training: _____ Cost: _____
 Training Provider: _____
 Location of Training: _____

Description of Training:

Key Competencies of Training (if applicable):

How does this training or development relate to your role as a Council Member?

Please attach any relevant training or development registration documents/program. Tick if attached

Council Member Signature: _____ Date: _____

This will be used by the Mayor or CEO in order to determine the appropriateness of the training and funding.

Approved by: _____ Date: _____ Added to the appropriate Register: Y/N

Rejected by: _____ Date: _____

Reason Rejected: _____

	ECM Document Set No.:	2475548	Version No.:	2.0
	Authorised by:	Senior Manager Corporate Services	Initial Date of Adoption:	05/04/2016
	Document Maintained by:	Governance	Date of Current Version:	19/07/2016
			Next Review Date:	01/04/2016

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Annexure C - COUNCIL MEMBER TRAINING AND CONFERENCES REPORT FORM

Council Member Training and Conference Report Form



Name of Council Member: _____

Name of Training/Conference: _____

Date(s) of Training/Conference: _____

Was this a group training session? Yes No

Was the training provided by LGA or ALGA? Yes No

Please provide a brief overview of the issues discussed at the training/conference:

Please provide a brief overview of any information you received at the training or conference that may be of assistance to the Council:

In light of the training you received, do you believe there are steps that the council may undertake to advance the Playford Community Plan and/or Council Plan? If so, what steps?

Signature: _____ Date: / /

This will be included in the Council Member Training and Conferences Report Register. This register is made available for public inspection.



Reviewed Policy – Summary of Changes



Council Member Training and Development Policy and Guidelines		
Approving Body	Ordinary Council	
Rationale for Policy		
The City of Playford is committed to providing Council Members training and development opportunities. The aim of training and development is to enable Council Members to have the appropriate knowledge, skills and competencies to be able to perform their official functions and duties and contribute towards achieving the strategic objectives of Council.		
Policies that will be revoked by adoption of this policy: None		
Summary of Changes		
Page No.	Heading	Comments on change made and rationale for change
Council Member Training and Development Policy		
3	Purpose	Clarifies the legislative requirement for the policy and provides a more detailed purpose about the aims and objectives of the policy and associated guidelines.
3-4	Definitions	Removal of references to definitions not referred to in the policy.
4	Relevance to Strategic Plan	Updated to reflect the relevant section of the current strategic plan.
4	Accessibility	Additional section included in accordance with new corporate policy templates, to advise where a copy of the policy can be viewed.
4	Feedback	Additional section included in accordance with new corporate policy templates, explaining where to direct feedback on the policy.
Council Member Training and Development Guidelines		
2-3	Definitions	Amendment to definitions list to include key terms used throughout the Guidelines.
3	Guidelines – Training and Development Plan	A reference to the biennial adoption of the Training and Development Plan has been included to ensure a review of the training needs of the Council Members is undertaken and plans formulated to address requirements at a minimum, two yearly intervals.

Reviewed Policy – Summary of Changes



		Reference to the mandatory training modules included.
3	Guidelines – Training Needs	The former Gap Analysis has been replaced by the Training Needs Form to assist in identifying needs which can inform the Training and Development Plan.
4-5	Mandatory Training	Reworded to link the LGA Training Standard to the legislation. Clarification that only newly elected Council Members will be required to undertake all of the mandatory training sessions. Continuing Council Members are required to undertake training modules 2 and 4, but as strongly encouraged to attend Modules 1 and 3 as a refresher.
5	Group Training	Possible group training topics included.
6	Council Representation at Conferences and Meetings – Annual Conferences	Committee now also able to resolve to appoint another Council Member to attend the annual conferences if a resolved representative is unable to attend.
7	Attendance at Training Programs and Record Keeping	Removal of provision that certificates will be issued at the completion of Council Member training.
7-8	Regional or Interstate Attendance	Clarification that Council Members will be required to reimburse Council for any costs associated with the attendance of their partner, spouse or family member when travelling to regional or interstate locations on Council business. All travel arrangements will be made through the Executive Assistant Mayor and Councillors.
8	Responsibilities	Additional section included in accordance with new corporate policy templates, regarding who maintains responsibilities in the application of the Guidelines.
8	Accessibility	Additional section included in accordance with new corporate policy templates, to advise where a copy of the policy can be viewed.
9	Annexure B Training Needs Form	The newly developed Training Needs Form replaces the former Gap Analysis Form. The form no longer includes references to planned group training topics and allows for more feedback and suggestions from Elected Members.

2018/2019 TRAINING & DEVELOPMENT PLAN

Times and dates subject to change

December 2018
Tuesday 11 December 2018, Informal Gathering
<p>Training: Mandatory Training Module 2 – Legal Responsibilities Location: Council Chambers, Playford Civic Centre Description: This training will provide Elected Members information regarding their legal roles and responsibilities. Presenters: Ms Felice D'Agostino – Norman Waterhouse Lawyers</p>
February 2019
Tuesday 12 February 2019, Informal Gathering following the Strategic Planning Committee
<p>Training: Mandatory Training Module 4 – Financial Management and Reporting Location: Council Chambers, Playford Civic Centre Description: This training will provide Elected Members with an understanding of a Council's responsibilities for financial and asset management planning, setting rates and monitoring budgets. Presenters: Mr Henry Botha - Higgins Botha</p>
March 2019
Tuesday 12 March 2019, Informal Gathering following the Strategic Planning Committee
<p>Training: Mandatory Training Module 3 – Council and Committee Meetings Location: Council Chambers, Playford Civic Centre Description: This training will provide information regarding meeting procedures and processes utilised to facilitate Council and Committee meetings and established to guide Council decision making. Presenters: Ms Felice D'Agostino and Mr Dale Mazzachi – Norman Waterhouse Lawyers</p>
April 2019
7:00pm, Tuesday 2 April 2019
<p>Training: Senior Manager Unit Briefings Location: Playford Room, Playford Operations Centre (POC), 12 Bishopstone Road, Davoren Park Description: Senior Managers to provide brief presentations regarding their areas and the services provided. Presenters: Senior Managers to be determined.</p>

2018/2019 TRAINING & DEVELOPMENT PLAN

Times and dates subject to change

May 2019
7:00pm, Tuesday 7 May 2019
<p>Training: Senior Manager Unit Briefings Location: Playford Room, Playford Operations Centre (POC), 12 Bishopstone Road, Davoren Park Description: Senior Managers to provide brief presentations regarding their areas and the services provided. Presenters: Senior Managers to be determined.</p>
Tuesday 14 May 2019, Informal Gathering following the Strategic Planning Committee
<p>Training: Mandatory Training Module 1 – Introduction to Local Government Location: Council Chambers, Playford Civic Centre Description: This training will provide an overview of the Australian System of Government and the composition, structure and operational functions of Councils in South Australia. Presenters: Senior Manager Corporate Services, Ms Rosemary Munslow and Manager Governance, Ms Susie Reichstein.</p>
June 2019
Date and Time to be determined.
<p>Training: Workplace Safety Obligations Location: Council Chambers, Playford Civic Centre Description: Information and interactive session on WHS obligations, due diligence and exposures that arise. Presenters: LG Mutual Liability Scheme</p>
July 2019
Date and Time to be determined.
<p>Training: Equity and Diversity Training Location: Council Chambers, Playford Civic Centre Description: Training will explore the value of diversity and the contribution it can make to effective decisions, the generation of new ideas, and the ability of an organisation to respond to community needs. Presenters: To be determined.</p>

2018/2019 TRAINING & DEVELOPMENT PLAN

Times and dates subject to change

August 2019

Date and Time to be determined.

Training: Risk Management

Location: Council Chambers, Playford Civic Centre

Description: Information session on risk mitigation, insurance protections afforded to Council and exposures that arise with decision making

Presenters: LG Mutual Liability Scheme

Date and Time to be determined.

Training: Emergency Management

Location: Council Chambers, Playford Civic Centre

Description: Local Government. emergency management framework and what Playford do to support the community in emergencies.

Presenters: Senior Manager Corporate Services, Ms Rosemary Munslow

Council Member Training and Development Policy



1. Policy Statement

The City of Playford is committed to providing Council Members training and development opportunities. The aim of training and development is to enable Council Members to have the appropriate knowledge, skills and competencies to undertake their role as a Council Member and contribute towards achieving the strategic objectives of Council.

2. Scope

This policy applies to all Council Members, who each have an obligation to abide by this policy. The policy will be made available to the public on the City of Playford Website and at the Principal location as required under section 80A of the Local Government Act 1999.

Accompanying this Policy is a set of Guidelines outlining the specifics of how the Policy is to be applied. The Guidelines may be amended as required to best reflect the Policy.

3. Definitions

ALGA is the Australian Local Government Association.

Budget allocation is the annual budget allocation for Council Member training and development, provided for in Council's Corporate Services department budget. Council will approve the upper limit of funding of all forms of professional development, training and representation of Council and attendance at other forms of conferences, workshops and the like in its annual budget or as determined by Council resolution from time to time.

Council Member means the Principal Member or a Councillor elected by the electors of a particular ward, as a representative of the ward in the City of Playford.

Development includes study tours, attendance at industry workshops, courses, seminars and conferences that improves Council Members' skills and knowledge relevant to their responsibilities as a Council Member.

Group Training is training that is provided to either all Council Members or any of Council's Section 41 Committees, including Local Government Association (LGA) Mandated training.

	Policy No.:	NA	Version No.:	3
	ECM Document Set No.:	2380040	Initial Date of Adoption:	28/02/2012
	Authorised by:	Council (Resolution 2521)	Date of Current Version:	22/03/2016
	Document Maintained by:	Corporate Services, Governance	Next Review Date:	March 2020

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LGA is the Local Government Association.

LGMA is Local Government Managers Australia.

Mayor is the person elected as the principle member of the City of Playford to represent the local government area as a whole.

Personal development may include the development of personal skills related to the activities as a Council Member such as public speaking, finance or leadership.

Staff includes Council staff, contractors, volunteers and all others who perform work on behalf of Council.

Training is any facilitated learning activity which is considered by council to be a requirement for Council Members to discharge their duties and responsibilities.

4. Legislation and References

- Section 80A *Local Government Act 1999*
- Reg. 8AA of the *Local Government (General) Regulations 2013*
- *LGA Training Standards*
- *City of Playford Strategic Plan 2014*

5. Policy

Council will develop and adopt a Training and Development Plan biennially to ensure that activities available to all Council Members comply with the Regulations and contribute to the personal development of the individual and the achievement of the strategic objectives of the Council.

This Policy includes the requirement for Council Members to undertake mandatory training within the first year of election to office, which complies with the *LGA Training Standards* as defined in Regulation 8AA of the *Local Government (General) Regulations 2013*.

Particular emphasis will be given in the Training and Development Plan to the participation of all Council Members following a general election as well as the orientation of first time Council Members and annual training.

In preparing its Training and Development Plan the Council will utilise a range of strategies to identify the needs of Council Members and match these needs against the Council's strategic objectives. In particular, Council Members will undertake a Council Member Gap Analysis to identify possible training needs prior to the adoption of the Training and Development Plan.

6. Responsibilities

The Chief Executive Officer is responsible for ensuring appropriate planning, training and budgeting for Council Member training and development.

7. Relevance to Strategic Plan

The *Council Member Training and Development Policy* is relevant to Strategy 5 of the City of Playford's *Strategic Plan*. Strategy 5 is "Building our Capabilities", with an outcome to deliver a highly performing organisation.

8. Supporting Documentation

- Council Member Training and Development Policy: Guidelines
- Council Members Support Policy and Guidelines
- Council Members Register of Allowances and Benefits
- Code of Conduct for Council Members

9. Approval and Change History

Version	Approval Date	Approval by	Change
1	28/02/12	Council	New Policy
2	September 2013	Council	Review Requested by Governance Review Committee April 2013.
3	22/03/16	Council	Scheduled Review; <ul style="list-style-type: none"> • Policy inserted into new Corporate Policy Template • Policy has been separated into Policy and Procedure • Inclusion of mandated training for Council Members incorporate into the policy, following legislative amendments in 2014



Council Member Training and Development Policy: Guidelines

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Council Member Training and Development Policy Guidelines

1. TRAINING AND DEVELOPMENT PLAN

Council recognises that in order to carry out their functions and duties, Council Members will need specific training and refresher courses. Council will develop and deliver Council Member induction and orientation programs following each Ordinary or periodic election. Council Members holding positions on specific committees may also be required to complete training associated with that committee.

1.1 Gap Analysis

- 1.1.1 Following a General Election, Council Members and Independent Members are required to complete a Council Member *Gap Analysis (Annexure A)* which will allow the identification of gaps in skills and training to occur and for this training to be provided with or in addition to mandatory or group training.

1.2 Training Delivery

- 1.2.1 Mandatory and Group training will be scheduled with as much notice as possible, although no less than two (2) weeks' notice.
- 1.2.2 It is recognised that a range of delivery methods will be required to support the training needs of Council Members, including:
- a. in-house workshops, seminars and briefing sessions conducted by Council Administration with appropriately qualified trainers and guest speakers;
 - b. attendance at workshops, seminars and conferences offered by training providers and industry bodies including the Local Government Association of SA or private providers.
 - c. printed material, including training booklets and discussion papers, that may be distributed for information;
 - d. on-line self-paced learning; and
 - e. electronic information.

1.3 Annual Budget Allocation

- 1.3.1** An annual budget allocation will be provided to support the training and development activities undertaken by Council.
- 1.3.2** Council will adopt an annual training and development budget each financial year.
- 1.3.3** Council Members will be allocated \$8,000 per Council term for individual training. Council Members can use their training budget at any time throughout the four year period and does not need to be proportioned out annually.
- 1.3.4** Group training will be allocated \$20,000 per annum for Council Member and Independent Member training.
- 1.3.5** As part of budgeting for Council Member Training and Development, Council will also budget for Independent Members who are appointed to a Section 41 Committee or Development Assessment Panel. Each Independent Member will be allocated an annual training budget of \$500.
- 1.3.6** Funds from the group training budget that are not spent during the relevant financial year will not accumulate from year to year.
- 1.3.7** Individual training budget allocations are not transferable to another Council Member, nor do they extend beyond the Council term should a Council Member be re-elected.
- 1.3.8** When possible training manuals, presentations and documents are to be made available to Council Members as provided by the presenter and through electronic means or printed copy as required.

2. MANDATORY TRAINING

- 2.1** The LGA have developed a document entitled "LGA Mandated Training - The LGA Training Standards" which can be accessed on the LGA website at, <http://www.training.lga.sa.gov.au/index.cfm/council-member-training/lga-training-standard/>.
- 2.2** Currently the mandatory requirements consist of the following modules:
- a. Module 1 – Introduction to Local Government – Role and function of Council Members (1.5 hours);
 - b. Module 2 – Legal Responsibilities (2 hours);
 - c. Module 3 – Council and Committee Meetings (1.5 hours); and
 - d. Module 4 – Financial Management and Reporting (2.5 hours).
- 2.3** Council Members will be required to undertake all Mandatory Training within the legislated time frame of their election term as specified by the LGA Training Standards. This ensures that Council Members' legal and financial management responsibilities are at the forefront in the discharge of their functions and duties.
- 2.4** Council Administration will provide reasonable access to scheduled training sessions. Should a Council Member not attend one of the scheduled training sessions, the Council Member will be responsible to complete the training at an alternate time, funded from the Council Member's Individual Training budget.

3. GROUP TRAINING

3.1 Equity and Diversity Training

- 3.1.1** Council Members are required to complete Equity and Diversity training within twelve (12) months of the commencement of each election term. Equity and Diversity training (formally, cultural diversity, bullying and harassment and disability discrimination), is to be provided by an appropriate, accredited agency and will include the following components:
- a. equity and ethics in local government;
 - b. equal opportunity;
 - c. bullying and harassment;
 - d. sexual harassment;
 - e. anti-racism;
 - f. inclusive language;

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- g. disability discrimination; and
- h. discrimination and harassment grievance procedures, including codes of conduct.

4. INDIVIDUAL TRAINING AND DEVELOPMENT

- 4.1** Council Members are encouraged to undertake further individual training and development, throughout their term, that will assist in their performance and the performing or discharging of official functions and duties. This can include short training courses and/or professional development programs.
- 4.2** The following requirements apply to the approval of Council Member attendance at training and development programs:
 - 4.2.1** Training and development programs must be relevant to areas identified in the Council Member Gap Analysis and as training required for the discharge of Council Member duties and responsibilities.
 - 4.2.2** Requesting attendance at training and development activities (including conferences) or personal development activities is permitted at any time during the year, by submitting a completed *Council Member Training and Development Application Form (Annexure B)* to the Mayor or Chief Executive Officer (CEO), outlining the details of the event including all costs and a council business justification for attending.
 - 4.2.3** In the case of the Mayor, the application is to be submitted to the CEO.
- 4.3** Training and development (including conference attendance) can only be approved where it:
 - a. assists the Council Member to develop competencies required by the Council;
 - b. assists a Council Member to perform their role; or
 - c. has an identified benefit to the organisation or community.
- 4.4** If a request for attendance at a training and development event is refused, a right of appeal exists through Council resolution, via a Motion on Notice.

5. COUNCIL REPRESENTATION AT CONFERENCES AND MEETINGS

5.1 Annual Conferences

- 5.1.1** The Mayor and a maximum of two Council Members, approved by Council resolution, may attend the:
- a. Australian Local Government Association (ALGA) Conference.
 - b. Local Government Association (LGA) of South Australian Annual General Meeting.
 - c. Local Government Association (LGA) of South Australian Ordinary Meeting.
 - d. Murray Darling Association (MDA) National Conference.
- 5.1.2** Attendances at these conferences and meetings are not considered to be classed as individual training and development. Attendance is a representation of the City of Playford; therefore, these conferences will be budgeted separately to the annual approved training and development budget.
- 5.1.3** Council will fund a Council Member's partner or family member to attend the LGA Showcase Dinner where that Council Member has been notified that they will receive a 'Years of Service Award'.
- 5.1.4** The Mayor and MDA representative are eligible to attend the annual MDA conference. Where an MDA representative is unable to attend a substitute Council Member can be appointed by Council resolution attend in their absence.

5.2 Other Conferences

- 5.2.1** On the occurrence that Council Member representation is required at another conference or meeting, the CEO may, in order to select a Council Member representative:
- a. ask the Mayor to attend;
 - b. call for nominations from Council Members; or
 - c. request a resolution by Council.
- 5.2.2** The nature of the conference or meeting will be considered to determine if the cost will be allocated to the Council Member's individual training budget or to a separated budget.

6. ATTENDANCE AT TRAINING PROGRAMS AND RECORD KEEPING

- 6.1** Following attendance at a training program or activity, other than group training, Council Members are required to complete the *Council Member Training and Conferences Report Form (Annexure C)*. This report form requires the Council Member to outline the nature of the training, program or activity and the benefits gained through attendance, along with how the learning's could be implemented into Playford activities. This report will then be displayed on the City of Playford website.
- 6.2** Council will develop and maintain the following registers to support this policy and guidelines:
- 6.2.1** Council Member Allowances and Benefits Register; and
- 6.2.2** Council Member Training and Development Register.
- 6.3** Certificates will be issued for the completion of Council Member training.

7. PAYMENTS AND REIMBURSEMENTS

- 7.1** Expenses incurred by Council Members attending approved training and development will be paid for through the Council Members Individual Training and Development Budget. The request for these expenses to be covered for approved training and development is to occur in accordance with Section 3 of the Council Member Support Policy: Guidelines.
- 7.2** Costs for registration, including official luncheons, dinners and tours relevant to the conference will be paid for out of the Council Member Individual Training Budget.
- 7.3** Accommodation associated with the attendance at approved training and development by Council Members will occur in accordance with Section 3 of the Council Member Support Policy: Guidelines.
- 7.4** Travel to attend approved training and development by Council Members will occur in accordance with Section 3 of the Council Member Support Policy: Guidelines.
- 7.5** Incidentals, meals and refreshments associated with attendance at approved training and development by Council Members will occur in accordance with Section 3 of the Council Member Support Policy: Guidelines.

8. REGIONAL OR INTERSTATE ATTENDANCE BY PARTNERS OR FAMILY MEMBERS

- 8.1 At times Council Members may choose to take their partner or family member with them when they attend regional or interstate representation.
- 8.2 Council will pay the standard accommodation provided within the conference program.
- 8.3 If the accommodation costs increase due to the additional person(s), the Council Member will reimburse Council for the difference between the standard room rate and the extra person(s) cost within ten (10) business days of receiving the invoice by Council Administration.
- 8.4 Council will not fund travel costs for partners or family members. If transport of a Council Member's family member occurs simultaneously with the Council Member, via taxi or private motor vehicle council will not require partial reimbursement of transport expenses.
- 8.5 Council will not cover costs for partner or family member's tours or conference registration. This will be the responsibility of the Council Member to arrange.

9. RELEVANT POLICIES, PROCEDURES AND SUPPORT DOCUMENTS

- Council Member Training and Development Policy
- Council Member Support Policy and Guidelines
- Council Member: Code of Conduct

Useful website links as referenced throughout the policy and guidelines:

- [Australian Government Australian Taxation Office Motor Vehicle Expenses](#)
- [Australian Government Australian Taxation Office Reasonable Travel and Overtime Meal Allowance Expenses](#)
- [Department of Education and Child Development \(DECD\)](#)
- [Local Government Act 1999](#)
- [Local Government \(General\) Regulations 2013](#)
- [Local Government \(Members Allowances and Benefits\) Regulations 2010](#)
- [LGA Training Standards](#)
- [Remuneration Tribunal of South Australia](#)
- [Independent Remuneration Tribunal Determination containing Allowances](#)

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10. EXAMPLE COUNCIL MEMBER TRAINING AND DEVELOPMENT PLAN

Type of Training	Module or Course Number	Name of Training	Timeframe (Hours)	Programed for	Trainer or Provider	Provider Confirmed	Attendees Required	Cost (GST INC)	Mayor	Cr
Mandated	Module 2	Legal Responsibilities	2	2-Dec-14	Legal Firm	Yes	All Members	\$ -	2-Dec-14	
N/A	N/A	Strategic Planning	1.5	9-Dec-14	In House - Strategic Planning	Yes	All Members	\$ -		
Mandated	Module 1	Introduction to Local Government	1.5	5-May-15	Legal Firm	Yes	All Members	\$ -		
Mandated	Module 3	Council & Committee Meetings	1.5	2-Jun-15	Legal Firm	Yes	All Members	\$ -		
Mandated	Module 4	Financial Management & Reporting	2.5	2-Sep-15	Financial Firm	Yes	All Members	\$ -		
N/A	N/A	CEO Performance Management	2	TBA	Relevant organisation providing this type of training	No	All Members	\$ -		
TBA	TBA	Equity & Diversity	TBA	TBA	Relevant organisation providing this type of training	No	All Members	\$ -		

KEY	Red Coloured Box = Training not Completed	Green Coloured Box = Training Completed
	Light Blue Coloured Box = Training Not Yet Confirmed	Grey Coloured Box = Nothing Programmed at This Time
	Red Writing = Mandated Training	Black Writing = Programmed Training

11. ANNEXURE A – GAP ANALYSIS

Council Member Name:	Date:		
Council Training Area	Interest	Experience Level	
		No. Years	Last Updated
Local Government			
Governance and Legislation			
Legal Responsibilities			
Declaration of Interest			
Primary and Ordinary Return			
Community Engagement			
Council and Committees			
Meeting and Committee Process			
Chairing Meetings or Committees			
Financial Management and Reporting			
Financial Statements			
Development of financial strategy and indicators			
Annual business plans and budget setting for review			
Cost Drivers			
Rating			
Service levels and costs			
Asset management and relationship to costs			
Operating vs capital			
Financial and non-financial assets			
Liabilities			
Capital expansion vs replacement			
Auditing			
Equity and Diversity			
Equal Opportunity			
Bullying and Harassment			
Sexual Harassment			
Anti-racism			
Inclusive language			
Discrimination and harassment grievance procedures			
Disability Discrimination Act			
Communication Skills			
Teamwork			
Public Speaking			
Conflict Resolution & Mediation			
Effective communication			
Media Skills			
Information Communication and Technology			
Internet			
Mobile			
iPad			
Microsoft Office			
Outlook			

12. ANNEXURE B - COUNCIL MEMBER TRAINING AND DEVELOPMENT APPLICATION FORM

Council Member Training and Development Application Form



Name of Council Member: _____

Name of Training/Conference: _____

Date(s) of Training/Conference: _____

Is this a group training session? Yes No

Training Provider: _____

Cost of Training/Conference: _____

Please provide a description of the training/development, including any key competencies:

How is this training or development relevant to your role as a Councillor, including any committee positions you may hold as a Councillor.

Signature: _____ Date: / /

This will be used by the Mayor and CEO in order to determine the appropriateness of the training and funding.



13. Annexure C - COUNCIL MEMBER TRAINING AND CONFERENCES REPORT FORM

**Council Member Training and
Conference Report Form**



Name of Council Member: _____

Name of Training/Conference: _____

Date(s) of Training/Conference: _____

Was this a group training session? Yes No

Was the training provided by LGA or ALGA? Yes No

Please provide a brief overview of the issues discussed at the training/conference:

Please provide a brief overview of any information you received at the training or conference that may be of assistance to the Council:

In light of the training you received, do you believe there are steps that the council may undertake to advance the Playford Community Plan and/or Council Plan? If so, what steps?

Signature: _____ Date: / /

This will be included in the Council Member Training and Conferences Report Register. This register is made available for public inspection.



STAFF REPORTS

MATTERS TO BE CONSIDERED BY THE COMMITTEE AND REFERRED TO COUNCIL

Matters for Information.

5.2 OPEN SPACE FUND

Responsible Executive Manager : Mr Greg Pattinson

Report Author : Ms Grace Pelle

Delegated Authority : Matters for Information.

Purpose

In response to the Motion on Notice from Cr Marsh on 22nd January 2019, this report provides an update to Council regarding how much funds sit in the Councils open space fund. What projects are planned and being funded from this fund over the next two years, and the projected cost.

STAFF RECOMMENDATION

That Council receive the report provided as an update on balance of funds in Council's open space fund and project planned for the next two years that are being funded from this fund.

Relevance to Strategic Plan

1: Smart Service Delivery Program

Outcome 1.2 Improved service delivery

Relevance to Public Consultation Policy

No public consultation is required on this report. The planned expenditure from the Open Space Fund is included in the Council's Annual Business Plan's each year.

Background

Councillor Marsh moved a motion on 22nd January 2018 as follows:

"That a report be provided to Council on how much funds sit in the Councils open space fund. What projects are planned and being funded from this fund over the next two years, and the projected cost."

Council's open space fund is managed in accordance with Section 50 of the Development Act 1993. Open space contributions are made to Council in the form of physical assets or as a cash contribution. The cash contributions are held in reserve by Council under the stipulation of the act that money received must immediately be paid into a special fund established for the purposes of this section and applied by the council for the purpose of acquiring or developing land as open space.

The funds held in reserve attract interest each year at the Reserve Bank cash rate in order to ensure the application of fair indexation while funds are held in reserve. The funds are offset against our debt and not managed through a separate bank account.

In addition, Council has an Open Space Fund – Expenditure Policy which stipulates the type of expenditure that is deemed appropriate for these funds. Generally, expenditure can be on any publicly available community assets but is limited to cost of construction or acquisition only and cannot include payment of salaries and wages.

Council's Annual Business Plan process considers the projects that are deemed suitable for expenditure of the Open Space Fund in accordance with the Policy. The prioritisation process for projects is guided by Council's Strategic Directions Reports for Open Space and Sportsgrounds. Each Report is guided by a range of supply and demand data, such a current provision, population projections, demographics and facility benchmarks. Each Report is also supported by development guidelines which outline the type and quality of facilities that should be included within each reserve.

As per the Open Space Fund Expenditure Policy the funding of clubroom or change room buildings within sportsgrounds is not permitted.

A summary of high priority projects is listed in the table below:

Open Space

Project	Location	Direction
Virginia Institute Park	Virginia	Upgrade of Virginia Institute Park to complement the upgrade of the main street precinct.
New Neighbourhood Park	Munno Para West	Purchase of land and subsequent development of a neighbourhood park in Munno Para West, which is lacking in provision.
Wayfinding Signage	Across the City	Improvement of way finding signage throughout the City to support greater utilisation of open spaces.
Kalara Reserve	Davoren Park	Development of Kalara Reserve in Davoren Park for informal recreation (as well as sport) to create a quality destination.
Willison/Goodman Roads Reserve	Elizabeth South	Upgrade of Willison/Goodman Roads Reserve in Elizabeth South to improve access to quality open space in this area.
Moffilin Reserve	Elizabeth Vale	Development of Mofflin Reserve in Elizabeth Vale to improve access to quality open space and contribute to the development of the Playford Health Precinct.
Fremont Park	Elizabeth Park	Continuation of the staged upgrade of Fremont Park as Council's premier civic park.
Smith Creek Trail	Across the City	Improvement of the Smith Creek Trail to help create a quality east/west cycling and walking link within the City.

Sportsgrounds (excluding buildings)

Project	Location	Direction
Playford Sports Precinct	Elizabeth	Future stages include facilities for softball and soccer (Ridley Reserve) and football (Playford International College and Elizabeth Oval).
Angle Vale Community Sports Centre	Angle Vale	Finalisation of the master plan. This includes a junior oval, junior soccer pitch and flood lighting.
Kalara Reserve	Davoren Park	Installation of flood lighting and development of a master plan.
Blakes Crossing Reserve	Blakeview	Installation of flood lighting and cricket wicket.
Munno Para Reserve	Munno Para	Development of a regional level sportsground adjacent Mark Oliphant College.

Current Situation

Each month, in the Budget Update Report, Council is provided with an update on the balance in the Open Space Reserve as well as other reserves Council maintains such as drainage and growth area reserves.

Below is a table of showing income and expenditure into the Open Space fund over the last two years as well as planned expenditure for the next two years. It is worth noting that the planned expenditure for years 2019/20 are subject to Council approval through the current Annual Business Planning process.

Open Space Reserves Balance Sheet				
	Actual	Actual	Planned	Planned
	2017	2018	2019	2020
Opening Balance	7,956,299	6,642,230	6,043,866	6,655,364
Add Interest	114,071	89,059	130,497	6,887
Add Developer Contributions received	592,456	1,141,529	1,161,000	200,000
Less Capital project spends (no salaries)				
Fremont Park Stage 1	(557,271)	(817,453)		
Secombe Street Reserve	(19,880)			
Mayfair Playground				
Knightsbridge Playground				
Smithfield Playground				
Other Minor works				
Penfield Reserve	(650,000)	(172,000)		
Angle Vale Playground	(143,589)			
Town Park Water Treatment	(62,000)			
Angle Vale Carpark	(365,618)	(276,094)		
Dauntsey Reserve Floodlighting	(222,238)			
Fremont Park Stage 2		-	(680,000)	
Argana Park Car Parking Extension		(563,405)		
Blakes Crossing Fence				
Strategic Land Purchase				(3,800,000)
Strategic Land Purchase				(1,500,000)
Kalara Reserve Floodlights				(465,000)
Angle Vale Complex Stage 5				(366,000)
Fremont Park - Changing Places				(280,000)
Fremont Park Stage 3 - Detailed Design				(100,000)
Closing Reserve Balance	6,642,230	6,043,866	6,655,364	351,251

Future Action

Continue to provide updates for Council with regards to the balance of funds held in the monthly budget update reports provided by finance.

STAFF REPORTS

MATTERS TO BE CONSIDERED BY THE COMMITTEE ONLY

***Matters delegated to the
Committee.***

5.3 ENFORCEMENT POLICY

Responsible Executive Manager : Mr Andrew Nesbitt

Report Author : Mr Andrew Nesbitt

Delegated Authority : Matters delegated to the Committee.

Attachments : 1 [↓](#). Draft Enforcement Policy 2019

The organisation has consulted internally to ensure that the various teams that are likely to be impacted by this policy have had the ability to provide comment and to commence to frame compliance of legislation in a consistent manner.

PURPOSE

To seek Council approval for the draft Enforcement Policy to go out to public consultation pursuant to section 259(2)(b) of the Local Government Act, which will eventually replace the existing Council's Order Making Policy.

STAFF RECOMMENDATION

That Council endorse the draft Enforcement Policy to go out to public consultation for a minimum of 4 weeks, and to consider final adoption of the Policy at the next available Ordinary Council meeting following the consultation.

EXECUTIVE SUMMARY

As a Local Government Authority, Council has a responsibility to our community to ensure that regulatory and enforcement matters are dealt with fairly, reasonably and consistently. The Local Government Act 1999 (LG Act), prescribes that Council must, in the very least, adopt a policy that relates to Order Making under that Act. With the need to review our current Order Making Policy, there is also the opportunity to look at a more holistic approach, covering all of Council's regulatory and enforcement activities within the same framework.

The proposed draft Enforcement Policy (attachment 1) includes a model that provides for proportionate responses based on the intent of the person undertaking the activity. The *Criminal to Champion Scale* is introduced as the principle underpinning this framework, and will allow teams within Council's administration to build effective decision making tools supporting this.

The introduction of the new policy will mean the current Order Making Policy will be revoked.

1. BACKGROUND

It is a requirement under section 259 of the Local Government Act 1999 for Council to prepare and adopt policies regarding Orders. This has been in the form of the Order Making Policy.

The current Order Making Power Policy, established under the Local Government Act, needs to be reviewed due to introduction of the Local Nuisance and Litter Control Act, and the repeal of some sections of the LG Act.

2. RELEVANCE TO STRATEGIC PLAN

1: Smart Service Delivery Program

Outcome 1.2 Improved service delivery

Outcome 1.3 Working smarter with our community

Outcome 1.4 Enhanced City presentation, community pride and reputation

This policy is an “umbrella” policy which outlines the City of Playford’s approach to enforcement matters and provides staff with direction about the manner in which enforcement activities are to be undertaken.

This decision will provide the organisation with a concept for dealing with non-compliant behaviours on a consistent basis and also to provide a framework for the organisation to work with our community to encourage greater voluntary compliance.

3. PUBLIC CONSULTATION

There is a requirement to consult with the community regarding this Policy, pursuant to section 259(2)(b) of the Local Government Act:

A council must –

(a) Prepare a draft of a policy; and

(b) By notice in a newspaper circulating in the area of the council, give notice of the place or places at which copies of the draft are available for inspection (without charge) and purchase (on payment of a fee fixed by the council) and invite interested persons to make written representations on the draft within a period specified by the council (being a period of at least 4 weeks).

4. DISCUSSION

- 4.1 The community has an expectation that Council enforce local and State laws in their area, and do so in a fair and consistent manner.
- 4.2 The implementation of the Enforcement Policy will provide a more holistic approach to all compliance related matters for which Council is delegated, and establishes a framework for managing non-compliant activities and behaviours in a fair, consistent and uniform manner.
- 4.3 The policy recognises that the prevention of negative behaviours and encouragement of positive voluntary compliance is essential.
- 4.4 This policy sets out the principles of good enforcement as well as introduce an escalation protocol for enforcement actions known as the *Criminal to Champion Scale*.
- 4.5 These principles encourage further development of decision making frameworks for individual pieces of legislation, for a more consistent approach to handling non-compliant actions.
- 4.6 The *Criminal to Champion Scale* located within the Enforcement Policy introduces a number of formal and informal approaches to assist any Officer investigating a matter of non-compliant activity or behaviour.
- 4.7 The *Criminal to Champion Scale* can also provide teams with a framework for establishing proactive programs and campaigns that prevent non-compliance in the community, as well as encourage and champion positive behaviours.

- 4.8** This provided the organisation the opportunity to look at the way it deals with non-compliance of legislation in a more holistic manner, and applying the similar principles of fairness and consistency to our enforcement activities.
- 4.9** This policy will meet the legislative requirements following the public consultation required under section 259(2)(b) of the LG Act and final adoption of this draft.

5 OPTIONS

Recommendation

That Council endorse the draft Enforcement Policy to go out to public consultation for a minimum of 4 weeks, and to consider final adoption of the Policy at the next available Ordinary Council meeting following the consultation.

Option 2

1. That Council not endorse the draft Enforcement Policy.
2. That Council instruct administration to review and update the Order Making Policy.

6 ANALYSIS OF OPTIONS

6.1 Recommendation Analysis

6.1.1 Analysis & Implications of the Recommendation

In endorsing the proposed policy we are providing our community a more holistic and consistent / uniform approach to managing compliance matters. It also allows the organisation to consider innovative approaches to managing compliance matters in a more proactive way.

The introduction of the Local Nuisance and Litter Control Act legislation removed some of the functions of the previous Order Making Policy, which therefore required a review. The inclusion of the Order Making Powers within the Enforcement Policy and the Guidelines ensures that it is compliant with all legal requirements that the Policy takes into account. Therefore, in endorsing the draft Enforcement Policy we also fulfil the Council's legislative requirement to have an Order Making Policy (or similar).

The Policy establishes broad principles for good enforcement and will also encourage further development of decision frameworks for the administration of specific legislation. The Policy itself still allows individual Authorised Officers to exercise discretion within their delegations for the administration of their duties.

Following the consultation process, this draft Policy will be put to the next available meeting of Ordinary Council for final adoption, and the revoking of the existing Order making Policy.

6.1.2 Financial Implications

There will be financial and resource implications associated with the public consultation of the proposed draft Enforcement Policy.

6.2 Option 2 Analysis

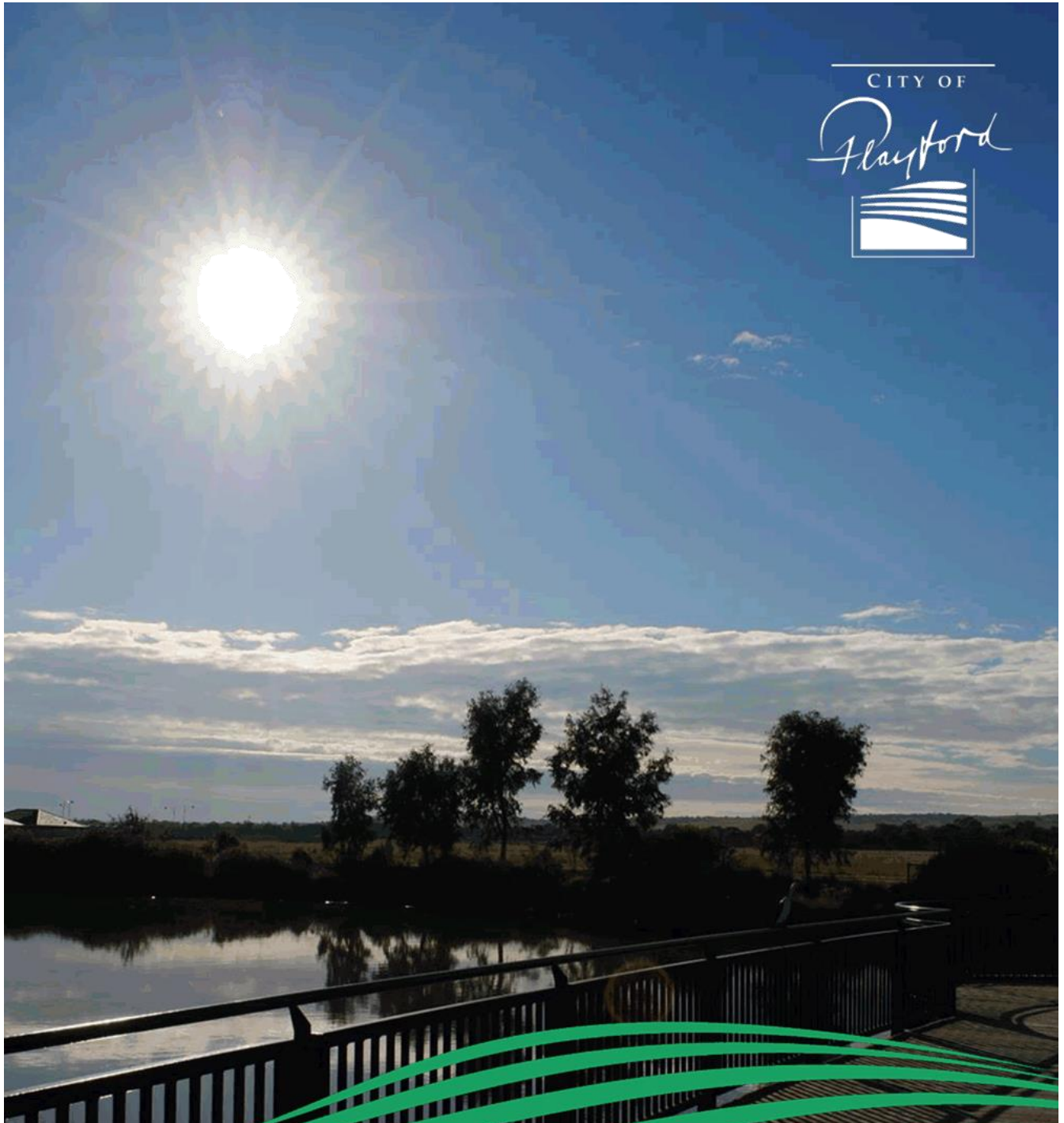
6.2.1 Analysis & Implications of Option 2

Should Council not endorse the Enforcement Policy, then the status quo remains and teams will go about dealing with compliance matters as they do now. The opportunity to develop a more consistent and proactive approach to enforcement may not be realised.

Council will also need to instruct for an administrative review of the current Order Making Policy to ensure it reflects current legislation.

6.2.2 Financial Implications

There may be some minor legal costs in reviewing and redrafting the current Order Making Policy to reflect the changes made within the Local Government Act as well as any costs associated with the public consultation of the proposed Order Making Policy.



Enforcement Policy

playford.sa.gov.au



Enforcement Policy

This policy is set by Council for use by the community and council administration

ECM Document Set No.:

Version No.: 1

Date of Current Version 2 July 2018

Responsible Team Health, Environment & Regulatory Services

Other Key Internal Stakeholders Development Services, Governance Team

Initial Date of Adoption TBA

Last Reviewed N/A – New policy

Authorised By Ordinary Council

Resolution No.:

Legal Requirement Local Government Act 1999

Date of Next Review TBA

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1. Purpose

Council is charged with legislative responsibilities which protect individuals and the community as a whole. Council's customers include both those on whom the law places a duty and those whom the law protects. While it is ultimately the responsibility of individuals and other bodies to comply with the law, Council staff are required to carry out activities which enforce compliance.

This policy is an "umbrella" policy which outlines the City of Playford's approach to enforcement matters and provides staff with direction about the manner in which enforcement activities are to be undertaken.

This Policy recognises that prevention of behaviours to avoid a breach of legislation is optimal; therefore education is a critical component in our roles. It is also recognised that prevention may not always be achievable, which is where encouragement and enforcement may take the lead role. This Policy aims to ensure the right balance of education, encouragement and enforcement is achieved.

In addition to setting the principles for good enforcement overall within our City, this Policy also covers our legislative requirement under Section 259 of the the Local Government Act for Council to establish a policy regarding the making and issuing of Orders.

2. Scope

This Policy is relevant to all enforcement actions undertaken under all legislation delegated to Council and Council staff, and its authorised contractors, for and on behalf of the City of Playford.

Departmental decision making frameworks and processes are not within the scope of this document.

It is incumbent on individual teams within Council to develop appropriate decision making processes and procedures in line with this Polciy and their legislative duties relevant to their area of responsibility.

3. Legislation and References

This Enforcement Policy regards to the following legislation:

City of Playford By-Laws

Development Act 1993 and Development Regulations

Dog and Cat Management Act 2005 and Regulations

Environment Protection Act 1993 and Regulations

Expiation of Offences Act 1996 and Regulations

Fire and Emergency Services Act 2005 and Regulations

Food Act 2001, Regulations and Codes

Housing Improvement Act 2016 and Regulations

Local Government Act 1999 and Regulations

Local Nuisance and Litter Control Act 2016 and Regulations

Private Parking Areas Act 1986 and Regulations

Road Traffic Act 1961, Regulations and Codes

South Australian Public Health Act 2011 and Regulations, Standards and Policies

Supported Residential Facilities Act 1992 and Regulations

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4. Definitions

4.1. Council adopts a broad definition of “enforcement” which combines the provision of advice and assisting compliance with formal action where necessary. This is intended to encourage higher levels of voluntary compliance with legal requirements by individuals, businesses and other bodies.

4.2. **Authorised Officer** – a person whom is authorised under legislation to undertake tasks pursuant to that legislation.

4.3. **Council** – The City of Playford

4.4. **Order/Notice** – A written formal request to refrain or undertake works to ensure compliance with legislation

4.5. **Expiation** – The act of reparation for non compliance with a notice/order or a breach of legislation, for which a relevant ‘Expiation fee” is applied.

5. Policy

5.1. Principles of Good Enforcement

Enforcement actions are taken within the context of both a legal and policy framework. Council staff will carry out their enforcement related work with due regard to the following principles:

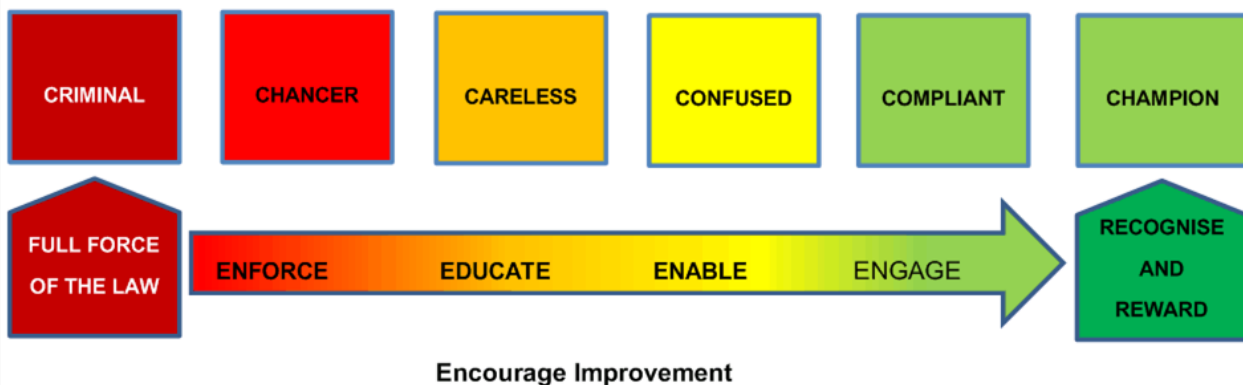
Consistency	Council will endeavour take a similar approach in similar cases to achieve similar outcomes. While decisions of enforcement require the use of professional judgement and discretion to asses varying circumstances, Officers will: <ul style="list-style-type: none"> • Follow standard operating procedures • Ensure fair, equitable and non-discriminatory treatment; and • Record any deviation from standard operating procedures and the reasons.
Outcome Driven	Council will provide support, advice and guidance to assist compliance with relevant legislation and build on community capability.
Transparency	Council will demonstrate impartiality, balance and integrity when it undertakes enforcement activities.
Accountability	Council is willing to explain their enforcement decisions and make available avenues for complaint or appeal. (see Complaints Handling Policy, and the <i>Expiation of Offences Act 1996</i>)
Proportionality	Enforcement measures are proportionate to the seriousness of the conduct.

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Responsiveness	Enforcement responsiveness is proportionate to the particular circumstances in line with current service standards, and the risk to community.
Targeted	Enforcement activities are focused on the areas of assessed highest risk and the Service Standard of each relevant team.
Cross functional	We will work with other teams, portfolios and authorities towards effective enforcement activity. We will do this by means of exchanging information and joint working initiatives.

Notwithstanding the above, Council will take immediate action when required (for example to ensure public health and safety or to protect the environment) and take firm action against those who act unlawfully when circumstances warrant.

Based on Councils assessment of the alleged offence and the principles outlined in this Enforcement Policy, an impartial and professional judgement on an effective enforcement strategy will be made. The following *Criminal Champion Scale* will help officers decide which enforcement options are most appropriate.



Intent / Motivation	Examples / Scenarios	Possible Enforcement Response
Criminal – as defined by the relevant legislation in each case, but generally a behaviour associated with intentional or serious negligence leading to harm or injury.	Serious and repeated public health risk regarding a long term non-compliant food businesses; dog owner not complying with a Dangerous Dog Order	Prosecution, Referral to appropriate authority (eg. Police)
Chancer – someone who is reasonably expected to know the laws but is willing to risk it	Illegal dumping; Non-compliant long term food business proprietor; parking breaches	Notice, Expiation, Prosection through election or repeated offences
Careless – someone who is reasonably expected to know the laws but has not given sufficient attention or thought to avoiding non-compliance	Dog owner failing to micro chip their dog; Poor stock rotation causing food to be sold after its use-by date; Noise or odour issues causing a nuisance	Education, Warning, Expiation for repeated offences
Confused – someone who has little experience or	A new food proprietor has commenced operation and has	Enable compliance, Education, Warning

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knowledge of the laws or someone who lacks clear distinction of the elements of the law and has accidentally breached it.	not supplied a food business notification form; Putting out hard waste on council verge	
Compliant – someone who is reasonably expected to know the laws and displays such knowledge, skills and experience to meet the requirements of laws.	Food premises meeting the minimum requirements 3 stars; Placing hardwaste in their property in the front yard adjacent the boundary days before the collection; Dog owners having their dogs registered within the registration time.	Enable compliance, Positive Compliance reports, Council data and reporting
Champion – someone who understands the laws and displays knowledge, skills and experience, and is willing to educate and demonstrate to others.	Food premises attaining consistent 5 star rating; Residents who properly separate their refuse into the various waste streams;; Dog owners that not only have their dogs registered but are obedience trained, microchipped and desexed.	Positive Compliance Reports, Recognition of attainment, reward with reduced fees where possible.

5.2 Responsibilities

Only Officers who are competent by training, qualification and/or experience will be authorised to undertake enforcement activities. Officers will also have sufficient training and understanding of Council's policies and procedures to ensure a consistent approach to their duties. Any decision to act other than in accordance with this policy must have approval from the relevant Manager and the reasons for action recorded in accordance with Council's Records Management protocols. Officers are required to show their authorised officers identification card when requested to do so.

Officers must ensure they have the appropriate delegation and/or authorisation to undertake any enforcement matters.

5.3 Decision making process

The decision making process for each team may vary depending on the legislation that is being managed, and the community outcomes to be achieved. Appropriate and relevant decision making frameworks may be developed by individual teams or departments. Decision making frameworks will be developed in-line with, and make reference to, this Policy.

5.4 Enforcement Options

A number of enforcement options are available which will be dependent on the merits of each matter being considered. These options are as follows:

5.4.1 No Action

No action may be taken when, after investigation, no breaches of the legislation are discovered, or where the breach is insignificant or inconsequential with regard to community

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impact. Where a decision is made to take no action, this decision will be forwarded to the person/s making a complaint in the form of written communication.

5.4.2 Mediation

Where appropriate, dependent upon the severity of the breach, Council will make mediation available.

5.4.3 Informal Action

Education and encouragement tools may be utilised in accordance with relevant team level Standard Operating Procedures, Policies and the Customer Guarantee. Other forms of informal action the officer may chose to utilise include:

- offering verbal advice;
- provision of information (eg Guidelines/ Fact sheets)
- corrective action requests;
- verbal warnings and requests for action; or
- written warnings.

5.4.4 Service of Orders/Notices

An Order/Notice is a written direction of Council requiring specific action to be taken to secure legislative compliance. A range of legislation administered across the organisation provides Authorised Officers with the ability to issue an Order/Notice and specific requirements as detailed in the relevant Act that the officer is authorised.

Notwithstanding the provisions of other legislation, Section 254 of the Local Government Act 1999 gives Council Order Making Powers that allows Authroised Officers to order a person to do, or to refrain from doing, a specified activity.

The process of issuing an order under the Order Making Power is defined in Section 255 of the Local Government Act.

5.4.5 Action regarding Default of Order/Notice

Failure to comply with Orders/Notices may incur further enforcement action such as Council taking action on default of the Order or Notice, or the issuing of an Expiation Notice, or the commencement of prosecution proceedings.

5.4.6 Service of an Expiation Notice

If an expiation fee is fixed by or under an Act, regulation or By-Law in respect of an offence, an Expiation Notice may be given under the Expiation of Offences Act 1999.

A person receiving an Expiation Notice is entitled to elect to be prosecuted for the alleged offence. Hence there must be substantial, reliable and admissible evidence that an identifiable person or organisation has committed the alleged offence. (There must be sufficient *prima facie* evidence to enable a conclusion to be reached that there is a reasonable prospect of being able to prove an offence).

Council Officers will use professional judgement and discretion to assess the variables relating to each matter under consideration. Where an Expiation Notice is issued for non-compliance with an Order, this will include the reasonableness of the actions required by the Order and the timeframe to comply.

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5.4.7 Prosecution

A prosecution will only proceed where there is a reasonable prospect of a successful outcome being upheld in the relevant court .

Where circumstances warrant a prosecution all relevant evidence and information will be considered to enable a consistent, fair and objective decision to be made. Before a prosecution is recommended there must be substantial, reliable and admissible evidence that an identifiable person or organisation has committed the offence.

The final decision to prosecute will be made by the Chief Executive Officer or their delegate.

6.0 Responsibilities

The Health, Environment & Regulatory Services department will be responsible to implement the policy. However it is appreciated that this policy may impact other departments that are responsible for managing other pieces of legislation.

7.0 Relevance to Strategic Plan

This policy links to: Strategy 1 Our Foundations – Services, City Presentation and Community Pride.

8.0 Accessibility

This Policy will be located on Council's website.

9.0 Feedback

We invite your feedback on this policy which can be directed to 'Senior Manager Health, Environment and Regulatory Services' to playford@playford.sa.gov.au.

10.0 Approval and Change History

Version	Approval Date	Approval by	Change
1	24/07/2018	Ordinary Council	N/A – New policy (Revoke Order Making Policy)

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STAFF REPORTS

MATTERS TO BE CONSIDERED BY THE COMMITTEE ONLY

Matters for Information.

5.4 COUNCIL CONSULTATION PROCESS

Responsible Executive Manager : Mr Andrew Nesbitt

Report Author : Ms Sarah Young

Delegated Authority : Matters for Information.

Attachments : 1 [↓](#). Current CoP Public Consultation Policy

Purpose

This report responds to the Motion without Notice at the Ordinary Council meeting on 18 December 2018 regarding Council's consultation with residents.

STAFF RECOMMENDATION

Council to receive this report.

Relevance to Strategic Plan

1: Smart Service Delivery Program

Outcome 1.3 Working smarter with our community

Relevance to Public Consultation Policy

The information contained in this report refers to Council's current Public Consultation Policy. There is no requirement to consult on this report.

Background

Question without Notice

At the Ordinary Council Meeting on Tuesday 18 December 2018 the following Council Resolution was carried:

That Council provide a report on ways it could increase its consultation with residents by issuing notices of upcoming works prior to making financial commitments to the intended works. The intention is to give the residents fair opportunity to respond, increasing Council's efficiency to reduce waste and spending.

The following information outlines current processes and practice regarding community consultation in line with the approved Policy. The Council's community consultation policy is required to be reviewed following the recent Local Government election, scheduled to occur in the second half of 2019. This process will allow Council to consider a broad range of approaches to consultation and set overall policy direction.

Current Situation

City of Playford's current Public Consultation Policy (Attachment 1) fulfils Council's obligations under Section 50 of *the Local Government Act (1999)* by outlining the minimum

legislative requirements Council needs to undertake when consulting the community on different decisions. The Policy applies to all facets of Council's operations - including land use, strategic planning, financial planning and day-to-day services and activities.

As part of our standard practice Council consults with the community on a number of issues each year such as revocation of land, development plan amendments and proposed road closures. Consultation on Council's financial commitments is also managed as part of the development of our Strategic Management Plans, and the Annual Plan process. These are discussed in further detail below.

Strategic Management Plans

The *Local Government Act 1999 S122* requires that "council must develop and adopt plans (which may take various forms) for the management of its area, to be called collectively the *strategic management plans*".

The following plans satisfy Council's obligations under the Act:

- Strategic Plan.
- Annual Business Plan and Budget (ABP).
- Long Term Financial Plan (LTFP).
- Asset Management Plan (AMP).

The Annual Business Plan and Budget, Long Term Financial Plan and Asset Management Plan are the mechanisms by which Council's financial commitments are developed and approved by Council via an annual business planning process.

The Annual Business Plan and Budget is the formal allocation of budget to deliver services and programs to the community in the next 12 months. Budget submissions for new assets and services are prepared by staff and provided to Council Members for consideration.

Annual Business Plan

Under S122 and S123 of the *Local Government Act*, Council must adopt a process or processes to ensure that members of the public are given a reasonable opportunity to be involved in the development and review of its strategic management plans.

Specifically a draft Annual Business Plan must be developed and follow the steps within council's public consultation policy, also taking into account the requirements of subsection (4) of the Act as below:

- Publication of a notice in a local newspaper and website informing the public that a draft annual business plan is being prepared.
- Public hearing of one hour to be held at which members of the public may ask questions, and make submissions.
- Provision for receipt of written submissions.
- Copies of the draft Plan available on Councils website and principal offices.

As such provisions are made for the Draft Annual Business Plan and Budget to be released for a 21-day public consultation period each year. Consultation for the Long Term Financial Plan and the Asset Management Plan occurs at the same time.

For the 2018/19 business plans the following activities were undertaken during the consultation period which ran from 2-22 May 2018:

- Adverts in Messenger and Bunyip.
- Advert in One Tree Hill Grapevine.
- Stories in the Messenger and Bunyip.
- Coverage in One Tree Hill Grapevine.
- Coverage in Messenger Advertorial.
- Three-page spread in the Playford News winter 2018 edition.
- Story on www.playfordnews.com pointing to Series of social media posts highlighting mooted capital projects and business-as-usual services.
- Email banner signatures.
- Banner from the homepage on the City of Playford website.

Members of the community were encouraged to provide feedback via our online Engagement Hub.

During the 2018/19 public consultation period 28 items of written feedback were received and four residents made a verbal submission at the Public Hearing. A summary of the feedback was provided via a Council Report and Council Members had the opportunity to amend the business plans based on any such feedback.

Other Consultation

Once the Annual Business Plan and Budget is adopted by Council, a Capital Works Program is developed which communicates the projects that will be completed in the financial year. It provides information on the budget, timings and key activities for the expected project delivery. The Capital Works Program is a publicly available document on Council's website.

Further consultation may take place on capital projects in terms of seeking community feedback on design, or the notification of works to take place, including any potential disruptions.

During the design phase of a project, a letter drop to the directly affected residents is undertaken with the opportunity to comment on the proposed concept design. The level of consultation will vary depending on the size and/or significance of the project. Additional forms of community consultation can be via community reference groups, forums, internal and external stakeholder meetings.

During the construction phase community notification occurs in the form of a letter drop to the residents who will be directly affected or impacted by the works. This is completed by the contractor undertaking the works on behalf of the City of Playford. Additional forms of community notification can be via Councils website, Playford News, social media and Variable Message Signs (VMS boards).

Future Action

Council's current Public Consultation Policy has not been reviewed in a number of years, and with a new Chamber, a broad conversation is required in order to develop Council's position, roles and commitment to public consultation in order to integrate this into Council activities that support decision-making, build relationships and strengthen communities.

The review of Council's Public Consultation Policy is likely to occur in the second half of 2019, following the Annual Business Planning process. The intent of this is so Councillors understand current community consultation practices, and have the opportunity to provide input on future policy direction.

It is proposed that, on the back of the policy review, an accompanying framework will be developed for City of Playford administration which will contain guidance on the various steps, tactics and other elements of public consultation.

The consultation proposed for the 2019/20 business plans will be brought to Council for approval as part of the endorsement of the draft plans for public consultation. The review of Council's Public Consultation Policy will occur once this process is complete.

	CITY OF PLAYFORD PUBLIC CONSULTATION POLICY	
DATE POLICY ADOPTED:	<i>10 December, 2013</i>	
ADOPTED BY:	<i>City Strategy and Enterprises Committee</i>	
LAST REVIEW DATE:	<i>November 2013</i>	
NEXT REVIEW DATE:	<i>February 2015</i>	
RESPONSIBILITY:	<i>Marketing Communications</i>	

POLICY STATEMENT

Local government is made up of both democratically Elected Members (Councillors) and Staff (administration) and forms the third tier of government in Australia. Local government is by its nature one of the most accountable and transparent levels of government to its community. Councillors play a central role in influencing the wellbeing of their local communities, and council decisions can have far reaching impacts.

The intention of this policy is to provide a planned and consistent approach to public engagement (consultation). Council will follow its policy in all instances where consultation with the community occurs.

This policy has been developed and adopted in accordance with Section 50 of the Local Government Act 1999, which requires this policy to identify the minimum standards Council intends to undertake in consulting with the public. The Development Act 1993 also has requirements for Council to undertake public consultation on various matters. Council is committed to consultation in more instances than those specified in the Act.

The range of services provided by Local Government is in response to the needs and priorities determined by local communities. Public consultation is the mechanism by which those needs and priorities are identified and prioritised. This policy sets out to ensure effective public input towards decision making at the City of Playford.

..... Date

Chief Executive Officer – *Name*

and

..... Date

Chairperson – *approving group – Name*

Or

Minute details if approved by Full Council

1. SCOPE

This policy applies to Elected Members, employees, contractors, volunteers, consultants and any other person who undertakes activities for the Council. This policy applies to consultation with:

- Elected Members
- External Stakeholders
- Internal Stakeholders

2. POWER TO MAKE THE POLICY- LEGISLATION

The Public Consultation Policy has been developed and adopted in accordance with Section 50 of the Local Government Act 1999 (SA) ('The Act') and the Development Plan (1993). The Act specifies the minimum standards Council must undertake where the Act requires consultation.

3. DEFINITIONS

Public

Includes all people who live, work, study, own property, conduct private or government business, visit or use the services, facilities and public spaces and places of the City of Playford.

Council

Refers to the Corporation of the City of Playford. This is constituted of the Elected Member body representing the City of Playford or Council staff operating under delegated authority. It also includes contractors and consultants with the authority to act on behalf of Council.

Consultation

The process of informed dialogue between the Council and the public.

Occupant

Includes both a resident occupying a property and the owner of the property.

Public Engagement

Any process that actively involves the community in understanding issues in that community.

Decisions

Good democratic administrative decision making involving weighing and balancing all relevant factors and taking into account a range of views.

Communication

The exchange of information, opinions and ideas between the Council and the public.

Policy

Refers to this Public Consultation Policy.

The Act

Refers to the Local Government Act 1999.

Notifications

The Notification section describes how the public will be informed that public consultation is taking place (the communication/advertised methods).

Newspapers circulating locally

This refers to newspapers that reach all residents within the Council boundary, specifically *The Northern Messenger* and *The Bunyip*. Where one publication does not have full reach, another newspaper can be considered to assist in obtaining full reach (i.e. state-wide newspaper, e.g. *The Advertiser*). Newsletters do not suffice for this category, but can be used in conjunction with newspaper advertising.

4. PROCEDURE

Practice Managers will be responsible for determining the need for undertaking any public consultation, the level of consultation to be considered and ensuring legislative requirements are met.

The relevant Practice Manager will be informed of:

- All major projects involving potential community consultation activities at the beginning of the proposed project;
- All consultations undertaken by Council staff that will be publically advertised.

The Practice Manager will determine the level of risk associated with the proposed consultation. The Risk Matrix contained within the policy will act as a guide to determining the Risk Level. The Practice Manager will also be responsible for ensuring the steps outlined below are undertaken, according to the outcome of the risk analysis.

Low Risk Consultation

Where the public consultation is deemed low risk, the following steps will be taken to fulfill the requirements of this policy:

- As a minimum, Council will publish a notice in newspapers circulating the local area, describing the matter for which public consultation is required, and inviting interested persons to make submissions to the Council within a period being at least (21) days from the date of the notice;
Place details of all consultations on the Playford website (www.playford.sa.gov.au);
- Have information available for view at customer service points; and
- Council will consider any submissions received as part of its decision-making process and will also have regard to any relevant legislation.

Low risk public consultation does not require prior Council approval.

High Risk Consultation - Council Decision

The decision to consult with stakeholders and the public beyond legislative requirements must be based on conducting a risk analysis of the issue/project.

Any steps taken by Council in addition to the minimum requirements set out in the Act are at the absolute discretion of Council and will depend upon the particular topic under consideration, the resources available to Council and the level of interest the topic is likely to generate.

A Council decision report will be provided if public consultation is being considered that is over and above the requirements of the Legislation.

The following criteria must be assessed¹ to categorise an engagement as necessitating a higher level of consultation:

Higher Level of Consultation Criteria – Risk Matrix

Criteria	What's being considered	Rating scale				
		Low	Medium	High		
		1 Low	2	3 Med	4	5 High
Sensitivity and nature of the issue	What is the degree of potential community impact and/or outrage?					
Number of stakeholders likely to be impacted by the decision	Consider primary stakeholders: those who have a direct interest and secondary stakeholders: those who have a general interest					
Scale of the public interest	What is the general community perception of the issue/s?					
Degree of complexity – single issue/option or multiple issues/options	How clear are the options and opportunity for influence via the public consultation process?					
Degree of political sensitivity	Are community expectations different to those of decision makers?					
Availability of human, material and financial Resources	Is it possible to undertake engagement above the low cost/legislation category within current resources? Is it necessary to seek additional resources?					
Media interest	Is there likely to be an impact on Council's reputation either by engaging or choosing not to engage? Other interests impacting current media?					
	ADD TOTAL NUMBER (SCORE):					

Total score	Risk level	Action
7-10	Low risk	Initial action not required, check occasionally.
11-15	Medium risk	Monitor closely, take action if possible, notify/advise Council of possible risk (i.e. Memo).
16-25	High risk	Mitigation strategies needed. Higher level of engagement recommended. Report to Council. Council makes decision.
26-35	Very high	Action is mandatory to reduce or manage the risk. If you are not likely to be able to manage this risk or the consequences, consider changing project goals and outcomes or review whether the project should proceed. Higher level of engagement recommended. Report to Council. Council makes decision.

¹ Adapted from 'LGA SA' and 'State Government' 'Community Engagement Handbook: A Model Framework for Leading Practice in Local Government in South Australia'

1. If the issue/project potentially requires consultation above the legislation (or it is not detailed within the legislation such as localised strategies, advisory groups etc), the risk analysis must be conducted.
2. If the risk rates from medium to very high on the Risk Matrix, the proposed public consultation must be discussed between a Practice Manager and relevant staff/stakeholders. The risk analysis will form the basis of making a recommendation regarding the proposed consultation strategy to Council.
3. When high risk and/or very high risk, Council will be informed of the options for public consultation via a decision report and will make the final decision regarding the level of engagement (including the option to not engage).
4. The Council's decision report will outline (as a minimum), the background, the decision criteria, risk analysis (as conducted in step two), strategic context, stakeholders, proposed consultation techniques, key messages and resource allocation.

The Council will be informed via memo of ALL public consultation activities, that is, all processes that actively involve the public in problem-solving and building solutions, and which use public input to assist in decision-making.

If Councillors raise considerable concerns in relation to the level of public consultation for a particular issue, the Mayor and Chief Executive Officer will be consulted. The Mayor and CEO will then determine if a higher level of engagement needs to be considered by Council.

5. AVAILABILITY OF THE POLICY

This policy will be available for inspection at Council's principal office during ordinary business hours and at Council's website, www.playford.sa.gov.au. Copies will also be provided to interested members of the public upon request.

6. REVIEW OF POLICY

The Public Consultation Policy will be reviewed by Council six months after a Local Government election and at least every two years thereafter.

7. FURTHER INFORMATION

For further information about the Policy, please contact:

Marketing and Communications Advisor
12 Bishopstone Road, Davoren Park, SA 5113
Telephone: 8256 0333, Fax: 8256 0578,
Email: playford@playford.sa.gov.au

INFORMAL DISCUSSION

6.1 Second Budget Review - Presentation

Presenter: Ms Grace Pelle

Purpose: Review & discuss items for the second budget review for 2018/19 financial year.

Duration: 30 Minutes

6.2 Delegations

Presenter: Mrs Rosemary Munslow

Purpose: To provide an overview of the Delegations Register.

Duration: 10 Minutes

6.3 Recording of Council Meetings

Presenter: Ms Susie Reichstein

Purpose: Provide an overview of the research into recording and live streaming of Council Meetings.

Duration: 20 Minutes

COMMITTEE WORKPLAN

8.1 Services Committee Work Plan

Attachments : 1 [↓](#). Committee Work Plan

Presenter: Mr Andrew Nesbitt

Purpose: To provide notice of upcoming reports.

Duration: 5 Minutes

City of Playford Services Committee WORK PLAN

Note: This Work Plan is subject to change.

Meeting Date	Topic	Report Type
16 April 2019	Revocation of Community Land Classification – Argent Street Reserve, Elizabeth Grove	Decision Report
	Revocation of Community Land Classification – Stratton Reserve, Elizabeth Downs	Decision Report
	Annual Review of Council Delegations	Decision Report
	Community Development and Event Grant – 2018/19 Round 2	Decision Report
	Budget Presentation	Informal Discussion

21 May 2019	Revocation of Community Land Classification – Commodore Reserve, Andrews Farm	Decision Report
	Revocation of Community Land Classification – Mildera Reserve, Craigmore	Decision Report
	Revocation of Community Land Classification – Arura Reserve, Davoren Park	Decision Report
	Adoption of Code of Practice for Council and Committee Meetings	Decision Report
	Complaints Handling Policy and Procedure	Decision Report
	Budget Presentation	Informal Discussion
18 June 2019	Revocation of Community Land Classification – Currawong Reserve, Craigmore	Decision Report
	Revocation of Community Land Classification – Gloaming Reserve, Hillbank	Decision Report
	Budget Presentation	Informal Discussion

CONFIDENTIAL MATTERS

9.1 GRENVILLE HUB PROJECT

Contact Person: Mr Thornton Harfield

Why is this matter before the Council or Committee?

Matters which cannot be delegated to a Committee or Staff.

Purpose

For Council to make a determination on whether to deal with this matter in confidence.

A. COUNCIL/COMMITTEE TO MOVE MOTION TO GO INTO CONFIDENCE

STAFF RECOMMENDATION

Pursuant to Section 90 (2) of the Local Government Act 1999 an order is made that the public be excluded from attendance at the meeting, with the exception of:

- Acting Chief Executive Officer;
- Acting General Manager Strategy and Corporate;
- Acting General Manager City Services;
- Acting General Manager Strategic Projects and Assets;
- Senior Manager Major Projects;
- Project Manager;
- Senior Manager Corporate Services; and
- Minute Taker;

in order to consider in confidence agenda item number 9.1 under Section 90 (3) (d) of the Local Government Act 1999 on the basis that:

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

This matter is Confidential because it contains information relating to the project budget that could potentially confer an unfair advantage to a third party during the tender process.

On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council/Committee consider it necessary to consider this matter in confidence.

Section B below to be discussed in the confidential section of the agenda once the meeting moves into confidence for each item.

B. THE MATTERS AS PER ITEM 9.1

C. COUNCIL/COMMITTEE TO DECIDE HOW LONG ITEM 9.1 IS TO BE KEPT IN CONFIDENCE

Purpose

To resolve how long agenda item 9.1 is to be kept confidential.

STAFF RECOMMENDATION

Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council/Committee orders that the following aspects of Item 9.1 be kept confidential in accordance with Council's/Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (d) of the Local Government Act 1999:

- Report for Item 9.1
- Attachment(s) for Item 9.1

This order shall operate until the construction contract is awarded and made public, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.