



The District Council of Elliston

Policy Document

PUBLIC CONSULTATION POLICY

Date Adopted: 19th February 2007
Review Date: Ongoing as Required
Minute Number: 51.2007

PUBLIC CONSULTATION

Background

- A) Section 50 of the Local Government Act 1999 provides that a Council must prepare and adopt a Public Consultation Policy prior to 30 June 2000.
- B) A Public Consultation Policy must set out the steps Council will follow in cases where the Act requires that a Council must follow in its Public Consultation Policy, on those matters outlined in the Local Government Act 1999 (see 1.4).
- C) Before a Council adopts a Public Consultation Policy, it must prepare a draft and place a notice in The Advertiser and the local newspapers, inviting interested persons to make submissions on the proposal within a period of not less than one (1) month stated in the notice. The Council must then consider any submissions made in response to the invitation.
- D) After adopting a Public Consultation Policy, the Council is required to follow the relevant steps set out in its Policy, with respect to:
 - Principle office opening hours;
 - Code of Practice for access to meetings and documents;
 - Community Land;
 - Excluding land from classification is community land
 - Revoking the classification as community land
 - Adopting, amending or revoking a management plan for community land
 - Granting a Lease or Licence
 - Granting permits for exclusive occupation, restricting access to a road;
 - Planting vegetation where this may have a significant impact on residences, businesses or advertisers.

In addition, reporting on public consultation is required with respect to:-

- Representation reviews;
- Commercial activities – prudential requirements.

Introduction

The Local Government Act 1999 (the Act) provides that a Council must prepare and adopt a Public Consultation Policy, which sets out the procedure that the Council will undertake cases where the Act requires that a Council must follow its Public Consultation Policy.

Purpose

The purpose of this Policy is to set out the ways in which the community can be involved in governance and decision making, through an effective public consultation process, and therefore meeting the requirements of the Local Government Act 1999.

Active participation in consultation opportunities will assist both the community and the Council in creating awareness of issues in future policy formulation, as well as the numerous administrative and governance decisions required in the operation and management of the District Council of Elliston.

This policy confirms the District Council of Elliston's commitment to open, accountable and responsible decision making, facilitates effective consultation with its community, encourages community involvement through partnerships in planning and decision-making. It sets out the steps Council will take in relation to public consultation, and ensures that the most cost effective method of informing and involving the community which are appropriate for specific circumstances and consultation topics which are appropriate for specific circumstances and consultation topics which are required under the Local Government Act 1999.

Objectives

The objectives of this policy are:-

- To promote positive relations between the Council and its community;
- To seek and take account of the views, issues and aspirations expressed by the community and other stakeholders as required by the Act;
- To pursue cost effective means of seeking and receiving feedback, as well as providing information to the community;
- Give due and appropriate consideration to feedback received from consultation in conjunction with implications and outcomes, especially in respect of budget commitments, and other legislative constraints and considerations;
- To recognise that different issues may require different forms of consultation.

Principles

This policy is underpinned by the following principles, which are believed to be central to effective public consultation. This Council will:

- Identify potential stakeholders in each specific circumstance;
- Ensure information is easily understood and accessible to identify stakeholders, and include contact details for obtaining further information in all communication;
- Define the framework of the consultation process for each specific topic;
- Listen and respond to community views in a balanced way, taking into account all submissions whatsoever;
- Promote Council decision-making which is open, transparent, responsive and accountable to the community;
- Keep records and provide feedback about the reasons for decisions, where relevant;
- Review and evaluate its public consultation policy to ensure on-going improvement in the way it involves the community and its statutory decision making process.

Procedures

The following process will be undertaken by the council to fulfil the requirements of this policy:-

- The Council will identify a range of options available to it, to communicate information to a range of interested persons (including the general public) and invite submissions;
- Where the Council is required (pursuant to the Local Government Act 1999) to consult with respect to:
 - Code of practice –access to meetings and documents
 - Strategic management plans
 - Community land
 - Roads - trees
 - Passing By-Laws
 - Power to make orders
 - Principal office opening hours
 - Commercial activities – (prudential requirements)

The Council as a minimum, will publish a notice in the Port Lincoln Times newspaper, describing the matter for which public consultation is required, and inviting interested persons to make written submissions to the Council within a period being at least 28 days from the date of the notice;

Where, in the opinion of Council it is expedient to consider minor issues relating to such items as (by way of example):

- Permits to hold fair /stall on council road reserve, parklands etc.;
- Private landscaping of road reserve in front of an individual premises (including small scale tree / shrub planting);
- Permission to lay 'individual' water pipe under a Council roadway.

Council will refer to appropriate policies and where no such policy exists, Council will consult with the adjoining / adjacent landowners prior to a decision.

- In addition to the above, other options which the Council may choose to utilise to communicate information and invite submissions, include:-
 - A notice in The Advertiser;
 - Letter drops to residence owners and occupiers (where appropriate);
 - Telephone access line and / or the Internet;
 - Media releases to radio / television and the print media;
 - Letters to stakeholders;

Any step taken by the Council in addition to the minimum requirement set out above, will be at the absolute discretion of the Council, and dependent upon the particular topic or issue under consideration, the resources available to the Council, and the level of interest the topic or issue is likely to generate.

Roles and Responsibilities

This policy will apply to Council Elected Members, staff, contractors, agents and consultants of the Council.

The Chief Executive officer of the Council is responsible for:-

- Implementation of this policy;
- Reporting on the Council's success in meeting the objective of this policy;
- Reporting on the review and evaluation of this policy.

Alteration or Substitution of Policy

Any alteration or substitution of this policy with a new policy will require public consultation, unless the Council determines that the alteration or substitution is only a minor significance and would not attract little or no community interest.

Availability of Policy

This policy will be available for inspection at the Council's principle office during ordinary business hours at no charge. Copies of this policy may be obtained upon request at a cost to be determined from time to time by Council.