

11.6 Public Consultation Policy

PUBLIC CONSULTATION POLICY

LOCAL GOVERNMENT ACT 1999 – SECTION 50

1. PURPOSE

To outline the principles and procedures that the District Council of Grant will follow to involve the Community in Council's decision making process through effective communication and consultation strategies.

2. DEFINITIONS

2.1 Communication

Communication involves the provision of information by Council in a timely and accessible manner.

2.2 Consultation

Consultation is a two way process of seeking responses from the Community and other affected parties prior to Council making a decision that may have implications on the wider community.

3. APPLICATION

This policy applies to those initiatives or activities of Council on which consultation is required by the Local Government Act 1999 and other legislation or will be undertaken as a matter of Council policy on other issues.

3.1 The areas that Council is required to follow the relevant steps set out in its **public consultation policy are :**

- i. Changes to the manner, places and times at which Council Offices will be open for business (Section 45).
- ii. Adoption, alteration or substitution of a code of practice relating to the principles, policies, procedures and practices to apply for meetings and documents (Section 92).
- iii. The adoption of Council's Annual Business Plan (Section 123).

3. APPLICATION (Continued)

- iv. Changes to the basis of the rating of any land (including by imposing differential rates on land that has not been differentially rated in the preceding financial year, or by no longer imposing differential rates on land that has been differentially rated in the preceding financial year) or changes to the basis on which land is valued for the purposes of rating or changes to the imposition of rates on land by declaring or imposing a separate rate, service rate or service charge on any land (Section 151).
- v. Changes to the basis of the differentiating factors (ie land use, locality or combination of both) when declaring differential rates in relation to any land (Section 156).
- vi. The exclusion of Local Government land from the classification as community land (Section 193) or the revocation of the classification (Section 194).
- vii. The adoption, amendment or revocation of a management plan for community land (Sections 197 and 198).
- viii. The granting of a lease or licence over community land (Section 202).
- ix. The granting of a permit over a public road granting exclusive occupation or restricting access to a road, or in relation to a use or activity for which public consultation is required (Section 223).
- x. The planting of vegetation on a public road that may have a significant impact on residents, businesses or advertisers (Section 232).

3.2 Council is also required to consult with the Community for :

- Representation Reviews Section 12 (5)
- Status of Council or Name Change Section 13
- Certain Commercial Activities Section 48
- Strategic Management Plans Section 122
- Selection of Road Names Policy Section 219
- Abandoned Vehicles (if owner is unknown or cannot be found) Section 237
- Making of By-Laws Section 249
- Order Making Policies Section 259

4. OBJECTIVES

- 4.1 To establish positive relationships between Council and the Community.
- 4.2 To promote open, transparent and responsive decision making by Council.
- 4.3 To provide effective communication and consultation between Council and the Community.

4. OBJECTIVES (Continued)

- 4.4** To encourage and provide the opportunity for Community participation in the decision making processes of Council.
- 4.5** To achieve a greater level of Community input, understanding and ownership of decisions made by Council.

5. PRINCIPLES

Council will:-

- Identify potential stakeholders in each specific circumstance.
- Ensure information is easily understood and accessible, and include contact details for obtaining further information in all communications.
- Provide a range of opportunities for people to access information and to be involved.
- Aim to listen and respond to community views in a balanced way, taking account of all submissions made by various stakeholders.
- Keep records and provide feedback about the reasons for decisions where relevant.
- Review and evaluate the Public Consultation Policy to ensure ongoing improvement in the way Council involves the community in its decision-making processes.

6. ROLES AND RESPONSIBILITIES

- 6.1** This Public Consultation Policy will apply to Council Elected Members, Employees, Contractors, and Agents or Consultants acting on behalf of the Council.
- 6.2** The role of Elected Members is one of policy makers.
- 6.3** The Chief Executive Officer is responsible for :
- Implementing the Public Consultation Policy
 - Reporting on outcomes in meeting the objectives of this Policy
 - Reporting on the review and evaluation of this Policy

7. PROCEDURE

In addition to the minimum requirements set out in the Act, the steps taken by Council on any proposal to consult with the Community will depend on the particular issue under consideration, the resources available to the Council and the level of interest that the issue is likely to generate.

The following steps will be followed by the Council in developing and implementing a specific proposal for consultation.

7. PROCEDURE (continued)

- 7.1** As a minimum, a notice shall be published in the Border Watch, describing the matter under consideration and inviting written submissions from interested persons within 21 days of the notice or such longer period as determined by the Council or prescribed by legislation.
- 7.2** Documentation describing the matter under consideration shall be available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at both Council Offices during normal office hours during the period in which submissions will be received.
- 7.3** Other options which the Council may choose to utilise to communicate information or invite community participation include :
- Public Meetings
 - Surveys (written and telephone)
 - Media Releases
 - Letter drops to Residents
 - Newsletters
 - Brochures
 - Focus Group Meetings
 - Web Site
 - Advisory Committees
- 7.4** Council shall consider the submissions received having regard to any report presented to Council and any relevant legislation.
- 7.5** Where appropriate, Council or Council Committee may hear representations on the matter.
- 7.6** All persons who lodged a submission shall be notified of Council's decision in writing and where considered appropriate, media releases will be prepared and distributed.
- 7.7** In regards to Section 123 minimum requirements are prescribed in the Act and must at least provide for:
- The publication in a newspaper circulating within the area of the Council a notice informing the public of the draft annual business plan and inviting interested persons to attend a public meeting (which must be at least 21 days after the publication of the notice) or a meeting of the Council at which members of the public may ask questions, and make submissions, in relation to the matter for a period of at least one hour or to make written submissions in relation to the matter within the period stated in the notice (which must be at least 21 days).
 - The Council must ensure that copies of the draft annual business plan are available at the relevant meeting and for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at both Council Offices at least seven days before the date of the meeting.

7. PROCEDURE (continued)

7.8 In regards to Section 151 (5) and 156 (14a) minimum requirements are prescribed in the Act and must at least provide for :

- The publication in a newspaper circulating within the area of the Council a notice describing the proposed change, informing the public of the preparation of a report required under the Act and inviting interested persons to attend a public meeting in relation to the matter to be held on a date (which must be at least 21 days after the publication of the notice) stated in the notice or to make written submissions in relation to the matter within a period (which must be at least 21 days) stated in the notice.
- The Council must ensure that copies of the report required under the Act are available at the public meeting and for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at both Council Offices at least seven days before the date of the meeting.

8. AVAILABILITY

The Public Consultation Policy is available for inspection without charge at the following locations during ordinary business hours :

- Principal Office, 324 Commercial Street West, Mount Gambier, 5290.
- Rural Transaction Centre, corner Charles and Meylin Streets, Port MacDonnell, 5291.
- Council Web site www.dcgrant.sa.gov.au

A copy of the Public Consultation Policy may be purchased from the Council Offices upon payment of a fee in accordance with Council's Schedule of Fees and Charges.

9. FURTHER INFORMATION

Any enquiries regarding this Policy are to be directed to the Chief Executive Officer, telephone 8721 0444.

10. ADOPTION OF POLICY

This Policy was first adopted by Council at its meeting held on the 17th day of April 2000.

11. ALTERATION OF POLICY

Any future amendment or alteration to this Policy will be subject to the Public Consultation provisions of the Local Government Act, 1999 unless the amendment or alteration is only of a minor nature that would attract little or no Community interest.

11.6 Public Consultation Policy (continued)

District Council of Grant

Action	Date	Minute Reference
Adopted	17 April 2000	00117.2
Amended	4 May 2005	05139.7
Amended	4 April 2007	07090.9
Amended	20 December 2010	10332.3
Amended	20 June 2011	11161.3