

2.27 POLICY

PUBLIC CONSULATION



DOCUMENT APPROVAL

This document has been endorsed and approved for use by:

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Date

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Change History

Version	Issue Date	Author	Reasons for Change
1	13/1/2010	D. Cearns	
2	10/4/12	D Larwood	Review

1.0 Introduction

Section 50 of 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 follow in cases where the Act requires Council to follow its public consultation policy. This policy addresses the key elements of both communications and consultation. Communication involves providing meaningful information in a timely and accessible manner, and consultation, a two-way process, provides opportunities to clarify information, raise issues and discuss ideas, options and views.

2.0 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, therefore meeting the requirements of the Act. Active participation in consultation opportunities will assist both the community and the Council in creating an awareness of issues in future policy formulation, as well as the numerous administrative and governance decisions required in the effective operation and management of the District Council of Kimba.

This policy confirms the District Council of Kimba's commitment to open, accountable and responsive decision making, facilitates effective consultation with the community, and encourages community involvement, through partnerships, in planning and decision-making. It sets out the steps Council will take in relation to public consultation, to ensure that appropriate and cost effective methods are used to inform and involve the community and key stakeholders relevant to the specific circumstances and consultation topics specified within the Act.

3.0 Objectives

The objectives of this policy are: -

- To promote positive relations between the Council and the 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;
- To 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.

4.0 Principles

This policy is underpinned by the following principles, which are believed to be central to effective public consultation. The 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;
- Promote 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 this public consultation policy to ensure on-going improvement in the way it involves the community and its statutory decision making process.

5.0 Procedures

The following process will be undertaken by the Council to fulfill 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 Act) 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)
- Annual Business Plan (123)
- Change in basis of rating (151[5])

The Council as a minimum, will publish a notice in the Eyre Peninsula Tribune 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, park lands, 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 residences, 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.

6.0 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 objectives of this policy;
- Reporting on the review and evaluation of this policy.

7.0 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.

8.0 Public Availability of Policy

The public may inspect a copy of the Policy, without charge, at the offices of the Council during normal office hours, and may obtain a copy for a fee fixed by the Council, if any. Further enquiries in relation to the Code should be directed to the Chief Executive Officer, telephone 8627 2026.

9.0 Review of Policy

The Council is required under the Local Government Act 1999 to review this policy every twelve months, and it is envisaged that this will take place in May of each year.

10.0 Adoption of the Procedure

This Public Consultation Policy was reviewed by Council in April 11th 2012.