



Public Consultation Policy

| | |
|--------------------------------|---------------------------------------|
| Reference Number: | G005 |
| Strategic Plan: | |
| Classification: | Governance Policy |
| First Issued/Approved: | November 2004 |
| Review Frequency: | Every 4 years |
| Last Reviewed: | May 2016 |
| Next Review Due: | 2020 |
| Responsible Officer(s): | Chief Executive Officer |
| Council File Reference: | 9/63/1.1 |
| Applicable Legislation: | Local Government Act 1999, section 50 |
| Related Policies: | |
| Related Procedures: | |
| Delegations: | |

KINGSTON DISTRICT COUNCIL PUBLIC CONSULTATION POLICY

1. PURPOSE

Kingston District Council is committed to effective, ongoing and timely community engagement and upholds the view that the involvement of the community in planning and decision making is fundamental to effective local governance.

The purpose of this policy is to outline the principles and procedures that Council will follow to involve the community in planning and decision making and to ensure accountability of the Council to the community through effective communication and consultation strategies.

2. PRINCIPLES

The following guiding principles underpin the Kingston District Council's approach to community engagement and public consultation:

- The community has a right to be involved in and informed about decisions affecting them.
- Community involvement in Council decision making will result in greater confidence in the Council and responsible decision making.
- Council decision making will be open, transparent and accountable.
- Council will aim to listen and respond to community views in a balanced way, taking account of all submissions made by stakeholders.
- Council recognises that the level of consultation with the community will vary depending on the community interest in the topic, the number of persons potentially affected by the topic and the requirements for consultation set out in the Local Government Act 1999 for specific topics.
- The Council's responsibility to balance community views and interests with budgetary constraints.

3. POLICY OBJECTIVES

The objectives of this policy are:

- 3.1 To fulfill the statutory requirements of Section 50 of the Local Government Act 1999.
- 3.2 To enable the community to contribute to decision making that affects them in a meaningful and appropriate way through an open and accountable process.
- 3.3 To promote equity through optimal access and engagement opportunities.

4. STATUTORY REQUIREMENTS

4.1 The Local Government Act 1999 requires Council to undertake community consultation in accordance with this policy in relation to the following matters:

- Principal Office opening hours (Section 45)
- Code of Practice for access to meetings and documents (Section 92)
- Annual Business Plans and Budgets (Section 123)
- Rates – basis of rating (Section 151)
- Rates – basis of differential rates (Section 156)
- Community land - Classification (Section 193)
- Community land – revocation of classification (Section 194)
- Community land management plans (Section 197)
- Community land – amendment or revocation of management plans (Section 198)
- Community land – alienation by lease or license (Section 202)
- Roads – authorisations and permits restricting access (Section 223)
- Roads – planting of vegetation (Section 232)

4.2 Other sections of the Act provide details of consultation steps to be followed which are not covered by this policy; these include:

- Representation Reviews (Section 12)
- Status of Council or change of name (Section 13)
- Commercial Activities – Prudential requirements (Section 48)
- Public Consultation Policy (Section 50)
- Strategic Management Plans (Section 122)
- Removal of vehicles (Section 237)
- Passing of by-laws (Section 249)
- Order making Policies (Section 259)

4.3 Council should always refer to the relevant section of the Act before determining the appropriate consultation requirements.

4.4 Where Council has legislative responsibilities for consultation under other legislation, the legislative requirements will take precedence over this policy.

5. ROLES AND RESPONSIBILITIES

- 5.1 This Public Consultation Policy will apply to Elected Members, Employees, Contractors and Consultants acting on behalf of Council.
- 5.2 The Chief Executive Officer is responsible for:
- Implementing this policy.
 - Reporting on Council's success in meeting the objectives of the policy.
 - Reporting on the review and evaluation of this policy.

6. CONSULTATION PROCEDURE

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

- 6.1 As a minimum, a notice shall be published in the Coastal Leader [and placed on Council's website](#) describing the matter for which 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, or any such other period as determined by the Council or prescribed by legislation or suitable given the matter under consideration.
- 6.2 Documentation describing the matter under consideration shall be available for inspection (without charge) and purchase (on payment of a fee) from Council during normal office hours during the period in which submissions will be received.
- 6.3 Council will consider any submissions received as part of its decision making process.
- 6.4 Other options which the Council may choose to utilise to communicate information or invite community participation include:
- Public forums and meetings
 - Surveys (written and telephone)
 - Media Releases
 - Letters to stakeholders
 - Letter drops to residents
 - Newsletters, fact sheets or brochures
 - Displaying notices in public places
 - Meeting with relevant community members
 - Council Website
 - Social media

-
- 6.5 Should a public meeting or forum be called to consider any specific matter then Council will:
- provide public notice of the meeting at least 21 days prior, giving notice of the date, time, place of the meeting
 - ensure documentation (if relevant) is available for the meeting (at least 7 days before the date of the meeting);
 - invite interested persons to attend the meeting or to make written submissions;
 - consider submissions made in writing and at the meeting.
- 6.6 All persons who lodge a formal individual written submissions in response to Council's public consultation shall be notified of Council's decision in writing.
- 6.7 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 Council and the level of interest that the issue is likely to generate.

7. AVAILABILITY

The Policy is available for inspection without charge at the Council's principal office or on Council's website: www.kingstondc.sa.gov.au. Copies of the Public Consultation and Community Engagement Policy may be obtained upon request for the fee set by Council.

8. REVIEW, ALTERATION OF SUBSTITUTE OF POLICY

The effectiveness of this Policy will be reviewed and evaluated following each general election. The Chief Executive Officer will report to Council on the outcome of the evaluation, and make recommendations for amendment, alteration or substitution of a new policy if relevant.

Any alteration of this Policy or substitution of a new Policy will be subject to the provisions set out in Section 50 of the Act, unless the Council determines that the alteration is of only minor significance and would attract little (or no) community interest.

9. REVIEW HISTORY

| Action | Date | Resolution Number |
|---|-------------------|-------------------|
| Adoption by Council | 19 November 2004 | 2711 |
| Reviewed | 21 September 2007 | 4436 |
| Reviewed | 22 June 2009 | 6013 |
| Reviewed | 29 July 2011 | 7389 |
| Reviewed and approved for public consultation | 21 August 2015 | 9343 |
| Adopted by Council | 23 October 2015 | 9373 |
| Amended | 20 May 2016 | 9516 |