



## Public Consultation Policy

<b>Classification:</b>	Council Policy
<b>Review Frequency:</b>	Once in the term of council
<b>Last Reviewed:</b>	February 2019
<b>Review Due:</b>	2023
<b>Responsible Officer:</b>	Chief Executive Officer
<b>Applicable Legislation:</b>	Local Government Act 1999, Section 50
<b>Related Policies/Procedures:</b>	

### 1. PURPOSE:

- 1.1 The purpose of this policy is to ensure that council meets its legislative obligations in regard to public consultation by:
  - 1.1.1 using appropriate and cost effective methods which are relevant to the specific circumstances of each consultation topic;
  - 1.1.2 informing and involving the local community, key stakeholders and interested parties; and
  - 1.1.3 using feedback to enhance decision making.

### 2. LEGISLATIVE CONTEXT:

- 2.1 Section 50 of the Local Government Act (the Act), provides that council must prepare and adopt a public consultation policy. A public consultation policy:
  - 2.1.1 must set out steps that the council will follow in cases where this Act requires that a council must follow its public consultation policy, and
  - 2.1.2 may set out steps that the council will follow in other cases involving council decision making.

**3. SCOPE:**

- 3.1 This policy applies to elected members, council employees, contractors and consultants acting on behalf of council.

**4. DEFINITIONS:**

Community engagement	To involve the community in the decision making processes of council through informing, consulting, involving and collaborating.
Public consultation	A planned process of engagement where information is provided and community and stakeholders are formally invited, as per the requirements in the Act, to comment on matters on which council will deliberate.
Stakeholders	Individuals and groups who have an interest in council's decision making and who are affected by council's decisions.

**5. GUIDING PRINCIPLES:**

- 5.1 Council is committed to open, accountable and responsive decision making, which is informed by effective communication and consultation between the council and the community. In carrying out consultation processes, council applies the following principles:
- 5.1.1 members of the community have a right to be informed about issues affecting their community and to influence council's decisions about these issues;
  - 5.1.2 community interest will vary depending on the issue and the number of people affected and council's level of consultation will reflect this;
  - 5.1.3 community involvement in council decision making should result in greater confidence in the council and responsive decision making; and
  - 5.1.4 council decision making will be open, transparent and accountable.

**6. STATUTORY PUBLIC CONSULTATION REQUIREMENTS:**

- 6.1 In accordance with the Local Government Act 1999, council is required to meet the minimum public consultation requirements in relation to the following matters:

<b>Activity</b>	<b>LG Act Reference</b>
Elector Representation Review	Section 12(5)
Change of status or council name	Section 13
Determining the manner, place and times of principal office	Section 45
Carrying out commercial activities – prudential arrangements	Section 48
Adopting or varying a public consultation policy	Section 50
Altering the Code of Practice relating to the principles, policies and processes that council will apply to enable public access to council and committee meetings, minutes and release of documents	Section 92
Adopting Strategic Management Plans	Section 122
Annual Business Plans	Section 123
Excluding land from classification as community land	Section 193
Revoking the classification as community land	Section 194
Adopting, amending or revoking a management plan for community land	Section 197 & 198
Alienating of community land where the management plan does not allow it	Section 202
Alienating roads	Section 223
Planting vegetation where it will have a significant impact on residents, the proprietors or nearby residents	Section 232
Making bylaws	Section 249
Making orders	Section 259

6.2 The minimum consultation requirements prescribed by the Act requires council to:

- 6.2.1 publish a notice in a newspaper circulating in the area of the Council, usually the Coastal Leader, and
- 6.2.2 publish information on its website, and
- 6.2.3 ensure copies of reports and documents relating to the consultation are available for inspection and purchase at the council office.

6.3 The notice in the newspaper and on the website must:

- 6.3.1 describe the matter under consideration

- 6.3.2 invite interested persons to make submissions in relation to the matter, and
- 6.3.3 provide interested persons with at least 21 days to make submissions.
- 6.4 Council must consider any submission received from the public during the prescribed consultation period.
- 6.3 For details of the specific public consultation requirements under each of the sections outlined in the table above, council should refer to the relevant section of the Act.
- 6.4 Where council has legislative responsibilities for consultation under other legislation, such as the Development Act 1993, the legislative requirements set out in that Act will take precedence over this policy.

## **7. COUNCIL MAY CONSIDER ADDITIONAL CONSULTATION METHODS:**

- 7.1 Council may undertake additional community engagement and consultation in relation to the matters set out at 6.1.
- 7.2 Council may also undertake additional consultation and community engagement on general or specific matters of interest to the community or with specific stakeholders of the community, such as changes to road names and investment in particular projects.
- 7.3 At council's discretion, depending on the matter under consideration, the resources available to council and the level of interest the matter is likely to generate, other consultation and engagement methods council may consider include:
  - Community forums and stakeholder meetings
  - Letters to residents and stakeholders
  - Surveys
  - Media Releases
  - Displaying notices in public places
  - Direct consultation with community representative groups
  - Active and passive use of council's website and social media
  - Use of a community email database
  - Community group representations to council workshops
- 7.4 Whichever consultation method(s) are selected, council is committed to ensuring that all possible stakeholders are provided the opportunity to engage in consultation processes to provide comment to council on matters being considered.

**6. AVAILABILITY OF THE POLICY:**

This policy will be available for inspection at the Council's principle office, 29 Holland Street Kingston SE, during ordinary business hours and on Council's website: [www.kingstondc.sa.gov.au](http://www.kingstondc.sa.gov.au). Copies will also be provided to interested members of the community upon request, and upon such payment of the fee set by Council.

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