

## 1. Introduction

- 1.1 The Council is committed to open, accountable and responsive decision making, which is informed by effective communication and consultation between the Council and the community.
- 1.2 In carrying out its consultation process, the Council applies the following principles:
  - 1.2.1 Members of the community have a right to be informed about issues affecting their area and their lives and to influence Council's decisions about these
  - 1.2.2 Community interest will vary depending on the issue and the number of people affected, and Council's level of consultation will reflect this
  - 1.2.3 Community involvement in Council decision making should result in greater confidence in the Council and responsive decision making
  - 1.2.4 Council decision making will be open, transparent and accountable.

## 2. Objectives

- 2.1 The purpose of this policy is to ensure that Council meets its legislative obligations in regard to public consultation by:
  - 2.1.1 Using appropriate and cost effective methods which are relevant to the specific circumstances of each consultation topic
  - 2.1.2 Informing and involving the local community, key stakeholders and interested parties
  - 2.1.3 Using feedback to enhance decision making.

## 3. Scope

- 3.1 This policy applies to Council Members sitting as the elected body, Council employees, contractors, agents and consultants acting on behalf of Council.
- 3.2 The Chief Executive Officer is responsible for the implementation of the Public Consultation Policy, establishing the consultation level, reporting outcomes of the consultations to the Council, reviewing the value of the policy, and determining elements within that process where Council has delegated responsibility.

## 4. Policy Statement

- 4.1 The preparation and adoption of this policy fulfils the Council's obligations under Section 50(1) of the *Local Government Act 1999* (the Act).

- 4.2 Section 50 provides that:
  - 4.2.1 The Council must set out the steps that the Council will follow in cases where the Local Government Act requires consultation on a matter, and;
  - 4.2.2 The Council may set out the steps that Council will follow in other cases involving the Council's decision-making.
- 4.3 In addition, under the Act, the Council has the following obligations where it is required by law to follow its public consultation policy.
  - 4.3.1 Council must provide interested persons with a reasonable opportunity to make submissions regarding relevant matters.
  - 4.3.2 Council must publish a notice in a newspaper circulating in the area and on the Council's website, describing the matter under consideration and invite interested persons to make submissions within a period (which must be at least 21 days) stated in the notice.
  - 4.3.3 Council must consider any submission received from the public during the prescribed consultation period.
- 4.4 Other sections of the Act also refer to consultation requirements, and in some instances set out what a Council must do. See specified consultation requirements below (Clause 5).
- 4.5 Where there are legislative requirements for consultation under other legislation applicable to the Council, these specific processes take precedence over this policy, should there be any inconsistency.

## 5. Specified Consultation Requirements

- 5.1 Under the Local Government Act, Council is required to undertake particular types or levels of consultation (as a minimum) in relation to the following:
  - 5.1.1 Determining the manner, places and times of its principal office (s45)
  - 5.1.2 Adopting or varying a public consultation policy (s50)
  - 5.1.3 Altering the Code of Practice relating to the principles, policies and procedures that Council will apply to enable public access to Council and Committee Meetings, their minutes and release of documents (s92)
  - 5.1.4 Adopting Strategic Management Plans (s122)
  - 5.1.5 Adopting annual business plans and budgets (s123)
  - 5.1.6 Excluding land from classification as community land (s193)
  - 5.1.7 Revoking the classification as community land (s194)
  - 5.1.8 Adopting, amending or revoking a management plan for community land (s197)
  - 5.1.9 Amending or revoking a management plan for community land (s198)

- 5.1.10 Alienating of community land where the management plan does not allow it (s202)
- 5.1.11 Alienating roads (s223)
- 5.1.12 Planting vegetation where it will have a significant impact on residents, the proprietors or nearby residents (s232)
- 5.1.13 Proposing to remove trees and road construction projects
- 5.1.14 Carrying out representation reviews (s12(5))
- 5.1.15 Considering a change of status of Council or name change (s13)
- 5.1.16 Carrying out commercial activities - Prudential Arrangements (s48)
- 5.1.17 Making Bylaws (s249)
- 5.1.18 Making Orders (s259)
  
- 5.2 For details of the specific requirements under these sections, refer to the specified sections of the Act.
  
- 5.3 Other consultation and engagement methods may include:
  - 5.3.1 Publication in a regular newsletter
  - 5.3.2 Letters to residents and other stakeholders
  - 5.3.3 Other direct mail publications or letterbox drops, as appropriate
  - 5.3.4 Advertising in media outlets as deemed appropriate
  - 5.3.5 Media releases to appropriate media outlets and community groups
  - 5.3.6 Community forums and stakeholder meetings
  - 5.3.7 Direct consultation with community representative groups
  - 5.3.8 Active and passive use of Council's website and social media
  - 5.3.9 Use of a community email database
  - 5.3.10 Customer Surveys
  - 5.3.11 Fixed displays, e.g. community notice boards
  - 5.3.12 Community group representations to Council workshops

## 6. Document administration and control

Policy title:	Public Consultation Policy
Policy number:	04.21
Policy type:	Council / Statutory
Responsible officer:	Director Community & Corporate
First issued / adopted:	13 July 2000
Review period:	Reviewed within 12 months following the conclusion of a periodic election, inline with legislative changes or by resolution of Council.
Last reviewed:	18 May 2021, reference [103-2021] 27 February 2023 [028-2023]
Next review date:	By November 2027
Version:	Version 8
Date revoked:	n/a
Applicable legislation:	Local Government Act 1999
Related documents:	Nil
Public consultation required / undertaken:	Yes  Any amendment, alteration or substitution of a new policy will be made only after public consultation in accordance with the Act unless the Council has determined that the amendment is of only minor significance and would attract little (or no) community interest.
Availability	This Policy is available for inspection at the Council office and any person may obtain a copy of this Policy upon payment of the fee fixed by Council in accordance with Council's Fees and Charges adopted each financial year. It is also available on Council's website <a href="http://mtr.sa.gov.au">mtr.sa.gov.au</a> .  Any grievance in relation to this policy or its application should be forwarded in writing to the Chief Executive Officer of the Council.
File reference:	W:\4. Policy Manuals\Current Policy Manual