


<b>POLICY</b>		Responsible Department	Governance
		Original Adoption Date	14.03.12
		<b>Current Adoption Date</b>	<b>25.10.17</b>
		Audit Committee Review Date	
		Date of Next Review	31.10.19

TITLE	POLICY -
<b>Latest Review Changes</b>	This policy has been reviewed and substantially amended to reflect changes to section 50 of the <i>Local Government Act 1999</i> by the <i>Local Government (Accountability and Governance) Amendment Act 2015</i> .
<b>Previous Council Reviews</b>	
<b>Previous Audit Committee Reviews</b>	

**Applicable Legislation:**

Local Government Act 1999
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**Related Policies (alphabetical list):**

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**Related Procedures:**

Public consultation Procedure
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**Reference Documents:**

LGA Model Policies
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## Introduction

Roxby Downs Council (“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.

In carrying out its consultation process, the Council applies the following principles:

- 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
- community interest will vary depending on the issue and the number of people affected, and council’s level of consultation will reflect this
- community involvement in Council decision making should result in greater confidence in the Council and responsive decision making
- Council decision making will be open, transparent and accountable.

## Policy Objective

The purpose of this policy is to engage citizens, community groups, organisations and businesses in the council’s problem solving, planning and decision making at both council and staff levels. Public consultation processes aim to:

- inform citizens, groups and organisations about specific decisions likely to affect them
- ensure all views are considered in planning and decision making
- create joint visions that speak to multiple interests and concerns
- initiate action to resolve issues and problems
- seek out and facilitate the involvement of those potentially affected
- provide participants with the information they need to participate in a meaningful way
- increase public confidence in local government and its management of local resources

## Scope

This policy applies to the Administrator, council employees, contractors, agents and consultants acting on behalf of Council.

The Chief Executive 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.

## Policy Statement

The preparation and adoption of this policy fulfils the council’s obligations under section 50(1) of the *Local Government Act 1999*. Section 50 provides that:

- 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
- The council may set out the steps that council will follow in other cases involving the council’s decision-making.

In addition, under the Local Government Act the Council has the following obligations where it is required by law to follow its public consultation policy.

- Council must provide interested persons with a reasonable opportunity to make submissions regarding relevant matters
- 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
- Council must consider any submission received from the public during the prescribed consultation period.

Council may, from time to time, alter this policy or substitute a new policy. In the instance that any significant changes are being proposed to the public, the council must submit the proposal to a public consultation process.

Other sections of the Local Government Act also refer to consultation requirements, and in some instances set out what a Council must do. See **Specified consultation requirements** below.

Where there are legislative requirements for consultation under other legislation applicable to the council, such as the Development Act 1993, these specific processes take precedence over this policy, should there be any inconsistency.

### **Policy Principles**

- Consultation should commence early and be part of the assessment process rather than being a one off event
- History of previous consultation programs should be taken into account
- The consultation program should be interesting, equitable, inclusive and adequately resourced
- Diverse consultation methods should be used to maximise opportunity for participation
- The purpose, expected outcomes and decision making process should be clearly communicated to all parties participating either personally or through broader communication channels

### **Specified consultation requirements**

Under the Local Government Act, Council is required to undertake particular types or levels of consultation (as a minimum) in relation to the following:

- Determining the manner, places and times of its principal office (section 45)
- Adopting or varying a public consultation policy (section 50)
- 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 (section 92)
- Adopting Strategic Management Plans (section 122)
- Adopting annual business plans and budgets (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)
- Amending or revoking a management plan for community land (section 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)
- Proposing to remove trees and road construction projects
- Carrying out representation reviews (section 12(5))
- Considering a change of status of Council or name change (section 13)
- Carrying out commercial activities - Prudential Arrangements (section 48)
- Making Bylaws (section 249)
- Making Orders (section 259)

For details of the specific requirements under these sections, refer to the specified sections of the Local Government Act.

Other consultation and engagement methods may include:

- Letters to residents and other stakeholders
- Other direct mail publications or letterbox drops, as appropriate
- Advertising in media outlets as deemed appropriate
- Media releases to appropriate media outlets and community groups
- Community Board and forum meetings
- Direct consultation with stakeholder groups
- Active and passive use of Council's website and social media
- Customer Surveys
- Fixed displays, e.g. community notice boards
- Information sessions

Where possible consultation methods will be tailored to maximise opportunities for community input (e.g. taking into account shift/night workers and those on the mining rosters).

### **Policy reviews**

This policy is reviewed every two years or as required.

### **Further information**

This policy will be available for inspection at the Council offices listed below during ordinary business hours and available to be downloaded, free of charge, from the Council's website:

[www.roxbydowns.sa.gov.au](http://www.roxbydowns.sa.gov.au)