



PUBLIC CONSULTATION

Alexandrina Council is committed to open, accountable and responsive decision making, which is informed by effective communication and consultation between Council and the community. This Policy sets out the steps Council will take to establish partnerships and encourage community involvement in planning and decision making about the services Council provides and the management of community resources.

Council aims to ensure that appropriate and cost effective methods are used to inform and involve the local community, key stakeholders and interested parties, relevant to the specific circumstances of each consultation topic. Council recognises the community expectation of good governance through greater transparency and accountability. These principles are embodied in this policy and Council's strategic planning framework.

This Policy addresses the key elements of both communication and consultation.

1. Definitions

"Communication" is one way – it is the provision of information by a council representative to stakeholders (internal or external). Communication includes but is not limited to, advertisements, letters, newsletters, brochures, phone calls, door knocks, signs, displays, drawings and models.

"Consultation" is two way – it is the provision of information by a council representative to stakeholders (internal or external) that enables them to respond, expressing concerns and identifying issues, so these can be considered before making a final decision. Consultation includes, but is not limited to, discussion, written submissions, surveys, group meetings, workshops, displays, public events, and formal advisory committees. Consultation provides opportunities to clarify information, raise issues and discuss ideas and options.

"Consultation Advisory Group" – to comprise the Chief Executive or nominated representative, Elected Member nominated by Council, relevant General Manager or nominated representative, Council staff responsible for administrative requirements and venue arrangements.

2. Role of Council's Community Strategic Plan

The Alexandrina Council Community Strategic Plan 2009 - 2013, contains reference to several goals that underpin the way in which the Council undertakes its business and activities. One outcome is to ensure effective communication exists between Council and its committees. Council's Public Consultation Policy aims to fulfil this goal for Council.

Furthermore the Community Strategic Plan 2009 – 2013 outlines the objectives and policies concerning the community consultation process. These objectives recognise the rights and responsibilities of the community in the decision making processes.

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3. Local Government Act 1999

The Public Consultation Policy has been developed and adopted in accordance with Section 50 of the Local Government Act. Section 50 requires the policy to identify steps Council intends to take where the Act requires consultation, and provides for the steps to vary according to the class of decisions to be made by Council. Other sections of the Act refer to consultation requirements, and in some instances set out what a Council must do rather than referring to consultation of the Public Consultation Policy. A summary of these requirements is attached as Appendix 1.

This Policy will apply to those circumstances required in the Act and may also be applied in the following circumstances.

- Roadworks which may have some impact or inconvenience to adjoining properties
- Major roadworks that effect the broader community
- Significant vegetation clearance
- Proposals for major infrastructure or community asset development
- Policy development of a substantive nature
- Initiating and coordinating special events and celebrations

4. Alexandrina Council's Charter

The Alexandrina Council's charter is as follows:

1. **Clarity**
We will be clear about the subject and the purpose of the contact with you.
2. **Language**
We will use clear and suitable language
3. **Methods**
We will use different methods for different situations
4. **Accountability**
We will use processes that are open and accessible.
5. **Respectful Behaviour**
We will listen with an open mind and treat you with respect.
6. **Encouraging Responses**
We will allow sufficient time and a range of ways for you to respond.
7. **Identification of Those Likely to be Affected**
We will identify those who are likely to be affected and communicate with them
8. **Contact Details**
We will always give a contact name and number.



9. Conflict Resolution and Complaints

We will have fair and clear complaint and conflict resolution processes.

10. Feedback

We will tell you what happened and why

11. Keep on Learning

We will continue to learn and improve the approach

5. Policy Objectives

The objective of this public consultation policy is it engages 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 their lives,
- 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

Overall, this public consultation policy aims to inspire people, groups and organisations to take an active role in caring for and enriching the Alexandrina Council community. This builds the longer term capacity of the council and its citizens to work together for a healthier, safer and more vibrant community.

Some further general objectives of this policy include:

- the public consultation process communicates the interests and meets the process needs of the participants,
- the public consultation process seeks out and facilitates the involvement of those potentially affected,
- the public consultation process involves participants in defining how they participate,
- the public consultation process communicates to participants how their input affected the decision,
- the public consultation process provides participants with the information they need to participate in a meaningful way, and
- effective public consultation in decision making increases public confidence in local government and its management of local resources and provides a continuing partnership between council and the community.

6. Principles

Some key principles of this policy include:

- people affected by a development proposal, project or substantive issue have the right to be informed and have the opportunity to participate,
- the consultation program should be interesting, equitable, inclusive and adequately resourced,



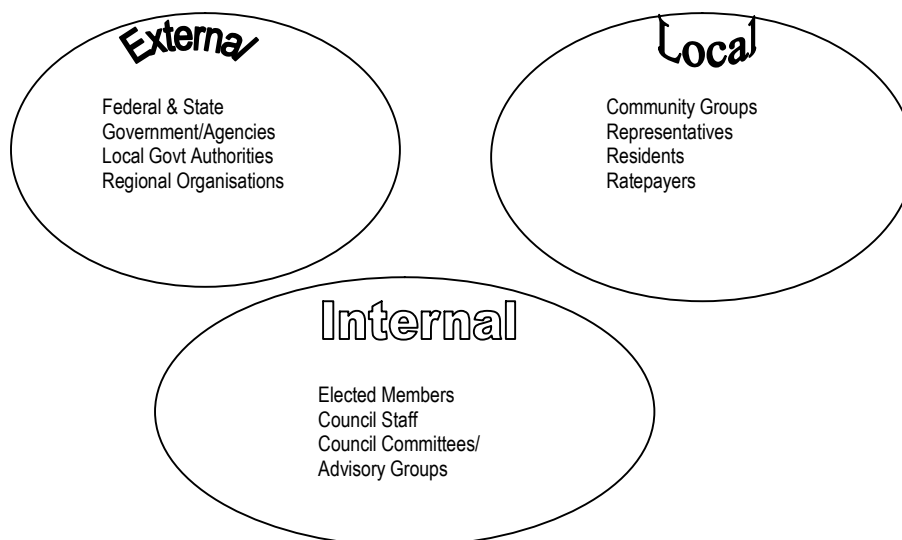
- consultation should commence early and be part of the assessment process rather than being a one off event,
- the history of a previous consultation programs should be taken into account,
- the purpose, expected outcomes and decision making process should be clearly communicated to all parties participating,
- a diversity of consultation techniques should be implemented to maximise opportunity for participation and flexibility regarding the choice of an appropriate consultation technique,
- consultation objectives should be matched with appropriate techniques,
- the consultation policy should be constantly evaluated against its objectives and modified accordingly to meet changing needs, and
- participants should be provided feedback as part of the decision process.

7. The Decision Making Process

Community consultation is one aspect of Council's decision making process. Council seems to take account of views and aspirations expressed by the community and stakeholders, and balance those with other influences such as budgetary constraints and resource availability, to make decisions within the context of Council endorsed strategic directions.

The following diagram identifies the various stakeholders that Council will consult with, where relevant appropriate to the matter before it.

Various Stakeholders – Influencing the Outcome





8. Roles and Responsibilities

This Policy will apply to Council Elected Members, staff, contractors, and agents or consultants acting on behalf of Council.

The Chief Executive is responsible for:

- implementing communication and consultation initiatives in accordance with this Policy
- reporting on outcomes of these initiatives to Council, to inform the decision making process
- reporting on the review and evaluation of the policy

9. Steps to be Taken – Deciding the Communication and Consultation Strategy

The following steps will be taken by Council to fulfil the requirements of this Policy.

The Council's Executive Management will determine the communication and consultation strategy for each specific consultation topic. In determining a strategy, the Executive Management will have regard to the views of other relevant staff and any specific requirements expressed by the Council.

➤ *The Council Executive Management (or staff under delegation) will:*

- *identify stakeholders relevant to the consultation topic*
- *decide the key messages to deliver to stakeholders*
- *identify the parameters of the consultation initiative, that is, what aspects of the decision can be influenced.*
- *identify a range of appropriate options for communicating information to stakeholders and inviting involvement – “the communication strategy”*
- *identify a range of appropriate consultation initiatives – “the consultation strategy”*
- *identify contact person(s) for interested parties to obtain further information*
- *identify timeframes relevant to the consultation initiative. Council will aim to provide 2 weeks notice of any consultation forums or opportunities, and ensure a period of 21 days is allocated from the date of inviting involvement to the final closing date for submissions.*
- *determine responsibility for:*
 - *implementing the communication and consultation strategy*
 - *reporting to Council on the outcomes*
 - *providing feedback about the decision to participants*
 - *ensuring appropriate records are kept*



Examples of the options to be considered in deciding the appropriate communication and consultation strategies are as follows:

Communication Options may include:	Consultation Options may include:
<p><i>Regular Council newsletters</i> <i>Advertisements in "The Times" & "Southern Argus" (and "Courier" if applicable)</i> <i>Advertisements in "The Advertiser" if matter has relevance to broader community</i> <i>Media releases/editorial</i> <i>Fact sheets or brochures</i> <i>Letters addressed to stakeholders</i> <i>Letter box drops in the relevant area</i> <i>Web site</i> <i>Telephone access line</i> <i>Displays in public places</i> <i>Notices in public places</i></p>	<p><i>Meetings with Elected Members and staff</i> <i>Council Advisory Committees</i> <i>Focus Groups</i> <i>Workshops for stakeholders</i> <i>Surveys through interviews/self completion</i> <i>Door knock surveys</i> <i>Open days</i> <i>Staffed displays</i> <i>Public forums and meetings</i> <i>Deputations before Council</i></p>



10. Tasks and Tools Matrix

		Providing Information	Maintaining Awareness/Updating Information	Identify concerns and issues	Develop Objectives/Visions	Development Options	Test Ideas Priorities Options	Build Relationships and Involvement	Potential for Consensus/Agreement	Potential to Reach Large Groups	Suitable to People who Don't Readily Participate	Suitable for Small Groups/Individual Contact	Obtaining Input into Decision Making	Make decision	Satisfy Statutory Requirements
COMMUNICATION	Advertisement/Media	4	4							4					4
	Letter/Phone Call/Door Knock	4		4			4				4	4			
	Newsletters/Brochure	4	4							4					
	Internet Web Site	4	4				4			4	4		4		
	Signs/Maps/Models	4	4							4					
	Pubic Display/Exhibition	4					4			4	4		4		4
CONSULTATION	Meetings with Key Individuals	4	4	4			4					4			
	Submissions			4						4		4	4		4
	Telephone hotline	4		4						4		4	4		
	Surveys			4			4			4	4		4		
	Presentation to Local Groups	4		4								4			
	Local Community Group Meetings	4	4	4		4	4					4			
	Public Meetings	4		4						4			4		4
	Search Conference	4		4	4	4			4				4		
	Workshops	4		4	4	4	4		4			4	4		
	Value Management Workshop	4			4	4	4		4				4		
	Seminar/Forum	4	4	4						4					
	Participatory Design Exercise	4			4	4	4	4	4				4		
	Community Event	4	4	4	4	4	4	4		4	4	4	4		
	Open Day Information Session	4	4	4				4		4	4	4			
PARTICIPATION	Consultative Committee	4	4					4	4				4		
	Community Forum/Precinct Committee	4	4					4	4				4		
	Advisory/Reference Group	4	4					4	4				4		
	Steering/Management Committee	4	4					4	4				4	4	
	Board/Authority	4	4					4	4				4	4	4

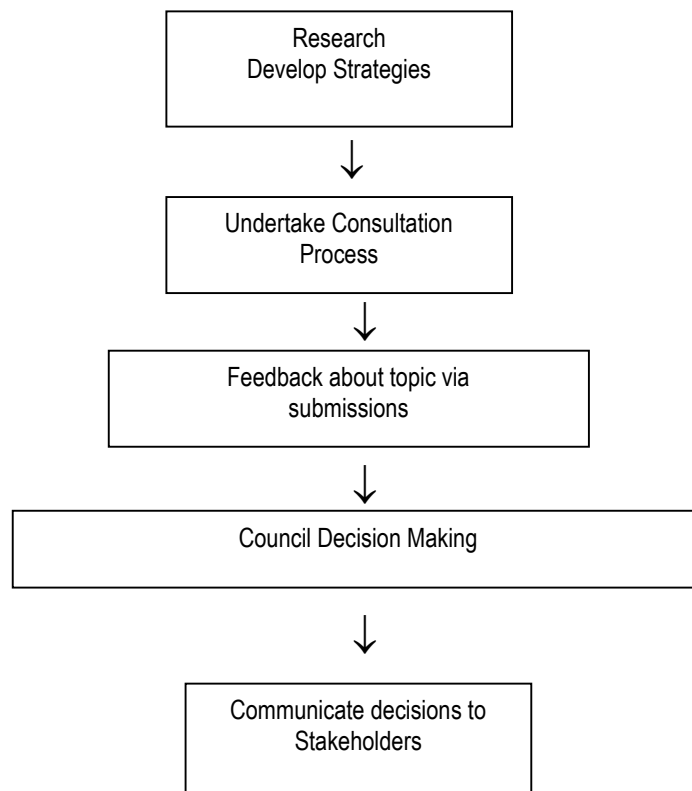


Examples of what steps Council will take in specific circumstances are as follows:

- *Topic affects several residents – Letter addressed to individual residents with information and providing contact person(s) to obtain further information or to make a submission.*
- *Topic affects several streets – Letter box drop, inviting expressions of interest. Follow up with details of a consultation forum if sufficient interest, or individual contact with interested parties.*
- *Topic affects broader community or likely to attract considerable community interest. For example, lands management, major works, regional issue, topic with potential for Council wide impact – Notice in local paper, media release, signage in targeted locations, inviting expressions of interest. Convene consultation forum, which will include information session and opportunities to express views through questions and answers, workshop session, staffed displays, and formal submissions.*
- *Inviting submissions following initial consultation phase – Display at Council Offices. Individual consultation and comment sheets to enable stakeholder feedback to be recorded.*
- *Where requirements are set out in the Local Government Act for specific topics, those requirements will be included in the steps taken by Council in those circumstances (Refer Appendix A)*

11. Consultation as Part of the Decision Making Process

The following diagram outlines how Council views its consultation activities in relation to the decision making process.





APPENDIX 1

**LOCAL GOVERNMENT ACT 1999 (SA)
PUBLIC CONSULTATION POLICY – SCHEDULE OF REQUIREMENTS**

TOPIC	SECTION	LEGISLATIVE REQUIREMENT
Definition of Public Consultation	Interpretation	Reference to Chapter 4, Part 5 only
Representation Reviews • Review and reporting to the Electoral Commissioner	12	<ul style="list-style-type: none"> • Public notice: • informing public of the preparation and availability of the report; and • inviting written submissions within a minimum 3 week period. • Copy of notice to be published in newspaper circulating within its area. • Provide opportunity for person who makes written submission on report to appear personally or by representative before Council or a Council committee to be heard on submissions • Council must then finalise its report and refer to the Electoral Commissioner.
Status of a Council/ Change of Name • Change from a municipal council to a district council, or change from a district council to a municipal council • Alter the name of the council, the area of the council, or the name of a ward.	13	<ul style="list-style-type: none"> • Public notice of the proposal inviting written submissions within a minimum period of 6 weeks, and publication of the notice in a newspaper circulating within its area • Provide opportunity for person who makes written submission to appear personally or by representative before Council or a Council committee to be heard on submissions
Principal Office – Opening Hours	45	Consult in accordance with Council's public consultation policy about the manner, places and times at which its offices will be open to the public for the transaction of business, and about any significant changes to these arrangements.
Commercial Activities – Prudential Requirements	48 (2) (d) 48 (5), (6)	<p>Report addressing prudential issues to include:</p> <ul style="list-style-type: none"> ▪ the level of consultation with the local community, including contact with persons who may be affected by the project and representations made by them. ▪ the means by which the community can influence or contribute to the project or its outcomes



TOPIC	SECTION	LEGISLATIVE REQUIREMENT
Public Consultation Policies	50	<p>Requirements for preparation, adoption and alteration to Council's public consultation policy.</p> <ul style="list-style-type: none"> • Policy must set out steps that Council will follow in cases where the Act requires the Council to follow its public consultation policy • Policy may also set out steps to follow in other cases involving council decision making • Steps may vary according to the classes of decisions within the scope of the policy, but must provide persons with a reasonable opportunity to make submissions in relevant circumstances • Section 50 (4) sets out minimum steps that must be provided for in a public consultation policy as follows: <ul style="list-style-type: none"> • publish notice describing the matter under consideration in a newspaper circulating within the area, and inviting submissions within stated period (at least 21 days) • consideration by the Council of submissions made in response. • Section 50 (6) requires the Council before it adopts, substitutes and/or alters a public consultation policy, to: <ul style="list-style-type: none"> • prepare a document that sets out its proposal; and • publish in a newspaper circulating throughout the State and a newspaper circulating within the area of Council a notice of the proposal inviting submissions within a minimum period of 1 month; and • consider any submissions received, unless the alteration is of minor significance. • Council's public consultation policy is to be made available for inspection without charge at the principal office during ordinary office hours, and for purchase on payment of a fixed fee by Council.
Code of Practice – Access to meetings and documents	92 (5)	<p>Before a council adopts, alters or substitutes a code of practice under S 92 it must follow relevant steps set out in its public consultation policy.</p>
Strategic Management Plans	122 (6)	<p>Council must adopt a process or processes to ensure that members of the public are given a reasonable opportunity to be involved in the development and review of its strategic management plans (Plans for between 3 – 5 years)</p>



<p>Annual Business Plan</p>	<p>123(3)</p>	<p>Before Council adopts an annual business plan it must follow the relevant steps set out in its public consultation policy which must provide for as a minimum:</p> <ul style="list-style-type: none"> • publication of a notice in a newspaper circulating in the area of Council informing the public of the draft annual business plan and inviting persons to – <ul style="list-style-type: none"> • attend a public meeting on the matter to be held at least 21 days after the publication of the notice; or • attend a meeting of Council to be held on a date stated in the notice at which members of the public may ask questions and make submissions for at least one hour; or • make written submissions within a minimum period of 21 days stated in the notice; and • Council to make arrangements for the public meeting or Council meeting and Council to consider written submissions or submissions made at public meeting or Council meeting; • draft annual business plan must be available at the public meeting or Council meeting above and for inspection (without charge) and purchase (on payment of a fee fixed by Council) at the principal office at least 7 days before that meeting.
<p>Change to Basis of Rating Report</p>	<p>151(6)</p>	<ul style="list-style-type: none"> • Before Council changes the basis of rating of any land or changes the basis on which land is valued for the purposes of rating or changes the imposition of rates on land it must prepare a report on the proposed change and follow the relevant steps set out in its public consultation policy which must as a minimum provide for: <ul style="list-style-type: none"> • publication of a notice in a newspaper circulating in the area of Council describing the proposed change and informing the public of the preparation of the report and inviting persons to attend a public meeting in relation to the matter at least 21 days after publication of the notice or to make written submissions within a minimum period of 21 days; and • Council to organise the public meeting and Council to consider submissions made at that meeting or in writing. • Copies of the report must be available at the public meeting and for inspection (without charge) and purchase (on payment of a fee fixed by Council) at the principal office of the Council at least 21 days before the end of the public consultation period.
<p>Rating – Differential Rates</p>	<p>156(14a)</p>	<ul style="list-style-type: none"> • Before Council changes declaring differential rates on the basis of a differentiating factor under Sections 156(1)(a), (b)(c) to another factor it must prepare a report on the proposed change and follow the relevant steps set out in its public consultation policy which must as a minimum provide for: <ul style="list-style-type: none"> • publication of a notice in a newspaper circulating in the area describing the proposed change and informing public of the preparation of the report and inviting persons to attend a public meeting in relation to the matter at least 21 days after publication of the notice or to make written submissions within a minimum period of 21 days; and • Council to organise the public meeting and Council to consider submissions made at that meeting or in writing. • Copies of the report must be available at the public meeting and for inspection (without charge) and purchase (on payment of a fee fixed by Council) at the principal office of the Council at least 21 days before the end of the public consultation period.



<p>Community Land Classification: All local government land (except a road) acquired by or brought under the care, control and management of Council is taken to have been classified as community land unless Council resolves before it becomes local government land to exclude it from classification. Revocation of classification of land as community land</p>	<p>S193(4)</p>	<p>Council must give notice in the Gazette of a resolution to exclude land from classification as community land under S193(4) of the Act.</p>
<p>Revocation of classification of land as community land</p>	<p>S194 (2)</p>	<p>Council must:</p> <ul style="list-style-type: none"> ▪ follow the relevant steps set out in its public consultation policy before revoking the classification of land as community land ▪ submit a proposal with a report on all submissions made as part of the public consultation process to the Minister.



TOPIC	SECTION	LEGISLATIVE REQUIREMENT
<p>Management Plans – Public Consultation</p> <p>Amendment or revocation of management plans</p> <p>N.B. A Council cannot dispose of community land until revocation of its classification as community land</p>	<p>S197 (1)</p> <p>S198</p>	<p>Before Council adopts a management plan for community land it must:</p> <ul style="list-style-type: none"> ▪ make copies of the proposed plan available for inspection or purchase at the Council's principle office ▪ follow the relevant steps set out in its public consultation policy ▪ give public notice of its adoption of a management plan <p>Public consultation, as Council would be required to do for a new management plan, is to be carried out prior to adopting a proposal for amendment to, or revocation of, a management plan. Public consultation is not required if the amendment has no impact or no significant impact on the interests of the community.</p>
<p>Alienation by lease or licence</p> <p>NB: Specific provisions relate to the Adelaide Park Lands – under the Parklands Act 2005.</p> <p>Authorisations/Permits</p> <ul style="list-style-type: none"> • Where road would be fenced enclosed or portioned so as to impede passage of traffic to a material degree • Use or activity for which public consultation required under regulations 	<p>S202</p> <p>S223</p>	<p>Council must follow the relevant steps set out in its public consultation policy, before granting a lease or licence relating to community land. Exceptions apply in circumstances where;</p> <ul style="list-style-type: none"> • the grant of the lease or licence is authorised in an approved management plan for the land, and the term of the proposed lease or licence is five years or less; or • the regulations provide for an exemption from compliance with a public consultation policy. <p>Council must follow the relevant steps set out in its public consultation policy before granting the authorisation or permit.</p>
<p>Roads - Trees</p>	<p>S232</p>	<p>Before planting or authorising planting of vegetation that may have a significant impact on residents, the proprietors of nearby businesses or advertisers in the area, council must follow the relevant steps set out in its public consultation policy.</p>



TOPIC	SECTION	LEGISLATIVE REQUIREMENT
<p>Passing by-laws</p> <p>N.B. No specific reference to Council's Public Consultation Policy, but minimum standards apply</p>	S249	<p>At least 21 days before resolving to make a by-law, Council must:</p> <ul style="list-style-type: none"> • make copies of the proposed by-law (and any code, standard or other document proposed to be applied or incorporated by the by-law) available for public inspection without charge during ordinary office hours at the principal office of the Council ▪ inform the public of the proposed by-law and set out the terms or describe in general terms the nature and effect of the by-law, through a notice in a newspaper circulating in the area ▪ give reasonable consideration to a written or other acceptable submission made on a proposed by-law ▪ publish a notice of the making of a by-law in a newspaper circulating in the Council area.
<p>Power to Make Orders</p> <p>Councils must take reasonable steps to prepare and adopt policies relating to power to make orders</p>	S259 (2)	<p>Council must:</p> <ul style="list-style-type: none"> ▪ prepare a draft of a policy ▪ by notice in a newspaper circulating in the Council area, advise where the draft is available for inspection (without charge) or purchase (on payment of a fee fixed by Council), and invite written representations on the draft with a period specified by the Council (at least four weeks) ▪ consider any submission made in response to the invitation <p>The requirements of S259 (2) apply prior to Council adopting an amendment to a policy, unless Council determines that the amendment is of only minor significance.</p>

12. Council Endorsement

This Policy was adopted by resolution of the Council on 4th July 2011.

13. Review & Evaluation

This Policy was reviewed in June 2011 is scheduled for further review in 2012.

14. Availability Of Policy

This Policy will be available for inspection at Council's principal office during ordinary business hours and on the Council's website www.alexandrina.sa.gov.au. Copies will also be provided to interested members of the community upon request, and upon payment of a fee in accordance with Council's Schedule of Fees and Charges.