

PUBLIC CONSULTATION POLICY

First Approved	July 2011
Status	Mandatory
Review Frequency	4 yearly or as required
Last Reviewed	20 April 2020 (ACM20561) – administrative update 26 July 2022
Next Review Due	April 2024
File Number	18.63.001 / PL2022136
Responsible Division	Office of the Chief Executive
Related Documents	Public Consultation Procedure Alexandrina Council Community Strategic Plan 2014 – 2023 LGA Public Consultation Guidelines LGA Community Engagement Handbook LGMA Reinforcing Local Government Report
Applicable Legislation	<i>Local Government Act 1999 s.50</i> <i>Local Government Act 1999 Chapter 4, part 5</i>

Introduction

Alexandrina 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 ensure that Council meets its legislative obligations in regard to public consultation by:

- Using appropriate and cost effective methods which are relevant to the specific circumstances of each consultation topic
- Informing and involving the local community, key stakeholders and interested parties
- Using feedback to enhance decision making.

Scope

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

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.

Policy Statement

The preparation and adoption of this policy fulfils the council's obligations under s.50(1) of the *Local Government Act 1999*. S.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.

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 (s.45)
- Adopting or varying a public consultation policy (s.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 (s.92)
- Adopting Strategic Management Plans (s.122)
- Excluding land from classification as community land (s.193)
- Revoking the classification as community land (s.194)
- Adopting, amending or revoking a management plan for community land (s.197)
- Amending or revoking a management plan for community land (s.198)
- Alienating of community land where the management plan does not allow it (s. 202)
- Alienating roads (s.223)

- Planting vegetation where it will have a significant impact on residents, the proprietors or nearby residents (s.232)
- Proposing to remove trees and road construction projects
- Carrying out representation reviews (s.12(5))
- Considering a change of status of Council or name change (s.13)
- Carrying out commercial activities - Prudential Arrangements (s.48)
- Making By-laws (s.249)
- Making Orders (s.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:

- Publication in a regular newsletter
- 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 forums and stakeholder meetings
- Direct consultation with community representative groups
- Active and passive use of Council's website and social media
- Use of a community email database
- Customer Surveys
- Fixed displays, eg community notice boards
- Community group representations to Council workshops.

Documentation

To assist in demonstrating that public consultation processes are fair, transparent and accountable, cost effective and meet community needs, all documentation associated with consultation processes will be recorded in the Council's records management system.

Availability of Policy

This Policy will be available for inspection at the Council's offices during normal 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 payment of a fee in accordance with Council's Schedule of Fees and Charges.