

Policy Number:	2.3
Policy Name:	Public Consultation
Classification:	Mandatory
Adopted:	26 July 2016
Frequency of Review:	Within 12 months following each Council election
Last Review:	May 2016
Next Review Due:	May 2019
Responsible Officer(s):	Governance Chief Executive Officer
Policy and Code of Practice Manual File Ref:	CC10/2601
Council File Reference:	CR16/19305
Legislation Authority:	Local Government Act 1999
Related Policies and Codes:	N/A
Related Procedures:	Public Consultation Procedure

1. INTRODUCTION

- 1.1 The Town of Gawler (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:
 - a. 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.
 - b. Community interest will vary depending on the issue and the number of people affected, and Council’s level of consultation will reflect this.
 - c. Community involvement in Council decision making should result in greater confidence in the Council and responsive decision making.
 - d. Council decision making will be open, transparent and accountable.

2. POLICY OBJECTIVE

The purpose of this policy is to ensure that Council meets its legislative obligations in regard to public consultation by:

- a. Using appropriate and cost effective methods which are relevant to the specific circumstances of each consultation topic.
- b. Informing and involving the local community, key stakeholders and interested parties.
- c. 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*. Section 50 provides that:
 - a. 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
 - b. The Council may set out the steps that Council will follow in other cases involving the Council's decision-making.
- 4.2 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.
 - a. Council must provide interested persons with a reasonable opportunity to make submissions regarding relevant matters.
 - b. 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.
 - c. Council must consider any submission received from the public during the prescribed consultation period.
- 4.3 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.

- 4.4 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.
- 4.5 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.

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:
- a. Determining the manner, places and times of its principal office (section 45).
 - b. Adopting or varying a public consultation policy (section 50).
 - c. 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).
 - d. Adopting Strategic Management Plans (section 122).
 - e. Excluding land from classification as community land (section 193).
 - f. Revoking the classification as community land (section 194).
 - g. Adopting, amending or revoking a management plan for community land (section 197).
 - h. Amending or revoking a management plan for community land (section 198).
 - i. Alienating of community land where the management plan does not allow it (section 202).
 - j. Alienating roads (section 223).
 - k. Planting vegetation where it will have a significant impact on residents, the proprietors or nearby residents (section 232).
 - l. Proposing to remove trees and road construction projects.
 - m. Carrying out representation reviews (section 12(5)).
 - n. Considering a change of status of Council or name change (section 13).
 - o. Carrying out commercial activities - Prudential Arrangements (section 48).
 - p. Making Bylaws (section 249).
 - q. Making Orders (section 259).
- 5.2 For details of the specific requirements under these sections, refer to the specified sections of the Local Government Act.

- 5.3 Other consultation and engagement methods may include:
- a. Publication in a regular newsletter.
 - b. Letters to residents and other stakeholders.
 - c. Other direct mail publications or letterbox drops, as appropriate.
 - d. Advertising in media outlets as deemed appropriate.
 - e. Media releases to appropriate media outlets and community groups.
 - f. Community forums and stakeholder meetings.
 - g. Direct consultation with community representative groups.
 - h. Active and passive use of Council's website and social media.
 - i. Use of a community email database.
 - j. Customer Surveys.
 - k. Fixed displays, e.g. community notice boards.
 - l. Community group representations to Council workshops.

6. REVIEW AND EVALUATION

The effectiveness of this Policy will be reviewed within 12 months of a Council election.

The Chief Executive Officer will report to Council on the outcome of the evaluation and if relevant make recommendations for amendments, alteration or substitution of a new Policy.

The Policy will not be altered or substituted so as to affect a process already commenced.

7. FURTHER INFORMATION

Further information about this Policy can be obtained by:-

Telephone: 8522 9211
Fax: 8522 9212
Email: council@gawler.sa.gov.au
Appointment: Town Hall, 89 – 91 Murray Street, Gawler
Letter: PO Box 130, Gawler SA 5118

8. AVAILABILITY OF POLICY

The Policy is available for inspection during ordinary business hours at the Council principal office, Gawler Town Hall or Library Council Offices, 89 – 91 Murray Street, Gawler or is available on the Council website at www.gawler.sa.gov.au.

A copy of this Policy will be provided to interested parties upon request, for a fee as contained in the Register of Fees and Charges.