

Policy Reference Number:	2.15
Classification:	Legislative Requirement
Last Reviewed:	May 2023 (Res 429/2023)
Next Review Date:	May 2027
Responsible Officer:	Chief Executive Officer
Approved By:	Council Resolution
Applicable Legislation:	Section 50 Local Government Act
Relevant Policies, Procedures and Standards:	

1. INTRODUCTION

The District Council of Robe is committed to open, accountable and responsive decision making which is informed by effective communication and consultation between the Council and the community. The Public Consultation Policy sets out the steps the Council will take to encourage community involvement in the planning and decision-making processes of Council. Council is required to seek public consultation on any legislative requirement under the Local Government Act 1999 or any other Act relevant to Council.

The aim of this policy is to ensure that appropriate and cost-effective methods are used to inform and involve the local community, key stake holders and interested parties relevant to the specific circumstances of each consultation topic.

This policy addresses the key elements of both communication and consultation. Communication is the provision of information by the Council in a timely and accessible manner, it is essentially a one-way process.

Consultation is the process of seeking informed responses from the community prior to the Council making a decision. This process allows people to respond, express concerns, ideas, and issues so they can be considered before a Council decision is made.

2. POLICY OBJECTIVE

The Public Consultation Policy has been developed and adopted in accordance with Section 50 of the Local Government Act 1999. 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. The District Council of Robe is committed to achieving a best practice standard on public consultation issues. Other sections of the Local Government Act also refer to the consultation requirements and, in some instances, set out what a council must do. See appendix 1.

This policy does not cover consultation in respect to planning and building applications (development) as Councils role and responsibilities in this area are prescribed in the Planning Development and Infrastructure Act 2016

Where there are legislative requirements for consultation under other legislation applicable

to the council, such as the Planning Development and Infrastructure Act 2016, these specific processes take precedence over this policy, should there be any inconsistency.

3. PRINCIPLES

The principles underpinning this policy are as follows.

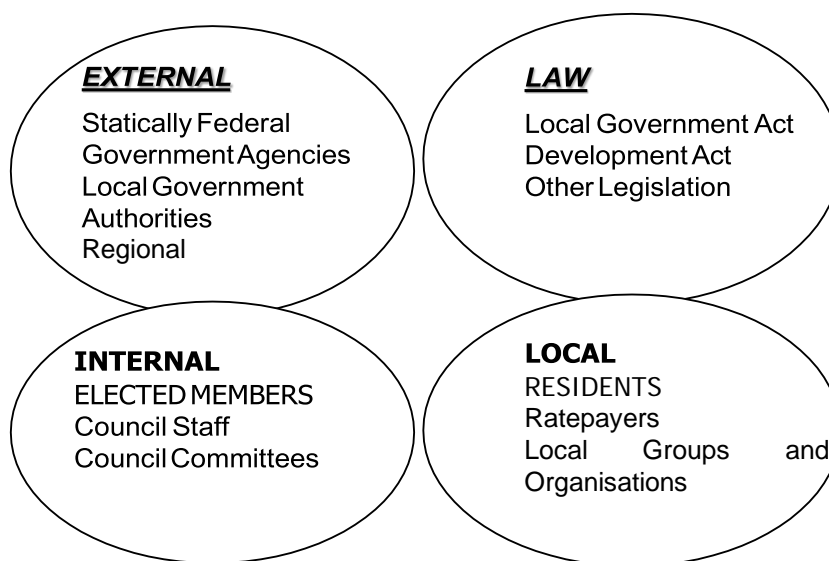
- The community has a right to be involved and informed about decisions affecting their area, and to make comment on such decisions.
- Community involvement in Council proposals will result in continued confidence in Council and thorough, informed decision making by Council.
- Council decision making should be open, transparent and accountable.
- Council recognises that the level of consultation with the community will vary depending on the community interest in the topic, number of persons potentially affected by the topic and the requirements for consultation set out in the Act for specific topics.
- The Council's desire to balance community views and interests with other influences such as budgetary constraints, legal issues, liability etc.

4. DECISION MAKING PROCESS

Community consultation is one aspect of Council's decision-making process. Council seeks to take account of the views and opinions expressed by the community and stake holders, and balance those with other influences such as budgetary constraints, legal requirements, and restrictions etc. to make decisions within the context of Council's endorsed strategic directions.

The following diagram identifies the various stakeholders that Council will consult with where relevant and appropriate to the matter under consideration.

Various Stakeholders – Influencing the Outcome



5. OBJECTIVES

The objectives of this Policy are:

- Promote positive relations between Council and the community.
- Promote effective communication and consultation between Council and the community.
- Enable the community to participate in Council planning and decision making.
- Provide the framework for community involvement in Council planning and decision making.
- Promote Council decision making, which is open, transparent, responsive and accountable to the community.

6. ROLES AND RESPONSIBILITIES

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

The Chief Executive Officer is responsible for:

- implementing the policy
- reporting on the Council's success in meeting the objectives of the policy
- reporting on the review and evaluation of the policy

7. PROCEDURE

The following steps will be taken by Council to fulfil the requirements of the policy:

1. Council will identify a range of options available to communicate information and invite submissions, to interested persons.
2. As a minimum, Council will publish a notice in a newspaper circulating within the area and Council's website, describing the matter for public consultation and inviting interested persons to make written submissions to Council within a period being a minimum of -21 days from the date of the publication of the notice unless not required by legislation.
3. Council will consider any submissions received as part of its decision-making process and will also have regard to any relevant legislation.
4. Other options that Council may choose to utilise to communicate information and invite submissions include:
 - notice in The Advertiser or other regional newspaper.
 - notice in the Robe Community Newsletter
 - letter drops (mail out) to residents / ratepayers.
 - media release
 - letters to stakeholders
 - social media i.e., Facebook
 - signs
 - displays in public places.
 - meetings and workshops with the community
5. Any steps taken by Council in addition to the minimum requirements set out in the Act are at the discretion of Council and will depend upon the particular topic under consideration, the resources available to Council and the level of interest that the topic is likely to generate.

8. ALTERATION TO OR SUBSTITUTION OF POLICY

In accordance with section 50(6) of the Local Government Act 1999 before a council alters or substitutes, a public consultation policy, they must go out to public consultation.

However, under section 50(7) of the Act, *'a council is not required to comply with subsection (6) in relation to the alteration of a public consultation policy if the council determines that the alteration is of only minor significance that would attract little (or not) community interest'*.

9. 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 Council's internet site: www.robe.sa.gov.au

Royal Circus, Robe SA 5276

Copies will be provided to interested parties upon request. Email council@robe.sa.gov.au

Any grievances in relation to this policy or its application should be forwarded in writing addressed to the Chief Executive Officer of Council.

10. POLICY REVIEW

This policy may be amended at any time and must be reviewed at least every four years since its adoption (or latest amendment).

APPENDIX 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:

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:

- 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, e.g., community notice boards
- Community group representations to Council workshops