



DISTRICT COUNCIL OF
OROROO/CARRIETON
Southern Flinders Ranges • Established 1997

Public Consultation Policy

Version 4.0

Public Consultation Policy

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Applicable Legislation	<i>Local Government Act 1999 s50</i>
Related Policies	
Related Procedures	

Introduction

The District Council of Ororoo Carrieton (“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 a 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 be involved in the Council’s decision making processes about these matters;
- the Council recognises that the level of consultation with the community will vary depending on community interest in the issue, the number of people potentially affected, and the legislative requirements for consultation set out in the Act for specific matters. The Council’s level of consultation will reflect this;
- community involvement in Council decision making will 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 promote positive interactions between the Council and the community, and to ensure that the Council meets its legislative obligations with regards to public consultation. This will be achieved 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 in the public consultation process;
- using feedback received to enhance decision making processes.

Scope

This Policy will apply as required by section 50 of the *Local Government Act 1999* (“the Act”).

This Policy applies to Council Members sitting as the elected body and Council employees, as well as contractors, agents and consultants acting on behalf of the Council.

The Chief Executive Officer is responsible for:

- the implementation of the Public Consultation Policy;
- reporting the outcomes of a public consultation process to the Council; and
- reporting on the review and evaluation of the Policy as required.

The Council has delegated responsibility to the Chief Executive Officer to determine the method of Public Consultation required for each circumstance, by reference to the requirements specified under the Act.

In accordance with the Act, the Council may, from time to time, alter this Policy or substitute a new policy. Where significant changes to the Policy are proposed, the Council must submit the proposal to a public consultation process.

Policy Statement

The preparation and adoption of this Policy fulfils the Council’s obligations under section 50 of the Act .

The Act requires the Council to consult in accordance with its Public Consultation Policy with regards to certain matters, and provides a discretion to consult for the purposes of other matters.

Section 50(2) of the Act relevantly provides that:

- the Council **must** set out the steps that the Council will follow in cases where the Act requires consultation on a matter; and
- the Council **may** set out the steps that the Council will follow in other cases involving the Council’s decision-making.

Procedure

Where it is required to follow its Public Consultation Policy under the Act, the Council has the following obligations. The Council must:

- provide interested persons with a reasonable opportunity to make a submission regarding relevant matters;
- publish a notice in a newspaper circulating in the area and on the Council’s website, describing the matter under consideration and inviting interested persons to make submissions within the period stated in the notice (which must be at least 21 days); and
- must consider any submission received from the public during the prescribed consultation period.

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

Any steps taken by the Council in addition to the minimum requirements set out under the Act are at the absolute discretion of the Council and will depend upon the particular topic under consideration, the resources available to the Council and the level of interest the topic is likely to generate.

In this regard, other consultation and engagement methods may include (but are not limited to):

- 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; and
- community group representations to Council workshops.

The Council will always refer directly to the relevant section of the Act before determining the appropriate consultation requirements.

Where there are legislative requirements for consultation under other legislation applicable to the Council, such as the *Development Act 1993*, in the event of any inconsistency, the specific legislative provisions take precedence over matters set out under this Policy.

Specified consultation requirements

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

- carrying out Representation Reviews (section 12);
- considering a change of status of Council or name change (section 13);
- determining the manner, place and time of opening of its Principal Office (section 45);
- carrying out commercial activities - Prudential Arrangements (section 48);
- 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, minutes and release of documents (section 92);
- adopting Strategic Management Plans (section 122);
- before changing the basis of rating in certain circumstances (section 151);
- before changing the basis of differential rates in certain circumstances (section 156);
- excluding land from classification as community land (section 193);
- revoking the classification of land 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 community land by lease or licence (section 202);
- authorisation or permits restricting access to a road (section 223);
- before planting vegetation that may have a significant impact on residents, the proprietors or nearby residents (section 232); passing Bylaws (section 249); and
- amending a Council policy in certain circumstances (section 259).

For details of the requirements for public consultation specified under these sections, please refer to the relevant sections of the Act.

Further information

This Policy will be available for inspection at the Council offices during ordinary business hours and available to be downloaded, free of charge, from the Council's website: www.orreroo.sa.gov.au