

	POLICY# 2.03 Community Consultation POLICY AREA Governance	Version No:	2
		Issued:	Oct 2011
		Next Review:	2018 After next election

Aims & Objectives

The District Council of Tumby Bay is strongly committed to genuine, effective and timely community consultation on a range of issues, often exceeding the minimum consultation requirements.

Under Section 50 of the Local Government Act 1999, Councils are required to adopt a community consultation policy that prescribes the minimum consultation standards.

The process of consultation must encourage the community to actively participate in policy development, planning and programming, the management and evaluation of services and in identifying areas of concern.

Community consultation precedes action. It must be seen as the beginning of the cycle which results in action. Consultation must serve and build trust within the community.

This policy is the minimum requirement for matters required to be processed through the community consultation phase of Council making a decision on a matter. However, it is intended that these requirements will be exceeded when it is the opinion of Council that greater participation by the community is required.

Policy Detail

Roles and responsibilities

The elected Council is charged with making decisions on the community's behalf. Appropriate levels of consultation will ensure that decisions take into account community views. This policy will apply to elected members, staff, contractors, agents and consultants acting on behalf of Council.

The Chief Executive Officer is responsible for the implementation of the Community Consultation policy, establishing the consultation level, reporting outcomes of the consultations to Council, and reviewing the value of the policy, and determining elements within that process where Council has not done so.

Consultation Methods

Generally, the strategic objective of any community consultation plan is to ensure that all residents receive regular information about Council's achievements, objectives and performance, and are advised of major issues affecting the community and are given the opportunity to comment on and be consulted about these.

Elements of this process include -

- A regular newsletter
- Other direct mail publications or letterbox drops, as appropriate
- Advertising in The Port Lincoln Times, Radio, Television and other media outlets as deemed appropriate

- Regular media releases to appropriate media outlets and community groups
- Community forums and stakeholder meetings
- Direct consultation with community representative groups (ie Progress Associations, Rate Payer Groups, Sporting Clubs etc)
- Councils website
- General fixed displays (noticeboards in the Council foyer and other appropriate public areas)
- Specific displays, as appropriate

Statutory requirements

In a number of areas the Council is required to comply with specific legislative requirements - such as minimum periods, publication in the Gazette and the Development Act.

Consultation processes identified in this Policy should be seen as complementing any prescribed statutory requirements which may or not be exceeded.

Development Approval

This Policy does not cover consultation in respect to planning and building applications (ie. Development Approval). The Development Act establishes specific requirements for Development Approvals in addition to which the Council has a policy for informal notification in specific circumstances.

Public Submissions

All forms and levels of community consultation will include an invitation for members of the public to provide a submission to Council. This invitation will include any minimum submission requirement (ie verbal, written only, website, etc.) and provide a closing date for receipt of submissions by Council.

Consultation Categories

The Community Consultation Policy specifies four levels of activity designed to suit all consultation requirements, ranging from the most basic public notification to a major project, or issue of community-wide significance.

Each level specifies the minimum statutory requirements relating to community consultation and exceeds them with a mixture of activities that may or may not be required.

It is Council's prerogative to establish the level of consultation required when considering a subject requiring community consultation. The level will need to reflect the minimum statutory requirements relating to that subject.

It will be applied to any matter where consultation is required by legislation, Council policy or when Council considers this to be appropriate.

Any good consultation strategy requires a certain degree of flexibility to suit the specific situation. While setting out minimum standards, each activity level reflects this need by not being too prescriptive. The following list indicates which level may apply for certain activities. (These are examples only and should not be regarded as a comprehensive list.) -

Level 1	Level 2	Level 3	Level 4
<ul style="list-style-type: none"> • Opening Hours - Office • Codes of Practice - Access to Meetings and documents • Change of street and road names • Notice of minor works • Community events • Change of parking restrictions • Minor policy amendments 	<ul style="list-style-type: none"> • Lease, redevelopment or sale of Community Land • Policies governing the making of Orders • Community Land Management Plans - (minor) • Plan Amendment Report (PAR) affecting localised area • New By-Laws • Traffic management plans • New Policy development (local/minor) 	<ul style="list-style-type: none"> • Community Land Management Plans • Open Space (major) Plan Amendment Report of more than local significance • Policy review (major/district) 	<ul style="list-style-type: none"> • Strategic Plan • Development Plan Amendment Report (DPA) affecting the whole district • Major Projects • Council amalgamations • Community Land - change in classification

Review and evaluation

The District Council of Tumby Bay reserves the right to vary this policy from time-to-time to suit a particular issue.

The legislative requirements for public consultation

Section 50 of the Local Government Act 1999 (SA) provides that Council **must** consult whenever they consider -

Issue:	Level of consultation
Determining the manner, places and times of its principal office (Section 45)	1
Adoption or variation of a public consultation policy (Section 50)	1
Altering the Code of Practice relating to the principles, policies, procedures and policies that Council will apply to Public Access to Council and Committee Meetings and their minutes and release of documents (Section 92)	1
Adopting Strategic Management Plans (Section 122)	4
Excluding land from classification as community land (one parcel) (Section 193)	1
Excluding land from classification as community land (more than one parcel)	4
Revoking the classification as community land (Section 194)	1-3
Adopting, amending or revoking a management plan for community land (section 197)	1-3
Amending or revoking a management plan for community land (section 198)	1-3
Alienating (transfer) of community land where the management plan does not allow it (Section 202)	1-3
Alienating (transfer) roads (Section 223)	1

Planting vegetation where it will have a significant impact on residents, the proprietors or nearby businesses or advertisers (Section 232)	1
Proposed removal of trees and road construction projects	1
Other forms of consultation are required in respect to:	
Representation Reviews (section 12 (5))	1
Status of Council or Name Change (Section 13)	1
Commercial Activities - Prudential Arrangements (Section 48)	1
Making Bylaws (Section 249)	2
Power to make Orders (Section 259)	2

**** Note: There is no requirement under the Act to review this policy on an annual basis.**

LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4
<u>DISTRICT ISSUES REQUIRED</u>			
<ul style="list-style-type: none"> • Compliance with statutory Requirements, (if any) • Advertisement in the Pt Lincoln Times • Website. • Council Newsletter 	<ul style="list-style-type: none"> • Compliance with statutory requirements (if any) • Advertisement in the Pt Lincoln Times • Website. • Council Newsletter 	<ul style="list-style-type: none"> • Compliance with statutory requirements (if any) • Advertising in the Pt Lincoln Times • Website • Council Newsletter 	<ul style="list-style-type: none"> • Compliance with statutory requirements (if any) • Council set budget for consultation process. • Advertising in the Advertiser and Port Lincoln Times, Radio 5CC, Local TV & other appropriate media outlets as deemed appropriate
<u>OPTIONAL</u>			
<ul style="list-style-type: none"> • A letterbox drop may be done as well or instead of press advertising. 	<ul style="list-style-type: none"> • Articles in Pt Lincoln Times, • Media release • Copies of major reports and plans being made available at Council offices and library • Consider responses and report to Council summarising responses for Council decision. • A letterbox drop may be done as well or instead of press advertising. 	<ul style="list-style-type: none"> • Website feature • Media Release as decided by Council • organising of workshops, forums, displays or focus groups • Copies of major reports and plans being made available at Council offices and library • Consider responses and report to Council summarising responses for Council decision. 	<ul style="list-style-type: none"> • Website feature • Media Release • Allow minimum 6 weeks for responses • Specific publication to all residents via letterbox drop as decided by Council, • Organising of workshops, forums, displays or focus groups • Copies of major reports and plans being made available at Council offices and library • Consider responses and report to Council summarising responses for Council decision.

<u>LOCAL ISSUES</u>			
<ul style="list-style-type: none"> • Direct consultation with relevant Progress Association or Community Group. 	<ul style="list-style-type: none"> • Letterbox drop to affected properties within 250m of site as appropriate. • Direct consultation with relevant Progress Association or Community Group. 	<ul style="list-style-type: none"> • Letterbox drop to affected properties within 500m of site as appropriate. • Forum/meeting with relevant Progress Association or Community Group. 	Not Applicable
<u>MINIMUM TIMELINES</u>			
<ul style="list-style-type: none"> • Legislative Requirement. • Optional 21 days • (days are not working days and include weekends) 	<ul style="list-style-type: none"> • Legislative Requirement. • Optional 21 days. 	<ul style="list-style-type: none"> • Legislative Requirement. • Optional 28 days. 	<ul style="list-style-type: none"> • Legislative Requirement. • Optional 35 days.

Strategic Link:

Delegation:

Documentation:

Authority: Adopted by Council:10/11/2015 {Motion 7c/112015}

SIGNED:

Responsible Officer

Date: ____/____/____

*Electronic version on the Intranet is the controlled version. Printed copies are considered uncontrolled.
Before using a printed copy, verify that it is the current version*