



TATIARA DISTRICT COUNCIL

PUBLIC CONSULTATION POLICY

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INTRODUCTION

The Tatiara District Council is committed to open, accountable and responsive decision making which is informed by effective communication and consultation between Council and the community. This Public Consultation Policy sets out the steps 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 and 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

PURPOSE

To outline the principles and procedures that the Tatiara District Council will follow to involve the Community in Council's decision making process through effective communication and consultation strategies.

DEFINITIONS

Communication: Communication involves the provision of information by Council in a timely and accessible manner.

Community engagement: is involving communities in decision making processes, which is critical in the successful development of acceptable policies and sustainable decisions in government, the private sector and the community.

Inform: One way communication providing balanced and objective information to assist understanding about something that is going to happen or has happened.

Consultation: Two way communications designed to obtain public feedback about ideas on rationale, alternatives and proposals to inform decision making prior to Council making a decision.

Involve: Participatory process designed to help identify issues and views to ensure that concerns and aspirations are understood and considered prior to decision making

Collaborate: Working together to develop understanding of all issues and interests to work out alternatives and identify preferred solutions.

Community - applies to residents, ratepayers, businesses, agencies and community groups.

Community groups - applies to resident groups, clubs and organisations operating within the Tatiara Council area.

OBJECTIVES

- (1) To establish positive relationships between Council and the Community.
- (2) To promote open, transparent and responsive decision making by Council.
- (3) To provide effective communication and consultation between Council and the Community.

- (4) To encourage and provide the opportunity for Community participation in the decision making processes of Council.
- (5) To achieve a greater level of Community input, understanding and ownership of decisions made.

SCOPE

The policy applies to Elected Members, staff, contractors and agents acting on behalf of Tatiara District Council

The policy applies to those initiatives or activities of Council for which consultation is either required by the Act, required under Council policy or is otherwise deemed necessary by Council and/or the administration.

Local Government Act 1999 – Requirement to consult using the Public Consultation Policy

It is a requirement of the Act that Council's Public Consultation Policy must be followed when dealing with the following matters:

Section	Matter to consult upon
45	Changes to the manner, places and times at which Council Offices will be open for business
92	Adoption, alteration or substitution of a code of practice relating to the principles, policies, procedures and practices to apply for meetings and documents
151	Rating - changes to the basis of rating
193 & 194	The exclusion of Local Government land from the classification as community land (S 193) or the revocation of the classification (S 194).
197 & 198	The adoption, amendment or revocation of a management plan for community land
202	The granting of a lease or licence over community land
223	The granting of a permit over a public road granting exclusive occupation or restricting access to a road, or in relation to a use or activity for which public consultation is required
232	The planting of vegetation on a public road that may have a significant impact on residents, businesses or advertisers

Local Government Act 1999 - Requirement to consult but not in accordance with the Public Consultation Policy

Consultation is also required by the Act in the following circumstances, but the conditions vary from Council's Public Consultation Policy, and these variations take precedence. The variations can take the form of differing consultation time periods and/or public notification requirements.

Section	Section Heading	Consultation Requirements
12	Representation Reviews - composition and wards	6 week consultation period and a 3 week consultation period
13	Change of status or name of council	6 week consultation period Public notification by way of: * Advertiser * Government Gazette * Border Chronicle and Naracoorte Herald

48	Commercial activities - prudential requirements	Non specified consultation to be considered
50	Public Consultation Policy	1 month consultation period Public notification by: * Border Chronicle * Naracoorte Herald
122	Strategic Management Plans	Non specified consultation required
123	Annual Business Plans	Either a public meeting 21 days after public notice, or Council meeting at a nominated time allowing 1 hour for public submission
249	By laws	making of Notification in Border Chronicle & Naracoorte Herald at least 21 days before adoption by Council
259	Power to make orders - policy	4 week consultation period

Discretionary public consultation – as required by Council

In addition to matters which require consultation as prescribed by the *Local Government Act 1999*, consultation may be required as a result of a Council decision or Council policy. In these instances, the same minimum consultation period will be used as provided for in the Public Consultation Policy. It is expected that there would be:

- a minimum 21 day consultation period
- notification of the consultation which could be in a newspaper or by direct letterboxing, depending on the circumstances, and on Council's website
- notification of the outcome of the consultation in Council's publications and website

Exceptions to the Public Consultation Policy

Where other legislation, such as the *Development Act 1993* and the *Freedom of Information Act 1991*, has its own consultation/ notification provisions, these provisions prevail over the conditions of this policy.

PRINCIPLES

Effective public consultation requires a commitment from Council for the process and there is the expectation that consultation:

- recognises the right of the community to provide feedback on areas of interest to it,
- takes place early in the planning and decision making process - before a position is adopted,
- is a two way process that relies upon a willingness by both parties to have input into the decision making process,
- brings differing perspectives which need to be taken into consideration in the decision making process,
- will tap into the local knowledge, experience and skills of the community,
- makes every effort to ensure that the broad spectrum of the community is engaged,

- will increase community awareness,
- takes into account the time constraints experienced by community groups when responding to public consultations
- includes the provision of comprehensive, balanced and accurate information, including financial costs, where appropriate,
- involves active listening on the part of Council, with all ideas and suggestions valued and respected,
- clearly identifies Council constraints with regard to decision-making to the community,
- provides the community with a range of appropriate opportunities to access information and to be involved through the use of different media, taking account of barriers to access due to language, disability or cultural issues,
- will result in better decisions for the community,
- outcomes are reported back to the whole community.

ROLES AND RESPONSIBILITIES

- (1) This Policy will apply to Council Elected Members, Staff, Contractors, and Agents or Consultants acting on behalf of the Council.
- (2) The role of Elected Members is one of policy makers.
- (3) The Chief Executive Officer is responsible for :
 - Implementing the Public Consultation Policy
 - Reporting on outcomes in meeting the objectives of this Policy
 - Reporting on the review and evaluation of this Policy

PROCEDURE

Council will fulfil its obligations with regard to legislated requirements to publicly consult under the *Local Government Act 1999* and other Acts.

Consultation is regarded as a key component of good governance. Council therefore commits to consulting with the community in decisions that affect them and in developing Council's long term strategic goals and priorities.

Public Consultation Process

Where there is a requirement to follow Council's Public Consultation Policy, the following outlines the minimum standard for consultation that can be expected:

- A notice will be placed in a local newspaper circulating within the area of the Council, inviting written submissions within a consultation period of at least 21 days, commencing from the day after the public notification. It is noted that the Padthaway area relies on the Naracoorte Herald rather than the Border Chronicle so at times the notice will be needed in both local newspapers.
- Notification of public consultations will be displayed at the:
 - Council Office in Woolshed Street Bordertown
 - Council Office in Hender Street Keith

- Padthaway General Store
- On Council's website; www.tatiara.sa.gov.au
- Council will ensure information is easily understood and accessible, and include contact details for obtaining further information in all communications.
- All relevant information will be made available for inspection at the Bordertown and Keith Offices, the Bordertown Public Library, The Keith School Community Library, the Padthaway General Store and Council's web site ; www.tatiara.sa.gov.au
- During the consultation period, Council will:
 - Identify potential stakeholders in each specific circumstance
 - Shall undertake direct engagement with the community, which may include holding public meetings, conducting random surveys and focus groups or using other consultation mechanisms as appropriate and as required;
- A report will be prepared for the consideration of Council containing all submissions received from the community. All submissions received should be accompanied by the name and residential address of the person making the submission. While a person may request that personal details not be published, they will be made available to Elected Members;
- Where appropriate, Council may hear deputations at a Full Council Meeting on the subject; Council will aim to listen and respond to community views in a balanced way, taking account of all submissions made by various stakeholders
- Community consultation is one aspect of Council's decision making process. Council in making its final decision will 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, council's adopted Policies and suite of Strategic Plans etc. A decision of Council may involve the overruling of community feedback;
- All persons who lodged a submission shall be notified of Council's decision in writing and where considered appropriate, media releases will be prepared and distributed. The decision will be reported back to the community via the website and Council Tatiara Talks publication.

Discretionary public consultation – which is not required by the Act, but may be the result of a Council decision or a Council policy

Where Council and/or administration determine independently that public consultation is required regarding a particular issue, the consultation period will be for at least 21 days, as provided by the Public Consultation Policy.

The type of notification (whether by notification in a newspaper or by letterboxing) and the reporting back will depend on the number of affected people involved.

The level and style of public consultation could vary in each circumstance depending on the:

- level of community interest or awareness,
- sensitivity of the issue,
- number of persons potentially affected,
- spread of the affected population,
- likely social, economic, environmental and cultural impacts,
- possible Council policy requirements, and
- available Council resources.

These provisions will apply to section 48 – Commercial activities – Prudential requirements and section 122 – Strategic management plans, where no specific public consultation requirements are identified in the Act.

Possible Communication Methods

Communication methods used will vary depending on the significance of the issue and the resources available. Methods used could include (but are not limited to):

- public notices in newspapers circulating in the local area
- public notices in Council newsletter (Tatiara Talks)
- letterbox drop – including owners as well as occupiers
- letters addressed to community groups - i.e. a targeted mail out
- Council's website, Facebook
- public display
- Media Releases
- flyers, brochures and posters
- signage to be placed on land or facilities when appropriate for proposed changes to the use of the land, its management plans etc.
- banners

Prior to undertaking public consultation, staff should liaise with the Manager Corporate & Community Services to develop a communication strategy.

Possible Consultation Methods

There are a variety of tools that can play a role in the consultation process:

- questionnaire/survey (including on-line)
- forum
- focus group meetings
- public meeting
- establishment of a Council advisory committee
- working with community groups
- notifying recognised community/resident groups in writing/email of forthcoming public consultations
- staffed displays
- feedback forms
- call for written submissions
- community forums

Community Response to Public Consultation by Council

The community can most effectively respond to a public consultation process instigated by Council by:

- providing a written submission by the due date
- organising a petition on a specific issue and/or signing a petition circulating on a specific issue, following Council's petition guidelines
- making a deputation to Council on a specific issue

The input of submissions, petitions and/or deputations will be considered alongside all other pertinent factors, when a decision is made. An explanation will be provided in the report to Council on the consultation process concerning the treatment of all feedback.

Public Forums

At the start of each Council meeting time will be set-aside (approx 30 minutes) for any member of the public to:

- Address Council on any issue
- Ask questions of Council on any issue

As a guide a maximum of 10 minutes per person is allowed but this is at the discretion of the Presiding Member.

Community Engagement Resources

Community Engagement Handbook – A Model Framework for leading practice in Local Government in South Australia, a publication of the Local Government Association and the Office for State/Local Government Relations, available on the LGA SA website.

Performance Measurement

Community satisfaction levels with Tatiara Council's communication and consultation processes will be measured bi-annually through the LGA organised Roy Morgan Research Community Survey.

Register of Public Consultation

An on-line register will be maintained detailing public consultation conducted by Tatiara District Council

ALTERATION OF POLICY

Council will regularly review and evaluate the Policy to ensure ongoing improvement in the way Council involves the community in its decision-making processes.

Any future alteration to this Policy will be subject to the Public Consultation provisions of the Local Government Act, 1999 unless the alteration is of only minor significance that would attract little or no Community interest.

AVAILABILITY

The Policy is available for inspection without charge at the following locations during ordinary business hours:

- Bordertown Office, 43 Woolshed Street, Bordertown, 5268
- Keith Office 34 Hender Street, Keith, 5267
- Council Web site: www.tatiara.sa.gov.au

A copy of the Public Consultation Policy may be purchased from the Council Offices for a fee of \$1.00.

RECORD OF AMENDMENT

DATE	REVISION NO	REASON FOR AMENDMENT
2 nd May 2000	Rev: 00	Draft Copy Only
13 th June 2000	Rev: 01	Public Consultation Policy adopted Council Res No 28
14 th August 2007	Rev: 02	Policy reviewed and endorsed
11 th August 2009	Rev: 03	Policy reviewed and adopted
13 th August 2013	Rev: 04	Policy reviewed and adopted