

# **GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY**

Adelaide Hills Council  
Adelaide Plains Council  
The Barossa Council  
Town of Gawler  
Light Regional Council  
City of Playford

Address: 266 Seacombe Road  
Telephone: 0407717368  
Email: [davidehitchcock@bigpond.com](mailto:davidehitchcock@bigpond.com)  
Website: [www.gawler.sa.gov.au/grfma](http://www.gawler.sa.gov.au/grfma)

---

## **P O L I C Y   D O C U M E N T**

---

### **Internal Review of Decisions**

Strategic Reference	Policy Documents
File reference	GRFMA, Admin, Policy
Responsibility	Executive Officer
Revision Number	2
Effective date	12/12/19
Last revised date	12/12/19
Minutes reference	GRB 19/68
Next review date	December 2021
Applicable Legislation	Local Government Act 1999 s50
Related Policies	Public Consultation, Access to meetings and Documents
Related Procedures	

This Internal Review of Decisions Policy has been prepared in accordance Clause 8.2.9 and 8.2.10 of the Charter of the Gawler River Floodplain Management Authority and developed with a view to the Constituent Councils obligations to prepare policies in accordance with Section 270 of the Local Government Act.

The purpose of the Policy is to provide prudent management guidelines for the day-to-day management of the affairs of the GRFMA.

## **1. DEFINITIONS**

The following definitions shall apply:

“Executive Officer” shall mean the Executive Officer of the Gawler River Floodplain Management Authority.

“GRFMA” shall mean the Gawler River Floodplain Management Authority.

## **2. INTRODUCTION**

The Internal Review of Decisions assumes that generally a matter commences as a grievance and may move into a formal request for internal review of a Board decision, if the matter is not resolved and the person is still aggrieved.

It should be noted that the Local Government Act requires a procedure to be accessible for the internal review of decisions of a Council, its employees or other people acting on behalf of Council. This policy has been prepared as though the Board were a Council and has been broadened to extend to cover internal review of matters other than those resulting from decisions of the Board.

## **3. INTERNAL REVIEW OF BOARD DECISIONS PROCEDURE**

The GRFMA is committed to transparent decision making processes and to providing access to a fair and objective procedure for the internal review of decisions.

Grievances may arise as a result of dissatisfaction with a decision about a policy, procedure, service or fee. All attempts will be made to resolve grievances quickly and efficiently, without the need for formal applications for review to be lodged. Sometimes this cannot be achieved. The procedure provides guidance for dealing with formal requests for internal review of decisions of the Board, its employees, and other people acting on behalf of Council.

Dealing with grievances at the local level is the most effective way of resolving matters quickly. Applicants for review of decisions will be encouraged to participate in the review handling process co-operatively. However, this will not negate citizens' rights to seek external review through the State Ombudsman, other legal appeal processes, or the Courts at any time during the internal review process.

### **3.1. When will the Internal Review of Decisions Procedure apply?**

Most grievances are initially made verbally by telephone, face-to-face to an officer, or some may be made in writing in the first instance. Sometimes Board Members also receive grievances. Grievances will be referred to the Executive Officer in the first instance and prompt action generally results in the matter being resolved satisfactorily.

The Internal Review of Decisions Procedure will apply to requests for review of decisions of GRFMA, its employees or other persons acting on behalf of GRFMA. A formal application or request for review of a decision will therefore initiate the procedure process. The person who lodges a formal request for internal review is referred to as the “applicant”.

The Internal Review of Decisions Procedure will apply to all formal requests for review of GRFMA decisions, except in instances where specific procedures are prescribed in Local Government or other relevant legislation. Examples of these are, Conflict of Interest, and Freedom of Information Act matters.

### **3.2. Who can lodge a request for a review of a decision?**

Any person, who is affected by the decisions made by the GRFMA, may lodge a request for Internal Review of a decision. For example, residents, ratepayers, members of a community group, and visitors to the area all have the right to lodge an application for review.

### **3.3. How can a request for a review of a decision be lodged?**

Formal requests for the review of a decision are to be made in writing to the Executive Officer, providing full details about the review request. Assistance will be provided to applicants where necessary, including the use of an interpreter, providing assistance for people with a disability, or referring applicants to an advocate to help prepare a written application.

The GRFMA undertakes to maintain confidentiality as far as is possible, and only relevant parties will be involved. Applicants will be encouraged to observe confidentiality also, as this is likely to achieve the fairest result for all concerned.

### **3.4. How will a request for internal review of a GRFMA decision be dealt with?**

Principles of natural justice will be observed in dealing with all matters. All parties will have the opportunity to express their point of view, provide relevant information, and respond to issues raised. The Executive Officer is responsible for dealing with the request for review of a decision in the first instance and will assess the request, determine the appropriate action, and arrange for independent review if necessary.

The following matters will be referred directly to the Board for consideration or re-consideration:

- Decisions made by resolution of the Board
- Board endorsed objectives and policies.
- Budgetary matters
- The Internal Review of Decisions Policy or the process applied.
- Issues which are likely to be of interest to the wider community.
- Matters that may involve litigation.
- Recommendations to refuse to review a decision raised by an applicant on the grounds that it is frivolous or vexatious, or where the applicant does not have a sufficient interest in the matter
- Matters where legal procedures have not been followed, for example, relating to leases and licences, and tenders.
- Recommendations for mediation or neutral evaluation.
- Any other matters at the discretion of the Executive Officer.

### **3.5. How long will it take for the request for review of a decision to be assessed?**

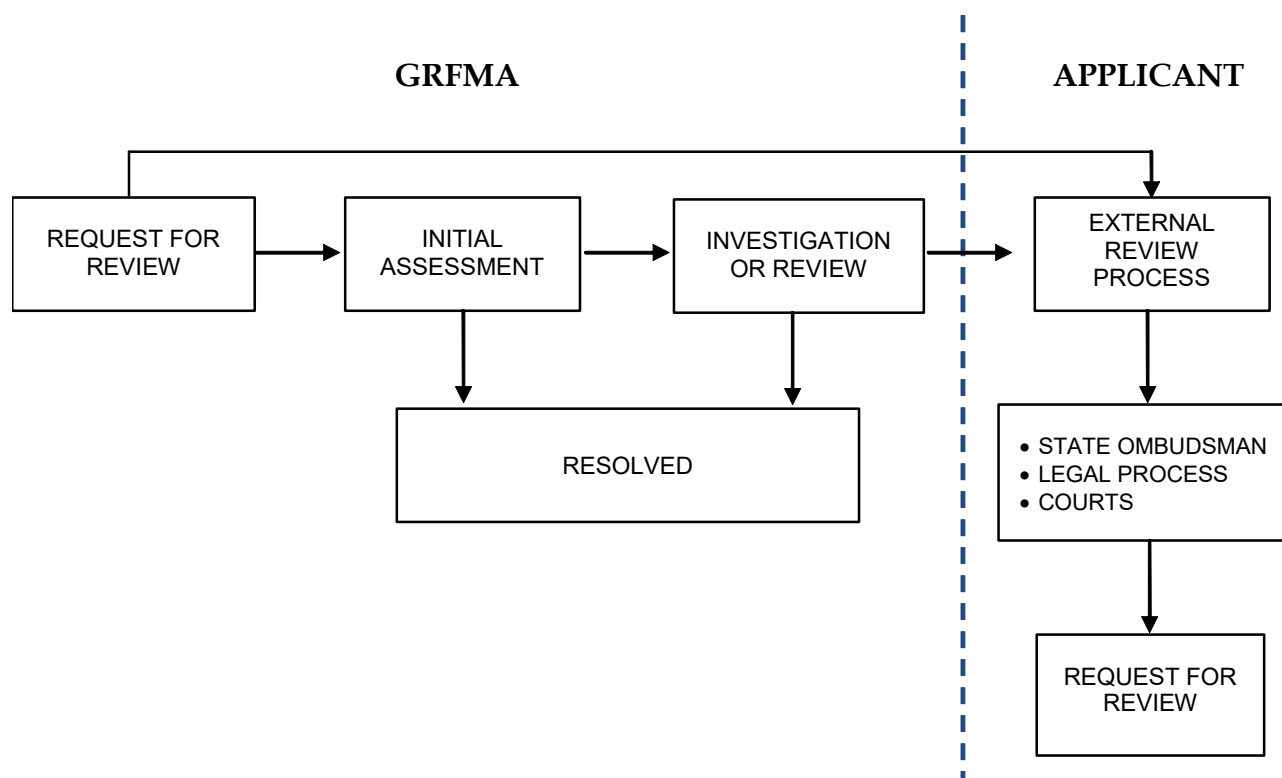
A request for review of a decision will be formally acknowledged within 5 days of receipt, including advice to applicants about the expected timeframe for dealing with the matter. In most cases applications for review will be considered within 30 days, although in some circumstances it may take longer. However, in all cases, applicants will be kept informed about the progress of the review, and advised in writing of the outcome of the review procedure and process.

### **3.6. Other Options for Review**

If applications for review are not resolved satisfactorily, applicants will be advised of other options for review, such as the State Ombudsman, legal advice, and/or the courts.

### 3.7. The Adopted Process

The following diagram demonstrates the review processes available to the applicant for the review of decisions.



## 4. FURTHER INFORMATION

Further information on aspects of this Policy is available from the Executive Officer, Mr. David Hitchcock who can be contacted by phone 04077171368 or e-mail [davidehitchcock@bigpond.com](mailto:davidehitchcock@bigpond.com)

Copies of the Policy are available from the GRFMA [www.gawler.sa.gov.au/grfma](http://www.gawler.sa.gov.au/grfma) at no charge.