

Policy Name:	Public Consultation
Classification:	Mandatory
Adopted:	28 November 2023
Frequency of Review:	Within 12 months after each general election of Council
Last Review:	November 2023
Next Review Due:	November 2027
Responsible Officer(s):	Chief Executive Officer Community Development Officer Governance
Policy and Code of Practice Manual File Ref:	CC10/2601
Council File Reference:	CR23/81982
Legislation Authority:	Local Government Act 1999
Related Policies and Codes:	N/A
Related Procedures:	Public Consultation Procedure

1. INTRODUCTION

- 1.1 The Town of Gawler (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.
- 1.2 In carrying out its consultation process, the Council applies the following principles:
 - a. Members of the community have a right to be informed about issues affecting their area and their lives and to influence Council’s decisions about these.
 - b. Community interest will vary depending on the issue and the number of people affected, and Council’s level of consultation will reflect this.
 - c. Community involvement in Council decision making should result in greater confidence in the Council and responsive decision making.
 - d. Council decision making will be open, transparent and accountable.

2. POLICY OBJECTIVE

The purpose of this policy is to ensure that Council meets its legislative obligations in regard to public consultation by:

- a. Using appropriate and cost effective methods which are relevant to the specific circumstances of each consultation topic.
- b. Informing and involving the local community, key stakeholders and interested parties.
- c. Using feedback to enhance decision making.

3. SCOPE

- 3.1 This policy applies to Council Members sitting as the elected body, Council employees, contractors, agents and consultants acting on behalf of Council.
- 3.2 The Chief Executive Officer is responsible for the implementation of the Public Consultation Policy, establishing the consultation level, reporting outcomes of the consultations to the Council, reviewing the value of the policy, and determining elements within that process where Council has delegated responsibility.

4. POLICY STATEMENT

- 4.1 The preparation and adoption of this policy fulfils the Council's obligations under section 50(1) of the *Local Government Act 1999*. Section 50 provides that:
 - a. The Council must set out the steps that the Council will follow in cases where the Local Government Act requires consultation on a matter, and
 - b. The Council may set out the steps that Council will follow in other cases involving the Council's decision-making.
- 4.2 In addition, under section 50 of the Local Government Act the Council has the following obligations:
 - a. Council must provide interested persons with a reasonable opportunity to make submissions regarding relevant matters.
 - b. Council must publish a notice in a newspaper circulating in the area and on the Council's website, describing the matter under consideration and invite interested persons to make submissions within a period (which must be at least 21 days) stated in the notice.
 - c. Council must consider any submission received from the public during the prescribed consultation period.
- 4.3 Council may, from time to time, alter this policy or substitute a new policy. In the instance that any significant changes are being proposed to the public, the Council must submit the proposal to a public consultation process.
- 4.4 Other sections of the Local Government Act also refer to consultation requirements, and in some instances set out what a Council must do. See **specified consultation requirements** below.

- 4.5 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.

5. SPECIFIED CONSULTATION REQUIREMENTS

- 5.1 Under the Local Government Act, Council is required to undertake particular types or levels of consultation (as a minimum) in relation to the following:
- a. Composition and wards (section 12)
 - b. Carrying out representation reviews (section 12).
 - c. Considering a change of status of Council or name change (section 13).
 - d. Determining the manner, places and times of its principal office (section 45).
 - e. Carrying out commercial activities - Prudential arrangements (section 48).
 - f. Adopting or varying a public consultation policy (section 50).
 - g. 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).
 - h. Adopting Strategic Management Plans (section 122).
 - i. Adopting Annual Business Plans and Budgets (section 123)
 - j. Basis of differential rates (section 156)
 - k. Excluding land from classification as community land (section 193).
 - l. Revoking the classification as community land (section 194).
 - m. Public consultation on a proposed management plan for community land (section 197).
 - n. Amending or revoking a management plan for community land (section 198).
 - o. Alienating of community land where the management plan does not allow it (section 202).
 - p. Public consultation on control of work on roads (section 223).
 - q. Planting vegetation where it will have a significant impact on residents, the proprietors of nearby businesses or advertisers in the area (section 232).
 - r. Passing By-laws (section 249).
 - s. Developing Policies (power to make orders (section 259)).
- 5.2 For details of the specific requirements under these sections, refer to the specified sections of the Local Government Act.
- 5.3 Other consultation and engagement methods may include:
- a. Your Voice Gawler, Council's online community engagement platform.
 - b. Letters to residents and other stakeholders.
 - c. Other direct mail publications or letterbox drops, as appropriate.
 - d. Advertising in media outlets as deemed appropriate.
 - e. Media releases to appropriate media outlets and community groups.

- f. Community forums and stakeholder meetings.
- g. Direct consultation with community representative groups.
- h. Active and passive use of Council's website and social media.
- i. Use of a community email database.
- j. Customer surveys.
- k. Fixed displays, e.g. community notice boards.
- l. Community group representations to Council workshops.

6. REVIEW AND EVALUATION

The effectiveness of this Policy will be reviewed within 12 months of each general election of Council.

The Chief Executive Officer will report to Council on the outcome of the evaluation and if relevant make recommendations for amendments, alteration or substitution of a new Policy.

The Policy will not be altered or substituted so as to affect a process already commenced.

7. FURTHER INFORMATION

Further information about this Policy can be obtained by:-

Telephone: 8522 9211
Email: council@gawler.sa.gov.au
Appointment: Town of Gawler Administration Centre, 43 High Street, Gawler East.
Letter: PO Box 130, Gawler SA 5118

8. AVAILABILITY OF POLICY

The Policy is available to be downloaded, free of charge, from Council's website at www.gawler.sa.gov.au

A printed copy may be purchased on request from the Council's Administration Centre.