

POLICY 2.03

Governance

Community Consultation

Version: 4 | Next Review: 2026



INTRODUCTION

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 its 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 influence council's decisions about these
- Community interest will vary depending on the issue and the number of people affected, and council's level of consultation will reflect this
- Community involvement in Council decision making should 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 ensure that Council meets its legislative obligations in regard to public consultation 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
- Using feedback to enhance decision making.

SCOPE

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

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.

POLICY STATEMENT

The preparation and adoption of this policy fulfils the council's obligations under section 50(1) of the *Local Government Act 1999* (the Act). Section 50 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 council will follow in other cases involving the council's decision-making.

In addition, under the Act the council has the following obligations where it is required by law to follow its public consultation policy.

- Council must provide interested persons with a reasonable opportunity to make submissions regarding relevant matters
- 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

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- Council must consider any submission received from the public during the prescribed consultation period.

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.

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

Where there are legislative requirements for consultation under other legislation applicable to the council, such as the *Planning and Development Act 2016*, these specific processes take precedence over this policy, should there be any inconsistency.

SPECIFIED CONSULTATION REQUIREMENTS

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

- Determining the manner, places and times of its principal office (section 45)
- 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, their minutes and release of documents (section 92)
- Adopting Strategic Management Plans (section 122)
- Adopting annual business plans and budgets (section 123)
- Excluding land from classification as community land (section 193)
- Revoking the classification 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 of community land where the management plan does not allow it (section 202)
- Alienating roads (section 223)
- Planting vegetation where it will have a significant impact on residents, the proprietors or nearby residents (section 232)
- Proposing to remove trees and road construction projects
- Carrying out representation reviews (section 12(5))
- Considering a change of status of Council or name change (section 13)
- Carrying out commercial activities - Prudential Arrangements (section 48)
- Making Bylaws (section 249)
- Making Orders (section 259)

For details of the specific requirements under these sections, refer to the specified sections of the Act.

Other consultation and engagement methods may include:

- Publication in a regular newsletter
- Letters to residents and other stakeholders

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- 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
- Community group representations to Council workshops

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 (i.e. verbal, written only, website, etc.) and provide a closing date for receipt of submissions by Council.

CONSULTATION CATEGORIES

This policy specifies four levels of activity designed to suit all consultation requirements. Each level specifies the minimum requirement.

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.

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• Code 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)• New By-Laws• Traffic management plans• New Policy development	<ul style="list-style-type: none">• Community Land Management Plans• Open Space (major) Plan Amendment• Report of more than local significance• Policy review	<ul style="list-style-type: none">• Strategic Plan• Major Projects• Council amalgamations• Community Land - change in classification

REQUIRED

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Level 1	Level 2	Level 3	Level 4
<ul style="list-style-type: none"> Compliance with statutory requirements (if any) Advertisement in newspaper servicing the local area Council Website Council Newsletter 	<ul style="list-style-type: none"> Compliance with statutory requirements (if any) Advertisement in newspaper servicing the local area Council Website Council Newsletter 	<ul style="list-style-type: none"> Compliance with statutory requirements (if any) Advertisement in newspaper servicing the local area Council 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 Advertisement in newspaper servicing the local area Advertisement on radio servicing the local area Advertisement on TV servicing the local area Other media outlets as deemed appropriate
OPTIONAL			
<ul style="list-style-type: none"> Letterbox drop in addition to or instead of press advertising 	<ul style="list-style-type: none"> Articles newspaper servicing the local area Media release Copies of reports and plans available at Council offices and library Consider responses and report to Council summarising responses for Council decision Letterbox drop in addition to or instead of press advertising 	<ul style="list-style-type: none"> Website feature Media Release as decided by Council Community workshops, forums, displays or focus groups Copies of reports and plans 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 Community workshops, forums, displays or focus groups Copies of reports and plans available at Council offices and library Consider responses and report to Council summarising responses for Council decision
LOCAL ISSUES			
<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 	<ul style="list-style-type: none"> Not Applicable
MINIMUM TIMELINES			

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<ul style="list-style-type: none">Legislative requirementOptional 21 days (days are not working days and include weekends)	<ul style="list-style-type: none">Legislative requirementOptional 21 days	<ul style="list-style-type: none">Legislative RequirementOptional 28 days	<ul style="list-style-type: none">Legislative requirementOptional 35 days
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AVAILABILITY OF POLICY

This policy will be available for inspection at the Council's Offices during ordinary business hours and via the Council's website www.tumbybay.sa.gov.au. Copies will also be provided to the public upon request, and upon payment of a fee in accordance with the Council's Schedule of Fees and Charges.

Strategic Reference	Connected, Vibrant and Empowered Communities
Delegation	Chief Executive Officer
Effective date	10/01/2023
Minutes reference	5c/12023
Next review date	Council Election 2026
Applicable Legislation	Section 50 <i>Local Government Act 1999</i>
Related Policies	Nil
Related Documents	Nil

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

Reviewed by Council: 12/05/2020 {Motion 3c/52020}

Adopted by Council: 10/01/2023 {Motion 5c/12023}

Signed:



Responsible Officer

Date: 10/01/2023

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