



Public Consultation Policy

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Responsible Department:	Governance
Related Policy/Procedure:	Social Media Policy Community Engagement Strategy
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Current Review Date:	16 April 2020
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Applicable Legislation:	Local Government Act, 1999 Public Access and Public Consultation Notice (No. 2) 2020
Next Review Date:	April 2024
Review Frequency:	4 Yearly or when legislation changes

1. Purpose

Public consultation and engagement plays a pivotal role in guiding the decision making process and the use of inclusive, effective and modern engagement practices greatly assists in providing maximum reach when seeking feedback from the community.

The purpose of the Public Consultation Policy (the '**Policy**') is to outline the principles and procedures that the Light Regional Council will follow to involve the community in planning and decision making for the local area, and to ensure accountability of the Council to the community through effective communication and consultation strategies.

2. Public Health Emergency: Public Access and Public Consultation

On 15 March 2020, the Chief Executive of the Department for Health and Wellbeing in the State of South Australia, pursuant to section 87 of the *South Australian Public Health Act 2011*, declared that an emergency which threatens to cause the death of, or injury or other damage to the health of any person is occurring or about to occur in relation to the transmission of COVID-19, and declared the emergency to be a public health emergency.

On 22 March 2020, the State Co-ordinator for the State of South Australia declared, pursuant to section 23 of the *Emergency Management Act 2004*, that a Major Emergency is occurring in respect of the outbreak of the Human Disease named COVID-19 within South Australia.

On 8 April 2020 the Minister for Transport, Infrastructure and Local Government issued a notice pursuant to section 302B of the *Local Government Act 1999*, the *Public Access and Public Consultation Notice (No 2) 2020 (Notice No 2)* varying or suspending the operation of the specified provisions of the *Local Government Act 1999* as set out in Schedule 1 to Notice No 2. Notice No 2 commenced operation on 8 April 2020.

For the period Notice No 2 has effect (as provided for in Notice No 2), this Public Consultation Policy is altered as set out below and those alterations have effect notwithstanding any other provision in this Policy to the contrary.

For the avoidance of doubt, save for the alterations to the Policy as set out below, the Policy otherwise applies to public consultation undertaken by the Council for the purposes of the *Local Government Act 1999*.

Alterations to Public Consultation Policy**A. Definitions**

For the purposes of these alterations **the Council** includes an officer or employee of the Council acting within the scope of that person's ordinary functions and duties except in circumstances where these alterations expressly require a matter to be considered at a meeting of the Council.

B. Statutory Requirement to Hold Public Meetings Suspended

The Council will not publish a notice in a newspaper circulating in the area of the Council inviting interested persons to attend a public meeting or meeting of the Council in relation to any matter within the scope of Sections 123, 151 or 156 of the *Local Government Act 1999* for which public consultation is required under the *Local Government Act 1999*. The Council will not hold such a public meeting or invite persons to attend a meeting of the Council to ask questions or make submissions on the matter.

The Council will publish a notice in a newspaper circulating in the area of the Council inviting interested persons to make written submissions within the period stated in the notice (which will not be less than 21 days after the publication of the notice) in relation any matter within the scope of Sections 123, 151 or 156 of the *Local Government Act 1999* for which public consultation is required under the *Local Government Act 1999*. The Council will consider the submissions at a meeting of the Council.

C. Other Requirement to Hold Public Meeting Suspended

The Council will not hold a public meeting in relation to any matter for which the *Local Government Act 1999* requires the Council to follow the steps set out in its public consultation policy.

The Council will not hold a public meeting in relation to any matter for which this Policy would, but for this provision, require the Council to hold a public meeting.

To the extent this Policy would otherwise require the Council to hold a public meeting in relation to a matter, the Council will instead publish a notice on its website or in a newspaper circulating in the area of the Council inviting interested persons to make written submissions in relation to any matter within the period stated in the notice (which will not be less than 21 days after the publication of the notice, unless the matter is considered by the Council to require urgent consideration and it is not otherwise contrary to the *Local Government Act 1999* to consult for a lesser period). The Council will consider the submissions.

D. Other Requirement to undertake in Person Consultation Activity Suspended

The Council will not undertake any form of face-to-face or in person public consultation activity (including without limitation a door knock, focus group, forum, briefing session, workshop, open house, citizen panel, conversation café, citizen jury, round table or symposium) in relation to any matter for which the *Local Government Act 1999* requires the Council to follow the steps set out in its public consultation policy.

The Council will not undertake any form of face-to-face or in person public consultation activity (including without limitation a door knock, focus group, forum, briefing session, workshop, open house, citizen panel, conversation café, citizen jury, round table or symposium) in relation to any matter for which this Policy would, but for this provision, require the Council to hold such an activity.

To the extent this Policy would otherwise require the Council to hold a face-to-face or in person public consultation activity in relation to a matter, the Council will instead publish a notice on its website or in a newspaper circulating in the area of the Council inviting interested persons to make written submissions in relation any matter within the period stated in the notice (which will not be less than 21 days after the publication of the notice, unless the matter is considered by the Council to require urgent consideration and it is not otherwise contrary to the *Local Government Act 1999* to consult for a lesser period). The Council will consider the submissions.

E. Suspension of Other Inconsistent Provisions

To the extent that any other provision of this Policy could be read as requiring the Council to undertake public consultation with a person face-to-face or in person, the provision is suspended while these provisions are in effect and the provisions of paragraph D operate in their stead.

3. Scope

This policy has been prepared to address the requirements of Section 50 of the *Local Government Act, 1999* (the **Act**) and sets out the steps the Council will take:

- Where it is required by the Act to follow its Public Consultation Policy;
- Where the Act requires consultation but is not specific in the use of this Policy as the basis;
- In encouraging community involvement in planning and decision making;
- Where other legislation prescribes consultation processes and those processes are followed as a minimum, the Policy will be applied to any discretionary elements of such consultation.

In addition, this policy provides guidance on what mechanisms and practices Council will utilise to consult with the community and complements the *Light Regional Council Community Engagement Strategy 2017–2022*.

4. Policy Aim

The aim of this policy is to:

- Undertake consultation in a manner which ensures all sections of the community have the ability to be involved in the decision making process;
- Ensure that decision making reflects the aspirations of the community and takes into account influences such as budgetary constraints;
- Promote and build positive relationships between Council and the community;
- Provide an open, transparent and timely decision making environment;
- Ensure information is easily understood and accessible;
- Be responsive and share information where appropriate; and
- Ensure consultation is undertaken on the basis of honesty and integrity.

5. Definitions

5.1 **Act** refers to the *Local Government Act, 1999* unless otherwise specified.

5.2 **Council** means elected members, staff, contractors and agents and consultants acting on behalf of Light Regional Council.

5.3 **Community Engagement Strategy** refers to the *Light Regional Council Community Engagement Strategy 2017–2022*.

5.4 **Public Consultation** is the deliberate act of involving those who may be affected by a decision in the decision-making process to promote sustainable decisions by providing participants with the information they need to be involved in a meaningful way, and communicates to participants how their input affects the decision.

6. Policy Statement

6.1 Consultation Overview

- 6.1.1 Council will follow this policy when undertaking consultation required by legislation or when public consultation is deemed necessary.
- 6.1.2 Council is committed to engagement and the principles which form the basis for how engagement will be undertaken are described in Council's *Community Engagement Strategy 2017–2022*.
- 6.1.3 Where there are legislated requirements for consultation under other legislation, then these take precedence over this Public Consultation Policy, insofar as if there is any inconsistency.
- 6.1.4 Consultation processes will be selected to best meet the needs of the local community and Council and tailored to the circumstances involved.
- 6.1.5 The issue on which community views are sought will be clearly stated and the parameters of the consultation defined.
- 6.1.6 Council will use the most cost-effective methods of consultation that are appropriate for the identified stakeholders and to the topic or proposal under consideration.
- 6.1.7 Council will consider any submissions received as part of its decision making processes and the final decision on all matters under consideration will be made by the Council in its role as the elected representative body of the community or by appropriately delegated Council officers.
- 6.1.8 In determining the appropriate consultation process, Council will consider the likely impact of the topic to be consulted and the interests of different stakeholder groups. In addition to following minimum legislated processes, Council will seek to utilise consultation methods tailored to the stakeholder groups likely to be impacted by the topic.
- 6.1.9 Council will identify a range of options available to it to communicate information to interested persons/stakeholders and invite submissions, including:
- Press advertisements/public notices;
 - Surveys/letters (either online, postal or face-to-face);
 - Media releases;
 - Public meetings/hearings/drop-in sessions or appointments with staff;
 - Displays;
 - Newsletters;
 - Council's website;
 - Council's Social Media platforms;
 - Other mediums that are determined as being appropriate by Council.

6.2 Public Consultation Steps – Local Government Act, 1999 Requirements

6.2.1 In circumstances where the Act specifically requires reference to Council's Public Consultation Policy then Council will comply with the Act as a minimum and:

- prepare a document that sets out Council's proposal in relation to the matter; and
- publish a notice in local newspapers – 'The Herald', 'The Leader' and 'The Bunyip' describing the matter for which public consultation is required, including those requirements provided under the Act, and inviting interested persons to make submissions to Council within a period being at least twenty-one (21) days from the date of the notice, or as otherwise provided for in the Act; and
- when submissions have been received by the specified date, Council staff will summarise and analyse the information;
- In certain instances, a relevant Council Committee will review the matter and staff recommendations;
- The Elected Body will consider a report and relevant recommendation/s from the Council administration which:
 - summarises the public consultation responses and outcomes;
 - presents the information in a broader context of the matter under consideration; and
 - makes recommendations for Council or the Committee to consider when deciding on the matter/s.

6.2.2 Appendix A describes the processes to be undertaken by Council in these circumstances.

6.2.3 Council's Elected Body will consider publication of a notice in 'The Advertiser' where it is required or where it deems a consultation topic warrants notification more broadly.

6.2.4 In addition to the minimum requirements set out in the Act, Council will actively seek to use a range of options to communicate consultation activities. Use of additional consultation mechanisms are at the absolute discretion of Council and will depend upon the particular topic under consideration, the resources available to Council and the level of interest that the topic is likely to generate.

6.3 Public Consultation Steps – Other Circumstances

6.3.1 When a matter under Council's consideration is not specifically required by the Act to follow the steps set out in the Public Consultation Policy but specific sections within the Act do require that certain public consultation steps must be followed (or other circumstances as determined from time-to-time), Council will be guided by this Policy and the steps outlined in the relevant section of the Act.

6.3.2 Appendix B describes the processes to be undertaken by Council in these circumstances.

6.4 Public Consultation – Community Land

6.4.1 In addition to the requirements set out in Appendix A, prior to resolving to dispose of any land that has been excluded from classification as Community Land (other than land with an operational use) in accordance with Section 193(1)(a) of the Act, the Council will hold a public meeting in relation to the matter. Although if no written submission is received indicating an interest to be heard, the public meeting will not be held.

7. **Community Engagement Strategy**

7.1 Council has adopted the *Light Regional Council Community Engagement Strategy 2017–2022* (the 'strategy'). This strategy has been prepared to describe Council's commitment to engagement, provide clear direction on how Council will communicate consultation opportunities and detail how the community can shape the outcomes.

Policy No: Version:	Section 6 No. 9 Amendment No. 5	Date of this Policy: 16 April 2020	Page 5 of 13
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- 7.2 The strategy will provide guidance to Council when undertaking consultation and supports the implementation of this Policy and should be read in-conjunction with this policy.
- 7.3 The strategy sets out a clear model of engagement which nominates four (4) different levels of participation depending on the topic being considered. Each level nominates different opportunities for feedback and influence on the decision as follows:
- 7.3.1 Inform – which seeks to provide information and has a commitment to keep persons informed;
- 7.3.2 Consult – which seeks feedback on preferences and makes a commitment to keep persons informed, listen and acknowledge concern and provide feedback on how input shaped the decision;
- 7.3.3 Involve – which includes the involvement of the community to understand needs and concerns and seeks to work with interested persons to shape alternatives and provide feedback on how input influenced the decision; and
- 7.3.4 Collaborate – which seeks to partner with the community to identify the preferred outcome/s. This process looks for direct advice in formulating a solution and community advice and input will be included in the decision making process to the maximum extent possible.

A copy of the modified table is included below.

- 7.4 When undertaking consultation, Council will clearly identify the level of participation and provide opportunities for input aligned with this level.
- 7.5 Should areas of dispute arise between the policy and the strategy, the policy will take precedence.

Level of Participation

INCREASING LEVEL OF INFLUENCE ON DECISION MAKING

	INFORM	CONSULT	INVOLVE	COLLABORATE
Goal of Participation	Provide information to assist in understanding how decisions will be/were made.	Obtaining feedback on preferences when there are options available.	Involving people and working together to understand all needs and concerns.	Partner with the community in each aspect of the decision including the development of alternatives and the identification of the preferred outcomes.
When will it be used?	When: <ul style="list-style-type: none"> A decision is made for legislative, financial, environmental or technical reasons; There is no opportunity to influence the outcome. 	When: <ul style="list-style-type: none"> Input is required on concepts or designs; There are several options available; Final decisions are being shaped; Issues and concerns are unclear. 	When: <ul style="list-style-type: none"> We need community knowledge to influence the decision; There is likely to be a high level of interest; We need to talk with us and each other about complex issues. 	When: <ul style="list-style-type: none"> We need community knowledge and input to work together to make the decision. There is likely to be a high level of interest; We need the community to understand the issues and directly influence the recommendations and decision
Commitment to the Community	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and issues are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We look to the community for direct advice and innovation in formulating solutions and incorporate the community's advice and recommendations into the decision making process to the maximum extent possible.

References

- *Local Government Act, 1999 (Section 50).*
- *Light Regional Council Community Engagement Strategy 2017-2022*

History

1. *Original document adopted by Council on 20 June 2000.*
2. *Clause 6.2 included in policy and adopted by Council on 21 January 2003, Minutes Reference 16.2.2.7, Page 2003/21.*
3. *Clauses 6.1.2 and 9 amended and adopted by Council on 21 October 2003, Minute Reference 15.2.2, Page 2003/423.*
4. *Amendment No. 3 Policy Schedule of Requirements amended and adopted by Council on 18 September 2007, Minute Reference 10.3.4, Page 2007/278.*
5. *Amendment No. 4 adopted at Council meeting held 26 September 2017 Minute Reference Item 10.2 page 2017/344*
6. *Amendment No. 5 adopted at Council meeting held 16 April 2020, Minute reference 5.1.2m Page 2020/58*

Appendix A

Public Consultation – Schedule of Requirements: for matters **where Council is specifically required** by the *Local Government Act, 1999* to follow the steps set out in its Public Consultation Policy.

(Note: Section 50 of the Act requires Council to prepare and adopt a public consultation policy. The policy must set out the steps that the Council will follow where the Act requires that a Council must follow its public consultation policy; and may set out steps that the Council will follow in other cases involving Council decision-making).

Matter	Section of the Act	Summary of Public Consultation Steps
Principal Office – Opening Hours Council should consult with its local community in accordance with its public consultation policy about the manner, places and times at which its offices will be open to the public for the transaction of business, and about any significant changes to these arrangements.	S.45	As per the steps set out in Section 6 of this Policy.
Code of Practice – Access to Meetings and Documents Before a council adopts, alters or substitutes a code of practice under S 92 it must follow relevant steps set out in its public consultation policy.	S.92	As per the steps set out in Section 6 of this Policy, with the addition of: <ul style="list-style-type: none"> Before Council adopts, alters or substitutes a code of practice under this section it must make copies of the proposed code, alterations or substitute code (as the case may be) available for inspection or purchase at the Council's principal office.
Annual Business Plans and Budgets Before a council adopts an annual business plan, it must follow the relevant steps set out in its public consultation policy taking into account the requirements of sub-section (4) of this section of the Act.	S.123	As per the steps set out in Section 6 of this Policy. In addition, the consultation process must provide for the following: <ul style="list-style-type: none"> The publication in a newspaper circulating within the area of the Council of a notice informing the public of the preparation of the draft annual business plan and inviting interested persons to attend: <ul style="list-style-type: none"> a public meeting in relation to the matter to be held on a date (which must be at least 21 days after the publication of the notice) stated in the notice; or a meeting of the Council to be held on a date stated in the notice at which members of the public may ask questions, and make submissions, in relation to the matter for a period of a least one hour. Council must make arrangements for a meeting and the consideration of any submissions made at that meeting, including ensuring copies of the draft annual business plan are available at the meeting for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council at least 21 days before the date of that meeting. Council must ensure that provision is made for a facility for asking and answering questions and the receipt of submissions on its website during the public consultation period.
Basis of Rating Before a council changes the basis of the rating of any land, or changes the basis on which land is valued for the purposes of rating or changes the imposition of rates on land by declaring or imposing a separate rate, service charge or service rate on any land the council must follow the relevant steps set out in its public consultation policy.	S.151	As per the steps set out in Section 6 of this Policy. In addition Council must: <ul style="list-style-type: none"> Prepare a report on the proposed change; and Publish a notice, in a newspaper circulating within the area of the Council, describing the proposed change and inviting interested persons to attend a public meeting in relation to the matter to be held on a date (which must be at least 21 days after the publication of the notice) stated in the notice; Organise a public meeting and the consideration by the Council of any submissions made at that meeting or in response to the invitation; Ensure copies of the report are available at the meeting and for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council at least 21 days before the end of the period for public consultation. <p>Note: A Report required under subsection (5)(d) may form part of the Council's draft annual business plan (and that plan as adopted) and the public consultation may be undertaken as part of the public consultation required with respect to the Council's draft annual business plan.</p>

<p>Basis of Differential Rates</p> <p>Differential rates may vary according to the use of land; locality of the land; locality of the land and its use; or on some other basis determined by Council.</p> <p>Before Council changes from declaring differential rates in relation to any land it must follow the steps in this Policy</p>	S.156	<p>As per the steps set out in Section 6 of this Policy. In addition Council must:</p> <ul style="list-style-type: none"> • prepare a report on the proposed change; • Publish a notice, in a newspaper circulating within the area of the Council, describing the proposed change, informing the public of the preparation of the report and inviting interested persons to attend a public meeting in relation to the matter to be held on a date (which must be at least 21 days after the publication of the notice) stated in the notice; • Organise a public meeting and the consideration by Council of any submissions made at that meeting or in response to the invitation. • Ensure copies of the report are available at the meeting and for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council at least 21 days before the end of the period for public consultation. <p>Note: A Report required under subsection (14a)(a) may form part of the Council's draft annual business plan (and that plan as adopted) or a report prepared for the purposes of section 151(5)(d) and the public consultation may be undertaken as part of the public consultation required with respect to the Council's draft annual business plan or consultation under section 151(7).</p>
<p><u>Community Land – Exclusion from Classification</u></p> <p>Before the Council resolves to exclude land from classification as community land it must follow the steps set out in this policy.</p>	S.193	As per the steps set out in Section 6 of this Policy.
<p><u>Community Land – Revocation of Classification</u></p> <p>Council may (subject to the exceptions and qualifications set out in section 194 of the Act) revoke the classification of land as community land. In addition to the procedure outlined in the Act which Council must undertake, Council must also follow the steps in this Policy.</p>	S.194	<p>As per the steps set out in Section 6 of this Policy. In addition Council must:</p> <ul style="list-style-type: none"> • prepare and make publically available a report on the proposal containing: <ul style="list-style-type: none"> ○ a summary of the reasons for the proposal; and ○ a statement of any dedication, reservation or trust to which the land is subject; and ○ a statement of whether revocation of the classification is proposed with a view to sale or disposal of the land and, if so, details of any Government assistance given to acquire the land and a statement of how the council proposes to use the proceeds; and ○ an assessment of how implementation of the proposal would affect the area and the local community; and ○ if Council is not the owner of the land – a statement of any requirements made by the owner of the land as a condition of approving the proposed revocation of the classification. • After complying with the above requirements Council must: <ul style="list-style-type: none"> ○ Submit the proposal with a report on all submissions made on it as part of the public consultation process to the Minister; and ○ If approved by the Minister, may make a resolution revoking the classification of the land as community land.
<p><u>Community Land - Management Plans – Adoption of a management plan</u></p> <p>A council must prepare and adopt a management plan or management plans for its community land.</p> <p>Before a council adopts a management plan for community land it must follow the steps in this Policy.</p>	S 197(1)	<p>As per the steps set out in Section 6 of this Policy. In addition, Council must:</p> <ul style="list-style-type: none"> • make copies of the proposed plan available for inspection or purchase at the Council's principal office; • give public notice of its adoption of a management plan.

<p><u>Community Land - Management Plans - Amendment or revocation of management plans</u></p> <p>A management plan may be amended or revoked by the adoption of a proposal for its amendment or revocation.</p>	S.198	<p>As per the steps set out in Section 6 of this Policy. In addition, Council must:</p> <ul style="list-style-type: none"> • make copies of the proposed plan available for inspection or purchase at the Council's principal office; • give public notice of its adoption of a management plan. <p>Note: If Council has adopted a management plan after a process of public notification and consultation before the commencement of the Act, S197(1) does not apply.</p>
<p><u>Community Land - Alienation by lease or licence</u></p> <p>A council may grant a lease or licence over community land (including community land that is, or forms part of, a park or reserve)</p>	S.202	<p>As per the steps set out in Section 6 of this Policy.</p> <p>Note: A council need not comply with these requirements if:</p> <ul style="list-style-type: none"> • the grant of a lease or licence is authorised in an approved management plan for the land/and or the term of the proposed lease or licence is five years or less; or • the regulations provide in the circumstances of the case, for an exemption from compliance with a public consultation policy.
<p><u>Roads – Permits restricting access, or for use or activity requiring public consultation under regulations</u></p> <p>If Council proposes to grant an authorisation or permit that would result in any part of the road being fenced, enclosed or portioned so as to impede the passage of traffic to a material degree; or in relation to a use or activity for which public consultation is required under the regulations then Council must follow the steps in this policy.</p>	S.223	<p>As per the steps set out in Section 6 of this Policy. In addition, Council must:</p> <ul style="list-style-type: none"> • given written notice of the proposal to agencies that are, under the regulations, to be notified of the proposal.
<p><u>Roads – Planting of Trees or Vegetation</u></p> <p>Before Council plants vegetation, or authorises or permits the planting of vegetation on a road, the Council must follow the steps in this Policy.</p>	S.232	<p>As per the steps set out in Section 6 of this Policy. In addition, Council must:</p> <ul style="list-style-type: none"> • give consideration to whether the vegetation is, on balance, appropriate to the proposed site taking into account: <ul style="list-style-type: none"> ○ the use and construction of the road (including interference with structures and services); and ○ road safety matters; and ○ other matters c8.3 ○ onsidered relevant. • If the vegetation may have a significant impact on residents, the proprietors of nearby businesses or advertisers in the area, councils must follow the relevant steps set out in Section 6 of this Policy.

Appendix B

Public Consultation – Schedule of Requirements: for matters **where Council is not specifically required** by the *Local Government Act, 1999* to follow the steps set out in its Public Consultation Policy, but is required to comply with public consultation steps as set out in the relevant sections of the Act.

Matter	Section of the Act	Summary of Public Consultation Steps
<p><u>Declaration or amendment of Townships</u></p> <p>Township is defined under section 4 'Interpretation' as...<i>'any part of the area of a Council that contains at least 20 residences and that is defined as a township by Council by notice in the Gazette'</i>.</p> <p>Declaration of any such area is not subject to public consultation. A discrete consultation process is proposed to ensure that proper governance is achieved and to ensure the community has the opportunity to be engaged on these matters.</p>	S.4	<p>Council must:</p> <ol style="list-style-type: none"> 1. <u>Prepare a Townships Report</u> which: <ul style="list-style-type: none"> • Describes the needs for the declaration or amendment of a township. • By way of public notice, published in a newspaper circulating within its area, inform the public of the preparation of the Report and invite written submissions on the subject of the review within a period specified by Council (being a period of at least 4 weeks); • Ensure copies of the Report are available for inspection (without charge) and purchase (on payment of a fee fixed by Council) at the principal and branch office of Council, and Council's website during the period of consultation. • Give any person who makes a written submission in response to an invitation to do so an opportunity to appear personally or by representative before The Council or a Council Committee and to be heard on those submissions. 2. <u>Finalise the Townships Report</u> <ul style="list-style-type: none"> • At the conclusion of consultation, prepare a final report which includes consideration of all submissions for the attention of the Elected Body.
<p><u>Representation Reviews</u></p> <p>A council may, by notice in the Gazette after complying with the requirements of s.12:</p> <ul style="list-style-type: none"> • alter the composition of the council; or • divide, or redivide the area of the council into wards, alter the divisions of the area of the council into wards, or abolish the division of the area of a council into wards; or • change the council from a municipal council to a district council, or change the council from a district council to a municipal council; or • alter the name of the council or area of the council. • Give a name to, or alter the name of, a ward. 	S.12	<p>Council must:</p> <ol style="list-style-type: none"> 1. <u>Prepare a Representation Options Paper</u> <ul style="list-style-type: none"> • By way of public notice, published in a newspaper circulating within its area, inform the public of the preparation of the Representation Options Paper and invite written submissions on the subject of the review within a period specified by Council (being a period of at least 6 weeks); • Ensure copies of the Representation Options Paper are available for inspection (without charge) and purchase (on payment of a fee fixed by Council) at the principal office of Council during the period of consultation. 2. <u>Prepare a Report</u> <ul style="list-style-type: none"> • Make copies of the Report available for public inspection at the principal office of Council; and • By public notice, published in a newspaper circulating within its area, inform the public of the preparation of the report and its availability and invite written submissions on the report within a period specified by Council (being a period of at least 3 weeks). • Give any person who makes a written submission an opportunity to appear personally or by representative before The Council or a Council Committee and to be heard on those submissions. 3. <u>Finalise the Report</u> <ul style="list-style-type: none"> • Submit the report, accompanied by copies of written submissions received, to the Electoral Commissioner for certification.

<p><u>Status of a Council / Change of various names</u></p> <p>A council may, by notice in the Gazette, after complying with the requirements of s.13:</p> <ul style="list-style-type: none"> • change the council from a municipal council to a district council, or change the council from a district council to a municipal council; or • alter the name of the council or area of the council; or • alter the name of a ward. 	S.13	<p>Council must:</p> <ul style="list-style-type: none"> • Give public notice of the proposal inviting written submissions to be lodged on the matter within a specified period (at least 6 weeks); • Publish a copy of the notice in a newspaper circulating within its area; • Give any person who makes a written submission in response to an invitation to do so an opportunity to appear personally or by representative before The Council or a Council Committee and to be heard on those submissions.
<p><u>Commercial Activities – Prudential Requirements</u></p> <p>Before engaging in:</p> <ul style="list-style-type: none"> • a commercial project (including through a subsidiary or participation in a joint venture, trust, partnership or other similar body) where the expected recurrent or capital expenditure of the project exceeds an amount set by council for the purposes of s.48; or; • any project (whether commercial or otherwise and including through a subsidiary or participation in a joint venture, trust, partnership or other similar body) where the expected expenditure over the ensuing 5 years is likely to exceed 20 per cent of the council's average operating expenses over the previous five financial years or where the expected capital costs over the ensuing five years is likely to exceed \$4,000,000; <p>Council must obtain and consider a report that addresses the prudential issues specified in s.48(2).</p>	48(2)(d) S.48	<p>Any report obtained and considered must include details such as the level of consultation with the local community, including contact with persons who may be affected by the project and representations made by them.</p> <p>The report must be made available for public inspection at the principal office of Council once Council has made a decision on the relevant project (and may be available at an earlier time unless Council orders that the report be kept confidential until that time).</p>
<p><u>Strategic Management Plans</u></p> <p>Council must develop and adopt plans (which may take various forms) for the management of its area, to be called collectively the <i>strategic management plans</i>.</p>	S.122	<p>Council must adopt a process or processes to ensure that members of the public are given a reasonable opportunity to be involved in the development and review of its strategic management plans.</p> <p>Council must ensure that copies of its strategic management plans are available for inspection (without charge) and purchase (on payment of a fee fixed by Council) by the public at the principal office of Council.</p>
<p><u>Passing By-laws</u></p> <p>Council must comply with specific consultation requirements if it proposes to make a by-law.</p>	S.249	<p>Council must:</p> <ul style="list-style-type: none"> • At least 21 days before resolving to make a by-law, make copies of the proposed by-law (and other code, standard or other document proposed to be applied or incorporated by the by-law) available for public inspection, without charge and during ordinary office hours, at the principal office of Council and on the internet; and • Publish a notice in a newspaper circulating in the area of Council informing the public of the availability of the proposed by-law and setting out the terms of the by-law. • Give reasonable consideration to a written or other acceptable submission made. • Once a by-law has been made, publish a notice of the making of a by-law in a newspaper circulating in the area of the Council.

<p><u>Power to Make Orders</u></p> <p>Councils must take reasonable steps to prepare and adopt policies relating to power to make orders.</p>	S.259	<p>Council must:</p> <ul style="list-style-type: none"> • Prepare a draft of the Policy • By publication of a notice in a newspaper circulating in the area of the Council, give notice of the place or places at which copies of the draft are available for inspection (without charge) and purchase (on payment of a fee fixed by Council) and invite interested persons to make written representations on the draft within a period specified by Council (being a period of at least 4 weeks). • Consider submissions made in response to the invitation. • Before adopting an amendment to a Policy, by publication of a notice in a newspaper circulating in the area of Council, give notice of the place or places at which copies of the amended policy are available for inspection (without charge) and purchase (on payment of a fee fixed by Council) and invite interested persons to make written representations on the draft within a period specified by Council (being a period of at least 4 weeks). Consider submissions made in response to the invitation.
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