

GEN3 COMMUNITY CONSULTATION

POLICY:

The purpose of community consultation is to (i) inform the community about matters under consideration by Council and, (ii) enable Council to make better informed decisions.

A community consultation process will usually be commenced after Council has received a proposal put to it by an external party, by its officer(s) or by Council itself.

Community consultation provides the opportunity for either a broad or restricted number of the community to make their opinion known to Council. All submissions lodged in an appropriate manner and by the due date will – either in summary or in full – be referred to Council.

As Council is a democratically elected decision making body, the results of a community consultation process should not be construed as binding on Council nor a mandate for it to act in accordance with the majority opinion, irrespective of the total number of respondents for or against a matter.

The target public, extent, duration and manner in which a community consultation process will be undertaken shall be as set out in the following Procedure.

PROCEDURE:

(see following pages)

RELATED POLICES:	GEN6
DELEGATION:	YES – Delegation No. 9.2 Sub-delegation – Yes
AUTHORITY	Council Meeting 28 September 1999
REVIEW:	July 2013 August 2015

STATUTORY COMMUNITY CONSULTATIONS LOCAL GOVERNMENT ACT 1995 (and its various REGULATIONS)

INTERPRETATION

Wherever the Act prescribes that **LOCAL PUBLIC NOTICE** is to be given on a matter this means that it is:

- Published, at least once, in a newspaper circulating generally throughout the Town,
- Exhibited, for a reasonable time and not less than 7 days, on the Notice Board at the Council's offices as well as Council's library.

Wherever the Act prescribes that **STATEWIDE PUBLIC NOTICE** is to be given on a matter, the requirements listed above are the same except the newspaper in which it is published must be in circulation generally throughout the State.
(s.1.7. and s.1.8.)

Subject	Legislation	Minimum Requirement	Additional Consultation or Notification
LOCAL LAW – Making of New	s.3.12.(3) s.3.12.(3a)	Statewide Public Notice & Minister Local Public Notice	Council Website
LOCAL LAW – Publishing of New	s.3.12.(5)	Publish in Govt Gazette	Council Website
LOCAL LAW – Notice After Making New	s.3.12.(6)	Local Public Notice	Council Website
LOCAL LAW – Review of Existing	s.3.16.(2) s.3.16.(2a)	Statewide Public Notice Local Public Notice	Council Website
ROAD (Thoroughfare) CLOSURES – To Vehicles	s.3.50.(4) Local Govt. (Functions & General) Regulation 4. s.3.50.(5)	Local Public Notice (reasonable time) – not less than 28 days <ul style="list-style-type: none"> • All public utility services • St John's Ambulance • Fire & Emergency Services Authority • Occupier of land that will lose access • Main Roads Commissioner 	Council Website Newsletter (if close to next regular publication)
ROAD (Thoroughfare) CLOSURES – To Vehicles and Council (or Minister) decides to Revoke	s.3.50.(6)	Local Public Notice	Council Website Newsletter (if close to next regular publication)
ROAD (Thoroughfare) CLOSURES – To Vehicles, Without Formal Prior Notice (eg. Emergency)	s.3.50.(8)	Local Public Notice as soon as practicable after the closure	Council Website

ROAD (Thoroughfare) CLOSURES – For Repairs and Maintenance	s.3.50A.	No notification required if no significant adverse effect on users	Signs to be erected and local residents to be informed in writing unless closure is during normal working hours only
ROADS – Altering Level and Alignment of	s.3.51.(3) s.3.51. (4) Local Govt. (Functions & General) Regulation 5.	Owners and occupiers of land adversely affected (In writing and not less than 14 days prior notice) Local Public Notice if any land is likely to be adversely affected All public utility services	

Subject	Legislation	Minimum Requirement	Additional Consultation or Notification
ROADS – Draining Water from a Road or other Public Place onto Adjoining Land	s.3.51.(3) s.3.51. (4) Local Govt. (Functions & General) Regulation 5.	Owners and occupiers of land adversely affected (In writing and not less than 14 days prior notice) Local Public Notice if any land is likely to be adversely affected	
TENDERS – For Goods and Services	s.3.57. Local Govt. (Functions & General) Regulations 14.(1), 21.(3)	Statewide Public Notice (at least 14 days)	Council Website
PROPERTY (Council Owned) – Disposing of	s.3.58.(3) Local Govt. (Functions & General) Regulation 30	Local Public Notice (at least 14 days)	
COMMERCIAL ENTERPRISES – Proposed by Council	s.3.59.(4)	Statewide Public Notice (at least 6 weeks)	
ENROLMENTS – Close of Electoral Roll	s.4.39.(2)	Statewide Public Notice (at least 56 days – but not more than 70 days – before Election Day)	Council Website
NOMINATIONS – Call for Candidates for Election	s.4.47.(1)	Statewide Public Notice (at least 45 days – but not more than 56 days – before Election Day)	Council Website
ELECTIONS – How, When, Where Conducted and who Candidates are (Election Notice)	s.4.64.	Statewide Public Notice (as soon as practicable but no later than 19 days before Election Day)	Council Website
COUNCIL MEETINGS – Dates, Times and Place Where Held in Next 12 Months	s.5.25.(g) Local Govt. (Admin.) Regulation 12.(1)	Local Public Notice (at least once a year)	Council Website
COUNCIL MEETINGS – Changes to Previous Notification	s.5.25.(g) Local Govt. (Admin.) Regulation 12.(2)	Local Public Notice	Council Website
SPECIAL COUNCIL MEETINGS – Date, Time, Place and Purpose (Not required if meeting not open to the public)	s.5.25.(g) Local Govt. (Admin.) Regulations 12.(3) & 12.(4)	Local Public Notice or, if not practicable, in a manner and extent decided by the CEO	Council Website

Subject	Legislation	Minimum Requirement	Additional Consultation or Notification
ELECTORS' MEETINGS – Date, Time, Place and Purpose	s.5.29.(1)	Local Public Notice (at least 14 days) Each Council Member (at least 14 days)	Council Website
GRATUITY PAYMENTS – To Employees who are Retiring or Finishing	s.5.50. Local Govt. (Admin.) Regulation 19A	Local Public Notice (of Council Policy ADM7 in relation to employees retiring or finishing)	
GRATUITY PAYMENTS – If More than the Amount Previously Determined by Policy	s.5.50.(2)	Local Public Notice	
ANNUAL REPORT – Availability of	s.5.55.	Local Public Notice (as soon as practicable after acceptance by Council)	Council Website
PLANNING FOR THE FUTURE – Plan for the future of the District & Modification of Plan	s.5.56 Local Govt. (Admin.) Regulation 19C	Local Public Notice (42 day submission period) (at least every 2 years)	Council Website
PLANNING FOR THE FUTURE – Adoption of Plan or Modification of Plan	s.5.56 Local Govt. (Admin.) Regulation 19D	Local Public Notice	Council Website
RESERVE ACCOUNTS – Changing Purpose of or if Using for Another Purpose	s.6.11.(2) Local Govt. (Financial Management) Regulation 18.	Local Public Notice (one month's notice) NOTE: No notice required if: <ul style="list-style-type: none"> • Disclosed in budget or • Amount does not exceed \$5000 or • Authorised in advance by Mayor in an emergency 	
FEES and CHARGES – Intention to Impose and Date From Which They Apply	s.6.19.	Local Public Notice	Council Website
BORROWING MONEY or OBTAINING CREDIT	s.6.20.(2) Local Govt. (Financial Management) Regulation 20.	Local Public Notice (one month's notice) NOTE: No notice required if: <ul style="list-style-type: none"> • Included in budget or • Re-financing a loan or another accommodation except if a major variation 	

Subject	Legislation	Minimum Requirement	Additional Consultation or Notification
BORROWING MONEY – Not Proceeding With or Using Unexpended Part for Other Purpose	s.6.20.(3)&(4) Local Govt. (Financial Management) Regulation 21.	Local Public Notice (one month's notice) NOTE: No notice required if: <ul style="list-style-type: none"> • Disclosed in budget or • Amount does not exceed \$5000 or • Authorised in advance by Mayor in an emergency 	
DIFFERENTIAL RATES and ASSOCIATED MINIMUM PAYMENT	s.6.36.	Local Public Notice (within 2 months prior to the financial year – not less than 21 days submission period) NOTE: No notice required if: <ul style="list-style-type: none"> • In an emergency propose to impose supplementary rate or specified area rate or • Proposed rates or minimum payment is modified after having considered submissions 	
REVESTMENT OF LAND – For Non-payment of Rates, etc.	s.6.74. Local Govt. (Financial Management) Regulation 77.	Government Gazette (not less than 30 days from notice to parties nominated in the Regulation	
WARD BOUNDARIES REVIEW – At least once in every eight(8) years	s.2.2.(3) Schedule 2.2 – Clause 7.(1)	Local Public Notice (not less than 6 weeks notice)	
SALE OF LAND - For Unpaid Rates, etc.	s.6.68.(3) Schedule 6.3 – Clause 1.(1) and 1.(3)	Official Notice Board (not less than 35 days) and/or Local Public Notice	
SALE OF LAND (For Unpaid Rates, etc) - ADVERTISING	s.6.68.(3) Schedule 6.3 – Clause 2.(1) and 2.(2)	Statewide Public Notice	

LAND ADMINISTRATION ACT 1997

Subject	Legislation	Minimum Requirement	Additional Consultation or Notification
REQUEST TO MINISTER TO DEDICATE PRIVATE ROAD AS PUBLIC ROAD	s.56.	No requirement	Owner of the private road, adjoining property owners and public utilities
REQUEST TO MINISTER TO ACQUIRE ANY ALIENATED LAND DESIGNATED FOR A PUBLIC PURPOSE OR ANY PRIVATE ROAD AS CROWN LAND	s.52.	Notice to owner of the land, adjoining property owners and public utilities. WAPC Approval required	
REQUEST TO MINISTER TO PERMANENTLY CLOSE A ROAD	s.58.(3)	Daily newspaper circulating throughout the district (at least 35 days prior to request).	Adjoining property owners and public utilities
REQUEST TO MINISTER TO RESERVE CROWN LAND AS A MALL RESERVE	s.59.	Newspaper circulating in the district. Notice on a signpost on the land. Copy of advertisement to owners and occupiers of the land, public utilities and the State Planning Commission.	
REQUEST TO MINISTER TO CLOSE A MALL RESERVE	s.62.	Newspaper circulating in the district. Notice on a signpost on the land. Copy of advertisement to owners and occupiers of the land, public utilities and the State Planning Commission.	

DOG ACT 1976

DOGS – Applications for Kennel Licence	s.27.(4) Dog Local Law 2000 Part 4	Consultation with surrounding residents (extent of consultation at the discretion of the Director Corporate Services)	
--	---------------------------------------	---	--

BUSH FIRES ACT 1954

FIREBREAK – Notice to Plough or Clear	s.33.(1)	Government Gazette. Newspaper circulating in the area.	
---------------------------------------	----------	--	--

NON-STATUTORY CONSULTATIONS

CONSULTATIONS UNDER COUNCIL POLICY

Subject	Legislation	Minimum Requirement	Additional Consultation or Notification
PROPOSED EVENTS ON PARKS AND RESERVES (Major Events)	Policy RECN2	Local residents likely to be disrupted or adversely affected (Not less than 1 week prior to event)	
EXTENDED TRADING PERMIT APPLICATIONS – LICENSED PREMISES	Policy HLTH3	New Applications: Letter to owners and occupiers of residential properties within 60 metres of the premises (if past midnight otherwise at discretion of Manager, Environmental Health and Building). Renewals: At discretion of Manager, Environmental Health and Building	

MISCELLANEOUS

Subject	Minimum Requirement	Additional Consultation or Notification
JOB VACANCIES	Statewide Public Notice	Council Website
ANNUAL BUDGET – Draft	Local Public Notice	Council Website
COUNCIL NEWSLETTER – Up to 5 Editions per Year	Hand delivered to all letter boxes Distributed to all PO Boxes at local Post Offices	Council Website
MAJOR TOWN PLANNING PROPOSALS/STUDIES MAJOR ROAD PROPOSALS MAJOR RESERVE DEVELOPMENT PROPOSALS	Regular or Special edition of Council Newsletter to all owners/residents of selected target area, with or without pre-addressed and pre-paid mail-back response form Newsletter also mailed to all non-resident owners	Council Website Displays rotated between Admin Centre, Library, Aqualife Centre, Leisurelife Centre
LOCAL AREA TRAFFIC MANAGEMENT SCHEME (LATM) – Proposal to Conduct	Notice delivered or mailed to all owners and occupiers within the designated area and those on both sides of the perimeter roads	
STREETSCAPE ENHANCEMENT SCHEME – Proposal to Initiate	Notice delivered or mailed to all owners and occupiers adjoining the proposal street and affected properties on the side streets of the proposal street.	

Subject	Minimum Requirement	Additional Consultation or Notification
UNDERGROUND POWER SCHEME - Proposal	Notice delivered or mailed to all affected owners and occupiers in the proposal precinct	
COMMUNITY NEEDS SURVEY	Consultation with owners and/or occupiers selected at random or from selected land-use zones, age groups, stakeholders, etc., depending on what needs are being sought, or as recommended by consultant (if used)	Council Website
COMMUNITY SATISFACTION SURVEY	Consultation with owners and/or occupiers selected at random or from selected land-use zones, age groups, stakeholders, etc., depending on what information is being sought, or as recommended by consultant (if used)	Council Website
DOGS – Application for Keeping More than Two	Consultation with surrounding residents (extent of consultation at the discretion of the Director Corporate Services)	
PARKING RESTRICTIONS – Amending Existing or Introducing New	Consultation with adjacent and/or affected residents (extent of consultation at the discretion of the Director Renew Life)	