



## LOCAL GOVERNMENT

Mr PICCOLO (Light) (15:56): On 6 May 2008, in response to a question I asked about what the state government was doing to support and encourage local government to better consult and involve local communities, the then minister for state/local government relations advised the house that it is now a requirement for local councils to, in fact, consult with their communities, particularly on matters of their business plans and budget allocations.

The minister went on to say that consultation is a very good way of involving the communities and making the process much more inclusive. The minister also advised that she had asked the Office for State/Local Government Relations to work with the Local Government Association to undertake a project focusing on best practice in local government community engagement. As part of the project, examples of community engagement across councils in South Australia were documented. This involved 25 councils providing case studies. Seven of those from country South Australia highlighted innovative and practical ways of engaging with their communities.

More recently a handbook has also been produced to assist local government in planning for more effective community involvement and consultation. The City of Playford, the City of Campbelltown, the District Council of Mount Barker and the City of Whyalla have road tested the handbook through its various stages of development. The handbook is a practical 'how to' guide for councils which is easily adapted to local circumstances. It seeks to clarify the consultation requirements of the Local Government Act and the Development Act, and provides a method for the selection of an appropriate level of community consultation, and demonstrates ways of providing feedback to communities on their input and informed decision making processes.

The revocation of community land is also an area which can be quite contentious and one in which communities are entitled to have a say. The then minister indicated that she has consistently encouraged councils to inform affected residents and to make every effort to publicise their intentions to the community in a manner that is easily understood and in a way that that land is easily identified.

This government has continued to support councils in South Australia to develop creative and innovative approaches to consultation and engagement with their communities and to highlight and promote best practices in this area for all levels of government to consider and learn from.

On 5 July last year, I raised some concerns in this house about the operation of the consultation provisions contained in the Local Government Act relating to the annual business plan and budget process. At the time I was not clear whether my concerns were about the act itself, or the way that the local councils and their advisers were seeking to interpret and implement the relevant laws. The current practice adopted by some councils—perhaps many councils—means that either existing laws are inadequate or they have been implemented in a manner to minimise community scrutiny.

The Local Government Act requires local councils to prepare an annual business plan and budget. Prior to adopting the business plan and budget councils must prepare a draft and invite the communities to comment on such a plan. That requires a minimum of at least 21 days notice be given of any public meeting held for the community to discuss and comment on the draft plan.

Councils continue to give notice of plans before they have actually met to adopt them. This raises concerns as to whether the meeting for discussion is a genuine one which allows proper discussion and debate, or whether the outcome was more or less predetermined to ensure that it met the requirements of the notices already published. The public consultation process has two components: first, giving the

community notice to comment; and, second, providing sufficient information for them to make an informed judgment.

In my view, if the reasonableness test is applied some, if not many, councils would certainly fail. Councils have the right, subject to law, to adopt the rating policy they wish. The act requires them, inter alia, to set out the rate structure and policies for the financial year. Many draft plans which appear to follow a sector-wide format do more than just restate the requirements of the act. There is little, if any, discussion about the objectives and the rationale for the policies. At this point I would like to acknowledge the good work done by the Barossa council in the presentation of their annual financial and budget papers. It now appears clear that if local councils are to meet the consultation standards anticipated by this parliament, the act needs to be amended as both the current process and documentation requirements do little to shed light on the financial and budget policies of many councils.