

# Community Engagement Public Consultation Policy

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## 1. PURPOSE

The purpose of this policy is to foster and support a culture of effective community engagement to enhance decision making and ensure that Council meets its obligations under the Local Government Act 1999 and other relevant Acts.

This policy will outline the principles by which the City of Tea Tree Gully will communicate with, consult and involve its Community in regards to decisions that have an impact on or are of importance to the community.

It should be noted that this policy relates to all community engagement activities undertaken by Council except where strict adherence to minimum requirements is prescribed by the relevant Act.

## 2. POLICY

This policy will apply to all community engagement processes required under the Local Government Act 1999 (unless specifically legislated otherwise) and to any other community engagement process that Council resolves to be submitted to a high standard of community engagement. This policy applies to all facets of Council's operations including Council's corporate, land use, strategic and financial planning and our day to day services and activities.

This policy and the following community engagement principles underpin all of Council's community engagement processes and activities. These will guide Elected Members, employees, contractors and external consultants authorised to act on behalf of Council on best practice in engaging the community.

### 2.1 Community engagement principles

The following principles underpin the City of Tea Tree Gully's approach to community engagement. In order to ensure organisational best practice, this policy has been developed according to the following principles:

#### 2.1.1 Inclusive participation:

Council believes that all members of the City of Tea Tree Gully Community have a right to be informed about and involved in key decisions affecting their area, lifestyles and particular interests.

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### 2.1.2 Open and transparent disclosure:

Council is committed to ensuring that the Community has all the relevant information to participate in community engagement activities in a meaningful way so that it encourages Community members to increase their trust in Council generally and maintain their involvement in future Council community engagement activities.

### 2.1.3 Accessibility:

All engagement materials will use plain language, will be visible, well-promoted easy to find and provide a variety of appropriate and accessible ways for people to have their say.

### 2.1.4 Engage early and with clarity of purpose:

Council undertakes community engagement and consultation processes to provide the Community with a real opportunity to influence a decision. Council will clearly communicate the aims and objectives of all community engagement activities and what it hopes to achieve.

### 2.1.5 Design and implementation of good quality engagement processes, tools and methods:

Council will ensure that all community engagement processes are well designed to fit the scope and nature of the project, with a consistent and coordinated approach across the organisation. Careful planning of engagement strategies and activities will ensure that a minimum of 20 business days are available for the Community to consider and respond.

### 2.1.6 Consideration of engagement outcomes and provision of feedback:

Council will carefully consider all contributions and relevant information prior to making decisions that impact local Community interests. Council is committed to providing open and honest feedback to the Community on engagement activities and how the community's contribution has impacted on Council's decision.

### 2.1.7 Maximising the use of emerging technology:

The evolving use of online community engagement methods will continue to be explored by Council and implemented where appropriate in order to further expand the number of people and demographic groups that can be reached beyond traditional engagement methods.

## 2.2 Engagement context

There is no right or wrong definition of community engagement; it can however be described as any process that involves the community in problem solving or decision making that uses community input to make better decisions. Community engagement is a broad term describing a variety of ways to communicate, consult, involve and encourage participation between the Community and Council.

A key element in developing sustainable communities lies in local residents empowering themselves to take responsibility and action 'in their own backyards'. Encouraging Community participation in local government includes developing clear and concise processes that support and assist participation. Research shows that people may be genuinely interested but unaware of what they can do to help as it seems too difficult.

Community engagement provides a way for decision makers within the City of Tea Tree Gully to connect and stay connected with our communities of place and communities of interest in order to further develop relationships and inform decision-making processes.

Further, it is important to define what community engagement is and what it is not:

- a. Community engagement is a process, not an outcome or a solution. The objectives and parameters of any engagement processes need to be stated in a transparent way to avoid creating unrealistic expectations in the community
- b. Community engagement is a way to assist and enhance the decision making process. It is not intended to replace the final decision making power of Elected Members, the CEO or their delegate
- c. Meaningful community engagement means good quality processes that endeavour to gain an objective, representative view from the broader Community and relevant Stakeholders, and is not limited to the views of a vocal minority
- d. Good decisions are informed by listening to diverse perspectives, gathering sound information, considering a range of opinions and alternatives and identifying common ground.
- e. Community engagement outcomes are considered alongside a wide range of other factors in Council decision making

In general terms, Council's community engagement activities will be divided into the following categories:

## 2.3 Statutory compliance

The Local Government Act 1999 and other key Acts specifically refer to public consultation. In some cases, an Act will prescribe a minimum legislative requirement; in other cases an Act refers to the minimum requirements as stated in Council's Community Engagement (Public Consultation) Policy.

### 2.3.1 Minimum requirements prescribed by Local Government Act 1999 (as per Appendix 1)

Topic	Section reference
Representation Reviews	Section 12
Status of a Council/Change of Name	Section 13
Commercial Activities – Prudential Requirements	Section 48
Public Consultation Policies	Section 50
Strategic Management Plans	Section 122
Annual Business Plan	Section 123
Rates and charges – Change to Basis of Rating Report	Section 151
Rating – Differential Rates	Section 156
Amendment or revocation of Community Land management plans	Section 198
Passing by-laws	Section 249
Councils to develop policies (power to make orders)	Section 259 (2) (3)

## 2.3.2 Minimum requirements as per Council's Community Engagement Public Consultation Policy (as per Appendix 1)

Topic	Section reference
Principal Office – Opening hours	Section 45
Code of Practice – Access to meetings and documents	Section 92
Community Land – Exclusion from Classification	Section 193
Community Land – Revocation of Classification	Section 194
Community Land Management Plans	Section 197
Community Land – Alienation by lease or licence	Section 202
Authorisations/Permits	Section 223
Roads – Trees	Section 232
Stormwater Management Plans	Schedule 1A: Section 16

## 2.3.4 Other Acts (minimum requirements prescribed by the Act)

### 2.3.4.1.1 Development Act 1993

This policy does not apply to public consultation requirements under the *Development Act 1993* (Section 38) or the *Planning, Development and Infrastructure Act 2016*.

### 2.3.4.2 Roads (Opening and Closing) Act 1991

Topic	Section reference
Notification of proposed road process	Section 10
Objection or application for easement	Section 13
Notice of road process order	Section 19

### 2.3.4.2 Land Acquisition Act 1969

Topic	Section reference
Additional right to object to prescribed private acquisition	Section 12B

## 2.4 Non-legislative matters

This section relates to discretionary community engagement activities linked to day to day Council business and services and development on Council land where there is an opportunity to engage with the community and/or impacted stakeholders and there is a potential to influence decision making. In line with the Community Engagement Initiation Procedure, the Community Engagement team will work with relevant project managers and corporate leaders to decide when and if community engagement activities will occur.

### 2.4.1. Targeted policies, strategies and initiatives

This includes policy and strategy development on issues that impact particular groups and/or areas and can include positioning policies such as the Footpath Construction Strategy, precinct planning and Council's Liquor Licence Application Management Policy.

### 2.4.2. Service planning / operational matters

This includes activities undertaken to identify Community need and establish Community interests in the discretionary services and day to day operational matters of Council, e.g. upgrades to local playgrounds or changes to the Council programs, services and activities. This category also extends to Council service reviews.

### 2.4.3 Performance evaluation/customer satisfaction

This group is made up of council-wide and individual service/issue assessments of Community perceptions of council performance (otherwise known as satisfaction surveys or market research).

### 2.4.4 Development on Council land

While noting that an amendment of a Community Land Management Plan has its own statutory consultation requirements, Council acknowledges that particular processes should be followed for development occurring on Council owned land. The Community Engagement team will work with the relevant project team to decide, plan and undertake appropriate engagement activities early in the design/planning stage. This will be done in alignment with Council's Project Management Framework and consideration will be given to the points listed in 2.6 of this policy. This work will generally occur before submitting an application for development consent. It is noted however that there may be times where commercial-in-confidence requirements exist and a different approach is needed in terms of what information can be made public, e.g. when Council receives an Unsolicited Proposal.

### 2.4.5. Miscellaneous community engagement processes and activities

In addition to the abovementioned categories, Council may also undertake community engagement activities when it believes that it will enhance its decision-making.

## 2.5 Council approval of community engagement strategies

Minimum Standards required for the above categories are detailed in Appendix 1.

Any community engagement strategies with statutory compliance requirements will be prepared and presented to Council for approval prior to the commencement of any engagement activities unless Council has delegated this to its Chief Executive Officer to authorise.

Council approval is also required for discretionary engagement strategies and activities that are deemed high risk/impact and will have a significant social, environmental and/or economic impact on the community as deemed by the CEO or delegate. This includes politically sensitive issues.

## 2.6 When and how Council will engage

The level of engagement stated in the community engagement strategy will vary depending on:

- a. Community interest in the topic
- b. Political sensitivity
- c. Level of social, economic and environmental impact
- d. The number of persons potentially affected by the topic
- e. The requirements for consultation set out in the Local Government Act and other relevant key Acts
- f. Timelines and resource availability

The International Association of Public Participation (IAP2) is the leading organisation in developing, supporting and promoting best practice community engagement around the world.

The following table has been adapted from the IAP2 Spectrum and defines the various levels of community engagement, representing the depth and complexity of the community engagement project.

	<b>Inform</b>	<b>Consult</b>	<b>Involve</b>	<b>Collaborate</b>
Council will...	One way communication providing balanced and objective information to assist understanding about something that is going to happen or has happened.	Two way communications designed to gain Community feedback on a particular issue/topic to assist in decision making.	Working alongside the Community through multiple stages of a project to help identify issues and views to ensure that concerns and aspirations are understood and considered prior to decision making.	Working together to develop an understanding of all issues and interests to work out alternatives and identify preferred solutions.
Community will be given the opportunity to...	Listen	Contribute	Participate	Partner

## 2.7 Steps required for undertaking community engagement processes

The minimum steps that to be followed when carrying out community engagement will be:

- a. Step 1: Decide whether to engage or not to engage taking into consideration legislative requirements and minimum standards as per the schedule (Appendix 1) and determined level of impact on the community
- b. Step 2: Plan the Community Engagement Strategy
- c. Step 3: Plan and manage engagement activities
- d. Step 4: Collate and analyse Community contributions/responses
- e. Step 5: Decision making
- f. Step 6: Provide feedback on engagement outcomes to participants
- g. Step 7: Announce decision/s publicly
- h. Step 8: Evaluation

The CEO will develop Community Engagement Procedures for employees, which alongside this policy will guide the delivery of the community engagement at the City of Tea Tree Gully.

For all community engagement processes, unless directed otherwise by an Act, the minimum standard followed will be a notice published in a newspaper circulating within the area of Council and on the Have Your Say page on Council's website describing the matter for which community engagement is required, and inviting interested persons / Stakeholders to make submissions to the Council within a period being at least twenty (20) business days (four weeks) from the date of the notice.

Further options may be chosen to enhance communication. Some of these additional options could include, but are not limited to, the following:

- a. On-site signage advising of community engagement occurring which relates to the site and the specific URL for Council's Have Your Say website to find more information and to comment
- b. Social media posts using Council's social media accounts (e.g. Facebook, Twitter)
- c. Flyer included in rates notices
- d. Additional paid advertisement in The Advertiser newspaper
- e. Article in Gully Grapevine (if time permits)
- f. Letters to residents and/or other Stakeholders (via hand delivery or postage options)
- g. Media releases
- h. Additional signage at specific sites (to be determined)

### 2.7.1 Other considerations when undertaking community engagement processes

1. All materials used in community engagement processes must be approved by the CEO, or their delegate and the Community Engagement Team prior to printing or distribution
2. Elected Members will receive a briefing of the relevant engagement activities and any supporting engagement documents prior to community engagement commencing upon request
3. In addition to information provided via Community Engagement Strategies, all Elected Members will be advised when community engagement commences and provided web links to information provided to the community, as well as reminded of opportunities to attend any planned community engagement events



4. Personal feedback received as part of community engagement processes from decision makers (Elected Members and senior Council staff) will not be included in the community engagement outcomes report
5. Consistent with Council's Privacy Policy, all personal details provided as part of any community engagement activity will be excluded from Council reports or submission summaries. Personal details will not be disclosed without gaining the prior permission of the respondent, unless otherwise prescribed by legislation
6. Where submissions or comments received as part of a community engagement activity are deemed to be of an inflammatory or offensive nature, the following approach will be adopted:
  - a. If constructive feedback is provided, regardless of how the offensive language is used throughout the submission, the response will be edited to remove the offensive language while maintaining the integrity of the submission
  - b. In cases where the submission or comment is unrelated to the question or topic and is of threatening or inflammatory content, the response will be removed from all Council reports and/or submission summaries.

### 3. DEFINITIONS

For the purposes of this policy the following definitions apply:

#### CEO

Refers to the Chief Executive Officer (including their delegate) of the City of Tea Tree Gully.

#### Community

The term Community is used broadly and extends beyond the view of residents in a neighbourhood. A community can be defined as a group of people that united by at least one common characteristic such as geography, shared interests, values, experiences or traditions. The terms communities of place and communities of interest are commonly used in community engagement practice.

#### Council

For the purposes of these alterations **the Council** (in addition to the elected body) 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.

#### Stakeholder

Is a person or agency/organisation that has an interest in a decision or proposal, or may be directly or indirectly affected by a decision that has been made or is being proposed.



## 4. LEGISLATIVE FRAMEWORK

The following legislation applies to this policy:

### Local Government Act 1999

The preparation and adoption of this policy fulfils Council's obligation under Section 50(1) of the Local Government Act 1999. Section 50 states:

- 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 within the area of the council and on a website determined by the Chief Executive Officer 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 will consider any submission received from the public during the prescribed consultation period
- d. 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, Council must submit the proposal to a public consultation process
- e. A public consultation policy sets out the steps that Council will follow in cases where the Act requires that Council must follow its public consultation policy and may include steps that Council will follow in other cases involving Council decision making
- f. The requirement for public consultation when altering this policy is not required when the Council determines that the alteration is of only minor significance and would attract little (or no) Community interest.

### 4.1 Other references

Council's document including:

- a. Council's Fees and Charges Register
- b. Council's Privacy Policy
- c. Corporate Publications Policy
- d. Petition Management Policy

External document including:

- a. LGA Community Engagement Handbook

## 5. STRATEGIC PLAN/POLICY

### 5.1 Strategic Plan

The following strategic objectives in Council's Strategic Plan 2025 are the most relevant to this policy:

Objective	Comments
Community	
<i>People feel a sense of belonging, inclusion and connection with the City and the community</i>	Opportunities to participate in community life and decision making contribute to connected communities. People feel a sense of belonging and connection to the area in which they live.
<i>People can have a say in decisions that affect them and the key decisions of the Council</i>	Responsive and accountable governance is based on the belief that those impacted by an issue have important information and contributions to make.
Leadership	
<i>Major strategic decisions are made after considering the views of the community</i>	Community engagement is a way to assist and enhance the decision making process of Council, and provides the opportunity for decision makers to understand the range of views within the community on a particular issue and/or activity.

### 5.2 Organisation Plan

Our Strategic Plan is supported by an Organisation Plan which focuses on five key themes of organisational excellence. The themes most relevant to this report are: Customers and community relations.

## 6. POLICY IMPLEMENTATION

This Policy will be implemented by the Chief Executive Officer or relevant portfolio director and managed in accordance with Council's scheme of delegations.

## Appendix 1: Schedule of Legislative (Local Government Act) and CTTG Policy Minimum Requirements Matrix

### CTTG Community Engagement (Public Consultation) Policy

	A1	A2	A3	A4	A5	A6	A7	A8	A9	A10	A11	A12	A13	A14	A15	A16	A17	A18	A19	A20	B1	B2	B3	B4
Information provided on corporate website	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	+	+	+	+
Receipt of submissions on corporate website						*																		
Notice in local paper	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	+	+	+	+
Documents available at Civic Centre	✓	+	+	✓	+	✓	✓	✓	+	✓	✓	+	✓	+	+	✓	+	+	+	+	+	+	+	+
Minimum 20 business days' notice to receive submissions	*		✓	*	*	✓	*	✓	✓		*	✓	✓	✓	✓	✓	✓	✓	✓	✓	+	+	+	+
More than 20 business days' notice to receive submissions	*	*			*					*														
Send letters to owners/occupiers in vicinity of relevant area (as determined by Act or CE strategy)					+			+			+			+	+	+	+	✓	*	+		+		+
Opportunity for submission to be heard at Council meeting	✓	✓						+							+	+								
Public meeting						✓	✓																	
Community forum/workshop	+				+																+	+	+	+
Signage to be erected on site					+			+			+			+	+	+	+	+	+	+		+		+
Submissions to be considered by Council in decision making	✓	+	+	✓	+	✓	✓	+	+	✓	✓	+	+	+	+	+	+	+	+	+	+	+	+	+

✓ Minimum legislative requirements      \* Refer to Act for clarification      + To be determined as part of Community Engagement Strategy (CTTG minimum requirements in conjunction with CE Dept)

#### Legend Statutory Compliance with LG Act

A1 – Representation Review  
A2 – Status of a Council/change of name  
A3 – Commercial Activities – Prudential Requirements  
A4 – Public Consultation Policies  
A5 – Strategic Management Plans  
A6 – Annual Business Plan  
A7 – Rates and charges – Change to Basis of Rating Report  
A8 – Rating – Differential Rates  
A9 – Amendment or revocation of management plans  
A10 – Passing by-laws  
A11 – Councils to Develop Policies (power to make orders)

#### Statutory Compliance with CTTG policy (as per LG Act)

A12 – Principal Office – Opening hours  
A13 – Code of Practice – Access to meetings and documents  
A14 – Community Land – Exclusion from Classification  
A15 – Community Land – Revocation of Classification  
A16 – Community Land – Management Plans  
A17 – Community Land – Alienation by lease or licence  
A18 – Authorisations/Permits  
A19 – Roads – Trees  
A20 – Stormwater Management Plan

#### Non-legislative matters (discretionary community engagement)

B1 – Targeted Policies and Strategies  
B2 – Service Planning/Operational Matters  
B3 – Performance/Customer Satisfaction  
B4 – Development on Council land

Record number	D20/46942
Responsible Manager	Manager Community Wellbeing
Other key internal stakeholders	General Manager Corporate Services Manager City Strategy
Last reviewed	17 August 2022
Adoption reference	Governance and Policy Committee
Resolution number	180
Previous review dates	17/06/20, 28/4/20, 11/7/17, 15/03/14 (8/06/16 legislative changes), 08/08/11 (Previously called Public Consultation Policy), 23/1/07, 25/02/03, 13/03/01
Legal requirement	It is a requirement under section 50 of the Local Government Act to have this policy. Requires community engagement unless insignificant changes.
Due date next review	2026