

Community Engagement Public Consultation Policy



Record number	D20/46942
Responsible Manager	Manager Community Development & Engagement
Other key internal stakeholders	Director Community & Cultural Development Manager City Strategy
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Resolution number	62
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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	Public Access and Public Consultation Notice (No. 2) 2020 2023

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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.

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.

Alterations to the Policy: Public Health Emergency (Notice No. 2)

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*.

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:

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.

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.

Accessibility:

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

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. We will clearly communicate the aims and objectives of all community engagement activities and what it hopes to achieve.

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.

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. We are 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.

Maximising the use of emerging technology:

The evolving use of other online community engagement methods will 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.

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:

- 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
- 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
- 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
- Good decisions are informed by listening to diverse perspectives, gathering sound information, considering a range of opinions and alternatives and identifying common ground.
- 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:

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.

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)

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.

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

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.

Other Acts (minimum requirements prescribed by the Act)

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*.

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

Land Acquisition Act 1969

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

Community engagement activities linked to day to day Council business and services (as per Appendix 1)

This category refers to non-legislative matters:

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.

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 Community Bus timetable. This category also extends to Council service reviews.

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).

Development on Council land

Council acknowledges that particular processes should be followed for development occurring on Council owned land. Council project employees in conjunction with the Community Engagement Department will plan and undertake appropriate engagement activities early in the design/planning stage before submitting an application for development consent where required. These activities will be guided by the minimum standards outlined in this Policy. It is noted however that there may be times where commercial-in-confidence requirements exist and a different approach is needed.

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.

Council approval of community engagement strategies

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

Any community engagement with statutory compliance requirements a community engagement strategy is prepared and presented to Council for approval prior to the commencement of any engagement activities.

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.

When and how we engage

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

- Community interest in the topic
- Political sensitivity
- Level of social, economic and environmental impact
- The number of persons potentially affected by the topic
- The requirements for consultation set out in the Local Government Act and other relevant key Acts
- 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.

	Inform	Consult	Involve	Collaborate
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

Other requirement to undertake in person consultation activity suspended

The Council will limit 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, or in relation to any matter for which this Policy would, but for this provision, require the Council to hold such an activity. Face to face consultation may be undertaken but via an online medium if possible or practicable.

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.

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 the section above (Other requirement to undertake in person consultation activity suspended) operate in their stead. As previously indicated, face to face consultation may be undertaken but via an online medium if possible or practicable.

Steps required for undertaking community engagement processes

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

- 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
- Step 2: Plan the Community Engagement Strategy
- Step 3: Plan and manage engagement activities
- Step 4: Collate and analyse Community contributions/responses
- Step 5: Decision making
- Step 6: Provide feedback on engagement outcomes to participants
- Step 7: Announce decision/s publicly
- 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 following minimum standard will be followed:

- A notice will be 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
- We will promote engagement opportunities and activities via Social Media
 - On-site signage will be installed (where applicable) advising of community engagement occurring which relates to the site and details of how to obtain information from Council's website, call centre and Civic Centre
 - Further options may be chosen to enhance communication. Some of these additional options could include, but are not limited to, the following:
 - Flyer included in rates notices
 - Public Notice in The Advertiser newspaper
 - Article in Gully Grapevine (if time permits)
 - Letters to residents and/or other Stakeholders (via hand delivery or postage options)
 - Media releases
 - Additional signage at specific sites (to be determined)
 - All materials used in community engagement processes must be approved by the CEO, or their delegate and the Community Engagement Department prior to printing or distribution
 - Elected Members will receive a briefing of the relevant engagement activities and any supporting engagement documents prior to community engagement commencing upon request
 - 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
 - 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
 - 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
 - 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:
 - 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
 - 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.

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:

- Council must provide interested persons with a reasonable opportunity to make submissions regarding relevant matters
- 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
- Council will 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, Council must submit the proposal to a public consultation process
- 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

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.

Other references

Council's document including:

- Council's Fees and Charges Register
- Council's Privacy Policy
- Corporate Publications Policy
- Petition Management Policy

External document including:

- LGA Community Engagement Handbook

STRATEGIC PLAN/POLICY

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.

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.

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.

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.

ACCESSIBILITY

This Policy and Council's Fees and Charges Register are available to be downloaded free of charge from Council's website: www.cttg.sa.gov.au

Hard copies, for a fee, can be provided in accordance with Council's Fees and Charges Register at Council's Civic Centre at 571 Montague Road, Modbury SA 5092.

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	C1	
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)
▲ Suspended as per Public Health Emergency Notice No. 2 (public access and public consultation)

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

Day to day Council service Community Engagement

- B1 – Targeted Policies and Strategies
- B2 – Service Planning/Operational Matters
- B3 – Performance/Customer Satisfaction
- C1 – Development on Council land

