

1 Preamble

1.1 Background

1.1.1. Community engagement, critical in the successful development of sustainable policies and decisions in government, the private sector and the community, is also critical in the ongoing planning, implementation, evaluation and decision making processes of Council services and the management of community resources.

1.1.2. Community consultation supports our Value of Engaging with, developing and recognising the valuable contribution of members of our community to the well-being of our City. (Source: City of Holdfast Bay Strategic Plan 2009 -2014, Our City – Our Future)

1.2 Purpose

1.2.1. The objectives of this Procedure are to:

- provide guidance for the implementation of the City of Holdfast Bay Community Consultation and Engagement Policy.
- provide employees of the City of Holdfast Bay with clear directions in regard to community engagement in order to implement the policy.

1.3 Scope

1.3.1. This Procedure applies to Elected Members, employees, contractors and agents or consultants acting on behalf of Council

1.4 Definitions

1.4.1. **Act** means the Local Government Act 1999.

1.4.2. **Community** means all people who live, work, study or conduct business in, or who visit, use or enjoy the services, facilities and public places of the City of Holdfast Bay.

1.4.3. **Community Engagement** means involving the community in decision making processes, which is critical in the successful development of acceptable policies and decisions in government, the private sector and the community.

1.4.4. **Consultation** means two way communications designed to obtain public feedback about ideas on rationale, alternatives and proposals to inform decision making.

1.4.5. **Council** means the City of Holdfast Bay.

1.4.6. **Policy** means the City of Holdfast Bay Community Consultation and Engagement Policy.

1.4.7. **Regulations** means the Local Government (General) Regulations 2000.

2 References

2.1 Legislation

2.1.1. Local Government Act 1999

2.2 Other References

2.2.1. Local Government Association's Community Engagement Handbook – a Model Framework for Leading practice in Local Government in South Australia. (2008)

2.2.2. IAP2 website: <http://www.iap2.org.au>.

3 Process

3.1 Responsibilities:

3.1.1. Council is responsible for:

- Approving appropriate public engagement initiatives and providing the appropriate resources in accordance with the City of Holdfast Bay Public Consultation and Engagement Policy;
- Responding to feedback in a way which is consistent with the policy; and
- Incorporating any feedback into Council policy as appropriate.

3.1.2. The Chief Executive Officer is responsible for:

- Overseeing communication and consultation initiatives in accordance with the City of Holdfast Bay Public Consultation and Engagement Policy;
- Reporting on outcomes of these initiatives to Council, to inform the decision making process;
- Initiating any review and evaluation of the City of Holdfast Bay Public Consultation and Engagement Policy and providing reports to Council on its efficacy; and
- Providing training and support to employees to enable them to apply the principles and tools of community engagement.

3.1.3. Employees are responsible for:

- Preparing and conducting any public engagement process in accordance with the Local Government Association's Community Engagement Handbook – a Model Framework for Leading practice in Local Government in South Australia. (2008);
- Reporting on the results of any public engagement process to the community and to Council.

3.2 Consultation Requirements

3.2.1. In determining the type and scale of the community engagement, employees are required to refer to, and apply, the steps contained in the Local Government Association's Community Engagement Handbook – a Model Framework for Leading practice in Local Government in South Australia, four phase program:

- Phase one – Planning for community engagement
- Phase two – Developing a community engagement strategy
- Phase three – Implementing a community engagement strategy; and
- Phase four – Providing feedback to stakeholders and reporting to Council.

3.2.2. For the purposes of this procedure the following promises apply:

- **Inform** – One way communication providing balanced and objective information to assist understanding about something that is going to happen
- **Consult** – two way communications designed to obtain public feedback about ideas on rationale, alternatives and proposals to inform decision making
- **Involve** – participatory process designed to help identify issues and views to ensure that concerns and aspirations are understood and considered prior to decision making.
- **Collaborate** – working together to develop understanding of all issues and interests to work out alternatives and identify preferred solutions.

3.2.3. Employees should refer to Appendix 1 of this procedure for a guide on the range of community engagement styles available (p3 of the Community Engagement Handbook).

3.3 Legislative Requirements

3.3.1. The Act requires Council to consult in accordance with its public consultation policy, with regard to the matters listed below, and sets out the minimum requirements as follows:

- The publication in a newspaper circulating within the area of the council a notice describing the matter under consideration and inviting interested persons to make submissions in relation to the matter within a period (which must be at least 21 days) stated in the notice; and
- The consideration by Council of any submissions made in response to an invitation to make a submission.

3.3.2. These minimum requirements are to be implemented along with any additional requirements identified as part of Phase one and two of the Community Engagement Handbook¹.

- Principal Office - Opening hours (S.45 (3))
- Code of Practice - Access to meetings and documents (S.92(5)(b))
- Annual Business Plan (S.123(3))
- Rates - Basis of Rating (S.151(7))
- Rates – Basis or Differential Rates (S. 156 (14d))
- Community Land - Revocation of Classification (S.194(2))²
- Community Land - Management Plans (S.197(1))
- Community Land - Alienation by lease or licence (S.202(2))
- Roads - Authorisations and Permits restricting access, or for use or activity requiring public consultation under regulations (S.223)
- Roads - Planting trees and vegetation (S.232).

3.3.3. The Act provides specific details of the consultation required to be followed for the activities listed below: (These are the minimum requirements and are to be implemented along with any additional requirements identified as part of Phase one and two of the Community Engagement Handbook.):-

- Representation Reviews (S.12)
- Status of council / changes of names (S.13)
- Commercial Activities - Prudential Requirements (S.48)
- Public Consultation Policies (Section 50)
- Strategic Management Plans (S.122(6))
- Passing By - laws (S.249)
- Policies on Orders (S.259)

3.3.4. The requirements of the Act in regard to these sections are summarised in Appendix 4 of this procedure and in Appendix 4 of the **Community Engagement Handbook**, however, Council and employees should always refer directly to the relevant Section of the Act before finalising the appropriate consultation requirements.

3.3.5. Where there are legislative requirements for consultation under other legislation then these take precedence over the Community Consultation and Engagement Policy. Employees are referred to the following:

- Road Traffic Act 1961 – s32 Road closing by Councils for traffic management purposes
- Road Traffic Act 1961 – s32 Road closing and exemptions for road events
- Road Traffic Act 1961 – s86 Removal of vehicles causing obstruction or danger
- Summary Offences Act 1953 – Regulation of traffic in certain cases

¹ See resource **Spectrum of Public Participation**

² Where Officers are undertaking revocation they follow the Minister's request to install appropriate signs.

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- Development Act 1993 – s18 Notification of application
- Development Act 1993 – s25 Plan Amendment Report
- Development Act 1993 – s30 Development Plan Review
- Development Act 1993 – s38 Public Notice and Consultation

3.3.6. It is important to note that the above list is not definitive and employees must take steps to identify any legislative requirements for consultation when they are implementing requirements of other Acts.

3.4 Other Instances Where Community Consultation is Required

3.4.1. Prior to changing the names of

- Community land
- Streets; or
- Parks

3.4.2. Employees are required to implement an appropriate community engagement process as identified as part of Phase one and two of the Community Engagement Handbook