

## Community Engagement & Public Consultation

Reference Number:	<b>COU11</b>
Responsible Department:	Corporate Services
Responsible Officer:	General Manager
Legislation	Local Government Act 1999 Sec 50
Relevant Delegations:	City of Unley Delegations Register 10.5 – Public Consultation Policies Page 9 of 49
Related Policies and Procedures:	
Community Goal	GOE/2: Provide a corporate framework for community engagement with the community, which informs, educates and encourages community input in to Council decision-making processes.
Previous Policy Number:	1.4.08
Council Resolution:	Item 306 CSP 19 April 2010 Item 306 C 27 April 2010 Item 51 CSP 18 July 2011 Item 191 C 25 July 2011 Item 108 CSP 14 May 2012 Item 420 C 28 May 2012
Date Adopted:	28 May 2012
Review Date:	May 2013

### 1. POLICY STATEMENT

This policy upholds the view that involvement of the community and key stakeholders in planning and decision making for the local area is fundamental to effective governance. It ensures that Council's responsibilities to effectively communicate, consult and engage with stakeholders are fulfilled.

### 2. OBJECTIVES

The objectives of this Policy are:

- (a) to fulfil the statutory requirements of the Local Government Act 1999 Sec 50;
- (b) to enable the community to contribute to the Council's decision making through open and accountable processes;

- (c) to promote equity through optimal access to consultation opportunities;
- (d) to provide a framework for the Administration's implementation of the Council's principles for community engagement, including community consultation.

### 3. INTERPRETATION

For the purposes of this Policy, the following definitions apply:

- (a) *Community* means "the public". The community includes ratepayers, residents and all people who live, work, study, conduct business or use the services, facilities and public places in the City of Unley. These people are often referred to as "stakeholders" in the affairs of the Council.
- (b) *Communication* in this Policy, means conveying information to another party.
- (c) *The Act* means the Local Government Act 1999, as amended.
- (d) *Community Engagement* is any process that involves the community in problem solving or decision-making and uses community input to make decisions. Community engagement can include communicating with the community about decisions made; consulting on specific ideas or proposals; involving the community in planning processes; and collaborating with the community to make decisions.
- (e) *Community Consultation* is part of community engagement and means a planned process by which the Council formally invites its constituents and stakeholders to comment about matters upon which Elected Members are to deliberate. This means providing information to the community and eliciting opinions and comments from members of the public, for the Council to consider. The final decision regarding such matters rests with the Council.

The Administration may also consult the community regarding specific aspects of programs to be implemented, within the framework of the Council's decisions and the provisions of the Local Government Act or other legislation. The final decision regarding these operational matters, rests with the Chief Executive Officer.

- (f) *Council* means the Elected Members of the City of Unley. The *Council Administration* refers to the employees and contractors engaged by the organization.

### 4. PRINCIPLES

The Council has adopted the following principles as central to effective community engagement and public consultation:

- (a) The community has a right to contribute to and to be informed about key decisions affecting the local area.
- (b) The community is to be provided with adequate information in order to make informed opinions. Information is to be provided to identified stakeholders so that it:
  - (i) is clearly presented and relevant;
  - (ii) is readily accessible;
  - (iii) clearly defines the aspects of the matter which are subject to community comment;
  - (iv) is provided with due regard to the resources available and to relevant legislation, Council Policies and Codes of Practice;
  - (v) clearly states that submissions received will become public documents;
  - (vi) provides contact details for further enquiries; and
  - (vii) outlines the decision making process of which the consultation is a part.
- (c) Appropriate and timely opportunities are to be provided for people to gain access to information and to be involved in community engagement programs.
- (d) A Community Engagement Toolkit is available to assist Council staff in selecting appropriate techniques for the varied levels and matters requiring community engagement.
- (e) A variety of strategies should be used over time, to suit particular circumstances and to take account of barriers to access to information due to language or cultural issues.
- (f) A variety of strategies should be used to take account of barriers to due to disability issues, in line with the City of Unley “Access for All” Action Plan 2010. Consideration should be given on ways to provide accessible engagement opportunities for people with -
  - (i) Physical disabilities
  - (ii) Hearing impairments
  - (iii) Visual impairments/low vision
  - (iv) Intellectual disabilities
  - (v) Mental health concerns.

Specific strategies for reducing barriers to community participation are detailed in the Community Engagement Toolkit.

- (g) Presentations by members of the public at formal Council meetings are governed by Local Government (Procedures at Meetings) Regulation number 12 (Deputations).
- (h) The Council has a responsibility to consider all submissions in a balanced way, and recognises that community opinion is one aspect of the decision making process. The Council will strive to make decisions for the good governance of the City as a whole, over the long term, taking account of all the influences and factors relevant to any particular matter. The Council is required to make decisions that are equitable, economically, socially, culturally and environmentally appropriate, timely and in accord with legislation.
- (i) Community engagement processes will be open, accountable and within resource constraints. The level and style of engagement with the community will vary depending on the community interest in the matter, the number of people potentially affected by the Council's decision, the resources available, and legislative requirements. An appropriate period of time is to be provided for consideration of, response to and collation of input on the matter.
- (j) The community will be advised of significant decisions which have involved a community engagement process, and there will be readily available public access to the outcomes of all community engagement programs.

## **5. STATUTORY REQUIREMENTS**

- (a) Where there are statutory requirements for consultation, these will take precedence over this policy where there is any inconsistency.
- (b) Where the Local Government Act 1999 requires that the Council follows this policy, and the legislation does not specify steps to the contrary, the Council will:
  - publish in the local newspaper, a notice describing the matter under consideration and inviting interested people to make written submissions within a period of no less than 21 (twenty one) calendar days, which will be stated in the notice; and
  - consider any submissions made in response to the newspaper notice.
- (c) The Local Government Act 1999 requires that community consultation be undertaken in relation to the following matters. Legislative requirements must be followed with regard to:
  - Composition and wards of the Council                      Section 12(5)
  - Status of Council or change of names                      Section 13(2)

- Principal office of the Council Section 45(3)
- Prudential requirements for certain activities  
Section 48 (2)(d) (5) and (6)
- Public consultation policy Section 50(6)
- Access to meetings and documents - code of practice  
Section 92(5)
- Strategic management plans Section 122(6)
- Annual Business Plans & Budgets Section 123(3)(b)
- Basis of rating Section 151(5)
- Basis of differential rates Section 156(14a) to (14f)
- Community land: classification Section 193(2)
- Community land: revocation of classification Section 194(2)
- Community land: proposed management plans  
Section 197(1)
- Community land: amendment or revocation of  
management plan Section 198
- Community land: alienation by lease or licence  
Section 202(2)& (3)
- Permits for business purposes (on roads) Section 223(1)
- Planting of vegetation on roads Section 232
- Passing by-laws Section 249
- Order making policies Section 259.

## 6. ADDITIONAL MATTERS FOR CONSULTATION

This policy does not apply to Development Applications under the Development Act 1993.

In addition to the matters set out in the Local Government Act 1999, the Council may choose to follow this policy in regard to other matters. Without limiting the extent of the operation of this policy, issues warranting community consultation may include:

- Major public infrastructure developments

- The provision of services and facilities
- Traffic management
- Proposals for change.

## **7. IMPLEMENTATION OF THIS POLICY**

- (a) This policy applies to Elected Members, Council staff, contractors, agents and consultants acting on behalf of the Council.
- (b) The Chief Executive Officer is responsible for implementing community engagement and consultation programs in accordance with this policy. Guidelines and resources are to be provided to enable staff to fulfil the consultation requirements of legislation and this policy.

## **8. REVIEW**

It must be noted that the Local Government Act 1999 Section 50(6) specifies procedures for changing this policy.