

## Community Engagement (Public Consultation)

Classification:	Council Policy
Policy Name:	Community Engagement (Public Consultation)
First Issued / Approved:	20 October 2009 CS1701
Last Reviewed:	April 2013 C9122 9 September 2014 C9887 25 August 2015 C10325 13 March 2018 C11619 14 April 2020 C12489 (Covid provisions contained within the Ministers Notice)
Next Review:	February 2020
ECM Tracking No.:	986669
Responsible Officer:	Strategic Community Engagement Officer
Relevant Legislation:	Local Government Act 1999 Development Act 1993 Development Regulations 2008 Road Traffic Act 1961 SA Public Health Act 2011
Related Policies:	Code of Conduct for Council Members Code of Conduct for Council Employees Code of Conduct for Volunteers Caretaker Policy Social Media Policy Media Policy
Attachments:	A – City of Burnside Engagement Framework B – Consultation Methods and Decision-making

### 1. Introduction

- 1.1 Section 50 of the *Local Government Act 1999* requires Council to adopt a Public Consultation Policy. This Policy will be required to capture the full spectrum of community engagement as the Community Engagement (Public Consultation) Policy.
- 1.2 This Policy provides a consistent and appropriate approach to inform, involve and consult with the Burnside community on the decision making of Council. It is recognised that high quality community engagement is critical to the

successful development of sustainable policies and decisions by Council. This Policy also recognises the importance placed on community engagement in the work of council and recognises the valuable contribution of members of our community to the well-being of our city.

- 1.3 This Policy applies to Elected Members, employees, contractors and agents or consultants acting on behalf of Council.
- 1.4 This Policy represents the *Local Government Act 1999* Part 5 requirements.

## **2. Strategic Plan Desired Outcomes**

- 2.1 Our Community is actively engaged and involved in shaping the City's future.

## **3. Our Approach**

- 3.1 Provide a range of opportunities for the Burnside community to actively engage and participate in Council's decision making activities.
- 3.2 Improve the Council's understanding of community views and our performance as rated by the Burnside community.

## **4. Legislative Requirements and Corporate Policy Context**

- 4.1 The City of Burnside is committed to achieving a best practice standard on community engagement issues. Under Section 50 of the *Local Government Act 1999*, Council is required to adopt a Public Consultation Policy. The *Local Government Act 1999* also requires a Council to consult on a variety of activities, including:
  - 4.1.1 Determining the manner, places and opening hours of its office (Section 45);
  - 4.1.2 Adoption or variation of a public consultation policy (Section 50);
  - 4.1.3 Adoption, alteration or substitution of the Code of Practice for access to meetings and documents (Section 92);
  - 4.1.4 Development and review of Strategic Management Plans (Section 122);
  - 4.1.5 Annual business plans and budgets (Section 123);
  - 4.1.6 Access to documents (Section 132);
  - 4.1.7 Basis of rating land (Section 151);
  - 4.1.8 Basis of differential rates (Section 156);
  - 4.1.9 Excluding land from classification as community land (Section 193);
  - 4.1.10 Revoking the classification as community land (Section 194);
  - 4.1.11 Public consultation on proposed management plan for community land (Section 197);

- 4.1.12 Amending or revoking a management plan for community land (Section 198);
  - 4.1.13 Alienation of community land by lease or license (Section 202);
  - 4.1.14 Authorisation and permit for use of a road (Section 223);
  - 4.1.15 Planting vegetation where it will have a significant impact on residents, the proprietors of nearby businesses or advertisers (Section 232); and
  - 4.1.16 Documents to be made available by councils (Schedule 5).
- 4.2 Other forms of consultation are required in respect to:
- 4.2.1 Representation reviews (Section 12);
  - 4.2.2 Status of Council or Name Change (Section 13);
  - 4.2.3 Commercial activities – Prudential Arrangements (Section 48);
  - 4.2.4 Passing By-laws (Section 249); and
  - 4.2.5 Developing policies (Section 259).
- 4.3 In relation to building and development, the prescribed level of consultation can be found in Section 38 of the *Development Act 1993* and Part 6 of the *Development Regulations 2008*.
- 4.4 In relation to councils closing a road (including partially or temporarily) to traffic for traffic management purposes, the prescribed level of consultation can be found in Section 32 of the *Road Traffic Act 1961*.
- 4.5 *Better Living, Better Health 2014-18 Regional Public Health Plan* addresses the requirements of the *SA Public Health Act 2011* for the Eastern Health Authority and its Constituent Councils, providing the strategic direction for improving community wellbeing.
- 4.6 Engagement processes identified in this Policy will include any prescribed statutory requirements. In the event of any inconsistency between an act of parliament and this policy, the Act prevails. To view current requirements, please visit [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au)

## 5. Policy

- 5.1 Council Members who are elected to govern every four years by fellow ratepayers and residents and through the *Local Government Act 1999* are empowered and required to make decisions on their behalf. Council staff make recommendations to Elected Members but final decisions and accountability rests with Elected Members. Community engagement does not remove these roles but it increases opportunities for the community to provide advice and influence decision-making.
- 5.2 The City of Burnside is committed to effective, ongoing and timely community engagement as an integral part of local governance and key decision making.

- 5.3 Council staff will be proactive in informing and seeking the views of its community, ensuring appropriate strategies are developed to maximise the opportunities for participation by all members of the community.
- 5.4 Council staff and Elected Members will at all times undertake the requirements for public consultations as specified in the *Local Government Act 1999* or any other relevant Act.
- 5.5 The results of community engagement processes are a vital part of the information that will be considered during decision-making processes but will not necessarily determine the outcome.
- 5.6 Engagement techniques will be selected to fulfil the implied or specified promise of the defined engagement process as described in the City of Burnside Engagement Framework (Attachment A). The public participation goals in which the City of Burnside will engage are to inform, consult and involve. Council is committed to engaging the Burnside community in order to inform Council's decision making. The responsibility for decision making rests with the elected body of Council.
- 5.7 Council staff will define the parameters of the community engagement process for each specific topic, in line with legislative requirements and best practice, and in accordance with the size, cost, strategic importance and perceived level of community interest in the subject being engaged upon. Appropriate engagement methods to meet the defined parameters, subject matter, information required, level of interest and community needs, for each consultation will be chosen from the list at Attachment B.
- 5.8 For the purposes of determining the period of community engagement, consideration will be given to avoiding school holidays, Christmas and New Year periods unless there are compelling reasons for a consultation to be held during these times. The period of engagement will be a minimum of 21 days unless legislatively required to be a different length.
- 5.9 Council staff and Elected Members acknowledge that there are many sections of the Burnside community that may have different levels of interest in an individual issue. Engagement strategies will be tailored accordingly.
- 5.10 Where significantly different groups of stakeholders have an interest in issues around an engagement, results will be assessed and reported in stakeholder groups as well as an aggregated total.
- 5.11 Feedback methods will require the name, address and where relevant, stakeholder group to be included in any responses from the community, including for telephone, electronic and written responses. This will enable residents, ratepayers, businesses, members of social, sporting and service clubs, and other interested parties to be separately identified and data aggregated separately. Names and addresses of respondents will remain confidential unless legally required to be disclosed.
- 5.12 Council staff will include responses, feedback and opinions from City of Burnside ratepayers and residents as input to all engagements as part of Council's decision making process.
- 5.13 Council staff may, where appropriate, give weighting to the feedback and opinions of those residents most affected by the issue/s under consultation.

- 5.14 Input from external stakeholders (professional bodies, government agencies and authorities, visitors to the City of Burnside, community organisations and associations) of Council that do not comprise residents and/or ratepayers of Burnside will be included in results. They will be received and aggregated separately from resident and ratepayer inputs as appropriate. Weighting will be given to the feedback from Burnside residents and ratepayers over external stakeholders.
- 5.15 Contributions to engagements and surveys in the form of letters from associations, incorporated bodies and community organisations/groups will be represented as one submission.
- 5.16 Contributions to engagements in the form of petitions will be included on the basis that individual petitioners are residents or ratepayers of the City of Burnside. Petitioners who are not Burnside residents and/or ratepayers will be received and aggregated separately from resident and ratepayer inputs. Weighting will be given to the feedback from Burnside residents and ratepayers over external stakeholders as appropriate.
- 5.17 Individual petitioners who have also completed a written and/or online survey as part of an engagement process will be represented by one submission.
- 5.18 Individuals who complete a written and an online survey as part of an engagement process will be represented by one submission.
- 5.19 Council staff will make available the results of engagements on the Council website and where appropriate on the [engage.burnside](http://engage.burnside.sa.gov.au) website.

## **6. Grievances**

- 6.1 Any grievances in relation to this Policy or its application should be forwarded in writing to the General Manager Corporate and Development, City of Burnside.

## **7. Review and Authority**

- 7.1 This Policy will be reviewed bi-annually in accordance with Council's Policy and Procedure Framework.
- 7.2 Without changing the intent, a General Manager may waive or vary the requirements of this policy as needed to meet operational requirements.

## **8. Availability**

- 8.1 The Policy is available to be downloaded, free of charge, from Council's website [www.burnside.sa.gov.au](http://www.burnside.sa.gov.au)
- 8.2 The Policy will be available for inspection without charge at the Civic Centre during ordinary business hours and a copy may be purchased at a fee in accordance with Council's Fees and Charges Schedule.

City of Burnside Civic Centre

401 Greenhill Road, Tusmore SA 5065

Telephone: 8366 4200

Fax: 8366 4299

Email: [burnside@burnside.sa.gov.au](mailto:burnside@burnside.sa.gov.au)

Office hours: Monday to Friday, 8.30 am to 5 pm (except public holidays).

## **9. Further information**

For further information about this policy please contact:

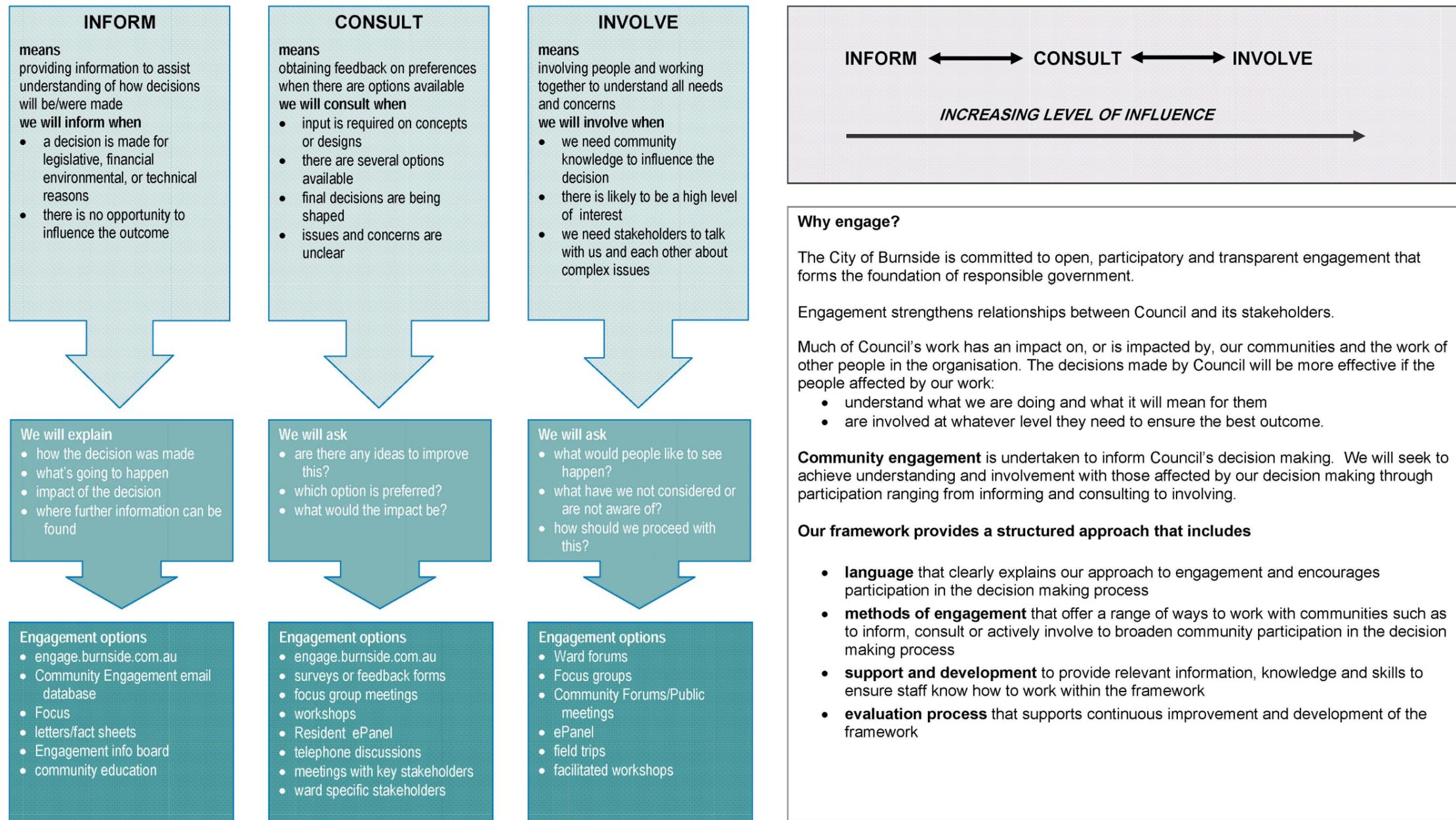
Strategic Community Engagement Officer  
City of Burnside  
410 Greenhill Road  
Tusmore SA 5065  
Telephone 08 8366 4200

Attachment A



## ENGAGEMENT FRAMEWORK

*Our Strategic Direction is to be engaging, open and approachable, to listen to and be representative of our community's views, to act on our behalf in our best interest.*



## Attachment B

A variety of methods may be used to engage with the public. Methods will be chosen considering a number of factors:

- Size (numbers) and geographic location of population targeted;
- Segmentation of population targeted;
- Format preferences of targeted population;
- Any barriers to participation;
- Legislative requirements;
- Type of information /response required (according to the City of Burnside Engagement Framework, Attachment A);
- Preferred techniques of communication as advised by the Annual Community Survey;
- Stage of project / issue to be engaged upon;
- Cost of project / issue to be engaged upon;
- Strategic importance of project / issue to be engaged upon;
- Perceived level of community interest in project / issue;
- Need for statistical validity;
- Cost of engagement methodologies.

The range of methods available for use includes, but is not limited to, the following options:

- Advertising in Messenger Press or other newspaper;
- Distribution of leaflets / newsletters;
- email notifications;
- Messenger Column;
- Council website;
- On-site signage;
- Media releases;
- Promotional displays at Civic Centre and/or other Council venues;
- Social media communications;
- *Focus* magazine;
- Other magazine articles.
- Engage.burnside with online surveys as required;
- Ward forums / public meetings;
- Surveys (telephone and written), the Annual Community Survey;
- ePanel.
- Field trips
- Workshops
- Focus groups
- Interviews.