

Community Engagement and Consultation

Classification:	Council Policy
First Issued / Approved:	20 October 2009 CS1701
Last Reviewed:	9 April 2013 C9122 9 September 2014 C9887 25 August 2015 C10325 13 March 2018 C11619 14 April 2020 C12489 C141123/13564
Next Review:	November 2027
ECM Tracking No.:	986669
Responsible Officer:	Director Corporate
Relevant Legislation:	Local Government Act 1999 <i>Behavioural Standards for Council Members</i> Planning, Development and Infrastructure Act 2016 Planning, Development and Infrastructure (General) Regulations 2017 Road Traffic Act 1961 Roads (Opening and Closing) Act 1991 South Australian Public Health Act 2011
Related Policies:	Code of Conduct for Volunteers Employee Conduct Protocol Caretaker Policy Social Media Policy Media Policy Ward Forum Policy Community Access Inclusion and Participation Policy
Attachments:	A – City of Burnside Engagement Framework

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 details how Council will fulfil its legislative requirements.

2. Strategic Plan Desired Outcomes

Principles: 2. Communication and Engagement

4. Governing with Integrity

Theme: Spans across all Strategic Plan Themes

Goals: 1. A resilient, healthy and connected community

Priorities: 1.3. A sense of community

3.2 Council as an advocate and influencer to ensure our community's voices are heard

3. Our Approach

- 3.1 To ensure that decision making is based on an understanding of the needs, aspirations and expectations of the community, assisting the Council to achieve integrity in governance.
- 3.2 Encourage the City of Burnside community to actively participate in Council's decision making processes.
- 3.3 To continue the commitment of the City of Burnside to the transparency of decision making, along with informing and involving the community in key decisions affecting a local area and also more widely.
- 3.4 Council is committed to open, transparent, responsive and accountable government.
- 3.5 Improve the Council's understanding of community views and our performance as rated by the Burnside community.

- 3.6 To promote effective communication and engagement between the community and the Council.
- 3.7 Increase participation by citizens in the life and future directions of the City.
- 3.8 To plan, create and implement inclusive, transparent and accountable community engagement processes based on the principles of the International Association for Public Participation (IAP2), the peak body for the community and stakeholder engagement sector.

4. Legislative Requirements and Corporate Policy Context

- 4.1 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);
 - 4.1.16 Time limits for dealing with certain applications (Section 242); and
 - 4.1.17 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 Part 4, Division 1 of the *Planning, Development and Infrastructure Act 2016* and Part 6 of the *Planning, Development and Infrastructure (General Regulations) 2017*.
- 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* and Section 10 of the *Roads (Opening and Closing) Act 1991*.
- 4.5 *Better Living, Better Health 2020-25 Regional Public Health Plan* addresses the requirements of the *South Australian 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 the South Australian Parliament and this policy, the Act prevails. To view current requirements, please visit www.legislation.sa.gov.au

5. Policy

- 5.1 Council Members who are elected to govern every four years by 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 Council Members but final decisions and accountability rests with Council Members. Community engagement does not remove these roles but it increases opportunities for the community to provide advice and influence decision making.
- 5.2 Council Members are consulted before engagement processes are conducted via mechanisms such as by email, the Council Member Portal, Information Documents, Weekly Reporting, meetings with the Administration staff and CEO Monthly Reports. Council Members are consulted with on proposed changes to services and issues within their wards.
- 5.3 The City of Burnside is committed to effective, ongoing, timely and best practice community engagement as an integral part of local governance and key decision making.
- 5.4 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.

- 5.5 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 community engagement goals in which the City of Burnside will engage are based on the IAP2 scope; 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, IAP2 principles and in accordance with the size, cost, strategic importance and perceived level of community interest in the subject being engaged upon.
- 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 Council 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 may 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 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.
- 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. Complaints

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

7. Review and Authority

- 7.1 This Policy will be reviewed every four years in accordance with Council's Policy and Procedure Framework.
- 7.2 Without changing the intent, the CEO or a Director 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
- 8.2 A copy may be purchased at a fee as set annually by Council.

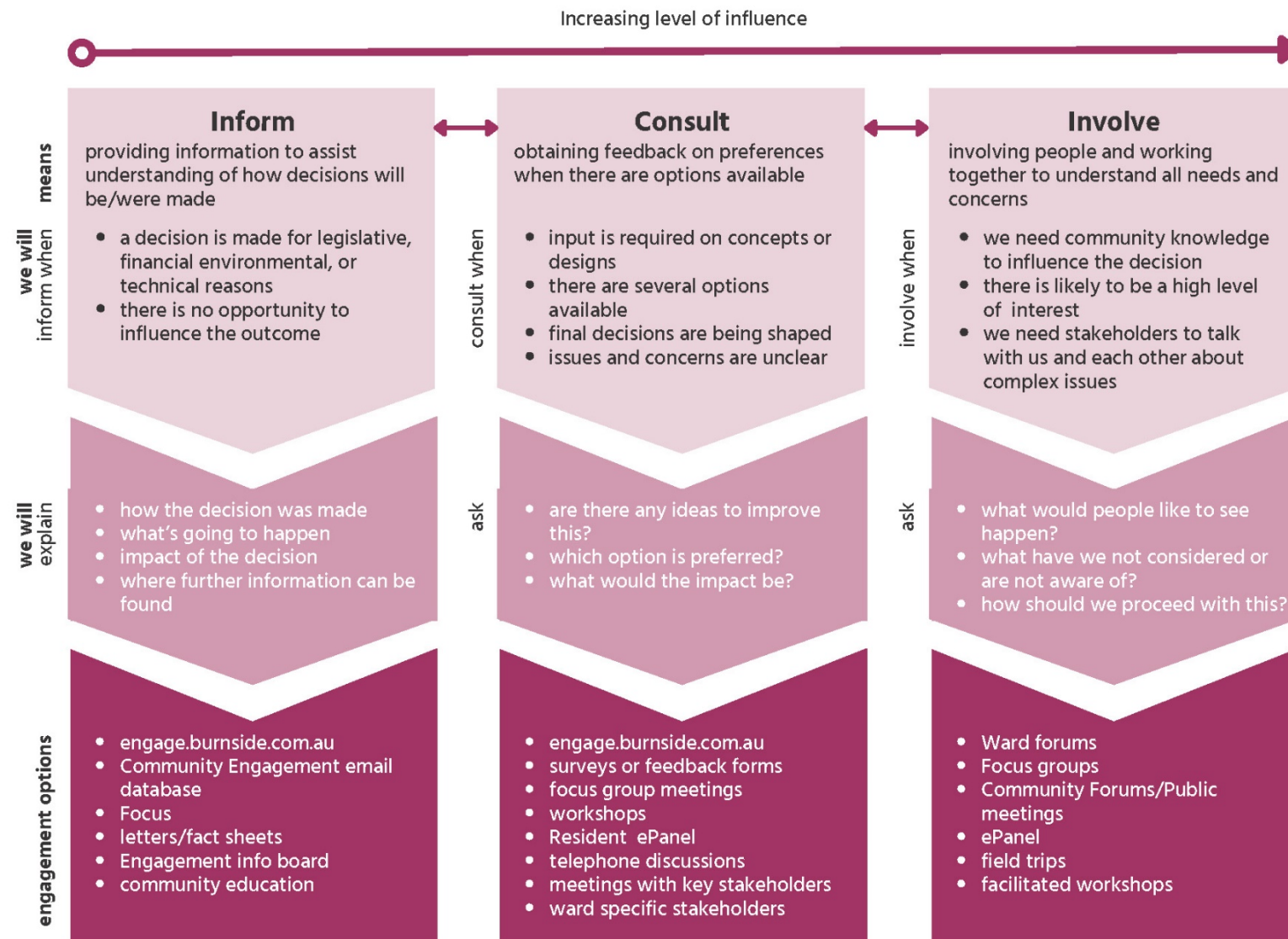
9. Further information

For further information about this policy please contact:

City of Burnside Civic Centre
410 Greenhill Road
Tusmore SA 5065
Telephone 08 8366 4200
Email burnside@burnside.sa.gov.au

Attachment A

Engagement Framework



Why Engage?

The City of Burnside is committed to open, participatory and transparent engagement that forms the foundation of responsible government.

Engagement strengthens relationships between Council and its stakeholders.

Much of Council's work has an impact on, or is impacted by, our communities and the work of other people in the organisation. The decisions made by Council will be more effective if the people affected by our work:

- understand what we are doing and what it will mean for them
- are involved at whatever level they need to ensure the best outcome.

Community engagement is undertaken to inform Council's decision making. We will seek to achieve understanding and involvement with those affected by our decision making through participation ranging from informing and consulting to involving.

Our framework provides a structured approach that includes:

- language that clearly explains our approach to engagement and encourages participation in the decision making process
- methods of engagement that offer a range of ways to work with communities such as to inform, consult or actively involve to broaden community participation in the decision making process
- support and development to provide relevant information, knowledge and skills to ensure staff know how to work within the framework
- evaluation process that supports continuous improvement and development of the framework

The Decision Making Process

