

Public Consultation Policy

Policy Reference Number	5978001
Responsible Department	Corporate Services
Related Policies	Nil
Related Procedures	Nil
Date of Initial Adoption	3 July 2000
Last Reviewed by Council	16 May 2023

1. Purpose

To outline public participation arrangements in Council's decision-making and detail how Council how will fulfil its legislative requirements for public consultation as set out in the Local Government Act 1999.

2. Power to Make the Policy

Section 50 of the Act (Local Government Act 1999) requires Council to prepare and adopt a Public Consultation Policy.

3. Strategic Plan Link

This Policy has the following link to Council's Strategic Plan 2024:

- Leading our People (Goal 5)

4. Principles

Council:

Focus and Commitment

- Is genuinely open to engaging with the Community and committed to providing meaningful community engagement opportunities.

Mutual Trust, Respect and Accountability

- Will enable inclusive involvement and value diversity; all opinions will be valued and considered.
- Will be accountable, accessible and ethical in all dealings with the Community.
- Acknowledges that community engagement activities enable Council and the Community to learn from each other, and that it is important to make an effort to exchange views.
- Will seek to engage in respectful two-way communication with the Community.

Transparency, Openness and Evidence Based

- Approaches engagement from an impartial perspective, free from bias toward any stakeholder/s involved in the process.
- Utilises sound engagement practices that are based on contemporary research methods, professional codes and standards.
- Will utilise flexible and convenient engagement methods wherever possible so that engagement with Council is as easy as possible.
- Acknowledges that successful community engagement requires a consistent approach using a variety of techniques and engagement with the Community which is fit for purpose.
- Is committed to ensuring that the Community is well informed in a timely manner.

Decision Making and Feedback

- Will strive for transparent Community Engagement reports whilst protecting the personal information of individuals to the extent possible under legislation.
- Will be the decision Maker and in doing so, will strive for transparent and responsive decision making that incorporates the outcomes of community engagement processes, balanced with other internal and external influences.
- Will inform its Community of the outcome of community engagement practices.

Review and Improve

- Evaluation of the community engagement process will seek to establish continuous system improvements.

5. Definitions

Committee Member Means a person who is an Independent Member of a Council Section 41 Committee or Panel.

Community: May include all people who live, study or conduct business in, or who visit, use or enjoy the services, facilities and public places of the City of Campbelltown.

Community Engagement: Is about providing meaningful opportunity for the Community to have input into Council problem solving or decision making processes.

Community engagement can include:

- **INFORMING** the Community (one way communication) with balanced and objective information to assist understanding about something that is going to happen or has happened
- **CONSULTING** using two way communication designed to obtain public feedback about ideas, alternatives and proposals

- INVOLVING with processes designed to help identify issues and views to ensure that concern and aspirations are understood and considered prior to decision making
- COLLABORATING with the Community to develop an understanding of all issues and interests and to work out alternatives and identify preferred solutions
- EMPOWERING whereby final decision making is placed in the hands of the public (eg Council polls, citizens juries). This level provides opportunities and resources for Communities to directly contribute to solutions, values local talents and skills, and acknowledges their capacity to be decision makers in their own right.

Community Engagement Techniques:

The methods that are used to facilitate engagement or interaction with the Community e.g. a workshop, survey (hard copy or online), public forum such as a Drop In Session or Public Meeting; seminar, roving stall for discussions, taskforce or Committee.

The International Association of Public Participation (IAP2):

An organisation established to advance the practice of public participation world wide, promoting best practice and the values and standards associated with involving the public in decisions that affect their lives (www.iap2.org.au/).

Policy Limitations

This Policy does not cover prescribed consultation requirements under the Planning, Development and Infrastructure Act 2016 or the Freedom of Information Act 1991.

6. Policy

Council recognises that community engagement and participation processes are a vital part of local democracy. Effective engagement is good business practice and critical to good governance. For these reasons Council is committed to engaging with the local Community.

Council's community engagement processes will be based on the International Association of Public Participation (IAP2) Model, values and standards, and the South Australian 'Local Government Community Engagement Handbook'. Employees will monitor state, national and international trends and practices in community engagement to ensure that Council's engagement processes remain at a quality standard and up-to-date.

6.1 Application

6.1.1 Responsibilities under the Local Government Act 1999

In regard to the following matters, Council is required to follow its consultation provisions as outlined in its Public Consultation Policy:

- Principal Office opening hours - Section 45(3)
- Code of Practice Access to meetings and documents – Section 92(5)(b)
- Community Land classification – Section 193(2)
- Community Land Management Plans – Section 197(1)
- Community Land Amendment or Revocation of Management Plans – Section 198
- Community Land Alienation by Lease or Licence – Section 202(2), 202(3)
- Public Consultation (Authorisations / Permits) – Section 223; and
- Trees – Section 232.

In this regard, Council will as a minimum:

- Publish on Council's website and in accordance with public notice requirements as specified in the Act, describing the matter in question, and invite interested persons to make submissions in relation to the matter being considered within a period of at least 21 days
- Consider any submissions received and provide feedback to persons who have made submissions (via public notice on Council's *Connect 2 Campbelltown* website and email notification where an email has been supplied) with regard to Council's decision in relation to the matter.

6.1.2 Prescribed Public Consultation Processes

The Act also stipulates that specific public consultation should be undertaken in regard to some detailed activities. In this respect Council will follow the requirements as set out in the relevant sections of the Act.

- Representation Review - Section 12
- Status of a Council / Change of Name - Section 13
- Commercial activities / Prudential requirements - Section 48
- Public Consultation Policy – Section 50(6)
- Strategic Management Plans – Section 122(6)
- Annual Business Plan – Section 123

- Rating – Section 151
- Differential Rating – Section 156
- Community Land Revocation of classification –Section 194(2), 194(3)
- Removal of Vehicles – Section 237
- Passing By-Laws – Section 249; and
- Policies on Orders – Section 259.

In addition, public consultation for a Community Land Revocation of classification will be accompanied by signage at the site where revocation is proposed that:

- Identifies the land that is subject to proposed revocation; and
- Clearly states in plain English the nature of the proposal that is subject to public consultation.

6.1.3 Public Consultation for Development purposes

The Planning, Development and Infrastructure Act 2016 provides the framework for Councils regarding community engagement requirements for development purposes.

6.1.4 Discretionary Community Engagement

The decision to engage with the Community and the scope and scale of the engagement will be determined based on the following criteria:

- number of ratepayers, residents or stakeholders likely to be affected
- sensitivity and nature of the issue or decision
- likely social, economic, environmental and cultural impact
- scale of public and Community interest, and
- the requirements of the Act, other legislation and Council policies.

Where a community engagement project is valued at \$5 million or more, or is anticipated to be controversial, Staff will make recommendation to Council as to the suitability of incorporating a statistically validated process (eg. telephone survey, Citizens Jury, etc) into the community engagement processes to be utilised for the project.

All discretionary community engagement will be undertaken for a minimum of 21 days.

6.1.5 Community Initiated Engagement with Council

Any individual, group of individuals, organisation or political entity with an interest or stake in the outcome of a decision has the right to initiate and engage with Council on the matter. In such circumstances Council will:

- implement high standards of Customer Service *
- undertake and encourage actions that build trust and credibility for the engagement process
- carefully consider and accurately portray the public's role in the decision-making process on the matter; and,
- disclose all information relevant to the matter to enable participants to engage with Council in a meaningful way.

6.2 Roles and Responsibilities

Elected Members and Employees play complementary roles in engaging with the Community.

6.2.1 Elected Members

Elected Members are usually the decision makers for formal community engagement processes undertaken by Council. Where this occurs, they will only participate as observers at engagement activities, and will not undertake behaviours that may influence the outcome of the engagement process.

Elected Members commit to making informed decisions when they have received feedback from the Community on a matter.

Elected Members have responsibility for engaging with their local communities through community run meetings and day-to-day liaison, however these processes are not to be undertaken concurrently or as part of a formal Council community engagement process.

6.2.2 Council Employees

Employees are responsible for engaging with the Community in their day to day business activities and on agreed projects. They will seek to omit bias from all community engagement processes, and will not participate in engagement activities or undertake behaviours that may influence the outcome of an engagement process.

Employees will notify Elected Members of the engagement and technique(s) that will be used for each formal engagement process.

* Campbelltown City Council Customer Service Charter

6.3 Engagement Activities

Employees will apply community engagement methodologies appropriate to the circumstances and desired outcomes of any specific engagement. Where the engagement is significant, Employees will formulate a comprehensive Community Engagement Strategy for that engagement.

Employees will use different community engagement techniques and communication mechanisms depending upon the issue or project, its particular circumstance and the audience it needs to target.

Where a community engagement process relates to an issue that impacts the lives of children and young people (eg a playground upgrade), Staff will actively seek to engage children and young people in engagement processes.

Community Engagement Strategies will aim to involve the Community and Stakeholders as early as possible in the process, and particularly for large or complex projects will seek to continue their engagement at relevant stages of the project. When a multi-stage approach is to be implemented, engagement opportunities in each stage will be at a level along the engagement spectrum (from Informing to Collaborating) that is appropriate for Community and Stakeholders involvement in that stage.

6.4 Community Participation

6.4.1 Voluntary

Participation by members of the Community in any Council community engagement activity will be voluntary and may at times include incentives to increase participation.

6.4.2 Participation by Minors

Employees will only engage under 12 year olds in any community engagement activities with the consent of parents or legal guardians or in formal educational settings.

6.4.3 Participation Limitations – Elected Members and Employees

Elected Members must not seek to influence the feedback received through Prescribed and Discretionary Community Engagement processes where Council is the decision maker.

Employees are only to facilitate, comment on feedback received and/or respond to questions in relation to a Council community engagement process when it formulates part of their responsibilities through their profession at Council.

Elected Members are ineligible from being members of the Council's Connect 2 Campbelltown online community engagement platform. Employees are only able to be registered participants of the platform for the purposes of conducting their role at Council.

This does not preclude Council from holding meetings and workshops, and seeking advice from Elected Members, Members of Council's Committees and Employees in relation to the direction of a project.

6.4.4 Participation Limitations – Committee Members

Committee Members are able to participate in Council community engagement processes as follows:

- If the Member has not participated in a Committee/Panel meeting where the engagement was discussed, they may respond to the engagement as an individual.
- However, if the Member has participated in the engagement as an individual and the matter is then considered at a Committee/Panel meeting, the Member needs to declare a general conflict of interest.

6.4.5 Public Meetings

There will be an announcement at the beginning of any public meeting of Council where there is a petition available for people to sign.

6.4.6 Presentations to Council

Presentations by members of the public at formal Council meetings are governed by the South Australian Local Government Act 1999 and Council's Policies.

6.4.7 Disrespectful and unreasonable Respondents

Council will have a zero tolerance of unreasonable and inappropriate behaviour at its engagement activities.

Where written feedback contains swearing, offensive statements or personal attacks it will be disregarded. Ongoing inappropriate responses from registered participants of Connect 2 Campbelltown may result in the participant being blocked from the platform.

6.5 Data Collection, Analysis and Reporting

Employees will obtain either qualitative (use of words) or quantitative (use of numbers) data from the Community during its engagements or a mixture of both. Employees will implement sound social research methods and will adhere to professional ethical standards and codes of practice for the collection, analysis and reporting of any qualitative and quantitative data.

The views and information obtained from community engagement activities will be reported accurately to Council without bias or assumptions.

6.5.1 Council use of Personal Details

Employees will abide by Council's Privacy Policy when collecting and using personal information acquired during community engagement activities.

Staff will endeavour to only collect personal information from respondents as needed to enable auditing of response data and inform the decision making for a community engagement process.

6.5.2 Storage and disclosure of Personal Details

Employees will put in place systems to protect personal data collected and stored by Council.

Personal details of participants in community engagement activities will only be recorded in reports to Council where required by legislation, and Staff will undertake auditing processes to redact personal information supplied to the extent possible.

Employees will retain participants' personal details for a period prescribed under the South Australian State Records Act 1997 and will not disclose these details to any third party except where required by law.

7. Review & Evaluation

Within six months of each new Council term Council will review this policy. Following this initial review this policy will be reviewed annually by staff with minor administrative adjustments being approved by the Chief Executive Officer.

8. Availability of the Policy

This Policy will be available at Council's principal office during ordinary business hours and at Council's website www.campbelltown.sa.gov.au.