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Responsible Officer	Manager City Activation

## 1. PREAMBLE

The City of Holdfast Bay is committed to open, accountable and responsive decision making, which is informed by effective communication and consultation between the council and the community.

### 1.1 Background

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.

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.

### 1.2 Purpose

1.2.1 The objectives of this Policy are to:

- a. Promote positive relations between the Council and the community.
- b. Guide effective engagement between the Council and the community.
- c. Enable the community to be informed about and participate in Council planning and decision making.
- d. Provide the framework for appropriately structured, targeted and delivered community engagement as part of Council's decision making.
- e. Support Council decision making which is open, transparent, responsive, inclusive and accountable to the community.

1.2.2 [This Policy has been supplemented to include provisions made on 8 April 2020 by the Minister for Transport, Infrastructure and Local Government who issued a notice pursuant to section 302B of the Local Government Act 1999, the Public Access and Public Consultation Notice \(No 2\) 2020 \(Notice No 2\) varying or suspending the operation of the specified provisions of the Local Government Act 1999 as set out in Schedule 1 to Notice No 2. Notice No 2 commenced operation on 8 April 2020.](#)

## COMMUNITY CONSULTATION AND ENGAGEMENT POLICY

For the period Notice No 2 has effect (as provided for in Notice No 2), this Public Consultation Policy is altered as set out below and those alterations have effect notwithstanding any other provision in this Policy to the contrary.

For the avoidance of doubt, save for the alterations to the Policy as set out below, the Policy otherwise applies to public consultation undertaken by the Council for the purposes of the Local Government Act 1999.

These provision are shown in blue and will remain in operation during the current public health emergency (COVID-19) and whilst the Minister's Notice No 2 remains in operation.

Pursuant to Section 45(2) of the *Local Government Act 1999*, as substituted under the *Public Access and Public Consultation Notice (No 2) 2020*, being satisfied that it is reasonably necessary as a result of the public health emergency declared by the Chief Executive of the Department for Health and Wellbeing on 15 March 2020 (and the related major emergency declared under the *Emergency Management Act 2004* on 22 March 2020 and extended on 2 April 2020), the Council, for the period the *Public Access and Public Consultation Notice (No 2) 2020* has effected the closure of the principal office of the Council effective from *Friday 27 March 2020*.

### 1.3 Scope

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

### 1.4 Definitions

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

*Community* means all people who, own property, 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.

*Community Engagement* means 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.

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

*Council* means the City of Holdfast Bay. For the purposes of these alterations **the Council** includes an officer or employee of the Council acting within the scope of that person's ordinary functions and duties except in circumstances where these alterations expressly require a matter to be considered at a meeting of the Council.

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*Policy* means this Community Consultation & Engagement Policy.

*Regulations* means the *Local Government (General) Regulations 2013*.

## 1.5 Strategic Reference

Community: Fostering an engaged and contributing community

## 2. PRINCIPLES

**2.1** The City of Holdfast Bay is committed to effective, ongoing and timely community engagement as an integral part of local governance and key decision making.

**2.2** Council will be proactive in informing and seeking the views of its community, taking into account the specific needs of different sections of the community, ensuring appropriate strategies, including digital engagement, are developed to maximise the opportunities for participation of all members of the community.

**2.3** Council will be honest about the degree of influence the community is able to exercise in any particular community engagement event or process.

- a. Council acknowledges that different sections of the community will have different levels of interest in an individual issue and will tailor its engagement strategies accordingly.
- b. Council's desire to engage the community will be balanced with other influences such as budgetary constraints.
- c. Council will define the parameters of the community engagement process for each specific topic, in line with legislative requirements and best practice, and will use community engagement techniques selected to fulfil the "promise" of the defined engagement process.

**2.4** Council will incorporate the principles of the International Association for Public Participation (IAP2) in all of its community engagement practices, both in those areas affected by legislation and in those areas where employees or Council have determined, as a matter of good practice, to consult with the community.

**2.4.1** The Council will determine whether or not to undertake face-to-face or in person public consultation activity (including without limitation a door knock, focus group, forum, briefing session, workshop, open house, community panel, conversation café, round table or symposium) in relation to any matter for which the *Local Government Act 1999* requires the Council to follow the steps set out in its public consultation policy, on a case by case basis with a view to the relative safety of the proposed activity and having regard to any relevant emergency directives in place, taking a risk based approach. For clarity, where the *Local Government Act 1999* has been modified by Notice No 2 to preclude face to face consultation, activities will be limited to those deemed safe, for example, such as attendance at Council meetings within the constraints of the relevant COVID-Safe Plan pertaining to the public gallery.

The Council will determine whether or not to undertake face-to-face or in person public consultation activity (including items listed above) in relation to any matter

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for which this Policy would, but for this provision, require the Council to hold such an activity, on a case by case basis with a view to the relative safety of the proposed activity and having regard to any relevant emergency directives in place, taking a risk based approach.

To the extent this Policy would otherwise require the Council to hold a face-to-face or in person public consultation activity in relation to a matter, the Council will instead publish a notice on its website and on the council notice board inviting interested persons to make written submissions in relation any matter within the period stated in the notice where legislatively required to do so (which will not be less than 21 days after the publication of the notice, unless the matter is considered by the Council to require urgent consideration and it is not otherwise contrary to the *Local Government Act 1999* to consult for a lesser period). The Council will consider the submissions.

### 2.5 For the purpose of this policy the following promises apply:

- a. Inform – One way communication providing balanced and objective information to assist understanding about something that is going to happen
- b. Consult – two way communications designed to obtain public feedback about ideas on rationale, alternatives and proposals to inform decision making – Council will listen and acknowledge concerns and aspirations and provide feedback.
- c. Involve – participatory process designed to help identify issues and views to ensure that concerns and aspirations are understood and considered prior to decision making – Council will work with the community to ensure that its concerns and aspirations are directly reflected in the alternatives developed.
- d. Collaborate – working together to develop understanding of all issues and interests to work out alternatives and identify preferred solutions – Council will look to the community for direct advice and innovation in formulating solutions.

### 2.6 Where required by the Local Government Act, or any other Act, Council will at all times meet at least the minimum requirements for public consultation as identified in the Act.

For Legislative consultations only, temporary arrangements will be made for the duration of this period for Council to provide summary documents to be made available at selected Supermarkets located with City of the Holdfast Bay.

In relation to any obligation under the *Local Government Act 1999* to make a document available for inspection at the principal office of the Council, a summary of the document (with details on how to obtain the full document) will be made available to collect at *the local Foodlands' and Romeo's Foodland:*

Romeo's Foodland, 101-103 Partridge St, Glenelg South SA 5045  
Foodland Hove 349 Brighton Rd, Hove SA 5048  
Foodland Seacliff 228 Seacombe Rd, Seacliff Park SA 5049

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OR

Full documentation is available on the Council website to download at [www.holdfast.sa.gov.au](http://www.holdfast.sa.gov.au), or via phone, mail or email request.

**2.7** The publication in a newspaper circulating within the area of the council and on the Council's website of a notice describing the matter under consideration and inviting interested persons to make submissions in relation to the matter within a period stated in the notice. This period must be consistent with at least the minimum period of time as stated in the relevant section of the Act.

**2.7.1** The Council will not publish a notice in a newspaper circulating in the area of the Council inviting interested persons to attend a public meeting or meeting of the Council in relation to any matter within the scope of Sections 123, 151 or 156 of the *Local Government Act 1999* for which public consultation is required under the *Local Government Act 1999*. The Council will ~~not~~ hold such a public meeting or invite persons to attend a meeting of the Council to ask questions or make submissions on the matter if, taking a risk-based approach, it deems it safe to do so at the relevant time.

The Council will publish a notice on the council website and on the public notice board inviting interested persons to make written submissions within the period stated in the notice (which will not be less than 21 days after the publication of the notice) in relation any matter within the scope of Sections 123, 151 or 156 of the *Local Government Act 1999* for which public consultation is required under the *Local Government Act 1999*. The Council will consider the submissions at a meeting of the Council.

**2.8.** For the purposes of determining the period of public consultation, the time between the 15 December and the 15 January inclusive in any year, will not be counted when determining the consultation period; and

**2.9** The Council will consider any submissions received from the public during a consultation period.

## **3. REFERENCES**

### **3.1 Legislation**

- *Local Government Act 1999*

### **3.2 Other References**

- Local Government Association (SA) Community Engagement Handbook – a Model Framework for Leading Practice in Local Government in South Australia. (2008)
- Community Consultation and Engagement Procedure
- [Public Access and Public Consultation Notice \(No 2\) 2020 \(Notice No 2\)](#)