



# Community Engagement and Consultation Policy

Adopted by Council  
Public Health Emergency  
Amendments

27 November 2012

28 April 2020



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### **Public Health Emergency: Public Access and Public Consultation**

On 15 March 2020, the Chief Executive of the Department for Health and Wellbeing in the State of South Australia, pursuant to section 87 of the *South Australian Public Health Act 2011*, declared that an emergency which threatens to cause the death of, or injury to, or other damage to, the health of any person, is occurring or about to occur in relation to the transmission of COVID-19, and declared the emergency to be a public health emergency.

On 22 March 2020, the State Co-ordinator for the State of South Australia declared, pursuant to section 23 of the *Emergency Management Act 2004*, that a Major Emergency is occurring in respect to the outbreak of the Human Disease named COVID-19, within South Australia.

On 8 April 2020 the Minister for Transport, Infrastructure and Local Government 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.

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*.

### **Alterations to Public Consultation Policy**

#### **A. Definitions**

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.

#### **B. Statutory Requirement to Hold Public Meetings Suspended**

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.

The Council will publish a notice in a newspaper circulating in the area of the Council, 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.

### **C. Other Requirement to Hold Public Meeting Suspended**

The Council will not hold a public meeting 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.

The Council will not hold a public meeting in relation to any matter for which this Policy would, but for this provision, require the Council to hold a public meeting.

To the extent this Policy would otherwise require the Council to hold a public meeting in relation to a matter, the Council will instead publish a notice on its website, or in a newspaper circulating in the area of the Council, inviting interested persons to make written submissions in relation to any matter within the period stated in the notice (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.

### **D. Other Requirement to undertake in Person Consultation Activity Suspended**

The Council will not undertake any form of face-to-face, or in person public consultation activity (including without limitation a door knock, focus group, forum, briefing session, workshop, open house, citizen panel, conversation café, citizen jury, 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.

The Council will not undertake any form of face-to-face, or in person public consultation activity (including without limitation a door knock, focus group, forum, briefing session, workshop, open house, citizen panel, conversation café, citizen jury, round table, or symposium) in relation to any matter for which this Policy would, but for this provision, require the Council to hold such an activity.

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, or in a newspaper circulating in the area of the Council, inviting interested persons to make written submissions in relation any matter within the period stated in the notice (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.

### **E. Suspension of Other Inconsistent Provisions**

To the extent that any other provision of this Policy could be read as requiring the Council to undertake public consultation with a person face-to-face, or in person, the provision is suspended while these provisions are in effect, and the provisions of paragraph D operate in their stead.

## 1. Purpose

- 1.1 The Community Engagement and Consultation Policy (the Policy) provides the framework to engage and consult with our community such to enable their participation in and contribution to Council's decision making.
- 1.2 The Policy fulfils the requirements of Sec 50 of the Local Government Act 1999 (the Act).

## 2. Scope

- 2.1 The Policy applies to Elected Members, staff, contractors, facilitators, agents and consultants acting on behalf of Council or under delegated authority.

## 3. Definitions

- 3.1 **Community** - Includes all who live, work, study, own property, conduct private or government business, visit or use the services, facilities and public spaces and places within the City of Prospect area.
- 3.2 **IAP2** – International Association of Public Participation, (refer to [www.iap2.org.au](http://www.iap2.org.au)).
- 3.3 **Stakeholder** - Is a person, group, or organisation that has a direct or indirect stake in an issue as they may affect or be affected by the Council's actions, objectives, policies and/or decisions.

## 4. Legislative and Corporate Requirements

- 4.1 The Policy has been developed in accordance with the Act.
- 4.2 Section 50 of the Act requires the Policy to identify steps Council intends to take where the Act requires consultation and provides the steps to vary according to the class of decision required to be made by Council.
- 4.3 Sections of the Act which refer to consultation requirements are summarised in **Appendix 3**.
- 4.4 The Policy is to be read and implemented in conjunction with Council's other relevant policies, strategies, documents and other legislative requirements, including:
  - 4.4.1 Disability Discrimination Act
  - 4.4.2 Freedom of Information Act

## 5. Principles

- 5.1 The Policy defines the principles underpinning Council's community and stakeholder engagement activities and the methods Council will use to engage and consult with the community.

- 5.2 Seek early engagement, providing the opportunity of preliminary involvement from the community in setting consultation parameters.
- 5.3 Communicate clearly the objectives of the engagement process and provide community members with all available, relevant and easily understood information as part of the consultation engagement process to ensure informed discussion.
- 5.4 Council will take into account the views and aspirations of the community and stakeholders and balance those with other influences, such as budgetary constraints, legislative requirements, alignment with State and Federal Government strategic objectives and will make decisions within the context of Council's adopted Strategic Plan.
- 5.5 Council's approach to community engagement is predominately based on the spectrum of engagement levels and activities as advocated by the International Association for Public Participation (IAP2).

The five levels of engagement are:

**Inform → Consult → Involve → Collaborate → Empower**

For more detail of IAP2 five levels of engagement refer to **Appendix 1**.

- 5.6 The Policy does not apply to Development Applications, as the Development Act 1993 has its own set of consultation requirements.
- 5.7 **Identify and acknowledge each is different**
  - 5.7.1 Stakeholder and community group identification and analysis is integral to the engagement planning process.
  - 5.7.2 Understanding and managing the relationship between stakeholders and community members increases the likelihood of achieving desired overall outcomes.
  - 5.7.3 The level and style of engagement with the community and stakeholders will vary depending on the interest in the matter, the number of people potentially affected by Council's decision, the resources available, budgetary constraints and legislative requirements.
- 5.8 **Be open and inclusive**
  - 5.8.1 Encourage involvement from a wide cross-section of the community using engagement processes that are accessible and inclusive, taking into account barriers to access information due to language, cultural issues, disabilities and poor access or use of technology.
  - 5.8.2 Recognise community participation as a right for all citizens and an integral component of informed decision making.
  - 5.8.3 Operate under the key value of openness and commitment to ensure the community is well informed.
  - 5.8.4 Define the parameters of the consultation process for each specific topic, and identify what aspects of the decision can be influenced by community involvement.

- 5.8.5 Communicate the parameters of the engagement process to participants from the outset, including legislative requirements, Council's sphere of influence, conflicting community views, policy frameworks, context.
- 5.8.6 Approach engagement from an impartial perspective, free from bias toward any group.
- 5.8.7 Keep records and provide feedback concerning decisions made as a result of consultation. Reports to Council that provide details regarding information received from the community as part of community engagement programs are part of the public record and accessible by all.

## 5.9 Skill and resources

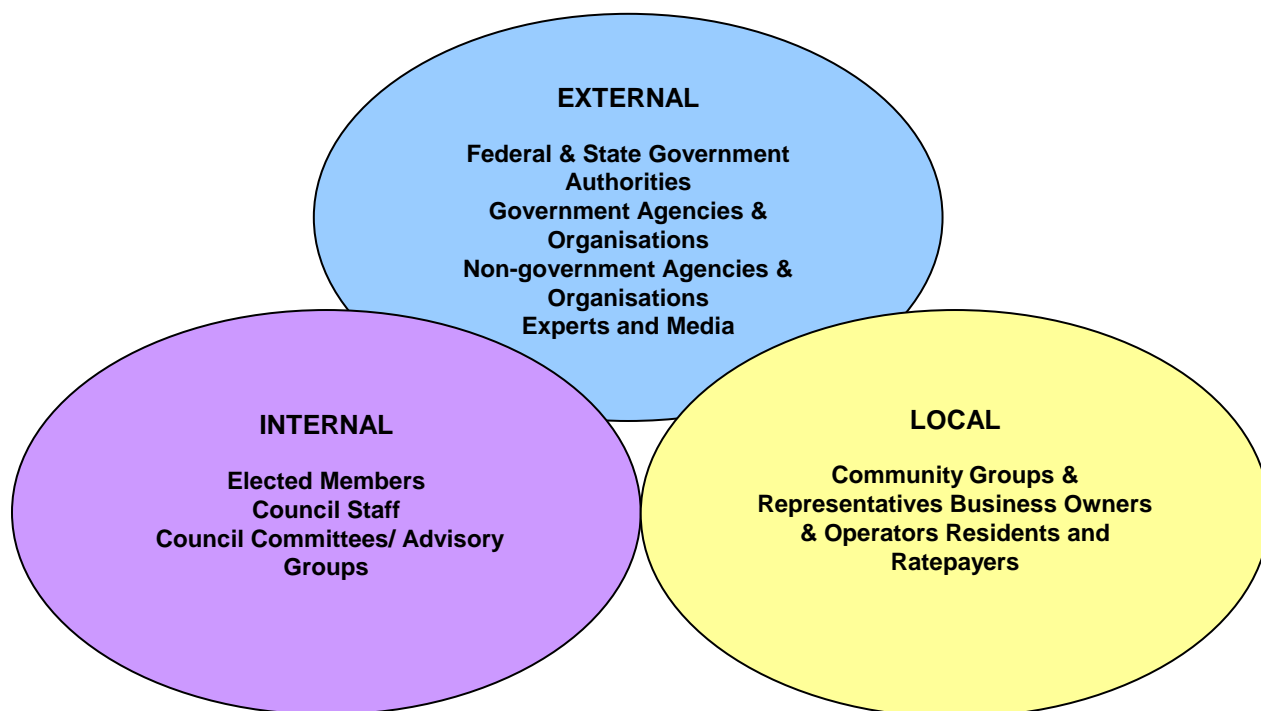
- 5.9.1 Ensure sufficient timeframes and adequate resources are allocated to engagement processes.
- 5.9.2 Recognise the skills required to undertake community engagement and provide staff with opportunities for further training and skill development.



## 6. The Decision Making Process

- 6.1 The following diagram identifies the various stakeholders Council will consult, based upon an assessment of to whom the issues are considered to be relevant. In some cases the relevant consultation group will include stakeholders from more than one sector, depending upon the issue being considered and to maximise community involvement in local decision making processes.

### VARIOUS STAKEHOLDERS – INFLUENCING THE OUTCOME



- 6.2 Consultation is an important dimension which informs and enhances Council's decision making process.
- 6.3 Regular reviews and evaluation of the Policy will ensure ongoing improvement in the way it involves the community in its decision-making processes.

## 7. Engagement and Consultation Methods

- 7.1 The level of community engagement and consultation methods undertaken relates directly to the level of community involvement required and should always be appropriate to the nature, complexity and impact of the issue, plan or strategy. In some cases requirements may be imposed by the Act and those should be considered the minimum engagement level under the policy.
- 7.2 Council must ensure its engagement processes are appropriate, accessible, well-planned and adequately resourced.

- 7.3 The timing of community engagement activities should take into account key dates, eg school holidays, special events, significant holidays, etc to ensure that maximum opportunity is given to encourage community input.
- 7.4 Recognise there is diversity in the activities across Council and the type of engagement undertaken should vary accordingly.
- 7.5 Ensure all residents receive regular information regarding Council's achievements, objectives and performance.
- 7.6 Inform and notify the community of major issues which may affect them and give the community adequate notice and opportunity to comment.
- 7.7 A range of communication and consultation techniques will be considered in relation to each topic. A number of examples are listed in **Appendix 2** but should not be regarded as a comprehensive list.

## **8. Process for Community Engagement and Consultation**

- 8.1 The following process will be implemented when Council determines community engagement or consultation be undertaken:
  - 8.1.1 Identify affected community members relevant to the consultation topic.
  - 8.1.2 Decide the key messages to be delivered to affected community members.
  - 8.1.3 Identify the parameters of the consultation initiative, that is, which aspects of the decision can be influenced.
  - 8.1.4 Identify a range of appropriate options for communicating information to stakeholders and inviting involvement – “the communication strategy”.
  - 8.1.5 Identify contact person(s) and contact mechanisms for interested parties to obtain further information.
  - 8.1.6 Identify timeframes relevant to the consultation initiative. Council will aim to provide at least 2 weeks notice of any consultation forums or opportunities, and will ensure a period of 21 days is allocated from the date of inviting involvement to the final closing date for submissions (unless a lesser or greater timeframe is dictated via legislative requirement).
  - 8.1.7 Determine who is responsible for:
    - (1) Implementing the communication and consultation strategy.
    - (2) Reporting to Council on outcomes.
    - (3) Providing feedback about decisions to participants.
    - (4) Ensuring appropriate records are kept.

## 9. Consultation Categories

- 9.1 The Policy specifies three levels of activity designed to suit all consultation requirements, ranging from the most basic public notification to a major project or issue of community wide significance.
- 9.2 Each level specifies the minimum statutory requirements relating to community consultation and exceeds the requirements with a mixture of activities that may or may not be required.
- 9.3 It is Council's prerogative to establish the level of consultation required when considering a subject requiring community consultation. The level will need to reflect the minimum statutory requirements relating to that subject.
- 9.4 The Policy will be applied to any matter where consultation is required by legislation, Council Policy or when Council considers this to be appropriate.
- 9.5 Council will generally undertake consultation over and above statutory requirements for consultation, however in doing so will not be inconsistent with such requirements.
- 9.6 For all Level 2 & Level 3 consultation matters, Elected Members will determine the consultation level and which of the elements within that level will be undertaken. For Level 1 consultation, the Chief Executive Officer (or delegates) will be responsible for making a determination regarding level and elements therein.
- 9.7 A good consultation strategy requires a certain degree of flexibility to suit the specific situation. While setting out minimum standards, each activity level reflects this need by not being too prescriptive. **Appendix 2** indicates which level may apply for certain activities. (These are examples only and should not be regarded as a comprehensive list).
- 9.8 The consultation process option for each level is set out in **Appendix 2**. Consideration of the Community Engagement Matrix tool below (page 8) combined with **Appendix 2** is designed to assist with the selection of an appropriate level of engagement. The matrix below confirms the higher the level of perceived political sensitivity, community impact and/or complexity, the higher the level of engagement and consultation required.

## 10. Community Engagement Matrix

Degree of political sensitivity or potential community impact/outrage	High	INVOLVE		COLLABORATE
	Medium	CONSULT	CONSULT	
	Low	INFORM	CONSULT	INVOLVE
		Level 1 - Low	Level 2 - Medium	Level 3 - High
Degree of complexity				

**Source:** Adapted from Local Government Association of South Australia and Government of South Australia, "Community Engagement Handbook" – March 2008.

## 11. Review and Evaluation

- 11.1 City of Prospect reserves the right to review the elements of the consultation process to suit the requirements of any particular issue.
- 11.2 The Policy will be reviewed in line with Council's Corporate Governance Framework.

## 12. Access to the Manual

- 12.1 The Policy is available for public inspection on Council's website [www.prospect.sa.gov.au](http://www.prospect.sa.gov.au) (go to: Council - Documents - Policies and Procedures) and from Customer Service at the Civic Centre, 128 Prospect Road, Prospect SA 5082 and at the Library 1 Thomas Street, Nailsworth.

## 13. Further Information

For further information about the Policy please contact:

Director Business and Economic Development  
City of Prospect  
128 Prospect Road  
Prospect SA 5082

Ph 08 8269 5355

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



## Appendix 1



International Association  
for Public Participation  
Australasia

## IAP2 Public Participation Spectrum

Developed by the International Association for Public Participation

INCREASING LEVEL OF PUBLIC IMPACT

INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
Public Participation Goal:	Public Participation Goal:	Public Participation Goal:	Public Participation Goal:	Public Participation Goal:
To provide the public with balanced and objective information to assist them in understanding the problems, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
Promise to the Public:	Promise to the Public:	Promise to the Public:	Promise to the Public:	Promise to the Public:
We will keep You informed.	We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
Example Techniques to Consider:	Example Techniques to Consider:	Example Techniques to Consider:	Example Techniques to Consider:	Example Techniques to Consider:
<ul style="list-style-type: none"> <li>• Fact sheets</li> <li>• Web Sites</li> <li>• Open houses</li> </ul>	<ul style="list-style-type: none"> <li>• Public comment</li> <li>• Focus groups</li> <li>• Surveys</li> <li>• Public meetings</li> </ul>	<ul style="list-style-type: none"> <li>• Workshops</li> <li>• Deliberate polling</li> </ul>	<ul style="list-style-type: none"> <li>• Citizen Advisory Committees</li> <li>• Consensus building</li> <li>• Participatory decision-making</li> </ul>	<ul style="list-style-type: none"> <li>• Citizen juries</li> <li>• Ballots</li> <li>• Delegated decisions</li> </ul>

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## Appendix 2

### City of Prospect's Engagement Levels and Activities

The following table (**Appendix 2**) provides the consultation process, a list of options and techniques for each level of community engagement, at City-wide and local level. Throughout the process of community engagement, there is likely to be movement back and forth along the table as the plan is implemented and/or before Council makes a final decision.

Level 1 Inform & Consult		Level 2 Consult & Involve		Level 3 Consult, Involve & Collaborate	
Public Participation Goal					
Inform		Consult		Involve	
To provide the public with balanced and objective information to assist them in understanding the problems, alternatives, opportunities and/or solutions.		To obtain public feedback on analysis alternatives and/or decisions.		To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	
				To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	
Promise to the Public					
We will keep you informed.		We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision.		We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	
				We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	
<b>Note:</b> Council’s approach to community engagement and consultation is based on the spectrum of engagement levels and activities as advocated by the International Association for Public Participation (IAP2). However Council has excluded the “empower” level in this table due to limited application in Local Government as the Elected Member body are the decision making body.					

Consultation Subject Matter – City-wide Issues		
Level 1	Level 2	Level 3
<ul style="list-style-type: none"> <li>▪ Opening Hours: Civic Centre, Thomas Street Centre &amp; Johns Road Depot</li> <li>▪ Codes of Practice: Access to meetings and documents</li> <li>▪ Change of street name</li> <li>▪ Notice of works (minor)</li> <li>▪ Community events</li> <li>▪ Change of parking restrictions</li> <li>▪ Determining the manner, places and times of its principal office</li> <li>▪ Variation to Community Engagement and Consultation Policy (minor)</li> <li>▪ Altering the Code of Practice relating to the principles, policies and procedures that Council will apply to public access to Council and committee meetings, their minutes and release of documents</li> <li>▪ Excluding land from classification as community land (one parcel)</li> <li>▪ Planting vegetation where it will have a significant impact on residents, the proprietors of nearby residents of advertiser</li> <li>▪ Commercial activities - Prudential arrangements</li> <li>▪ Lease or licence of community land</li> </ul>	<ul style="list-style-type: none"> <li>▪ Lease of Community Land</li> <li>▪ Community Land Management Plans (minor)</li> <li>▪ New By-Laws</li> <li>▪ Traffic Management Plans</li> <li>▪ Policies in relation to order making power</li> <li>▪ Making By-Laws</li> <li>▪ Power to make orders</li> <li>▪ Permits</li> <li>▪ Street trees</li> <li>▪ Representation Reviews</li> <li>▪ Status of Council or name change</li> </ul>	<ul style="list-style-type: none"> <li>▪ Change to Community Engagement and Consultation Policy (significant)</li> <li>▪ Waste management education/process for collection and disposal</li> <li>▪ Development Plan Amendments (DPA) of more than local significance: <ul style="list-style-type: none"> <li>○ Traffic Management Plan (city wide)</li> <li>○ Strategic Management Plans</li> <li>○ Development Plan Amendments affecting the whole City</li> <li>○ Major projects, eg 250 Churchill Road</li> <li>○ Council amalgamations</li> <li>○ Community Land (classification)</li> <li>○ Excluding land from classification as community land</li> <li>○ Notice of works (major)</li> </ul> </li> </ul>



Techniques to Consider - City-wide Issues		
Level 1	Level 2	Level 3
<ul style="list-style-type: none"> <li>Compliance with statutory requirements (if any)</li> </ul> <p><b>Further Options</b></p> <ul style="list-style-type: none"> <li>Advertisement in the City North Messenger. Options are a public notice advertisement, display advertisement.</li> <li>Council's website</li> <li>Fact sheets</li> <li>Displays</li> <li>Letterbox drops</li> <li>Surveys</li> <li>The Prospect Magazine</li> <li>Affected community members feedback</li> <li>Social Media (Twitter, Facebook)</li> <li>Blogs</li> <li>Shopping centre</li> <li>Mobile applications</li> <li>Building relationships – door knocking</li> <li>Community Panel</li> <li>Online Forums</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with statutory requirements (if any)</li> <li>Allow a minimum 4-6 weeks days for response</li> <li>Report to Council and community on findings</li> </ul> <p><b>Further Options</b></p> <ul style="list-style-type: none"> <li>Advertisement in the City North Messenger</li> <li>Council's website</li> <li>The Prospect Magazine</li> <li>Media release, if appropriate</li> <li>Copies of major reports/plans available in the Library and for purchase</li> <li>Consider submissions made in response</li> <li>Focus Groups / Community Panel</li> <li>Surveys</li> <li>Fact sheets</li> <li>Displays</li> <li>Letterbox drops</li> <li>Report to council summarising submissions/surveys for formal council decision</li> <li>Affected community members feedback</li> <li>Social Media (Twitter, Facebook)</li> <li>Skype / Go to Meetings / Webinars</li> <li>Blogs</li> <li>Mobile applications</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with statutory requirements (if any)</li> <li>Minimum 6-8 week consultation</li> <li>Report to Council and community on findings</li> </ul> <p><b>Further Options</b></p> <ul style="list-style-type: none"> <li>NOT A 'TECHNIQUE'</li> <li>Advertisement in local newspapers and/or The Advertiser</li> <li>Council's website</li> <li>Duplicate see below</li> <li>Media release and/or briefings</li> <li>The Prospect Magazine article and/or specific publication to all residents</li> <li>Surveys</li> <li>Workshops</li> <li>Focus Groups / Community Panel</li> <li>Open days</li> <li>Displays &amp; noticeboards</li> <li>Community forum</li> <li>Shopping centre / sporting venues</li> <li>Public submission</li> <li>Copies of major reports/plans available in the Library and for purchase</li> <li>Affected community members feedback</li> <li>Social Media (Twitter, Facebook)</li> <li>Mobile applications</li> <li>Online forums</li> </ul>

<b>Consultation Subject Matter – Localised Issues</b> (Council will assess the level of consultation required for localised Issues below)		
Level 1	Level 2	Level 3
<ul style="list-style-type: none"> <li>▪ Footpath construction and maintenance</li> <li>▪ Street tree planting/removal/pruning</li> <li>▪ Parks &amp; reserves upgrades</li> <li>▪ Road reconstruction</li> <li>▪ Road sealing/major maintenance</li> <li>▪ Stormwater drainage</li> <li>▪ Development applications as directed by the Development Act and regulations</li> <li>▪ Traffic management (specific areas)</li> <li>▪ Development Plan Amendments(if they are only for specific local areas)</li> <li>▪ ETSA vegetation clearance</li> <li>▪ Projects in specific areas (eg 250 Churchill Road)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Footpath construction and maintenance</li> <li>▪ Street tree planting/removal/pruning</li> <li>▪ Parks &amp; reserves upgrades</li> <li>▪ Road reconstruction</li> <li>▪ Road sealing/major maintenance</li> <li>▪ Stormwater drainage</li> <li>▪ Development applications as directed by the Development Act and regulations</li> <li>▪ Traffic management (specific areas)</li> <li>▪ Development Plan Amendments(if they are only for specific local areas)</li> <li>▪ ETSA vegetation clearance</li> <li>▪ Projects in specific areas (eg 250 Churchill Road)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Footpath construction and maintenance</li> <li>▪ Street tree planting/removal/pruning</li> <li>▪ Parks &amp; reserves upgrades</li> <li>▪ Road reconstruction</li> <li>▪ Road sealing/major maintenance</li> <li>▪ Stormwater drainage</li> <li>▪ Development applications as directed by the Development Act and regulations</li> <li>▪ Traffic management (specific areas)</li> <li>▪ Development Plan Amendments(if they are only for specific local areas)</li> <li>▪ ETSA vegetation clearance</li> <li>▪ Projects in specific areas (eg 250 Churchill Road)</li> </ul>
<b>Techniques to Consider – Localised Issues</b>		
Level 1	Level 2	Level 3
<ul style="list-style-type: none"> <li>▪ Compliance with statutory requirements (if any)</li> </ul> <p><b>Further Options</b></p> <ul style="list-style-type: none"> <li>▪ Letter of advice to affected properties, or properties within 250m of site, as appropriate</li> <li>▪ Fact sheets</li> <li>▪ Affected community members feedback</li> </ul>	<ul style="list-style-type: none"> <li>▪ Compliance with statutory requirements (if any)</li> <li>▪ Report to Council on findings</li> </ul> <p><b>Further Options</b></p> <ul style="list-style-type: none"> <li>▪ Letter of advice to affected properties, or properties within 250m of site, as appropriate</li> <li>▪ Neighbourhood forums</li> </ul>	<ul style="list-style-type: none"> <li>▪ Compliance with statutory requirements (if any)</li> <li>▪ Report to Council on findings</li> </ul> <p><b>Further Options</b></p> <ul style="list-style-type: none"> <li>▪ Letter of advice to affected properties, or properties within 500m of site, as appropriate.</li> <li>▪ Neighbourhood forums</li> <li>▪ Focus groups</li> <li>▪ Surveys</li> <li>▪ Public submission</li> </ul>

	<ul style="list-style-type: none"><li>▪ Surveys</li><li>▪ Public submissions</li><li>▪ Fact sheets</li><li>▪ Affected community members feedback</li></ul>	<ul style="list-style-type: none"><li>▪ Fact sheets</li><li>▪ Displays</li><li>▪ Affected community members feedback</li></ul>
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## Appendix 3

<b>LOCAL GOVERNMENT ACT 1999 (SA)</b> <b>COMMUNITY CONSULTATION – SCHEDULE OF REQUIREMENTS</b>		
TOPIC	SECTION	LEGISLATIVE REQUIREMENT
<b>Definition of Public Consultation</b>	Interpretation	Reference to Chapter 4, Part 5 only
<b>Representation Reviews</b> Review and reporting to the Electoral Commissioner.	12	<b>Representation Options Paper</b>  Public notice: <ul style="list-style-type: none"> <li>• of the preparation of the representation options paper; and</li> <li>• inviting written submissions within a minimum period of 6 weeks.</li> </ul> Copy of notice to be published in newspaper circulating within its area.  <b>Report</b>  Public notice: <ul style="list-style-type: none"> <li>• informing public of the preparation and availability of the report; and</li> <li>• inviting written submissions within a minimum 3 week period.</li> </ul> Copy of notice to be published in newspaper circulating within its area. Provide opportunity for person who makes written submission on report to appear personally or by representative before Council or a Council committee to be heard on submissions. Council must then finalise its report and refer to the Electoral Commissioner.
<b>Status of a Council/ Change of Name</b>  Change from a municipal council to a district council, or change from a district council to a municipal council.  Alter the name of the council, the area of the council, or the name of a ward.	13	Public notice of the proposal inviting written submissions within a minimum period of 6 weeks, and publication of the notice in a newspaper circulating within its area.  Provide opportunity for person who makes written submission to appear personally or by representative before Council or a Council committee to be heard on submissions.
<b>Principal Office – Opening Hours</b>	45	Consult in accordance with Council's public consultation policy about the manner, places and times at which its offices will be open to the public for the transaction of business, and about any significant changes to these arrangements.

TOPIC	SECTION	LEGISLATIVE REQUIREMENT
<b>Commercial Activities – Prudential Requirements</b>	48 (2) (d) 48 (5), (6)	Report addressing prudential issues to include: <ul style="list-style-type: none"> <li>the level of consultation with the local community, including contact with persons who may be affected by the project and representations made by them.</li> <li>the means by which the community can influence or contribute to the project or its outcomes.</li> </ul>
<b>Public Consultation Policies</b>	50	Requirements for preparation, adoption and alteration to Council's public consultation policy. <ul style="list-style-type: none"> <li>Policy must set out steps that Council will follow in cases where the Act requires the Council to follow its public consultation policy.</li> <li>Policy may also set out steps to follow in other cases involving council decision making.</li> <li>Steps may vary according to the classes of decisions within the scope of the policy, but must provide persons with a reasonable opportunity to make submissions in relevant circumstances.</li> </ul> <p>Section 50 (4) sets out minimum steps that must be provided for in a public consultation policy as follows:</p> <ul style="list-style-type: none"> <li>publish notice describing the matter under consideration in a newspaper circulating within the area, and inviting submissions within stated period (at least 21 days).</li> <li>consideration by the Council of submissions made in response.</li> </ul> <p>Section 50 (6) requires the Council before it adopts, substitutes and/or alters a public consultation policy, to:</p> <ul style="list-style-type: none"> <li>prepare a document that sets out its proposal; and</li> <li>publish in a newspaper circulating throughout the State and a newspaper circulating within the area of Council a notice of the proposal inviting submissions within a minimum period of 1 month; and</li> <li>consider any submissions received, unless the alteration is of minor significance.</li> </ul>
<b>Code of Practice – Access to Meetings and Documents</b>	92 (5)	Before a council adopts, alters or substitutes a code of practice under S 92 it must follow the relevant steps set out in its public consultation policy.
<b>Strategic Management Plans</b>	122 (6)	Council must adopt a process or processes to ensure that members of the public are given a reasonable opportunity to be involved in the development and review of its strategic management plans.

TOPIC	SECTION	LEGISLATIVE REQUIREMENT
<b>Annual Business Plan</b>	123(3)	<p>Before Council adopts an annual business plan it must follow the relevant steps set out in its public consultation policy which must provide for as a minimum:</p> <ul style="list-style-type: none"> <li>• publication of a notice in a newspaper circulating in the area of Council informing the public of the draft annual business plan and inviting persons to –</li> <li>• attend a public meeting on the matter to be held at least 21 days after the publication of the notice; or</li> <li>• attend a meeting of Council to be held on a date stated in the notice at which members of the public may ask questions and make submissions for at least one hour; or</li> <li>• make written submissions within a minimum period of 21 days stated in the notice; and</li> <li>• Council to make arrangements for the public meeting or Council meeting and</li> <li>• Council to consider written submissions or submissions made at public meeting or Council meeting.</li> </ul> <p>Draft annual business plan must be available at the public meeting or Council meeting above and for inspection (without charge) and purchase (on payment of a fee fixed by Council) at the principal office of the Council at least 7 days before that meeting.</p>
<b>Change to Basis of Rating Report</b>	151(6)	<p>Before Council changes the basis of rating of any land or changes the basis on which land is valued for the purposes of rating or changes the imposition of rates on land it must prepare a report on the proposed change and follow the relevant steps set out in its public consultation policy which must as a minimum provide for:</p> <ul style="list-style-type: none"> <li>• publication of a notice in a newspaper circulating in the area of Council describing the proposed change and informing the public of the preparation of the report and inviting persons to attend a public meeting in relation to the matter at least 21 days after publication of the notice or to make written submissions within a minimum period of 21 days; and</li> <li>• Council to organise the public meeting and Council to consider submissions made at that meeting or in writing.</li> </ul> <p>Copies of the report must be available at the public meeting and for inspection (without charge) and purchase (on payment of a fee fixed by Council) at the principal office of the Council at least 21 days before the end of the public consultation period.</p>

TOPIC	SECTION	LEGISLATIVE REQUIREMENT
<b>Rating – Differential Rates</b>	156(14a)	<p>Before Council changes declaring differential rates on the basis of a differentiating factor under Sections 156(1)(a), (b)(c) to another factor it must prepare a report on the proposed change and follow the relevant steps set out in its public consultation policy which must as a minimum provide for:</p> <ul style="list-style-type: none"> <li>• publication of a notice in a newspaper circulating in the area describing the proposed change and informing public of the preparation of the report and inviting persons to attend a public meeting in relation to the matter at least 21 days after publication of the notice or to make written submissions within a minimum period of 21 days; and</li> <li>• Council to organise the public meeting and Council to consider submissions made at that meeting or in writing.</li> </ul> <p>Copies of the report must be available at the public meeting and for inspection (without charge) and purchase (on payment of a fee fixed by Council) at the principal office of the Council at least 21 days before the end of the public consultation period.</p>
<b>Community Land</b>  <b>Classification:</b> All local government land (except a road) acquired by or brought under the care, control and management of Council is taken to have been classified as community land unless Council resolves before it becomes local government land to exclude it from classification.	S193(4)	<p>Council must give notice in the Gazette of a resolution to exclude land from classification as community land under S193(4) of the Act.</p>
<b>Community Land</b>  <b>Revocation of classification</b> of land as community land.	S 194 (2)	<p>Council must:</p> <ul style="list-style-type: none"> <li>• follow the relevant steps set out in its public consultation policy before revoking the classification of land as community land.</li> <li>• submit a proposal with a report on all submissions made as part of the public consultation process to the Minister.</li> </ul>
<b>Management Plans - Public Consultation.</b>	S 197 (1)	<p>Before Council adopts a management plan for community land it must:</p> <ul style="list-style-type: none"> <li>• make copies of the proposed plan available for inspection or purchase at the Council's principal office.</li> <li>• follow the relevant steps set out in its public consultation policy.</li> <li>• give public notice of its adoption of a management plan.</li> </ul>

TOPIC	SECTION	LEGISLATIVE REQUIREMENT
<b>Management Plans -</b> Amendment or revocation of management plans.  NB: A Council cannot dispose of community land until revocation of its classification as community land.	S198	Public consultation, as Council would be required to do for a new management plan, is to be carried out prior to adopting a proposal for amendment to, or revocation of, a management plan. Public consultation is not required if the amendment has no impact or no significant impact on the interests of the community.
<b>Alienation by Lease or Licence</b>  NB: Specific provisions relate to the Adelaide Park Lands – under the Parklands Act 2005.	S202	Council must follow the relevant steps set out in its public consultation policy, before granting a lease or licence relating to community land. Exceptions apply in circumstances where; <ul style="list-style-type: none"> <li>the grant of the lease or licence is authorised in an approved management plan for the land, and the term of the proposed lease or licence is five years or less; or</li> <li>the regulations provide for an exemption from compliance with a public consultation policy.</li> </ul>
<b>Authorisations/Permits</b>  Where road would be fenced enclosed or portioned so as to impede passage of traffic to a material degree.  Use or activity for which public consultation required under regulations.	S223	Council must follow the relevant steps set out in its public consultation policy before granting the authorisation or permit.
<b>Roads – Trees</b>	S232	Before planting or authorising planting of vegetation that may have a significant impact on residents, the proprietors of nearby businesses or advertisers in the area, council must follow the relevant steps set out in its public consultation policy.
<b>Passing By-Laws</b>  NB: No specific reference to Council's Community Engagement and Consultation Policy, but minimum standards apply.	S249	At least 21 days before resolving to make a by-law, Council must: <ul style="list-style-type: none"> <li>make copies of the proposed by-law (and any code, standard or other document proposed to be applied or incorporated by the by-law) available for public inspection without charge during ordinary office hours at the principal office of the Council.</li> <li>inform the public of the proposed by-law and set out the terms of the by-law or describe in general terms the nature and effect of the by-law, through a notice in a newspaper circulating in the area.</li> <li>give reasonable consideration to a written or other acceptable submission made on a proposed by-law.</li> <li>publish a notice of the making of a by-law in a newspaper circulating in the Council area.</li> </ul>



TOPIC	SECTION	LEGISLATIVE REQUIREMENT
<b>Power to Make Orders</b>  Councils must take reasonable steps to prepare and adopt policies relating to power to make orders.	S259 (2)	Council must: <ul style="list-style-type: none"> <li>• prepare a draft of a policy.</li> <li>• by notice in a newspaper circulating in the Council area, advise the place(s) where the draft is available for inspection (without charge) or purchase (on payment of a fee fixed by Council), and invite written representations on the draft with a period specified by the Council (at least four weeks).</li> <li>• consider any submission made in response to the invitation.</li> <li>• the requirements of S259 (2) also apply prior to Council adopting an amendment to a policy, unless Council determines that the amendment is of only minor significance.</li> </ul>