



COUNCIL POLICY

Community Engagement

Policy Number:	PO057		
Strategic Plan Objective:	4. Community Engaged and Supported		
Policy Owner:	Chief Executive Officer	Record Number:	16/14028[v7]
Responsible Officer:	Manager Business & Public Relations	Minute Reference:	XXXX
Date Adopted:	14/07/2021	Next Review Date:	July 2025

1. POLICY OBJECTIVES

The purpose of this policy is to ensure that Council meets its legislative obligations in regard to public consultation by:

- Using appropriate and cost effective methods which are relevant to the specific circumstances of each consultation topic
- Informing and involving the local community, key stakeholders and interested parties
- Using feedback to enhance decision making.

This Policy aims to provide the community, stakeholders, council staff and Elected Members with an understanding of the role of community engagement in the decision making processes of the Yorke Peninsula Council (the Council). This Policy also outlines Yorke Peninsula Council's community engagement techniques and the circumstances of when and how each technique will be used.

2. SCOPE

This Policy applies to:

- All employees of the Yorke Peninsula Council.
- Elected Members.
- Contractors or consultants acting on behalf of Council.

The Chief Executive Officer is responsible for the implementation of the Community Engagement Policy, establishing the consultation level, reporting outcomes of the consultations to the council, reviewing the value of the policy, and determining elements within that process where Council has delegated responsibility.

3. DEFINITIONS

Refer to Attachment 1.

4. POLICY STATEMENT

The preparation and adoption of this policy fulfils the council's obligations under section 50(1) of the *Local Government Act 1999*. Section 50 provides that:

- The council must set out the steps that the council will follow in cases where the Local Government Act requires consultation on a matter, and
- The council may set out the steps that council will follow in other cases involving the council's decision-making.

The Council recognises that community engagement plays an important role in its decision making processes and members of the community have a right to be informed about issues affecting their area and their lives. The intention of this Policy is to provide a planned, consistent and cost effective approach to consultation (community engagement). Council will follow this Policy, as a minimum standard, in all instances where consultation should occur with the community.

Community involvement in Council decision making should result in greater confidence in the Council and will foster open, transparent and accountable processes.

As recommended by the Local Government Association of South Australia (refer *Community Engagement Framework; A Model Framework for leading practice in Local Government in South Australia, June 2016*), this Policy has been informed by the International Association for Public Participation (IAP2) products for public participation processes.

This Community Engagement Policy specifies four levels designed to suit all consultation requirements, ranging from the most basic public notification, to seeking input on a major project or issue of communitywide significance. These are:

- **Level 1** – we will keep you informed.
- **Level 2** – we will keep you informed as well as listen to and acknowledge concerns and aspirations and provide feedback in how community's input influenced the decision
- **Level 3** – we will work to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how the community's influenced the decision.
- **Level 4** – we will look for direct advice and innovation in formulating issues, alternatives and solutions.

Under the *Local Government Act 1999*, there are specific legislative requirements whereby Council must consult. Council is required to undertake particular types or levels of consultation (as a minimum) in relation to the following:

- Determining the manner, places and times of its principal office (section 45)
- Adopting or varying a public consultation policy (section 50)
- Altering the Code of Practice relating to the principles, policies and procedures that Council will apply to enable public access to Council and Committee Meetings, their minutes and release of documents (section 92) Adopting Strategic Management Plans (section 122)
- Adopting Annual Business Plan and Budgets (section 123)

- Excluding land from classification as community land (section 193)
- Revoking the classification as community land (section 194)
- Adopting, amending or revoking a management plan for community land (section 197)
- Amending or revoking a management plan for community land (section 198)
- Alienating of community land where the management plan does not allow it (section 202)
- Alienating roads (section 223)
- Planting vegetation where it will have a significant impact on residents, the proprietors or nearby residents (section 232)
- Carrying out representation reviews (section 12(5))
- Considering a change of status of Council or name change (section 13)
- Carrying out commercial activities – Prudential Arrangements (section 48)
- Making Bylaws (section 249)
- Making Orders (section 259)

Refer to Appendix 2 for a Schedule of Minimum Requirements per the Local Government Act 1999 and the steps to be followed.

Where there are legislative requirements for consultation under other legislation applicable to the Council such as the *Planning, Development and Infrastructure Act 2016*, these specific processes take precedence over this policy, should there be any inconsistency. Where there is no legislative requirement for consultation, selection of the appropriate level will determine the resource requirements for the consultation.

It should be noted that a certain degree of flexibility is required to suit specific situations. Therefore the following sets out the minimum standards for each level of engagement which may apply for certain activities without being too prescriptive.

Level 1 INFORM	Level 2 CONSULT	Level 3 INVOLVE	Level 4 COLLABORATE
<p>One way communication providing balanced and objective information to assist community understanding about something that is going to happen or has happened.</p>	<p>Two way communication designed to obtain public feedback about ideas on rationale, alternatives and proposals to inform decision making.</p>	<p>Facilitating active participation by stakeholders designed to help identify issues and views from a diverse range of perspectives so that concerns and aspirations are understood and considered throughout a decision making process.</p>	<p>Working together in partnership to determine how to develop understanding of all issues and interests as stakeholders work out alternatives and identify preferred solutions to support the process of decision making.</p>
<p>Examples of when we will use Inform:</p> <ul style="list-style-type: none"> • A decision is made for legislative, financial, environmental or 	<p>Examples of when we will use Consult:</p> <ul style="list-style-type: none"> • There are several options available. • Final decisions are being shaped. 	<p>Examples of when we will use Involve:</p> <ul style="list-style-type: none"> • We need community knowledge to influence the decision. 	<p>Examples of when we will use Collaborate:</p> <ul style="list-style-type: none"> • We will seek direct advice from those who possess specific

<p>technical reasons.</p> <ul style="list-style-type: none"> • There is no opportunity to influence the decision. <p>We will explain:</p> <ul style="list-style-type: none"> • What the decision was and how the decision was made. • What is going to happen. • Where further information can be found. <p>Our promise:</p> <p>We will keep you informed.</p>	<ul style="list-style-type: none"> • Issues and concerns are unclear. <p>We will ask:</p> <ul style="list-style-type: none"> • Which option is preferred? • What would the impact be? • Any suggestions for improvement? <p>Our promise:</p> <p>We will keep you informed, listen to and acknowledge your concerns and aspirations and provide feedback on how community input influenced the decision.</p>	<ul style="list-style-type: none"> • There is likely to be a high level of interest/ community impact. • There is a high degree of complexity. <p>We will ask:</p> <ul style="list-style-type: none"> • What would the community like to see happen, or • What have we not considered or are not aware of, or • How should we proceed with this? <p>Our promise:</p> <p>We will work with the community to ensure that concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how the community's input influenced the decision.</p>	<p>knowledge or special interests.</p> <p>We will partner to:</p> <ul style="list-style-type: none"> • Seek solutions or alternatives based on specific areas of expertise. • Gain acceptance of recommendations based on specific areas of expertise. <p>Our promise:</p> <p>Council will look to the community for direct advice and innovation in developing solutions and incorporate advice and recommendations into the decisions as much as possible.</p>
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We will do this through:

(Please note, the following lists are only a guide. Depending on the specific situation it may be only one or more of these options used)

Please refer to Section 5 of this policy. Some of these methods are not appropriate whilst under a 'declared public health emergency'.

<ul style="list-style-type: none"> • Council's website. • Council's social media. • Public notices in the Country Times. • Letter of advice to affected properties. • Letter / email to Progress Associations. 	<ul style="list-style-type: none"> • Council's website. • Council's social media. • Media releases. • Letter or survey to primary &/or secondary properties. • Letter / email or survey to Progress Associations. • Copies of major reports or plans 	<ul style="list-style-type: none"> • Council's website. • Council's social media. • Advertisements. • Media releases & / or briefing sessions. • Facilitated workshops or focus groups. • Community forums. • Individual Progress Association Newsletters/noticeboards. • Surveys. 	<ul style="list-style-type: none"> • Public meetings or workshops. • Special interest groups. • Council's Advisory Committees and Working Parties. • Report to Council summarising submissions for formal Council decision.
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	<p>made available at Council offices.</p> <ul style="list-style-type: none"> Report to Council summarising submissions for formal Council decision. 	<ul style="list-style-type: none"> Letter or survey to affected properties / community groups. Council publications. Copies of major reports or plans made available at Council offices. Report to Council summarising submissions for formal Council decision. 	<ul style="list-style-type: none"> Community partnership projects.
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Within the following timeframes:

<p>No minimum period required.</p> <p>Or</p> <p>Compliance with statutory requirements (if applicable)</p>	<p>Minimum three weeks.</p> <p>Or</p> <p>Compliance with statutory requirements (if applicable)</p>	<p>Minimum six weeks.</p> <p>Or</p> <p>Compliance with statutory requirements (if applicable)</p>	<p>As required (e.g. per Terms of Reference regarding meeting schedules).</p>
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5. 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 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 of 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*.

5.1. Alterations to Public Consultation Policy

5.1.1 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.

5.1.2 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.

5.1.3 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.

5.1.4 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.

5.1.5 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.

6. ACCEPTING COMMUNITY FEEDBACK

Council will not accept or consider anonymous feedback or submissions, unless the specific circumstances are reasonable to allow it. Additionally, comments made on social media will not be treated as formal feedback or a submission.

7. COMPLAINTS

Complaints about this Policy can be made in writing to the Chief Executive Officer. All complaints will be managed in accordance with Council's Complaints Policy PO147.

8. REVIEW

This Policy will be reviewed every four years, or more frequently if legislation or Council's needs change. The review will be conducted in consultation with employees and/or their nominated representative(s).

This Policy will also be reviewed as deemed necessary in consideration of any changes to legislation, guidelines, audit findings or stakeholder feedback.

In accordance with s.50 (6) of the Local Government Act 1999, before the Council adopts this Policy or any future significant alterations to this Policy, the community will be consulted via a public notice in the Yorke Peninsula Country Times, Council's website and social media and will be invited to make submissions.

9. TRAINING

Council is committed to supporting Elected Members and employees in complying with this Policy.

This Policy will be provided to Elected Members and all employees who have responsibilities under this Policy to engage with the community.

10. RECORDS

Records shall be maintained as required by Council's Records Management Policy (PO063) and relevant legislation.

11. RELATED COUNCIL POLICIES/PROCEDURES AND DOCUMENTS

SF215 Community Engagement Plan

12. REFERENCES AND LEGISLATION

Local Government Act 1999

Local Government Association’s Model Public Consultation Policy

Community Engagement Handbook; A Model Framework for leading practice in Local Government in South Australia, June 2016.

13. COUNCIL DELEGATION

Details of Delegation:	Chief Executive Officer
Delegate:	Nil

14. VERSION HISTORY

Version No	Issue Date	Description of Change
1	07/04/2003	New Policy
2	14/09/2010	Minor Revision.
3	10/06/2015	Policy Name Changed
4	08/02/2017	
5	11/09/2019	
6	13/05/2020	Item 5 Public Health Emergency Added
7	14/07/2021	Minor Revision

ATTACHMENT 1: DEFINITIONS

Term/Reference	Definition
Act	The Local Government Act 1999 (SA)
Community	The people who; live, work, conduct business activities or use the facilities in public places in the Yorke Peninsula region.
Council	The Yorke Peninsula Council. For the purposes of clause 5.1 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.
Policy	Refers to this Community Engagement Policy.
Stakeholder	Is someone who may be directly affected by or have a direct or general interest in the decision or issue under consideration.
Submissions	Written (including email) responses from the community in relation to a specific consultation which must be received by the Council within the specified timeframe.

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ATTACHMENT 2: DEFINITIONS

The following information sets out the Yorke Peninsula Council’s minimum standards to meet the legislative requirements of the Act.

Submissions must be received by Council within the timeframes outlined in the public notice (minimum of 21 days) and can be in the form of:-

- Written submissions
- Email submissions
- Web form submissions and
- Online form submissions.

LOCAL GOVERNMENT ACT 1999 (SA)		
TOPIC	SECTION	LEGISLATIVE REQUIREMENT
<p>Representation Reviews</p> <p>Review and reporting to the Electoral Commissioner.</p>	12	<p>Representation Options Paper</p> <p>By public notice:</p> <ul style="list-style-type: none"> ◦ Inform the public of the preparation of the representation options paper; and ◦ Invite interested persons to make written submissions to the council on the subject of the review within a period specified by the council (being a period of at least 6 weeks) <p>Publish a copy of the notice in a newspaper circulating within its area.</p> <p>Ensure that copies of the representation options paper are available for inspection (without charge) and purchase (on payment of a fee fixed by the council) at the principal office of the council.</p> <p>Report</p> <p>Make copies of its report available for public inspection at the principal office of the council; and</p> <p>By public notice:</p> <ul style="list-style-type: none"> ◦ inform the public of the preparation of the report and its availability; and ◦ invite interested persons to make written submissions to the council on the report within a period specified by the council (being a period of at least 3 weeks); and <p>Publish a copy of the notice in a newspaper circulating within its area.</p> <p>The council must give any person who makes written submissions in response to an invitation under subsection (9) an opportunity to appear personally or by representative before the council or a council committee and to be heard on those submissions.</p> <p>Council must then finalise its report and refer to the Electoral Commissioner.</p>
<p>Status of a Council/ Change of Name</p> <ul style="list-style-type: none"> • Change from a municipal council to a district council, or change from a district council to a municipal council 	13(2)	<ul style="list-style-type: none"> • The council must give public notice of the proposal; • The notice must contain an invitation to interested persons to make written submissions to the council on the matter within a period specified by the council (being a period of at least 6 weeks); • Publish a copy of the notice in a newspaper circulating within its area; • The council must give any person who makes written submissions in response to an invitation under this section an opportunity to appear personally or by representative before the council or a council committee and to be heard on those submissions.

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<ul style="list-style-type: none"> Alter the name of the council, the area of the council, or the name of a ward. 		
Principal Office – Opening hours	45 (3)	A council should consult with its local community in accordance with its 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.
Commercial Activities – Prudential Requirements	48 (2) (d) 48 (5), (6)	Report addressing prudential issues to include - <ul style="list-style-type: none"> the level of consultation with the local community, including contact with persons who may be affected by the project and the representations that have been made by them, and the means by which the community can influence or contribute to the project or its outcomes A report under subsection (1) must be available for public inspection at the principal office of the council once the council has made a decision on the relevant project (and may be available at an earlier time unless the council orders that the report be kept confidential until that time). However, a council may take steps to prevent the disclosure of specific information in order to protect its commercial value or to avoid disclosing the financial affairs of a person (other than the council).
Public Consultation Policies	50	<p>(1) For the purposes of this Act, a council must prepare and adopt a public consultation policy.</p> <p>(2) A public consultation policy—</p> <p>(a) must set out steps that the council will follow in cases where this Act requires that a council must follow its public consultation policy; and</p> <p>(b) may set out steps that the council will follow in other cases involving council decision-making.</p> <p>(3) The steps referred to in subsection (2)—</p> <p>(a) in a case referred to in subsection (2)(a)—must provide interested persons with a reasonable opportunity to make submissions in the relevant circumstances; and</p> <p>(b) may vary according to the classes of decisions that are within the scope of the policy.</p> <p>(4) However, a public consultation policy for a case referred to in subsection (2)(a) must at least provide for—</p> <p>(a) the publication of a notice—</p> <p>(i) in a newspaper circulating within the area of the council; and</p> <p>(ii) on a website determined by the chief executive officer,</p> <p>describing the matter under consideration and inviting interested persons to make submissions in relation to the matter within a period (which must be at least 21 days) stated in the notice; and (b) the consideration by the council of any submissions made in response to an invitation under paragraph (a).</p> <p>(5) A council may from time to time alter its public consultation policy, or substitute a new policy.</p> <p>(6) However, before a council—</p> <p>(a) adopts a public consultation policy; or</p> <p>(b) alters, or substitutes, a public consultation policy, the council must—</p> <p>(c) prepare a document that sets out its proposal in relation to the matter; and</p>

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		<p>(d) publish in a newspaper circulating within the area of the council a notice of the proposal inviting interested persons to make submissions on the proposal within a period (which must be at least one month) stated in the notice; and</p> <p>(e) consider any submissions made in response to an invitation under paragraph (d).</p> <p>(7) A council is not required to comply with subsection (6) in relation to the alteration of a public consultation policy if the council determines that the alteration is of only minor significance that would attract little (or no) community interest.</p> <p>(8) A person is entitled to inspect (without charge) a public consultation policy of a council at the principal office of the council during ordinary office hours.</p> <p>(9) A person is entitled, on payment of a fee fixed by the council, to a copy of a public consultation policy.</p>
Code of Practice – Access to meetings and documents	92 (5) (6) (7)	<p>(5) Before a council adopts, alters or substitutes a code of practice under this section it must—</p> <ul style="list-style-type: none"> ◦ make copies of the proposed code, alterations or substitute code (as the case may be) available for inspection or purchase at the council's principal office and available for inspection on a website determined by the chief executive officer; and ◦ follow the relevant steps set out in its public consultation policy. <p>(6) A person is entitled to inspect (without charge) the code of practice of a council at the principal office of the council during ordinary office hours.</p> <p>(7) A person is entitled, on payment of a fee fixed by the council, to a copy of the code of practice.</p>
Strategic Management Plans	122 (6)	<p>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.</p>
Annual Business Plan	123 (4) (5)	<p>(4) For the purposes of subsection (3)(b), a public consultation policy must at least provide for the following:</p> <p>(a) the publication in a newspaper circulating within the area of the council and on a website determined by the chief executive officer of a notice informing the public of the preparation of the draft annual business plan and inviting interested persons —</p> <ul style="list-style-type: none"> (i) to attend— <ul style="list-style-type: none"> (A) a public meeting in relation to the matter to be held on a date (which must be at least 21 days after the publication of the notice) stated in the notice); or (B) a meeting of the council to be held on a date stated in the notice at which members of the public may ask questions, and make submissions, in relation to the matter for a period of at least 1 hour, (on the basis that the council determines which kind of meeting is to be held under this subparagraph); or (ii) to make written submissions in relation to the matter within a period (which must be at least 21 days) stated in the notice; and <p>(b) the council to make arrangements for a meeting contemplated by paragraph (a)(i) and the consideration by the council of any submissions made at that meeting or in response to the invitation under paragraph (a)(ii).</p> <p>(5) The council must ensure that copies of the draft annual business plan are available at the meeting under subsection (4)(a)(i), and for inspection (without charge) and purchase (on payment of a fee fixed by the council) at the principal office of the council at least 21 days before the date of that meeting.</p>

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<p>Change to Basis of Rating Report</p>	<p>151(7) (8)</p>	<p>(7) A public consultation policy for the purposes of subsection (5)(e) must at least provide for—</p> <p>(a) the publication in a newspaper circulating within the area of the council a notice describing the proposed change, informing the public of the preparation of the report required under subsection (5)(d), and inviting interested persons—</p> <p style="padding-left: 40px;">(i) to attend a public meeting in relation to the matter to be held on a date (which must be at least 21 days after the publication of the notice) stated in the notice; or</p> <p style="padding-left: 40px;">(ii) to make written submissions in relation to the matter within a period (which must be at least 21 days) stated in the notice; and</p> <p>(b) the council to organise the public meeting contemplated by paragraph (a)(i) and the consideration by the council of any submissions made at that meeting or in response to the invitation under paragraph (a)(ii).</p> <p>(8) The council must ensure that copies of the report required under subsection (5)(d) are available at the meeting held under subsection (7)(a)(i), and for inspection (without charge) and purchase (on payment of a fee fixed by the council) at the principal office of the council at least 21 days before the end of the period for public consultation.</p>
<p>Rating – Differential Rates</p>	<p>156 (14a) (14d) (14e)</p>	<p>(14a) Before a council changes from declaring differential rates in relation to any land on the basis of a differentiating factor under either paragraph (a), (b) or (c) of subsection (1) to a differentiating factor under another of those paragraphs, the council must –</p> <p>(a) prepare a report on the proposed change; and</p> <p>(b) follow the relevant steps set out in its public consultation policy .</p> <p>(14d) A public consultation policy for the purposes of subsection (14a) must at least provide for—</p> <p>(a) the publication in a newspaper circulating within the area of the council a notice describing the proposed change, informing the public of the preparation of the report required under subsection (14a)(a), and inviting interested persons—</p> <p style="padding-left: 40px;">(i) to attend a public meeting in relation to the matter to be held on a date (which must be at least 21 days after the publication of the notice) stated in the notice; or</p> <p style="padding-left: 40px;">(ii) to make written submissions in relation to the matter within a period (which must be at least 21 days) stated in the notice; and</p> <p>(b) the council to organise the public meeting contemplated by paragraph (a)(i) and the consideration by the council of any submissions made at that meeting or in response to the invitation under paragraph (a)(ii).</p> <p>(14e) The council must ensure that copies of the report required under subsection (14a)(a) are available at the meeting held under subsection (14d)(a)(i), and for inspection (without charge) and purchase (on payment of a fee fixed by the council) at the principal office of the council at least 21 days before the end of the period for public consultation.</p>
<p>Community Land Classification:</p> <p>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</p>	<p>193(2) (6)</p>	<p>(2) Before the council resolves to exclude land from classification as community land under subsection (1)(a), it must follow the relevant steps set out in its public consultation policy.</p> <p>(6) A council must give notice in the Gazette of a resolution—</p> <p>(a) to exclude land from classification as community land under subsection (4);</p> <p>or</p> <p>(b) to classify, as community land, land that had previously been excluded from classification as such under subsection (5).</p>

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becomes local government land to exclude it from classification.		
Revocation of classification of land as community land.	194 (2)	<p>Before a council revokes the classification of land as community land—</p> <p>(a) the council must prepare a report and make publicly available a report on the proposal containing—</p> <p>(i) a summary of the reasons for the proposal; and</p> <p>(ii) a statement of any dedication, reservation or trust to which the land is subject; and</p> <p>(iii) a statement of whether revocation of the classification is proposed with a view to sale or disposal of the land and, if so, details of any Government assistance given to acquire the land and a statement of how the council proposes to use the proceeds; and</p> <p>(iv) an assessment of how implementation of the proposal would affect the area and the local community; and</p> <p>(v) if the council is not the owner of the land—a statement of any requirements made by the owner of the land as a condition of approving the proposed revocation of the classification; and</p> <p>(b) the council must follow the relevant steps set out in its public consultation policy.</p>
Management Plans – Public Consultation	197 (1) (2) (3)	<p>(1) Before a council adopts a management plan for community land it must—</p> <p>(a) make copies of the proposed plan available for inspection or purchase at the council's principal office; and</p> <p>(b) follow the relevant steps set out in its public consultation policy.</p> <p>(2) A council may adopt a management plan without complying with the requirements of subsection (1) if the council adopted the plan after a process of public notification and consultation before the commencement of this Act.</p> <p>(3) A council must give public notice of its adoption of a management plan.</p>
Amendment or revocation of management plans NB: A Council cannot dispose of community land until revocation of its classification as community land.	198 (2) (3) (4)	<p>(2) A council may only adopt a proposal for amendment to, or revocation of, a management plan after the council has carried out the public consultation that would be required if the proposal were for a new management plan.</p> <p>(3) However, public consultation is not required if the amendment has no impact or no significant impact on the interests of the community.</p> <p>(4) A council must give public notice of its adoption of a proposal for the amendment or revocation of a management plan.</p>
Alienation by lease or licence NB: Specific provisions relate to the Adelaide Park Lands – under the Parklands Act 2005.	202 (2) (3)	<p>(2) Before the council grants a lease or licence relating to community land, it must follow the relevant steps set out in its public consultation policy.</p> <p>(3) However, a council need not comply with the requirements of subsection (2) if -</p> <p>(a) 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</p> <p>(b) the regulations provide, in the circumstances of the case, for an exemption from compliance with a public consultation policy.</p>
Authorisations /Permits • Where road would be fenced,	223 (1) (2)	<p>(1) If a council proposes to grant an authorisation or permit—</p> <p>(a) that would result in any part of a road being fenced, enclosed or partitioned so as to impede the passage of traffic to a material degree; or</p>

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<p>enclosed or portioned so as to impede passage of traffic to a material degree</p> <ul style="list-style-type: none"> • Use or activity for which public consultation required under regulations 		<p>(c) in relation to a use or activity for which public consultation is required under the regulations,</p> <p>the council must, before granting the authorisation or permit, follow the relevant steps set out in its public consultation policy.</p> <p>(2) The council must also give written notice of the proposal to agencies that are, under the regulations, to be notified of the proposal.</p>
<p>Roads – Trees</p>	<p>232</p>	<p>Before a council plants vegetation, or authorises or permits the planting of vegetation, on a road that may have a significant impact on residents, the proprietors of nearby businesses or advertisers in the area, follow the relevant steps set out in its public consultation policy.</p>
<p>Passing by-laws</p> <p>NB: No specific reference to Council's Public Consultation Policy, but minimum standards apply.</p>	<p>249 (1) (2)</p>	<p>(1) If it is proposed that a council make a by-law, the council must, at least 21 days before resolving to make the by-law—</p> <p>(a) 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 and during ordinary office hours, at the principal office of the council, and so far as is reasonably practicable on the Internet; and</p> <p>(b) by notice in a newspaper circulating in the area of the council—</p> <p>(i) inform the public of the availability of the proposed by-law; and</p> <p>(ii) set out the terms of the by-law, or describe in general terms the by-law's nature and effect.</p> <p>(2) A council must give reasonable consideration to a written or other acceptable submission made to the council on a proposed by-law.</p>
<p>Power to Make Orders</p> <p>Councils must take reasonable steps to prepare and adopt policies relating to the power to make orders.</p>	<p>259 (2)</p>	<p>A council must—</p> <p>(a) prepare a draft of a policy; and</p> <p>(b) by notice in a newspaper circulating in the area of the council, give notice of the place or places at which copies of the draft are available for inspection (without charge) and purchase (on payment of a fee fixed by the council) and invite interested persons to make written representations on the draft within a period specified by the council (being a period of at least 4 weeks).</p> <p>The requirement of subsection .259 (2) also apply to Council adopting an amendment to a policy, unless the council determines that the amendment is of only minor significance.</p>