

 <p>City of Mount Gambier</p>	<p>COUNCIL POLICY P195 COMMUNITY CONSULTATION AND ENGAGEMENT POLICY</p>	Version No:	2
		Issued:	April, 2020
		Next Review:	April 2023

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*.

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.

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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. INTRODUCTION

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This document sets out the policy of the City of Mount Gambier (“Council”) for Community Public Consultation and Engagement. In this policy “Council” means the elected member body representing the City of Mount Gambier community and “Administration” means the staff operating under delegated authority of “Council”

Scope

This policy applies to Elected Members, employees, and others acting on behalf of Council

Purpose

The purpose of this policy is to underpin Council's commitment to the highest level of community engagement.

2. POLICY OBJECTIVES

- 2.1 To promote positive relationships between Council and the community.
- 2.2 To provide the framework for appropriately structured, targeted and delivered community engagement as part of Council’s decision making.
- 2.3 To provide effective communication and engagement between Council and the community.
- 2.4 To encourage, enhance and provide the opportunity for community participation in the decision making processes of Council.
- 2.5 To achieve a greater level of community input, understanding and ownership of decisions made by Council.
- 2.6 To support Council decision making that is open, transparent, responsive, inclusive and accountable to the community.

3. COMMITMENT

The City of Mount Gambier is committed to effective, ongoing and timely community engagement as an integral part of local governance and key decision making.

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 are developed to maximise the opportunities for participation of all members of the community.

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

- 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.
- Council’s desire to engage the community will be balanced with other influences such as budgetary constraints.
- Council will define the parameters of the community engagement process for each specific topic, inline with legislative requirements and best practice, and will use

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community engagement techniques selected to fulfil the “promise” of the defined engagement process.

4. PRINCIPLES

This policy is underpinned by the following principles that are central to effective communication and engagement.

Community Engagement is any process that involves the community in problem solving or decision making and uses community input to make decisions. Community engagement can include communicating with the community about decisions made; consulting on specific ideas or proposals; involving the community in planning processes; and collaborating with the community to make decisions.

Community Consultation is a part of community engagement and means a planned process by which the Council formally invites its constituents and stakeholders to comment about matters upon which Elected Members are to deliberate.

The City Council of Mount Gambier 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 Council or Administration have determined, as a matter of good practice, to engage with the community.

For the purpose of this policy the following promises apply:

- Inform - One way communication providing balanced and objective information to assist understanding about something that is going to happen.
- 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.
- 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.
- Collaborate – working together to develop understanding of all issues and interest to work out alternatives and identify preferred solutions – Council will look to the community for direct advice and innovation in formulating solutions.
- Empower - As per the Local Government Act

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.

5. ROLES AND RESPONSIBILITIES

5.1 This Community Consultation and Engagement Policy will apply to Council Elected Members, Administration and others acting on behalf of the Council.

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5.2 The Community Consultation and Engagement Policy is developed and reviewed by Council.

5.3 The responsibility of Council and Administration is to assess and identify issues where community engagement will assist the decision making process.

5.4 The Chief Executive Officer is responsible for:

- Implementing and ensuring compliance with the Community Consultation and Engagement Policy
- Reporting on outcomes in meeting the objectives of the Policy
- Reporting on the review and evaluation of the Policy

6. REVIEW AND EVALUATION

This Policy will be reviewed and assessed within 12 months of a general election.

7. AVAILABILITY

This Policy is available at the following location during normal business hours:

- Principal Office, Civic Centre, 10 Watson Terrace, Mount Gambier SA 5290
- Council Website: www.mountgambier.sa.gov.au

8. ACCESS AND FURTHER INFORMATION

Any enquiries regarding this Policy are to be directed to the General Manager Community Wellbeing, telephone 8721 2555.

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File Reference:	AF18/50
Applicable Legislation:	Local Government Act 1999 - Section 50 <i>Local Government (Public Health Emergency) Amendment Act 2020</i> <i>Public Access and Public Consultation Notice (No 2) 2020</i>
Strategic Reference:	Our People Our Economy
Related Policies:	M130 – Media – Statements on behalf of Council
Related Procedures:	External Communications / Media Protocol
Related Documents:	

DOCUMENT DETAILS

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