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Public Consultation Policy

1. PREAMBLE

1.1. Brown Hill and Keswick Creeks Stormwater Board (the Board) is committed to open, participatory and transparent engagement that forms the foundation of responsible governance. Required by its Charter to comply with Section 50 of the *Local Government Act 1999*, the Board must adopt a Public Consultation Policy to set out the framework for developing sustainable consultation practices. The Board recognises that high quality community engagement is critical to the successful progression of projects, and development of well-informed decisions and policies.

2. PURPOSE

2.1. This Policy sets out the steps that the Board intends to take to deliver effective community consultation, whilst fulfilling all requirements under the Act. Where the Act prescribes that public consultation is necessary, the Board will obtain and consider community contributions and relevant information to ensure that any decision made is in the best interests of the community.

2.2. This Policy guides the Board where the Act requires public consultation, to ensure it effectively consults with stakeholders and the community.

3. SCOPE

3.1. This policy applies to Board Members, employees, contractors, volunteers, consultants, and any other persons undertaking public and community consultation for the Project.

4. DEFINITIONS

4.1. **Board Members** refers to the appointed members of the Brown Hill and Keswick Creeks Stormwater Board.

4.2. **Community Engagement** is the involvement of the community in the decision making processes of the Board. This is critical in the successful development of acceptable policies and sustainable decisions in local government and the community.ⁱ It 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 decisionsⁱⁱ.

4.3. **Constituent Councils** consists of the City of Adelaide, City of Burnside, City of Mitcham, City of West Torrens and City of Unley.

4.4. **Project** refers to the Brown Hill Keswick Creek Stormwater Project.

4.5. **Project Director** refers to the Project Director appointed by the Board.

4.6. Public Consultation is a process required by legislation to consult with the community prior to the making of a decision. It is a planned process by which the Board formally invites its constituents and stakeholders to comment about matters upon which the Board Members are to deliberate. This means providing information to the community and eliciting opinions and comments from members of the public, for the Board to consider. The final decision regarding such matters rests with the Boardⁱⁱⁱ.

5. PRINCIPLES

Public Consultation & Community Engagement Principles

5.1. The following Principles underpin the Board's approach to public consultation and community engagement:

- 5.1.1. Seek out and encourage contributions from people who may be affected by or interested in a decision;
- 5.1.2. Provide relevant, timely and balanced information so people can contribute in a meaningful way;
- 5.1.3. Provide a variety of appropriate and accessible ways for people to have their say and to speak honestly;
- 5.1.4. Actively listen so that people's ideas and input assist in making the final decision;
- 5.1.5. Consider the needs and interests of all people in the decision-making process;
- 5.1.6. Tell the community about the final decision, and how their input was considered; and
- 5.1.7. Collaborate with peak bodies and other levels of Government to achieve common goals.^{iv}

5.2. Public Consultation provides a way for the Board to connect with the community in order to further develop relationships and inform decision making processes.

5.3. Community engagement involves levels of engagement which define the type of communication and the intent which provides clear expectations about the community's role in the decision making process^v.

5.4. Project staff will make available the results of engagements on the Project's website and other platforms where appropriate^{vi}.

Public Consultation

5.5. For Public Consultations required by the *Local Government Act 1999*, the Project Director or a delegated officer will be required to:

5.5.1. Prepare a document that sets out the Board's proposal in relation to the matter; and

i. Publish a notice:

- (a) in a newspaper circulating within the area of the project; and
- (b) on the Project's website,

describing the matter under consideration and inviting interested persons to make submissions within a period (being at least 28 days)^{vii}.

5.5.2. When submissions have been received by the specified date, the Project Director or a delegated officer will:

- i. Summarise and analyse the information;
- ii. Prepare a report for the Board which:
 - (a) summarises the public consultation outcomes;
 - (b) presents the information in the broader context of the matter under consideration;
 - (c) makes recommendations for the Board to consider when deciding on the matter/s; and
 - (d) is included on the agenda for a suitable Board meeting.

5.5.3. The Board will consider the report and relevant recommendations and decide upon the matters.

5.5.4. The right to address the Board by way of deputation in support of any submission may be granted at the discretion of the Chair, unless otherwise prescribed in the relevant legislation and in accordance with the Board's Code of Practice – Meeting Procedures.

5.6. Public Consultation may be required under other legislation and that will follow the processes as set out by those Acts.

5.7. In addition to matters which require consultation as prescribed by the *Local Government Act 1999*, consultation may be required as a result of a Board decision. In these instances, the Board resolution will make specific reference to the Public Consultation Policy. The minimal consultation period for any consultation in this category is 28 days and will include as a minimum, public notification on the Board's website. Additional consultation requirements may be determined by the Board resolution or as deemed appropriate by the Project Director.

Community Engagement

5.8. The Board will conduct Community Engagement in accordance with the Community Engagement Spectrum^{viii}:

5.8.1. Inform

One way communication providing balanced information to assist the community in understanding the topic, alternatives and/or solutions. Feedback is not sought and the decision is made by the Board.

5.8.2. Consult

Two way communication whereby the Board provides balanced information to assist the community in understanding a topic, alternatives and/or solutions and seeks feedback on the matter. The Board will convey how the feedback was used to inform the decision.

5.8.3. Involve

Two way communication whereby the Board works with the community through the process of decision making to ensure that the concerns and aspirations are consistently understood and considered. The decision is influenced heavily by the community's input.

5.8.4. Collaborate

Partnership with the community to come up with a decision on a particular matter. The Board will look to the community for direct advice and innovation in formulating alternatives and/or solutions. The final decision remains with the Board and will use the recommendations from the community in its decision to the maximum extent possible.

5.9. In addition to its Public Consultation obligations as detailed in this Policy, the Board may engage with the community on a range of other topics. The level and style of engagement will vary in each circumstance depending upon the:

- i. Level of community interest or awareness
- ii. Sensitivity of the issue
- iii. Number of persons potentially affected
- iv. Spread of the affected population
- v. Likely social, economic, environmental and cultural impacts
- vi. Availability of Board resources.

5.10. These engagement activities are aligned to the levels of engagement detailed in the Community Engagement Spectrum outlined at clause 5.8.

5.11. Community Engagement complements and does not replace the Board's minimum consultation requirements.

Petitions

5.12. Petitions received from the community in response to a community engagement must be completed in accordance with the requirements of the Board's Code of Practice – Meeting Procedures. Petitions are considered as one submission and will be considered alongside all other pertinent factors, when a decision is made.

Privacy and Confidentiality

5.13. To ensure confidence in the transparency and integrity of the Board's consultation processes, all formal submissions must include the name and residential address of the respondent. The identity of those who provide input to community engagement activities will be made known only to those who need to know in the process of compiling the feedback. Identities will not be revealed or made public by the Board, except where required by law. All formal submissions made as part of a Board consultation process are subject to the *Freedom of Information Act 1991*^{ix}.

6. POLICY REVIEW

6.1. This policy will be reviewed every two (2) years.

7. ENDORSEMENT

7.1. This policy may only be amended by resolution of the Board.

Chair, Brown Hill & Keswick Creeks Stormwater Board

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- i Mitcham
 - ii Unley
 - iii Unley
 - iv Adelaide
 - v Adelaide
 - vi Burnside
 - vii Mitcham
 - viii Adapted from IAP2 Community Engagement Spectrum Inform
 - ix Burnside/Mitcham

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