



COUNCIL POLICY - draft

P040123

COMMUNITY CONSULTATION

Objectives

- To provide guidance to the Council, Administration and Community on when Community Consultation should be undertaken and the level and type of consultation to be carried out; and
- To provide a set of principles to guide consultation processes and activities used by the Shire of Denmark to, where practical, encourage greater community involvement in Council decision making.

The Shire of Denmark will undertake “Community Consultation”

1. By;

- *Informing* the Community;
- *Consulting* the Community;
- *Engaging* the Community; and /or
- *Listening* to the Community.

2. In a manner that is consistent with our organisational values of;

- Honesty & trust;
- Clear & open communication;
- Lead by example;
- Listen to each other; and
- Embrace diversity and difference.

Policy

DEFINITIONS

- “*Community Consultation*” covers the range of activities that the Shire utilises to seek the involvement of ratepayers, residents, non-residents, the business community, government and stakeholders in the decision-making process including advice of decisions made.
- “*Community*” is defined in the broadest possible sense to include Shire of Denmark residents, ratepayers (owners and occupiers), business proprietors, business and community groups, and visitors. At times it may also include other tiers of government, neighbouring Councils and other stakeholders with an interest in the Shire of Denmark.

Consultation is a mechanism for Council Members and/or Officers to inform themselves of community attitudes and opinions on issues, and therefore, the Council is committed to, where practical, and deemed appropriate, seeking the input of the community to assist in the decision-making process.

In effectively consulting the community, many diverse and different views, opinions and preferences will be conveyed to Council. We will not always be able to reconcile these differences, nor make decisions or take actions that align with everyone’s viewpoint.

Council endorses good community consultation as it can provide both Council and the community with many beneficial outcomes. Since first recognising the importance of effective community consultation, by adopting its first Community Consultation Policy

many years ago, Council has also (from 2004) conducted a biennial Community Survey seeking the community's views on a number of matters including our effectiveness in a number of areas and the community's overall satisfaction with Council's performance. This survey is a useful benchmark for Council in determining the effectiveness of our consultation during the preceding period.

Effective community consultation can:

- strengthen democracy & provide a valuable basis for advocacy on behalf of community needs and interests;
- expand the knowledge and understanding of particular issues by both Council and community;
- harness local knowledge and experience;
- lead to better and more-informed decisions;
- improve community strength and inclusiveness through active participation;
- enhance the alignment between Council service delivery and community priorities;
- reduce tension within a community in relation to a particular issue;
- bring seemingly divergent groups or views together;
- provide an opportunity for concerns or views about other issues to be conveyed to Council;
- inform the community of other factors influencing a decision and provide a more detailed understanding of the constraints on an issue & potential results of any outcomes;
- use time and resources efficiently;
- identify and/or clarify Council's understanding of community views, values, expectations and priorities;
- identify previously unknown issues;
- avoid future delay and conflict if the community is supportive of a decision or had the opportunity to provide input into the process early on.

TYPES OF CONSULTATION

Informing the Community

Processes that involve Council providing the community with information about:

- decisions that have been, could be or will be made
- actions or that have been, could be or will be taken
- events that have been, could be or will be held
- emerging issues, news and general matters of community interest.

Council should *inform* rather than *consult* the community if there is no scope, for good reason, for the community to influence a decision or outcome. This may be the case, for example, when a decision has to be made for community safety reasons.

Consulting the Community

Processes that involve Council actively providing the community with an opportunity and invitation to contribute their views, opinions, feedback and / or preferences about a specific issue prior to a final decision being made or action being taken. Community consultation means that there is an opportunity and scope for community input to influence a decision or outcome before it is finally determined. Consultation processes also provide an opportunity to achieve considerable community development and empowerment outcomes through active participation.

Engaging the Community

All forms of interaction between Council and the community constitute community engagement. A more involved level of engagement is where Council and the community are engaged in ongoing two-way dialogue about general issues of mutual interest. For

example, through Council's ongoing partnerships with organisations, groups, government agencies etc. Another example is the range of Council's advisory and reference groups or the partnership work we do with a specific local community on a collaborative project.

Listening to the Community

In many cases, the community or a community member will convey a view about an issue to the Shire even when Council has not initiated a formal consultation process. In such circumstances, which occur every day, the Shire will listen to the views conveyed and consider these in its subsequent planning, decisions and actions. A formal consultation process is not always required for the community to exercise its right to convey a view about a particular matter to Council.

ROLES AND RESPONSIBILITIES OF THE COUNCIL

The Council is elected to make decisions on behalf of the people of the Shire of Denmark. To do so effectively, the Council, Council Members and/or Officers have a need to inform themselves of current community attitudes and opinions on issues and to know their views, needs and aspirations.

LEGAL OBLIGATIONS OF THE COUNCIL

All community consultation being undertaken in a manner that is consistent with our legal obligations under;

- the Commonwealth Disability Discrimination Act 1992 (that is, open and accessible to all members of the community);
- the Information Privacy Act 2000 (regarding the handling of all personal information); and
- Any other relevant legislation which may relate to a particular issue.

ROLES AND RESPONSIBILITIES OF THE COMMUNITY

- to inform themselves about Council functions, initiatives, activities and objectives and participate in civic affairs;
- acknowledge that the Council is made up of duly elected representatives of the community;
- acknowledge that submissions addressing matters that are objective are generally considered more highly than those that demonstrate bias, or are subjective, hypothetical or pro forma based; and
- behave in a manner consistent with our organisational values.

WHEN FORMAL CONSULTATION IS TO BE UNDERTAKEN

The Shire of Denmark will undertake formal community consultation when:

1. a decision is likely to have significant impact on a particular individual or group in the community;
2. there is, or likely to be, strong community concern or interest in the issue;
3. the proposal(s) before the Council are anticipated to have significant impact on the economy, lifestyle, amenity and/or environment of the Shire and/or its residents;
4. government agencies have a stated they have, or are likely to, have an interest in any local policy or plans being considered;
5. the resolution of an issue or implementation of a proposal is likely to require a substantial redirection of ratepayer funds either by up-front or ongoing costs;
6. significant changes to the current or future use of culturally significant land or infrastructure within the Shire is being considered;
7. information is needed by Council Members and/or the Administration about community needs, priorities or values to ensure planning is appropriate and responsive;

8. the Council has statutory obligations to consult with the community; and/or;
9. the Council wishes to ensure that minority or disadvantaged groups have information about and/or an opportunity to contribute to the operations and/or the planning for the Council's services, facilities and programmes.

WHEN CONSULTATION MAY NOT BE PRACTICABLE

While the Council will consult with the community wherever possible, it may not be practicable when:

1. the Council must make a decision quickly in the interest of the Shire (e.g. Public safety);
2. the advice or decision is to another tier of Government about matters of broad interest (in common) to constituents of the State;
3. the Council is bound by legal, commercial or legislative constraints; and/or
4. the decision concerns minor "day to day" administrative matters.

COUNCIL'S PRINCIPLES OF CONSULTATION

The Council will, where practical and reasonable, work towards achieving a high level of community satisfaction of our consultation methods through the following principles:

1. making participation as easy and accessible as possible by considering peoples different needs, constraints, diversity and cultural backgrounds;
2. encouraging groups to select their own representative(s) to work with Council on particular matters of common interest;
3. identifying occasions where it is appropriate to utilise independent and professionally facilitated workshops;
4. providing an environment where people feel safe & comfortable to express their views;
5. employing staff with appropriate skills and/or ensuring that staff who participate in community consultation have appropriate training in consultation techniques;
6. advising the community of the reason for the consultation and what it aims to achieve;
7. explaining Council's role in the consultation and that of the other participants;
8. making available relevant, accurate, accessible, easy-to-understand background information in sufficient time for people to be well informed, while giving due consideration to commercially sensitive or personal information, to enable them to make an informed comment;
9. where possible working towards outcomes that have broad community support;
10. advising people how their feedback and comment will be incorporated into the decision making process;
11. taking into account the issue, community interest and needs and cost, ensuring that Council is responsive and accountable in its decision-making, resource management and expenditure;
12. being receptive and responsive to new ideas;
13. making all reasonable attempts to resolve conflicts and reach acceptable solutions however acknowledging that it may not always be possible to satisfy the diverse and sometimes competing interests of the community on every occasion.
14. advising participants & contributors of Council decision(s) on the issue(s) they were involved in (where practical);
15. informing participants & contributors of the decision making process (where possible);
16. balancing the commitment to engage effectively with the need to manage ratepayers' monies and community interests prudently;
17. regularly and/or when required, evaluating the community consultation processes and outcomes as a basis for continuous improvement; and
18. measuring our performance on our communities' perception of our consultation methods and techniques in its biennial Community Needs and Customer Satisfaction Survey.

COMMUNITY CONSULTATION PLAN

Officer Reports to Council, under the 'Consultation' heading of all Officer Reports to Council, should include reference to either the consultation undertaken, or being considered (if any) in keeping with this Policy. This is particularly relevant with respect to reports relating to significant new projects, programmes, development of services or major policies and /or any major reviews of those, to enable Council to determine the level and type of community consultation expected.

A CCP should detail:

- compliance with the objectives of this policy;
- the objectives of the community consultation exercise;
- the stakeholders to be consulted;
- the timing and duration of the consultation;
- the method of consultation to be used to achieve the objectives; and
- estimated cost of the consultation and budgeted funds available.

The Council recognises the following as appropriate methods of consultation to be considered in any CCP:

- individual letters, telephone calls, emails and one to one conversations / interviews;
- householder mailings;
- advertising (location, number and or duration) in addition to statutory requirements in local, district and State newspapers;
- media releases;
- Council Conversations (a monthly Denmark Bulletin article);
- public or stakeholders or focus group meetings/workshops;
- council and public Notice Boards;
- public information displays;
- formal questionnaires or surveys;
- social networking;
- website;
- meetings; and / or
- use of specialist consultants.

Responsibility for implementation

The Chief Executive Officer and all designated senior officers of Council are responsible for implementation of this policy.

