



4/009 Significant Decision Making

Objective

The Town of Port Hedland's Council has duties and commitments to the community of Port Hedland when making decisions that substantially affect the lives or future of Port Hedland. The purpose of this policy is to strongly articulate Council's intent to support public involvement in significant decision-making, which will ensure good decision-making.

This policy should be read in conjunction with the principles outlined in the Town of Port Hedland – Community Engagement Strategy.

Content

This Policy identifies how and when Port Hedland's community can expect to be engaged in, or specifically consulted on prior to a decision of a significant nature being made at a Council meeting. This will be done through a process of engagement with the community.

Significant Decision Making

Council will consider the significance of every issue requiring a decision and the level of engagement on a case by case basis.

Significance means the importance of an issue, proposal, decision, or matter, as assessed by the Council, in terms of its likely impact on, and likely consequences for:

- a) Port Hedland as a whole.
- b) The parties and communities who are likely to be particularly affected or interested in the issue, proposal, decision or matter.
- c) The financial and non-financial costs and implications, or the capacity of the Council to perform its role/ functions.

Significance and engagement will be considered in the early stages of a proposal before decision making occurs and, if necessary, reconsidered as the proposal develops.

The more significant a matter or decision the more likely Council will need to:

1. Consider the long term implications of the decisions.
2. Consider the impact on the Strategic Community Plan and the Corporate Business Plan.
3. Consider the consistency of the decision with adopted strategies and plans.
4. Consider engagement and consultation with the community on their view.



Factors to be considered include:

- a) The number of individuals, organisations, groups and sectors within the community that are affected.
- b) The extent of the impact on affected individuals, organisations, groups and sectors within the community.
- c) The level of public interest, or the potential for the issue to generate interest or controversy.
- d) The extent to which community opinion is divided on the matter.
- e) The impact of the decision on the Town's ability to deliver on actions that contribute to the Strategic Community Plan and Corporate Business Plan.

Determining the significance of a matter is an exercise of judgment. Council must assess how a proposal, decision, issue or matter may affect people, services, facilities and infrastructure in Port Hedland.

Engagement

It is essential that Council has a consistent approach to community engagement and that it uses effective engagement practices. Any engagement undertaken by the Town of Port Hedland (Town) needs to be conducted in a meaningful way so that it encourages community members to increase their trust in Council generally and maintain their involvement in future Town engagement activities.

Engagement provides an opportunity for the public to debate and discuss their views on a decision or proposal being considered by the Council that is deemed a significant issue. The community views expressed through an engagement process will be considered and taken into account, along with other information, when decisions are made.

Engagement may not necessarily result in consensus. However, engagement should allow for an exchange and examination of information and points of view between affected and interested people and decision-makers before a decision is made. Engagement ensures that decisions are informed and improved by the community's involvement.

Before the Council makes a significant decision, the Town's administration will consult the public. In practice, this means that the Town will:

- identify people who will be affected by or have an interest in the decision;
- provide them with reasonable access to relevant information in an appropriate format on the process and scope of the decision;
- encourage people to give their views;
- give people a reasonable opportunity to give their views in an appropriate way;
- listen to, and consider those views, with an open mind; and
- after the decision, provide access to the decision and any other relevant material.



Thresholds

When undertaking a process to determine which issue, proposal, decision or other matter is significant, Council will recognise the following thresholds. If any of these thresholds are triggered the matter will be significant.

1. If the cost of a proposal or decision is estimated at 5% or more of the total rates of the Council as shown in the Corporate Business Plan or Strategic Community Plan for the financial year.
2. If the proposal or decision will incur unbudgeted capital expenditure exceeding 5% of the total value of Council's assets, or where spent on a strategic asset as a whole, exceed 5% of that assets value.
3. Entry into partnership with the private sector to carry out a significant activity.

Where any issue, proposal, decision or other matter does not trigger one or more of the above thresholds, significance shall be considered against the criteria contained in this policy

Criteria

The more tangible the impact or consequence of the issue, proposal, decision or other matter is, the higher the likelihood of significance. If an issue, proposal, decision or other matter satisfies one or more of the following criteria, the matter is likely to be significant.

1. Any transfer of ownership or control or the constructions, replacement or abandonment of a strategic asset.
2. A decision that will significantly affect the capacity of the Council to carry out any activity identified in the strategic plan.
3. A decision that will significantly affect the cost to Council to carry out any activity identified in the strategic plan.
4. Any issue, proposal, decision or other matter that will substantially affect a wide range of people who reside in Port Hedland.
5. The extent to which the decision flows logically and consequently from a significant decision already made or from a decision in the strategic or annual corporate plans.
6. The degree to which a decision or issues are difficult to reverse.
7. The matter will have implications for the present and future social, economic, environmental and cultural well-being of Port Hedland

Exceptions

The Council acknowledges there are times when it is not necessary, appropriate or possible to engage the community on a proposal or decision. The Council may also choose not to engage on a proposal or decision, but will only decide this in accordance with at least one of the criteria below:

- a) The proposal or decision is not of a nature or significance that requires engagement.
- b) The Council already has a sound understanding of the views and preferences of the people likely to be affected by, or interested in, the proposal or decision.
- c) There is a need for confidentiality or commercial sensitivity.
- d) The costs of engagement outweigh the benefits of it.
- e) The proposal or decision has already been addressed by the Council's strategies, policies or plans, which have recently been consulted on.
- f) The opinion of the Council, failure to make a decision urgently would result in unreasonable or significant damage to property, or risk to people's health and safety.
- g) Any physical alterations to strategic assets that are required to:
 - prevent an immediate hazardous situation arising
 - repair an asset to ensure public health and safety due to damage from an emergency or unforeseen situation.

Whenever the Council does not formally engage, community views will still be considered before a decision is made and as much information will be provided to the public as possible.

Procedures

In achieving this policy, the following procedures will be as follows:

1. Every report to Council on any issue, proposal, decision or other matter will include a statement indicating that the issue of significance has been considered.
2. Where the issue, proposal, decision or other matter triggers the thresholds or criteria of this policy and is therefore likely to be significant, the report to Council will also include a statement relating to recommended level of consultation.
3. In receiving the report, Council may accept the report writer's assessment of significance made in the report and the recommended level of consultation. Where Council does not accept the report writer's assessment and recommendation, a separate resolution will be made to that effect.



Relevant legislation	-
Delegated authority	-
Business unit	Governance
Directorate	Corporate and Performance

<i>Governance to complete this section</i>			
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