

**DSC2I**

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**COMMUNITY CONSULTATION AND COMMUNICATION (CC&C)****Table of Contents**

<b>Item</b>	<b>Page</b>
1. Introduction .....	2
2. Background .....	2
3. Purpose .....	2
4. CC&C Background .....	3
5. CC&C – Trends & Issues .....	5
6. Key Aspects of CC&C for Consideration .....	7
7. Guidance Publications .....	11
Appendix A CC&C – Issues & Critiques .....	12
Appendix B CC&C – Further Considerations .....	14
Appendix C Example Flowchart for Establishing a CC&C Plan .....	17

## 1. INTRODUCTION

The NSW Dams Safety Committee's (DSC) principal objective is to ensure the ongoing safety of all prescribed dams in NSW. Consultation (i.e. mutually discussing matters) and Communication (i.e. providing information) with the affected community (i.e. CC&C) is considered a key ingredient in the necessary assessments required to determine and implement public dam safety management requirements and is essential in a dam owner's duty of care to the community and for business due diligence.

## 2. BACKGROUND

Dam owners, and their professional advisers, have full responsibility for ensuring appropriate CC&C of their dam safety management programs, each with their own individual and specific issues. However, the DSC also has a responsibility to promote best CC&C practices to dam owners by providing guidance to owners on general issues or findings that may assist owners in this regard.

To assist in this regard, the DSC has prepared this Guidance Sheet (with the assistance of Mr David Watson, Project Manager with State Water – greatly appreciated by the DSC) outlining relevant matters required to achieve *good practice* in, and to assist dam owners in their deliberations on the importance and effectiveness of, CC&C associated with the safety of dams.

This sheet is seen as a companion reference document to be read and considered in conjunction with other documentation, processes and requirements on CC&C associated with dam safety management, and is one of a series of sheets prepared by the DSC for the guidance of owners and other stakeholders in the dams industry. The reader is directed to the DSC's Guidance Sheet on *DSC Background, Functions and Operations - DSC1A*, for a listing of the DSC's other Guidance Sheets.

## 3. PURPOSE

This sheet is designed to give some insight into why CC&C is considered a critical component to dam safety management and, in particular when there is an identified dam safety concern, dam owners have an obligation to ensure downstream residents and property owners, relevant agencies/authorities, state government departments, local government and other affected parties are appropriately consulted with effective communication processes. It is not designed to provide guidance or requirements in communication and consultation in the case of an emergency incident (see DSC2G). It is not directly associated with planning and construction of new dams but the principles and planning of CC&C set out in this sheet certainly apply.

In this regard, current DSC policy is to recommend that dam owners engage in CC&C from an early stage, with effective community interaction and input, when intolerable dam safety risks are initially estimated and/or concerns have been identified at a dam and improvement strategies are being developed. In particular, exposure of societal concerns is necessary in deciding on the tolerability of risk, in prioritising remedial measures for dams with safety concerns,

and to meet the due diligence obligations of dam owners. However this Guidance Sheet is advisory only and the DSC has no requirements in the nature and timing of CC&C.

Accordingly, as the ultimate responsibility for the safety of a dam lies with the dam owner, it is for the dam owner to determine how appropriate CC&C will be achieved and implemented into their dam safety management program.

The DSC's recommendation aligns with guidance on risk assessment in the national standard AS/NZS 4360:2004 *Risk Management* and in the ANCOLD (Australian National Committee on Large Dams) *Guidelines on Risk Assessment*, October 2003.

This sheet identifies trends and issues in CC&C, and provides guidance to owners in managing and responding to the following related five key questions:

- Why?
- Who?
- What?
- How? and
- When?

In addition, the sheet provides some key references and examples. It should be used by dam owners to assist in the development of the most appropriate CC&C dam safety strategy/approach for each dam and to promote best practice, in what would be expected of a dam owner with regards to CC&C, particularly where dam safety issues have been identified.

Further DSC information on CC&C for dam safety is set out in the DSC's Guidance Sheet on *Emergency Management for Dams - DSC2G*. Provisions that apply for mining near, or under, dams are set out in the DSC's Section 4 Guidance Sheets outlining DSC considerations for mining near Prescribed Dams (i.e. DSC4B – Mining Applications and DSC4D – Contingency Plans).

## **4. COMMUNITY CONSULTATION & COMMUNICATION BACKGROUND**

### **4.1 Legislative Context and Guidelines**

There are many legislative instances around Australia where community CC&C is expected or required. A key piece of legislation for any dam safety works in NSW is the *Environmental Planning & Assessment Act 1979 (as amended)*. The planning processes associated with this Act require significant community CC&C in the development of an Environmental Assessment Report (also known as an Environmental Impact Statement – EIS) for a project and during the public exhibition of the Report and associated request for submissions.

In addition, dam owners have obligations under the due diligence and duty-of-care provisions of the laws of negligence to ensure that affected parties be informed of imposed risks and efforts taken to minimise these risks.

In tandem with these legislative requirements, dam safety is essentially a risk management issue and, as such, should be guided by the Australian Standard AS/NZS 4360:2004 *Risk Management*, and the ANCOLD *Guidelines on Risk Assessment*. These standards/guidelines strongly advocate the need for timely and effective CC&C as part of the risk assessment and overall management process.

The new ISO 31000-Section 6.2 and older AS/NZS 4360 clearly indicates that CC&C is a key activity required at all levels of the risk management process from identification of the risk, to its assessment, treatment and ongoing monitoring. CC&C is considered the key linking process or strategy in risk management to achieve the most cost-effective acceptable risk reduction outcomes.

This linking process or strategy is no less important for dam safety, particularly when the solutions are numerous, complex and coupled with other improvement objectives. These other improvement objectives can include storage augmentation, flood mitigation, environmental improvements, or factors impacted by the dam such as cold water releases, fish passage, algal and sediment management and other regional development implications such as hydropower generation and storage recreation activities.

CC&C for dam safety is not specifically legislated under the *NSW Dams Safety Act 1978*. However, Section 18 of the *Dams Safety Act 1978-Giving Notices to Ensure Safety of Prescribed Dams*, could allow the DSC to include CC&C requirements in any notice issued to an owner requiring remedial actions be undertaken on a prescribed dam which is unsafe or in danger of becoming unsafe.

#### 4.2 Historical Context

CC&C associated with dam safety has advanced significantly from times when major government agency dam owners made determinations on public safety in-house without interacting with the public.

In Australia in particular, a range of actions over the last 20 years has seen involvement by the community as an input to both the understanding of safety issues and in helping to solve them. Some actions have been instigated by the dam owner (e.g. Sydney Catchment Authority in the upgrade of Warragamba Dam and State Water Corporation in the upgrade of Keepit and Chaffey Dams).

Utilisation of CC&C by others tends to be as a result of legislative requirements under the *NSW Environmental Planning & Assessment Act 1979* which requires formal public pre-consultation as a part of the planning requirement prior to the public exhibition of an Environmental Assessment Report.

In general, this surge to involve CC&C at various stages in dam safety, and other infrastructure projects, is a result of the community now expecting accountability for safety to be more transparent and open. Attitudes such as "Trust us we know what we are doing or what is good for you" are no longer relevant and it is now necessary to respect the fact that the community has a right to know what risks they are involved in and to be a part of resolving issues which affect them. This is also reinforced by the laws of negligence which require

dam owners to have due diligence and a duty of care to all affected by their dams.

Governments, while still very much responsible for public safety, also see the importance of involving the community to achieve an acceptable cost-effective result, which manages risk instead of a blanket risk-averse approach. This involvement enables limited community resources to be spent in the best manner possible.

## 5. COMMUNITY CONSULTATION & COMMUNICATION – TRENDS AND ISSUES

### 5.1 CC&C Current Practices & Trends

While most major dam owners acknowledge CC&C as being a key part of a dam safety program, the way CC&C has, and is being tackled for dams and similar industries, around Australia and the world, varies considerably as follows:

#### 5.1.1 Across Australia

To a significant degree the variation in approaches to CC&C between the States (see table 5.1) is due to different legislation and the fact that some States, such as Western Australia and Tasmania, have the majority of high consequence dams owned by one dam owner.

**Table 5.1 - State Approaches to CC&C**

State	Guidance(G) / Requirements(R) for CC&C			
	ANCOLD	AS4360	Environment Laws	Dam Safety Laws
NSW	G	G	R	G
Qld	G	G	R	G
ACT	G	G	R	G
Vic	G	G	R	G
Tas	G	G	R	G
SA	G	G	R	NA
WA	G	G	R	NA

#### 5.1.2 Around the World

To a significant degree the variation in approaches to CC&C between countries (see table 5.2) is due to different national and internal legislation and degree of community involvement in decision-making.

**Table 5.2 - World Approaches to CC&C**

Country	Guidance(G) / Requirements(R) for CC&C			
	ICOLD	Risk Laws	Environment Laws	Dam Safety Laws
USA	G		R	R (some states)
Canada	G		R	G (some provinces)
UK	G	R	R	
Netherlands	G	R	R	
Italy	G	R	R	
S. Africa	G		R	
China	G			
Russia	G			

**5.1.3 Across Similar Industries**

To a significant degree the variation in approaches to CC&C between Australian industries (see table 5.3) is due to different legislation and degree of community involvement in decision making.

**Table 5.3 - Industry Approaches to CC&C**

Industry	Guidance/ Requirements for CC&C		
	Industry	Risk Laws	Environment Laws
Nuclear	G	G	R
Petro-chemical	G	G	R
Planning	R	G	R

**5.2 Community Consultation and Communication – Issues and Concerns**

Various issues and concerns with the use of CC&C have been raised by dam owners, stakeholders and the community as summarised in Table 5.4 and discussed in more detail in Appendix A.

**Table 5.4 - CC&C’s Perspectives, Perceptions and Realities**

Perspective	Perception	Reality
Dam Owner	Public don’t understand risk-hard to explain, confusing.	Public understand if well communicated.
Dam Owner	Advising risk can spark insurance concerns, outrage.	No insurance concerns and outcry more likely if not told.
Dam Owner	Need to know answers before advising public.	Aware public usually prepared to address problems.
Dam Owner	Upgrades take time and can lead to public concern over inaction overtime.	OK if timeframes and interim measures clearly given and potential for delays advised.
Dam Owner	Dam owner is responsible and must decide solution.	Against principles of openness and locks out additional inputs to assist owners.
Community	Why bother, solution already determined.	Relates to need for effective consultation not just communication.
Community	Community considerations will be ignored.	Need to explain base-line requirements and achievements obtained above by CC&C.
Community	Problem is technical, just fix it.	Need to explain all subsidiary issues to come to holistic solution.

## 6. KEY ASPECTS OF COMMUNITY CONSULTATION AND COMMUNICATION (CC&C) FOR CONSIDERATION

### 6.1 Why Undertake CC&C?

The reasons for undertaking CC&C for dam safety management are many and varied as listed below:

- Requirement of NSW EP&A Act for many upgrading works;
- DSC policy outlining recommendations and some requirements (aligns with other regulatory requirements);
- Good practice as provided in Australian Standards (in particular ISO 31000 and older AS/NZS 4360:2004 *Risk Management*) and ANCOLD / ICOLD guidelines (in particular Risk Assessment guidelines) or Guidance Sheets of the DSC or other dam safety organisations;
- In conformance with negligence laws requiring due diligence and duty of care for dam owners. The Auditor General in a report on the state of dam safety in Victoria in 2000 reinforced the fact that dam owners had a duty of care to convey information to the community on the risks associated with dam failure and flooding;
- Reduce dam owners liabilities and maximise dam owner business (in particular customer service) protection;
- Good citizen responsibility to public/community/individuals and environment potentially affected, and overall well-being and economic development of the region, state and in some cases the country;
- Statutory compliance obligations such as satisfying DSC safety requirements or approach to risk management, and the Environmental Planning and Assessment Act 1979 requirements (Environmental Assessments Reports/Impact Statements);
- Local/regional concerns are better understood and more readily addressed with other improvement opportunities identified and possibly effectively included or allowed for in any dam safety improvement;
- Demonstrated procedural justice – Stakeholders, especially public who bear dam failure risks, need to have had the chance to participate in an effective manner, be given early opportunity to understand risks, to openly accept risks as tolerable, or endorse proposed risk mitigation measures, or lobby for greater risk reduction, or move property and family elsewhere, etc. It does not mean achieving agreement from all interested stakeholders although overall concurrence to a proposed solution is always the aim. Achieving a WIN/WIN can be maximised or alternatively the impacts minimised and more equitably shared within overriding constraints;
- Critical element in community safety risk management, for input to determining tolerable risk, for establishing “do nothing” position and for identifying need for disclosure of risk reduction measures and residual risk – important to realise nothing is risk free;
- Stakeholders, potentially affected by a dam failure, have confidence that the dam is either considered adequately safe under all reasonably foreseeable circumstances or if not safe

then effective interim measures are in place and the deficiency is being properly addressed in the medium to long-term;

- Stakeholders are better informed and better able to understand the wide range of issues and can assist in developing/trading off, so the dam owner can determine the most cost-effective dam safety improvement. This improvement can include interim measures, medium and long-term staging or full upgrades;
- Ownership of outcomes and trust by stakeholders which have a stake in outcomes, impacts and existence of the dam or at least adequate disclosure to these stakeholders;
- Objections and delays to improvements are minimised and there is greater potential for the key stakeholders to work with, rather than against, dam owners during upgrade design and construction; and
- Potential to satisfy regulator requirements earlier, on community involvement and awareness and speed up approval processes or alternatively provide sound justification of “fair play” when individuals or specific community groups continue to object and invoke an external peer review.

## 6.2 Who is Responsible and Involved in CC&C?

Dam owners are ultimately responsible for developing and implementing CC&C into their dam safety programs. However, the NSW Department of Planning has requirements for community inputs into dam upgrading decisions to facilitate their approval processes and, likewise, the DSC has recommendations for input into dam safety management programs (and some requirements in relation to dams with safety concerns).

Given the requirements and recommendations previously listed, it is considered vital that all potential stakeholders significantly affected by failure of the dam or relevant to the dam safety management processes should be appropriately involved in CC&C programs implemented by dam owners.

## 6.3 CC&C – Development and Implementation

The development and implementation of community CC&C by dam owners needs to address the three remaining critical questions of WHAT, HOW and WHEN. Addressing these questions will vary depending on the safety status of each dam. Table 6.1 summarises the aspects which should be considered by dam owners in implementing their CC&C programs (reference should be made to DSC1B, DSC2A and DSC2D for an explanation of DSC requirements for dams determined to be at various risk levels).

**Table 6.1 - CC&C Implementation Considerations and Guidance**

<b>Dam Safety Status</b>	<i>Dam meets all safety requirements (within Negligible Risk Zone).</i>	<i>Dam under Investigation (specific studies relating to a potential deficiency – not associated with a normal routine surveillance review).</i>	<i>Dam in ALARP Risk Zone - no upgrade contemplated.</i>	<i>Dam in ALARP Risk Zone – safety upgrade proposed.</i>	<i>Dam within Intolerable Risk Zone.</i>
<b>What is required?</b>	Promotional information on the dam and its safety status including approach to surveillance and associated normal routine safety reviews.	Information on investigations to be or being undertaken including likely duration and potential deficiency. (Approach to communications should be informative – not alarming and sufficient to allow potentially affected stakeholders to understand their situation).	Safety status info, summary of assessments undertaken including options considered and why no further action proposed CC&C Plan, community info kit, community consultation arrangements.	Safety status info, summary of assessments undertaken including options program, proposed interim safety measures if appropriate and upgrade approach, CC&C Plan, community info kit, community consultation arrangements.	Safety status info, summary of assessments undertaken including any upgrade options considered, further investigations required any proposed or likely interim safety measures and upgrades identified and draft program, CC&C Plan, community info kit, community consultation arrangement.
<b>How is it implemented?</b>	Guidance Sheet display and distribution, pro forma response to enquiries, media release.	Media releases, Guidance Sheet display and distribution, pro forma response to enquiries.	Workshops as appropriate, Information Sessions, Guidance Sheets, Media Releases.	Workshops, Information Sessions, Guidance Sheets, Media Releases.	Workshops, Interim Works, Information Sessions, Guidance Sheets, Media Releases.
<b>When should these actions be taken?</b>	Routine, undertaken as required.	In advance of site investigations.	When investigations complete and ready to "sell" position.	When upgrade proposal and program determined.	At earliest opportunity when deficiency defined and draft program and approach to reduce risk available.
<b>Degree of CC&amp;C</b>	Communication only.	Communication only.	Communication and Local Consultation.	Consultation and Local Communication.	Significant Consultation and Communication.

To facilitate the actions summarised in Table 6.1, dam owners should develop and implement appropriate CC&C Plans.

While the different dam safety status will require from limited planning and implementation of CC&C for dams meeting safety requirements to extensive and comprehensive planning & implementation of CC&C for dams within the intolerable risk zone, all the key elements indicated as follows should be covered in developing CC&C Plans:

- ESTABLISH NEED & MANAGEMENT COMMITMENT (the initial part of project management or key element of an ongoing dam safety management system)
  - Determine context for the CC&C including:
    - set out the state of knowledge and status of the safety of the dam including risk, investigations, interim works and upgrades, together with the most realistic program of improvements if necessary, continually warning that the

- planning and approvals phase is normally lengthy and prone to delays; and
- identify if any other improvements are to be coupled with dam safety improvements such as augmentation, environmental or regional development including flood mitigation, hydropower generation or recreation;
  - Define the objectives of CC&C – outcomes such as scope covered and residual risk and community level of understanding, acceptance, trust;
  - UNDERTAKE STAKEHOLDER ANALYSIS (usually undertaken through in-house meetings/workshops of all key staff, facilitated and reviewed by CC&C experts (in-house and external))
    - Identify the participants/stakeholders/champions for CC&C involving the full spectrum of stakeholders directly affected and others involved such as regulators, government departments & politicians, private and public organisations and media;
    - Analyse the issues which may affect the various stakeholders and potential concerns of stakeholders;
    - Define stakeholders level of consultation involvement (general input, advisory and any decision making) and take care not to raise undue expectations, both in involvement and outcomes;
    - Decide how to communicate and consult (extent and depth-degrees, perspectives, appropriate forms, forums and need for a formal community representative body, consistency/audit trail of information, urgency, timing and case by case development of appropriate approach of consultation/communication);
  - DEVELOP/DETAIL IMPLEMENTATION APPROACH (action planning stage defining how CC&C will be undertaken and delivered which for extensive CC&C will normally require consultant assistance to ensure all CC&C mechanisms available are effectively assessed)
    - Specify the messages required which must be clear, concise and informative and sufficient to allow potentially affected stakeholders to understand their situation;
    - Develop the most realistic program including clearly identifying expected outcomes for pre, during and post any regulatory assessments required (e.g. environmental & funding securing) and continually warn that the planning and approvals phase is normally lengthy and prone to set backs.
    - Develop risk minimisation approach (including misunderstanding, undue concern, effect on land values, public “panic”, difficulty of reassuring public, need to get on with the upgrade to remove the safety issue, disclosure of residual risk & need for disclosure if “do nothing” is the outcome, media or political implications, delays to program, dealing with negative expressions such as why worry or spend so much on such low risks, tendency for environmental regulators and funding stakeholders not to provide or consider their requirements in sufficient detail until the formal process requires such assessment and approval etc);

- Define and detail CC&C processes/activities, programming and implementation mechanisms and resources around any regulatory assessments required - e.g. environmental & business cases securing funding (need to be in tune including management understanding, skilled resources, consultants assistance, establishing champions, key stakeholder involvement and media relationships and monitoring externalities);
- Determine costs, funding mechanisms and ensure cost-effectiveness;
- DETERMINE MONITORING & REVIEW APPROACH (important part of continuous improvement concept and has been referred to as four 'R' - Reaction, Review, Reassess & Respond)
  - Analyse continually CC&C needs/issues arising and manage expectations with regular monitoring and response mechanisms to stay ahead; and
  - Specify how the CC&C process will be evaluated and reviewed and response addressed including timing (prompt) and approach – interim & full.

The above approach to CC&C planning has been developed from a combination of experiences in NSW, VIC & QLD and also consideration of the international Risk Communication references identified in Section 7 of guidance sheet.

A flow-chart as a guide for establishing a CC&C plan based on the above approach is set out in Appendix C.

#### 6.4 Issues, Critiques and Other Considerations of Consultation and Communication

Appendix A outlines some of the more common matters raised and offers relevant critiques (in a perception v reality layout).

Appendix B provides some further considerations of elements of CC&C obtained from references set out in Section 7 of this Guidance Sheet.

## 7. GUIDANCE PUBLICATIONS

The following are listings of various sources of information that may provide further guidance in researching appropriate CC&C for dams (including particularly supporting practices and trends identified above):

- AS/NZS Standards
- ANCOLD publications/conference proceedings
- CDA Conference, Oct 02, *Risk Communication: Explaining Dam Safety Issues to the Public*
- Engineers Australia Risk Communication (April 06)
- Gaynor, S. & Potts, J. & Watson, D. 2003, *Keepit Dam Upgrade – The Community Consultation Way*, ANCOLD Annual Conference.
- ICOLD Bulletins
- ILGRA, UK 78/79, *Risk Communication – A Guide to Regulatory Practice*
- ISO 31000
- NSW Planning requirements (e.g. NSW EP&A Act) and publications
- Other States Planning requirements and publications
- Overseas publications by regulators, other dam industry and similar industry stakeholders
- Suzie Gaynor, Phil Betts, David Watson, 2004, *Community Consultation – Value Adding and Invaluable*, ANCOLD Annual Conference.

# APPENDIX A

## COMMUNITY CONSULTATION AND COMMUNICATION ISSUES AND CRITIQUES

Various issues and concerns with the use of CC&C have been raised by dam owners, stakeholders and the community. This Appendix outlines some of the more common matters raised and offers relevant critiques (in a perception v reality layout) as follows:

### **Dam Owner's Perspective:**

- General public don't understand risk (particularly high consequence but very rare probability) – it is too hard to explain, with confusion creating unnecessary public anxiety or criticism for worrying the community and potentially spending large sums of money on an unlikely occurrence.

*Experience has shown that the community is far more able to grasp dam safety risk than ever thought and can provide an effective counter balance to very conservative, risk-averse, approaches particularly when the beneficiaries paying included the community affected. While there is need for very effective communication on risks, the concept of being in a million dollar lottery is well understood. If I buy a lottery ticket every year, I have one chance in several million of winning the big prize every year. For dam safety, the person downstream has “bought” involuntarily a “ticket” (or the dam owner has bought a ticket and imposed the prize on the downstream resident?) that every year there is a rare chance of an extreme event occurring which may fail the dam with extensive damage or life loss (i.e. “the big prize”).*

- Advising risk will create alarm and therefore owner needs to know solutions before advising public (an excuse for delay).

*Experience has shown that an aware community is more prepared to work with owners to address problems. There is also the owner's obligations under due diligence / duty-of-care provisions of the laws of negligence for the timely advice of hazards to an affected community. The greater the risk the more important the community is advised. Table 6.1 recommends when the potential risk is in the intolerable range CC&C occur at earliest opportunity when the deficiency is defined and draft program and approach to reducing risk is available.*

- Advising risk can spark insurance concerns, property devaluation, and general public outrage.

*While there is always this issue, again experience has shown that the rareness of the major dam failure event has not galvanised the insurance industry to refusing or placing special clauses in policies, or created major concerns on property values. Public outcry about intolerable dam failure risks has not generally been an issue and in fact the reverse seems to be the main issue with increased community back-lash in being kept in the dark (i.e. “why was I not told”). The potential exception has been associated with large dams with major urban population centres a short distance downstream. In some of these circumstances, dam owners have elected to be very conservative in their approach to CC&C on the safety of the dam. While not advocated as the normal approach, if this approach is taken it must be remembered that considerable effort is required to manage information flow under these circumstances and there is a much higher chance of not being able to contain and explain the issue.*

- Dam safety projects are noted for long lead times, which at best are frustrating and can result in a major public concern over inaction.

*This issue is very real and should not be underestimated but is quite manageable. Just understanding the extent of the dam safety problem can take many years and trying to*

*find a cost-effective solution can take a few more years. Once the technical solution has been determined, it may take 12 months or longer to get formal environmental planning approval and to secure funding particularly where solutions are complex. It is extremely important that such timeframes are conveyed to the community, interim measures are put in place where appropriate, and undue community expectations are not generated. It is critical that all delays are promptly advised to avoid rumours and disappointment.*

- Dam safety is ultimately the dam owner's responsibility and thus the dam owner must decide in isolation to the community the solution to safety issues.

*Such a non-consultative approach is considered unacceptable in this day and age of being open and transparent. The community can always provide additional inputs to assist dam owners to achieve a more appropriate cost effective solution.*

### **Stakeholders/Community Perspective**

- Why bother, you have already made up your mind.

*This message is all too common and relates to the key issue of whether it is consultation and communication or just communication. Is there real involvement of the community and can they make a difference? The key issue here is to ensure the community realise, up front at the beginning of the consultation, the extent of their involvement and continue to review and remind. Is it awareness and feedback, advice, or even participation in decision-making, which is the actual form of consultation expected? It is critical that expectations are not developed beyond the intended level. If an advisory group is to make recommendations, but the dam owner has to take other aspects into consideration, such as the stakeholder(s) who will provide the funding, it is imperative to make sure the group understands that their recommendations may not be endorsed or may be only partly used.*

- Our considerations will be ignored.

*While the answer to the above issue also applies here, it is important to establish a base position (i.e. minimum regulator requirements for safety) and, although everything the community seeks normally cannot be accommodated, show what has been achieved above the base line, which would normally not have occurred if CC&C had not been undertaken. WIN-WIN needs to be demonstrated, or at worst that there has been a sharing of implications.*

- Why not just fix the problem, it's all just technical or too low a risk to be worth the effort.

*In many cases dam safety alone may not be the issue. Environmental improvements or augmentation may be considered as part of the upgrade. More importantly most solutions are not just technical. Safety upgrades can change flood regimes, flood flow paths and impact both socially and environmentally. Options that fix the dam failure potential may affect the local area differently. Generally it is a matter of determining the optimum outcome, including the level of residual dam safety risk or staging, achieving acceptance or at least no objection to competing stakeholders and impacts and establishing trade-offs. None of this can be successfully achieved without CC&C.*

# APPENDIX B

## COMMUNITY CONSULTATION AND COMMUNICATION FURTHER CONSIDERATIONS

Some further considerations of elements of CC&C obtained from references set out in Section 7 of this Information Sheet are highlighted below:

- **Stakeholder Analysis**

A mechanism to understand stakeholder analysis can be through a series of questions:

- Who is implicated, impacted, interested or influenced?
- What are their key interests, concerns and potential synergies and differences with other stakeholders?
- What are all the CC&C issues?
- Are there common groupings in areas of actions / common activities?
- What are the potential options to address these actions and activities and preferred approach?
- How complex are the issues, what are their inter-relationships, their risks? (The greater and more complex the issues, the more the community involvement is needed and more extensive the risks).
- Can stakeholders with similar interests be involved in a similar way and be specifically targeted?
- How should the general public be involved?
- What communication mediums are critical (e.g. media and targeted meetings), important (e.g. information sheets and discussion groups / workshops) and desirable (e.g. public displays and brochures)?
- What is the need for and most appropriate approach to stakeholders involvement?
- What is the need for and if appropriate how best to establish a local community champion and / or representative group?
- What management structure and quality assurance and feed-back systems are required to achieve effective and respected consultation and communication?
- What level of involvement of a champion or representative group (advise, recommendation, decision-making and reporting to whom)?
- What would be the roles and responsibilities of a champion or representative group?
- Has preliminary assessment and appropriate off the record approaches been made to potential representative group chair and key members?

- **Consultation meaning**

It is important to be clear to all stakeholders what consultation is about and what it is not as expressed in ANCOLD Annual Conference references set out in Section 7 of this Guidance Sheet:

<b>Consultation is:</b>	<b>And it is not:</b>
Structured involvement for all key stakeholders.	Restricted from additional, new or outlying stakeholders joining at a later date.
The provision of opportunities for interested general public to have access and input to the project.	Just a one-way information download.
A process which is open and genuine, integral and iterative.	An add-on or must do to satisfy regulatory requirements.
About demonstrating procedural justice.	Just another step or phase in the project process to tick off as being done.

Some negatives which should be avoided are:

- Starting the CC&C process before clear direction is known;
- Rushing the assessment including the environmental process; and
- Avoid straight download of information sessions.

• **Communication Tools**

The range of communication tools being used are:

- Targeted meeting / presentations;
- Public displays, field days and meetings (only if able to enhance input);
- Brochure series – more general information;
- Fact Sheets – more topic specific information;
- Question and Answer Sheets – on frequently asked questions (merge interest group specific information).
- Poster series – on options and key topics;
- Photograph, sketches and drawing series – for illustration / shared vision;
- Web site – with above information;
- Presentation series – power-point and overhead;
- Feedback – community surveys, ‘how to input’ sheets, input and concerns recording sheets and data bases. (1800 phone number is not proposed); and
- Media kits – of current media releases and published material;
- All information to be “badged” with regular use of a consistent logo; and
- Obtaining assistance as required through external consultants.

- **Cost of Consultation**

It takes time and effort to establish early and effective community consultation. However prematurely advancing a project to legislative environmental assessments to potentially have it challenged by the community and sent back to the drawing board is even more costly and time consuming. Early community consultation could be considered cheap insurance that adds value to the project. Also issues become harder to resolve, the later in the process they are identified and addressed.

Consultation for upgrade projects can range from 3% to 5% for interim works to 2% to 3% of the project cost for larger upgrades. These costs normally would include the cost of straight forward statutory and often relatively expensive Environmental Assessments which can amount to two thirds of CC&C costs.

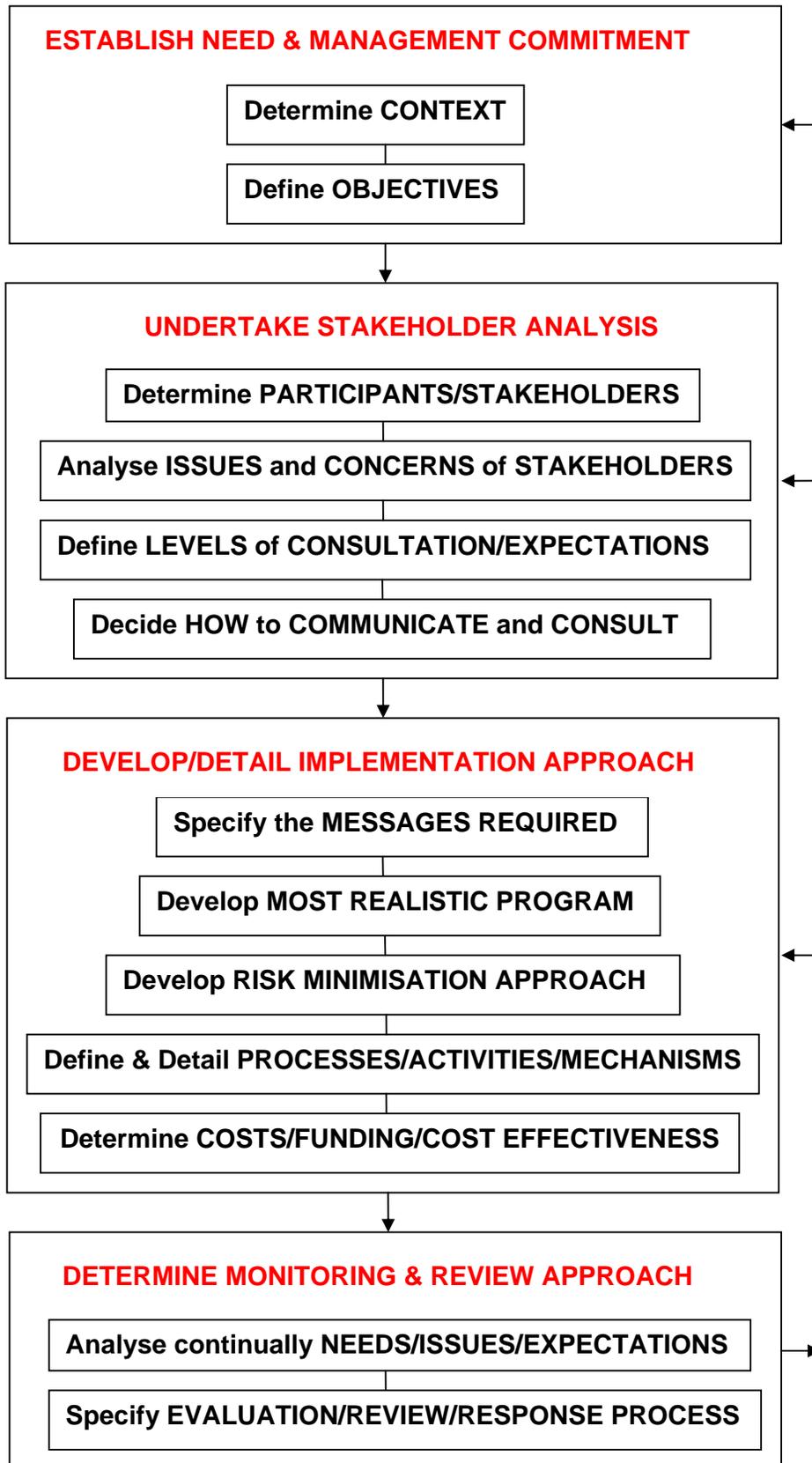
- **Monitoring & Review**

The four 'R' concept expressed in ANCOLD Annual Conference references set out in Section 7 of this Guidance Sheet are:

- Reaction: monitor the community's reactions to consultation process (community/person/media/technical issues, changes or delays);
- Review: the consultation plan for its appropriateness to the situation;
- Reassess: consultation plan to address identified reactions and review outcomes (where you are going/what you are doing); and
- Respond: in a prompt and appropriate manner by amending, extending or adding to the consultation plan.

# APPENDIX C

## EXAMPLE OF A FLOW CHART FOR ESTABLISHING A COMMUNITY CONSULTATION AND COMMUNICATION (CC&C) PLAN



This Guidance Sheet is one of a series available from our Website at:

<http://www.damsafety.nsw.gov.au>

In order to read this file you need a Portable Document Format (PDF) reader. A free PDF reader is available from <http://www.adobe.com/>

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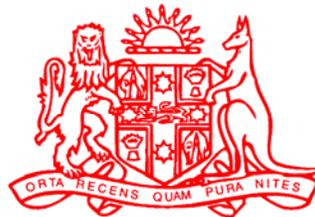
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