



RESPONSE
Draft Regional
Communities
Consultation Guide

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Introduction

The Country Mayors Association of NSW (CMA) represents 89 councils located in remote, rural and regional NSW as well as five associate members. The CMA's goal is to promote and advocate for our Member Councils and the communities they represent across a broad range of matters as well as for Local Government as a sector.

In operation for over 45 years, the CMA looks to create genuine, respectful and productive relationships with State Government to empower, engage, promote and deliver positive outcomes for regional NSW. Consequently, the CMA views the introduction of the Regional Communities Consultation Guide ("**the Guide**") as an important step in furthering its own goals.

The CMA welcomes the State's commitment to addressing the challenges of community engagement in remote, rural and regional NSW to ensure effective consultation with those communities, as these are the communities that our CMA's Members represent.

Purpose

The CMA welcomes the twin goals of the Guide:

- Set standards for NSW Government consultations in regional communities across NSW; and
- Provide certainty to communities about what they can expect from NSW Government consultation.

The Guide is important in setting the benchmarks and standards for engagement and consultation. We are hoping that the Government will hold its agencies and statutory bodies to account where they fail to meet the standards set in the Guide.

Vision

The CMA supports the Vision for the Guide expressed through the statements relating to Community and Sector Outcomes.

We strongly support the inclusion of the phrase “*regional, rural and remote communities*” in both the Community and Sector Outcomes statements. We believe this strengthens the State’s commitment to ensuring consultations embrace and engage with all non-metropolitan communities in NSW regardless of size. We of course, strongly support a vision that includes the use of “*community feedback to inform decision-making*”.

Scope

We strongly support the statement that the Guide will ensure “*that those who are affected by a decision are involved in the decision-making process*” and that they are “*provided with genuine opportunities to participate meaningfully*”.

We agree that the Guide should apply to consultations that impact on “*health, cultural, environmental, economic or other wellbeing*” issues. However, we note that education, justice and transport are not on the list and may not be captured by the term “*other wellbeing*”. Therefore, the CMA is recommending that the Scope be extended to include any matters that are likely to be of importance to remote, rural and regional NSW.

We note and are concerned that the Guide does not “*create an obligation for the NSW Government to consult on any particular matter*”. We hope that the Guide’s introduction stating that “*community and stakeholder engagement is fundamental to good government*” is taken into account in determining when consultations will be held. If there is no genuine commitment to consult, then the Guide may just become ‘window dressing’, leaving regional communities once again disappointed that they have had no genuine voice in the decisions that affect the communities they live in.

Principles

The CMA supports the Principles that have been adopted for community consultation practice. We make the following suggestions as to how each would look like in practice:

- **Meaningful** - Background papers or other information that would help form opinions prior to a consultation should be made available at least 10 days prior to the consultation taking place. This would allow participants to be better prepared in relation to the matters to be raised and considered during the consultation.
- **Transparent** - Again, the provision of background papers would assist in transparency as it would enable participants to research issues, if this is what is required.
 - While the proposed practice to advise participants of how their input affected or did not affect a decision at the end of the consultation is good, in theory, we are struggling to see how this would work in practice. It is likely that multiple consultations will take place in relation to a single issue. Therefore, it is only once

the State has had the opportunity to collate all the feedback it has received that it can make an informed decision.

- **Localised**
 - We endorse the proposed practice of partnering with local community leaders, however, we would like to see a commitment that the local council will be the first stop for any partnering arrangement. In remote, rural and regional communities it is the local council that is in the best position to partner with the State. As government at the grassroots the council already knows who the stakeholder groups are including “*hard to reach cohorts*” because in many cases they are working with them on a regular basis.
 - We note that the Principle does provide for a “wherever possible consultations should be held in the communities affected by the issue thereby facilitating face-to-face interactions”. We believe that place-based face-to-face consultations are extremely important to achieving inclusiveness.

Having said that we also believe that on-line and hybrid consultations should be offered, as a way of addressing the tyranny of distance. Where a on-line or hybrid consultation is it should still be localised. We have seen practices in the past where the on-line consultation is open to all and consequently localised needs and solutions have been almost impossible to capture or discuss properly.

- **Inclusive**
 - Again, we believe that background papers are important to ensuring inclusivity. This is for two reasons the first being some attendees who may struggle to absorb written materials handed out on the day will have time to consider them. Secondly, once the materials are released partners and stakeholders will be better able to identify people who should attend but may not have been included in the initial invitation list.
 - We would also recommend providing feedback in a number of ways, words, pictures, video etc.
- **Flexible**
 - We suggest that there be a principle requiring sufficient notice of a consultation being held. Too often in the past notice has been delivered so late that it is almost impossible to juggle calendars to allow for participation. IF the process is to be inclusive then the notice of the event must be sufficient to allow people to plan to participate.

Standards

The CMA supports the Standards that have been adopted for developing engagement processes that are tailored to each relevant consultation and community need. We note however, that there appears to be no process that requires the preparation of an Engagement Plan co-designed with the consultation partner or partners. While there is mention of the value of an Engagement Plan under the Planning and Approval Standard, we believe a more productive outcome would be a commitment to prepare a co-designed Engagement Plan that incorporates the Principles and Standards.

The preparation of consultation Engagement Plans would ensure that the Principles and the Standards are appropriately addressed and it would also introduce a level of accountability because there is an adopted agreed approach to the consultation.

We make the following additional comments in relation to the Standards:

- **Purpose Definition** - We agree that defining the purpose of the consultation is very important. This should include a summation of the issues that are under consideration and possible outcomes.
- **Level of Participation** - We are unsure what “*clarifying the intended level of participation*” means in this context. Does it refer to numbers attending, participant activities/engagement/feedback into the consultation or something else entirely. This description for this standard requires more information.
- **Stakeholder Analysis** - We agree with this and again reiterate that partnering with the local council will assist in the delivering on this Standard.
- **Planning and Approval** - There appears to be no requirement for an Engagement Plan, merely a suggestion that is a “useful mechanism”. As stated above it is our belief that consultation Engagement Plans should be prepared for every consultation.
- **Implementation** - We support implementation being undertaken in accordance with the details in the Engagement Plan.
- **Evaluation** - This currently reads as a self-evaluation process. We encourage the evaluation standard to utilise feedback from the participants to determine how successful to consultation was in the eyes of the participants and whether they walked away with the belief that their opinion will count.

- **Closing the Loop** - We support the approach proposed for closing the loop. Further, we encourage the use of multiple communication channels.

Quality Assurance Framework

The CMA supports the Quality Assurance Framework and its specific objectives. However, we note that this is a self-assessment checklist and therefore we are concerned about its effectiveness.

We believe that the QA process should include the partners and stakeholders in the consultation as this would provide a more rounded and inclusive approach.

Examples of Appropriate Engagement Methods

Again, we emphasize the importance of co-designing an Engagement Plan to ensure that the engagement methodologies chosen are appropriate for the location and the community.

In relation to the specific examples set out in the Guide, we provide the following comments:

- **Inform** - Again, we state that the distribution of background papers should be included at this stage as it will allow potential participants to make an informed decision on their participation.
- **Consult** - We suggest including attendance at existing community meetings. Not just calling a public meeting but assessing what is already happening in a community and determining if there is a possibility to include the consultation in something that is already on. People are time-poor and this can be a way of addressing that issue.
- **Involve** - We agree and again reiterate that partnering with the local council will assist in the delivering on this Standard.
- **Collaborate** - There appears to be no requirement for an Engagement Plan, merely a suggestion that is a *“useful mechanism”*. As stated above it is our belief that Engagement Plans should be prepared for every consultation.
- **Empower** - We support the proposal that the final decision making should be in the hands of the public, however, the role of local government needs to be considered. Local government can be left with the legacy results of community decisions and they can be very costly.

We believe it would be preferable for empower to be described as *“final decision-making is genuinely informed by the consultation process and those impacted by the decision”*.

Appropriate Communication Channels

The communication channels listed in the Guide appear to be appropriate. Again, we reiterate the importance of co-designing an Engagement Strategy, whereby the identification of place-based communication channels would be included in the process.

Conclusion

The CMA welcomes the Government's commitment to genuine, place-based consultation as evidenced in the Guide.

NSW is a very big State and the challenges of reaching remote, rural and regional communities is well known. Nevertheless, every day the State is making decisions that impact on those communities, with most communities and councils have very little opportunity to inform decision-making process. The situation is made more challenging because of our extremely large State electorates, where a single local member is covering an area the size of a small European country.

The renewed commitment by the State to listen to remote, rural and regional communities and to take their ideas, concerns and issues on-board is strongly supported by the CMA. We believe that harnessing the on-ground knowledge and lived experiences of the communities that our Members represent can only enhance State Government decision-making.

We believe that Local Government's role in this process is integral to its success. Our Members are constantly interacting with their communities, understand their concerns and have processes and policies in place to engage with them. This is one of the very positive outcomes of the adoption of the Integrated Planning and Reporting process which includes the development of Community Strategic Plan. It has resulted in councils building substantial expertise in community consultation, which could be leveraged by the State in their consultation processes.

The CMA would welcome the opportunity to work with the State on the co-design of engagement and consultation strategies for remote, rural and regional communities and look forward to the final iteration of the Guide.