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ADR in community consultations

Consultation process seen as model for the future

David Holst

It is considered by this Department that the site selection process, and parallel consultation process, conducted by Mediate Today could be used as a model for other departments when locating public infrastructure.

Assistant Director, Department Urban Affairs and Planning (DUAP) North Coast Region, March 2001 — Identification of a site for the Mid North Coast Correctional Centre.

Over the years many important development projects have not proceeded or have been significantly delayed because community consultation was not undertaken during the planning and approval stages. In today's environment, communities have an informed and concerned interest in developments and demand a role in the decision-making process. This is generally supported by government.

In reality, community consultation is a risk management tool which, if implemented successfully, results in better outcomes and should be supported by the private sector as making good business sense.

For practitioners and their clients it is important that consultation is seen for what it really is: an opportunity to produce a better outcome using a structured and principled negotiation process.

The following case study refers to the consultation conducted by David Holst and Lorraine Djuricin of Mediate Today Pty Ltd.

Background

The consultants were engaged by the NSW Department of Corrective Services (DCS) in August 1999 to design and implement a stakeholder and community consultation process. The project involved the identification of a suitable site to

construct and operate a 350 bed multi-classification correctional centre on the mid-north coast of the State. The project was designed as a two stage process.

Both stages of the project had the potential to be highly problematic. The consultation, however, resulted in a clear understanding of the outcome and overall support for the process.

Stage one involved the identification of the Local Government Area (LGA), which was completed by December 1999, with Kempsey Shire Council (KSC) being chosen following expressions of interest by five councils. While the present case study does not deal with this part of process, the consultation was well received and contributed to the selection of the LGA being uncontested by the unsuccessful councils.

There was every expectation that stage one would be difficult, with local politicians and councils using whatever means were at their disposal to influence the outcome. In reality, however, the consultation process with politicians and councils resulted in a relatively smooth outcome with an acceptance that the process was transparent and the outcome understandable.

Stage two of the consultation was designed to allow the community and stakeholders to participate in the identification of a preferred location for a correctional centre at Kempsey. A key objective was to achieve community ownership of the final outcome.

The consultation process involved:

- meetings with key stakeholders;
- identification of site options;
- consultation with the broader community;
- a review of options conducted in a community workshop;

- selection of a preferred site; and
- communication of the decision.

Project challenges

The location of a large correctional centre in a major coastal town with a high Aboriginal population represented a significant challenge in gaining community acceptance and involvement in the selection of a preferred location.

While the prospect of investment in the town was attractive, there were real concerns about the possible social and personal safety impacts on the community.

The consultation strategy was to:

- identify all the stakeholders;
- engage the community and stakeholders;
- establish informed two way communication;
- manage conflict;
- maintain a flexible approach;
- identify options; and
- select a preferred option.

Project initiation — meeting with key stakeholders

The purpose of these meetings was to seek information about the issues and concerns of the community, gain input into the proposed consultation strategy and develop effective communication links for the project.

The meetings indicated an overwhelming support for the location of a correctional centre at Kempsey primarily on economic grounds, as the town had experienced the closure of several key local industries in recent years. Key community services such as the hospital and police were being downgraded and the town was losing confidence in its capacity to deal with the changes. The correctional centre was seen as an opportunity to reverse the trend by decreasing unemployment for youth and maintaining or improving local services.

There was an appreciation that a regional correctional centre would allow the families to visit inmates and improve the rehabilitation process and reduce the chance of re-offending.

It was recognised, however, that some residents, particularly those living close to the chosen site, would have concerns regarding their ➤



➤ personal security, the influx of visitors who might also display criminal behaviour, traffic and road access to the site and the general disruption to their rural lifestyle.

It was clear that the stakeholders had little understanding of how a correctional centre operated and how it would integrate into the community. Consequently, an education program would need to be undertaken as part of the consultation process. The information gained from stakeholder meetings assisted in developing the education material used during the consultation.

Key stakeholders recognised the importance of the project and its potential for controversy within the community and suggested that the Department of Urban Affairs and Planning (DUAP) should be the consent authority.

Identification of site options

An initial review of available land in the Kempsey area was undertaken with representatives of DCS, DUAP, Roads and Traffic Authority (RTA), Department of Public Works and Services (DPWS), National Parks and Wildlife Service (NPWS), Department of Land and Water Conservation (DLWC), State Valuation Office (SVO) and KSC. This meeting identified that selection of a suitable site might prove difficult for the following reasons.

- No government owned or Crown land was identified as meeting the basic criteria.
- Large areas of suitably zoned land were flood prone and therefore unsuitable.
- There were a limited number of sites of 80 hectares or greater in size.

In February DPWS called for Expressions of Interest (EOI) from landowners who had appropriately zoned land greater than 40 hectares. Public notices were placed in the press and local real estate agents were also advised.

Eighteen EOIs were received and, following a review by the representatives listed above, four sites were selected as available options for further examination.

- Option A — Jack Richardson Drive/Crotty's Lane.
- Option B — Airport Road, Aldavilla.

- Option C — Warwick Avenue, Racecourse.
- Option D — Chain O'Ponds Road, Collombatti.

Engaging the broader community

The challenge was to educate the community on how correctional centres operate and seek their input on the shortlisted sites. An information centre was established to achieve this objective. It provided the following benefits.

Conducted on Thursday, Thursday evening, Friday and Saturday, it allowed members of the community plenty of opportunities to access the information. Up to nine staff were available at any one time to answer individual issues and concerns raised.

Information was available on not only the four site options, but on many of the operational issues identified as potential community concerns. Photos of modern correctional centres, draft site plans of Kempsey Correctional Centre, activities by corrective services industries, and inmate programs were included. The site options display included the selection criteria, details on the 18 EOI properties and the four shortlisted sites.

More detailed reports and brochures were available to be picked up at the centre and discussed with staff. Recruitment officers were also available to discuss the opportunities for employment.

The location of the information centre was communicated through the local media and by mailout to residents with properties within a one kilometre radius of the four sites. More than 2500 people attended the centre during the three days, indicating a high level of interest in the development.

The information centre provided the opportunity for the community to be better informed about correctional centres and provide feedback on their concerns and preference for the location of the facility in Kempsey. There was strong support for the correctional centre being located at Kempsey; however, concerns were raised about some of the operational aspects, such as security. The location of the correctional centre did raise some ➤

'The information centre provided the opportunity for the community to be better informed about correctional centres and provide feedback on their concerns and preference for the location of the facility ...'



➤ strong emotions with a group of residents living near each of the four shortlisted sites stating their opposition to the facility in their area.

Listening to the community — questionnaire findings

A questionnaire was prepared and distributed by mail and at the information centre. Three hundred and eighty two questionnaires were completed and returned. The quality of the responses was high with many residents choosing to attach lengthy submissions in addition to the questionnaire.

The purpose of the questionnaire was to:

- allow community feedback on the proposed correctional centre;
- encourage the community to read the Kempsey correctional centre information booklet and the Lithgow social impact study;
- seek comments on the four shortlisted sites;
- capture the issues and concerns regarding the location of the correctional centre at Kempsey;
- obtain a mail list of residents who wished to be kept informed about the project; and
- seek community representatives for a planned workshop.

The above objectives were achieved with a significant number of the community indicating a desire to be involved in the planned workshop and/or be regularly updated on the progress by mailout.

Maintaining communication with stakeholders and community

The consultation process involved the operation of an 1800 freecall number throughout the project. The service provided the opportunity for a quick response to community concern, which were often generated by local rumours or inaccurate media reports.

Mailouts were used to keep the stakeholders and the community informed about the project and to provide educational material to residents most affected by the proposal. Media releases

and radio interviews were used at project milestones to assist in the communication process.

Aboriginal consultation — meeting the special needs of the community

The large indigenous population living in the Kempsey area was identified as a key stakeholder in the project. The consultation was designed to not only assist in the selection of the site, but to establish an effective working relationship for their involvement in the development of inmate programs and employment opportunities for the indigenous community.

Both the Dunghutti Elders and the Kempsey Local Aboriginal Land Council visited the four sites and their initial assessment of the likely risks of finding Aboriginal cultural and heritage issues were part of the final decision-making process.

A number of workshops and meetings were held to better understand the concerns and needs of the community, resulting in an understanding to work together in overcoming any issues that arose. This included the appointment of Elders in the final site investigation process and as monitors during the clearing of the land prior to construction.

Review of options — community workshop

The workshop was designed to allow a representative group from the community to review the four sites against the selection criteria based on the latest information available. The workshop provided a forum for the community representatives to raise their concerns and have their questions answered by technical experts from the various government and contractor organisations involved in the project.

Selection of a representative group from the community was always going to be problematic as 72 residents nominated their interest via the questionnaire. This exceeded the capacity to effectively manage the workshop. Twenty four ➤

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‘... the community and stakeholders were able to add considerable value to the decision-making process.’

➤ representatives were chosen from the detailed questionnaires, including:

- four property owners located near option A — two for and two against option A;
- four property owners located near option B — two for and two against option B;
- four property owners located near option C — two for and two against option C;
- four property owners located near option D — two for and two against option D;
- four property owners located in other suburbs of Kempsey; and
- four representatives from the Aboriginal community.

At the conclusion of the workshop the 24 community representatives were asked to rate the four options in light of the comprehensive analysis undertaken during the day. They rated them as follows.

- Option B (Airport Road) was clearly identified as the preferred location.
- Option A (Jack Richardson Drive) received strong support as the second preference.
- Option D (Chain O’Ponds Road) received minimum support.
- Option C (Warwick Avenue) received no support.

This outcome and the many issues raised provided DCS with valuable input to the final recommendation made to the Minister.

Selection of a preferred site

Following the workshop, a number of additional studies needed to be carried out. In particular, further investigation was needed into alternative road access and flood levels at the sites. This work did delay the final decision, resulting in community concerns about which site would be chosen. Residents near Airport Road (Option B) made strong representations through government and the media to stop the site being selected.

On 1 June 2000 Aldavilla residents met with the DCS to express their opposition at a public meeting facilitated by Mediate Today. Following the

meeting the DCS prepared a package responding to the issues raised and an ongoing commitment to keep the residents informed.

As part of the evaluation process, the DCS commissioned an independent consultant (Kerry Morrison & Associates) to review all investigations undertaken on the four sites and to provide a recommendation as to which site best fulfilled the criteria for the development.

On Wednesday 12 July 2000 Ron Woodham, Assistant Commissioner, announced that Airport Road, Aldavilla (Option B) would be the location for the new correction centre at Kempsey. The announcement was the culmination of seven months evaluation by the DCS of potential sites and exhaustive consultation with stakeholders and the community.

The site was selected for a number of reasons, including that:

- it best met the site selection criteria;
- size and access issues could be resolved;
- the land was appropriately zoned for the development;
- there was an adequate buffer zone;
- it provided flood free access; and
- infrastructure costs were acceptable.

Conclusion

During the consultation process the community and stakeholders were able to add considerable value to the decision-making process. This was achieved through an exchange of information in an open and transparent manner.

The site eventually chosen through this process was not the one identified in the preliminary review process. DCS acknowledged that the consultation process was the fundamental driver behind the uncovering of vital information which resulted in the selection of the best site. ●

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