

Submission to City of Melbourne, Council Meeting May 26, 2026

1. Overview - City of Melbourne Community Engagement Policy

This MMHN Submission reflects our response to the March 2026 Report of the Victorian Legislative Council's Environment and Planning Committee (LCEPC) Inquiry into Community Consultation Practice, to which MMHN contributed Submission No. 26 as part of a broad cohort of submissions raising concerns about the form, quality and authenticity of government engagement.

MMHN notes that the LCEPC Report benchmarks Victorian practice against leading international frameworks. MMHN finds that recommendations emerging from the LCEPC Report are relevant to addressing aspects of the City of Melbourne (CoM) community engagement practices that MMHN has found to be problematic. These recommendations form the basis of MMHN's proposed reforms, presented below, to the CoM Community Engagement Policy, which would improve current practice for the benefit of both the community and the CoM.

MMHN notes that community engagement conducted by the CoM on matters, issues, or topics generally relevant to MMHN tends to be linked with, or associated with, State agencies including Development Victoria (DV), Melbourne Water (MW), and Parks Victoria (PV).

MMHN assumes that the CoM, like such agencies, is guided by *The Public Engagement Framework 2021–25* (Framework), although compliance with the Framework is not mandated. This is a major flaw, as it impedes best practice.

MMHN also assumes that the Framework, while well known within the local government professional sector, is largely unknown to community participants. If CoM's compliance with such a Framework were known to the public, and if the evaluation framework were positively utilised and reported against, it would increase confidence in CoM decisions and outcomes.

An adoption of the Framework would lend credibility in community consultations conducted by State Agencies or the City of Melbourne and, importantly, provide accurate reliable information.

2. MMHN's Experience with the City of Melbourne's Community Engagement

Although the rhetoric and principles expressed in relation to community engagement exercises appear positive, MMHN has found that operational aspects are often inconsistent with what is described. MMHN's experience of community engagement processes is that outcomes often appear to be predetermined, superficial, or ignored. There appears to be structurally predictable outcomes within the current community engagement practice:

- External consultants commissioned by the CoM to conduct community engagements appear to elicit and report responses which align with the CoM's objectives. New perspectives that emerge outside the commissioned 'agenda' are either not captured or ignored.
- CoM's community engagements conducted internally have been generally over-staffed and futile in representing or capturing community views.
- Neither written submissions nor attendance/active participation by MMHN in CoM consultations appears to have influenced outcomes.
- Explicit feedback and/or clear evidence which might indicate that community engagement has had impact has been non-existent.

MMHN is not aware of any legal consequences faced by the City of Melbourne, DV, MW and PV for ‘tick-box’ community engagement and no obligation to explain how community input shaped, or did not shape any decision on matters relevant to community. We are not aware of any independent oversight body to assess process legitimacy and measure activities against the Framework.

3. MMHN recommendations based on the LCEPC Report

MMHN notes that community disengagement and cynicism around community consultations appears to be increasing. Currently the CoM’s outward facing community engagements do not reflect well on the State Capital Council. In MMHN’s view, as a consequence, the CoM funds are being squandered on ill-conceived engagements and there is the risk of reputational risk through increasing public apathy in these engagement processes.

MMHN’s proposed reforms for consideration appears below:

Reform: Although community engagement is described in participatory language such as ‘co-design’ and ‘have your say’ when it is primarily information dissemination. This must be avoided to avoid community mistrust.

Reform: There must be an obligation to report back to participants on whether, how or where their input was considered and where it appears in the reported outcomes.

Reform: Require that other organisations commissioning community engagement coordinate, liaise, collaborate with each other in the CoM to reduce ‘engagement fatigue’ leading to reluctance to participate (e.g. Docklands Precinct).

Reform: Require that other organisations/agencies commissioning community engagement, review and report on recent engagement findings in affected communities

within the CoM, explain how those findings have been incorporated into current decisions, and ensure that new processes build on prior feedback.

Reform: All community engagements should specifically outline the engagement boundaries with participants, setting a clear guide to what aspects of a policy or project are within the scope of an engagement.

Reform: The input of participants should be sought at a point when it can be legitimately and meaningfully used.

Reform: The rationale for conducting CoM community engagement internally should be clearly stated, costed and made published.

Reform: The rationale for commissioning external consultants in the CoM engagement processes should be justified and made public to ensure consultants meet the same transparency and accountability standards as required of in-house staff.

Reform: Confirm that staff and affiliated commentary should be clearly identified within the consultation outcomes so that public consultation is clear and public.

Reform: When the CoM commissions external consultants to conduct community consultations, rigor against bias is applied to ensure that a pattern of ‘he who pays the piper does not call the tune’.

Reform: When recent and/or engagement findings or decisions or newly adopted processes are to be incorporated into decisions, these should made known to participants.

Reform: Feedback should be provided to engagement participants about the outcome of the engagement specifically where input of participants led to a decision or was rejected.

Reform: Where decisions are contrary to the themes of a major engagement or to participants' input, the CoM should provide clear explanations to participants, explicitly stating the reasoning behind its interpretation of responses and why certain inputs have not been adopted.

4. Most Instructive Models

International best practise provides substantive guidelines and experience to help inform local consultations. An analysis of these frameworks indicates that a firm commitment to ensure that any engagement is comprehensive, measurable and transparent is required. MMHN strongly advocates that adopting such measures would greatly improve CoM performance and result in greater community preparedness to participate.

International - AP2 Best-practice Framework

This is a globally recognized standard for public participation designed to ensure that community engagement is meaningful, transparent, and effective. It consists of three core pillars: Core Values, Code of Ethics, and the Spectrum of Public Participation, which defines the public's role in decision-making.

See: https://www.vic.gov.au/sites/default/files/2021-12/Public%20Engagement%20Framework%20-%202018%20November%202021_0.pdf

United Kingdom - Gunning Principles (1985, upheld Supreme Court 2014)

Consultations must be held at a formative stage, with sufficient non-biased information provided, adequate time given, and responses conscientiously considered before any decision. Failure to comply exposes decisions to judicial review, giving communities enforceable legal recourse that Victoria entirely lacks.

Ireland - Citizens' Assembly

Randomly selected, demographically representative citizen panels consider complex policy questions. Government commits in advance to respond formally to

recommendations. The model has delivered three constitutional referendums and is widely regarded as a global benchmark for deliberative democracy.

New Zealand - Te Tiriti led deliberative model

Deliberative processes are framed through *te ao Māori* values with mana whenua relationships foundational rather than consultative add-ons. Victoria's Statewide Treaty Act 2025 moves in this direction but remains in transition only.

Dimension	Victoria (current)	International benchmark
Mandatory framework	Partial - guideline only	Statutory/legally enforceable
Early & formative engagement	Weak - often post-decision	Required before options are fixed
Language/purpose clarity	Weak - mismatch common	Explicit alignment mandated
Closing the feedback loop	Absent - no obligation	Legal or parliamentary requirement
Accessibility & inclusion	Partial - opt-in dominant	Stratified civic lotteries used
Deliberative methods	Absent - no formalised tier	733 processes across 34 countries
First Nations engagement	Evolving - Treaty Act 2025	Foundational (NZ Te Tiriti model)
Agency coordination	Weak - engagement fatigue noted	Centralised calendars recommended
Independent oversight	Absent	Judicial review (UK)/parliamentary (IE)

Source: LCEPC Report 60-04, March 2026 | OECD Guidelines for Citizen Participation (2022) | Gunning Principles (UK) | Ireland Citizens' Assembly | NZ Public Service Commission