



STATE
PLANNING
COMMISSION



COMMUNITY ENGAGEMENT CHARTER

Commission Engagement Report

December 2017



saplanningportal.sa.gov.au



Government
of South Australia

Department of Planning,
Transport and Infrastructure

Purpose

This report has been prepared by the State Planning Commission in accordance with section 45(3) of the *Planning, Development and Infrastructure Act 2016* (the Act). It outlines the matters raised during consultation and includes information about any amendments to the Charter as a result of the engagement process.

The Minister for Planning is required to consider this report prior to adopting the Charter, making alternations to the Charter, or determining that the matter not proceed.

The Charter

The Community Engagement Charter puts consultation and participation at the forefront of our planning process in South Australia. It establishes statutory requirements for engaging our community on proposed changes to planning policy, while allowing this engagement to be directly tailored to the needs of the community. In the past, many people's first interaction with the planning system happened when a new house was built near them, without an understanding of the planning policy that enabled this. Under new legislation within the Act, the Charter will change this by inviting community input on planning policies that will shape the places they value.

Engagement Approach

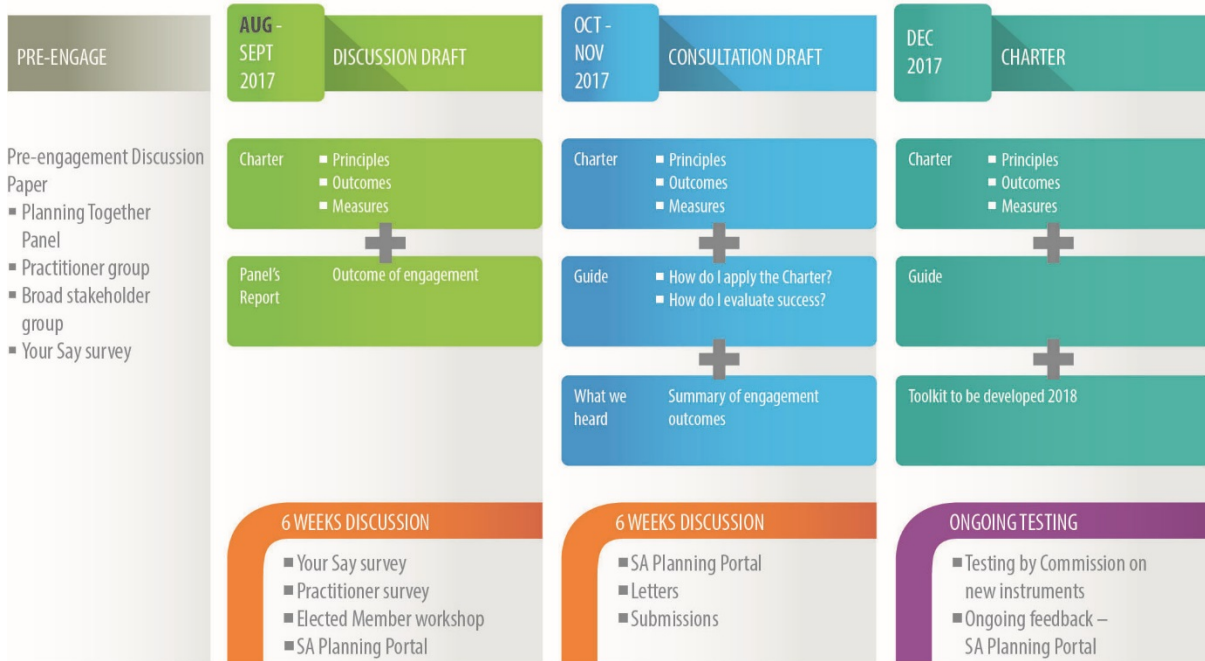
The State Planning Commission has developed the Charter by listening to a range of community, industry, councils and state bodies about its important features.

There has been three phases of engagement for the Community Engagement Charter with members of the public being a part of the development of the Charter from the very beginning:

Stage 1 Pre-Engagement - Planning Together Panel, stakeholder Groups and the practitioner panel worked to inform the preparation of the *Discussion Draft of the Community Engagement Charter*.

Stage 2 Discussion Draft – The Commission released the Discussion Draft for comment from the Community and Stakeholder Groups including Councils from 28 August 2017 to 6 October 2017. The Consultation Phase 1 Report was then released and made available on the SA Planning Portal.

Stage 3 Consultation Draft - The Commission released the Draft Community Engagement Charter and the Guide for a formal 6 weeks consultation from 30 October 2017 to 8 December 2017.



In accordance with section 45(2) of the Act the State Planning Commission has consulted with the Local Government Association and published a copy of the proposed Charter on the SA Planning Portal, inviting interested persons to make representations.

A total of 67 submissions received during two formal consultation periods from a range of councils, individuals, industry and other key stakeholder groups. Comments were also received through a number of workshops.

The Commission will review of the performance of the Charter and Guide as it tests it in the delivery of the new planning system for South Australia. The Commission can amend the Charter at any time and must review it every five years.

1. Consultation to develop a discussion draft of the Charter

The Planning Together Panel was the central focus for engagement in developing the Discussion Draft of the Community Engagement Charter. The panel process included 50 randomly selected citizens working alongside 53 invited 'stakeholder' organisations over 4 days to develop the draft principles, outcomes and measures in the Draft Charter.

The Planning Together – workshop approach

Day 1 1 JULY	Briefing Day	Who: Planning Together Panel Minister/Commissioner launch	What they did: <ul style="list-style-type: none"> ■ Understanding the planning system ■ Getting across the task
Day 2 2 JULY	Deliberation: Principles	Who: Planning Together Panel	What they did: <ul style="list-style-type: none"> ■ Consider Outcomes – why engagement is important ■ Collaborative workshop sessions to begin exploration of principles drawing on experiences of Planning Together Panel
Day 3 29 JULY	Deliberation: Principles/ Measures	Who: Planning Together Panel	What they did: <ul style="list-style-type: none"> ■ Considered structure of Charter – what must it include? ■ Finalise principles ■ Brainstorm measures – how we move from good to great engagement
Day 4 30 JULY	Deliberation: Drafting and additional elements	Who: Planning Together Panel	What they did: <ul style="list-style-type: none"> ■ Finalise measures ■ Drafting of other elements of the Charter ■ Reflection and next steps

The Panel was also guided by a ten person Practitioner Group and a more widely represented larger stakeholder group on how the Charter could be useful in major planning scenarios. The general public was also invited to contribute through the SA Planning Portal and the YourSAy public engagement portal.

This first phase of consultation on the Community Engagement Charter ran from Saturday 1 July to Monday 9 October 2017.

Through the process the Planning Together Panel and the Stakeholder Group worked hand-in-hand to develop the following:

- A preamble
- Seven principles
- Outcome statements
- Suggested performance measures.

The outcomes of this work is documented in the *Planning Together Panel- the Draft Community Engagement Charter Planning Together Panel Report July 2017* which is available on the SA Planning Portal (www.saplanningportal.sa.gov.au).

This work has formed the basis of the Discussion Draft as follows:

- The preamble was used as a basis for the 'Foreword'
- The first seven principles are largely unchanged, noting the Commission has added an 8th principle for discussion.
- The outcome statements, which provide clarity about what the principles meant to the Panel have been refined for readability and to minimise repetition within the Charter.

A summary of this consultation methodology, including an evaluation of the process is provided in the report *Developing the Community Engagement Charter Discussion Draft August 2017* available on the SA Planning Portal.

The Planning Together Panel evaluated the process as follows:

- 100% reported they had adequate opportunity to contribute in the Panel sessions
- 95% reported they had the information they need to develop the Charter.
- 86% believe the Panel was a good way to improve public participation in Government decision-making.
- 94% believe the government should use this sort of deliberative process more.
- 82% said they are very likely to participate in this sort of process in the future.

2. Consultation on the discussion draft of the Charter

The Discussion Draft of the Community Engagement Charter was released between 28 August 2017 and 6 October 2017. The Charter was release through notice on the SA Planning Portal, Your Say, DPTI Social Media and Planning Ahead newsletter. Comments were invited (including a survey) through YourSay and the SA Planning Portal. Many stakeholders were individually invited to provide feedback.

Workshops were held with the three statutory advisory committees, the practitioner group, elected members and council staff.

During the engagement period 28 written responses were received. This included responses from 16 local councils across South Australia, four from industry and professional groups, three from community stakeholder groups and three submissions from individuals.

The main issues raised during this consultation process included:

- comments were generally supportive
- comments were of a technical nature
- cost of implementation
- education and training for professionals in councils
- need to support councils in implementation.

For more information regarding the feedback received refer to *Consultation Phase 1 Report November 2017* which is available on the SA Planning Portal (www.saplanningportal.sa.gov.au).

Responding to feedback

The Commission updated the Community Engagement Charter in response to the feedback received as follows:

The Charter's structure was clarified under clearer headings

Headings have been refined and updated to include:

- Mandatory requirements
- Principles
- Performance outcomes
- Measuring performance

The Charter's principles were made more succinct

The number of principles were reduced and made more succinct. The revised principles were:

- Engagement is genuine
- Engagement is inclusive and respectful
- Engagement is fit for purpose
- Engagement is informed and transparent
- Engagement is reviewed and improved

Engagement outcomes were made clearer, to aide measurement

The new performance outcomes were made clearer and shorter, making it easier to measure and determine if principles will be met as part of an engagement process.

The relationship between measures and the engagement processes was made clearer

The section on measuring performance now provides a table which provides more clarity about the relationship between the principles, performance outcomes and examples of types of measures for performance.

Mandatory requirements were expanded

Under Mandatory Requirements a table has been expanded to include the length of time that the relevant consultation should occur for.

New easy to read graphics

New graphics were included to provide a clear and easy visual representation on where community engagement should be focused.

A new user Guide was created

A new Guide has was created to accompany the Charter and this sets out further detail and explanations on how the Charter should be used.

Frequently Asked Questions were created

Question and Answers have been created to accompany the Charter to answer questions about the operation of the Charter.

3. Consultation on draft Charter and Charter Guide

The draft Community Engagement Charter and Guide was released between 30 October 2017 and 8 December 2017 through notice on the SA Planning Portal, DPTI Social Media and Planning Ahead newsletter (distributed to over 1000 people). Comments were invited (including a survey) through the SA Planning Portal. A list of stakeholders who were individually written to for comments are attached. This includes the Local Government Association as prescribed by section 45 (2) (ii) of the PDI Act.

In addition a live streamed workshop was held at the Local Government Association for Council practitioners.

39 written responses were received during the engagement period. This included responses from 22 from local Councils (and the LGA) across South Australia, four from industry and professional groups, four from community stakeholder groups, one from a government department and six submissions from individuals. The main issues raised during this consultation process were similar in nature to those outlined above in the first round of consultation.

What the State Planning Commission has heard during this consultation process and how the issues have been responded to as follows:

The main issues raised during this consultation process included:

- Great support for the Charter and the Guide as a supporting document
- Some requests for refinement and for some more clarification in the Guide document
- Concern that the Charter was being developed at the expense of engagement in development assessment
- Come concern about how the performance of engagement will be measure
- Greater clarity could be provided around the Commission's role.

Responding to feedback

The Commission updated the Community Engagement Charter and Guide in response to the feedback received as follows:

The Charter's principles were refined

Principle 5 has been amended to refer to engagement 'processes'.

Simplification of the Guide

The Guide has been reformatted for ease of reading and edited to remove duplication.

Greater clarification in the Guide about the Charter's role in development assessment

The Guide has been strengthened to provide greater clarity around the reasons why the Charter does not apply to development applications. Applicants and participants in the assessment process require a high level of certainty and predictability around process. This reduces costs for applicants, provides greater clarity to communities about their role, and reduces the risk of judicial proceedings.

Greater clarity in the Guide about the Commission's role

The Commission will be preparing a Practice Direction to provide greater clarity about its role in the amendment of statutory instruments during 2018. As the Commission will be the primary user of the Charter for the first 12 months, there will be an opportunity to test the Charter and the Commission's role in it to ensure the practice direction can be clear and specific.

A greater emphasis on innovative technologies

The Charter and Guide have been strengthened to place a stronger emphasis on how technology can be used to better engage with the community on planning issues. New technology also provides us with opportunities to gather evidence on how communities behave and how we can better plan for, and engage with people into the future.

4. Ongoing review

The Commission will be the primary entity using the Charter for the first 12-months while the new planning instruments are introduced. The first of these will be the State Planning Policies, followed by the Planning and Design Code. This provides the opportunity for the Commission to review the performance of the Charter and Guide as it tests it in the delivery of the new planning system for South Australia. In addition, the Commission will be developing a toolkit for bodies undertaking engagement activities to access. To support the toolkit, a library of case studies will also be developed to illustrate a variety of engagement techniques in practice.

The Commission will also release its Practice Directions to outline its procedures relating to implementing the Charter when preparing and amending Designated Instruments.

Stakeholders – mail out Community Engagement Charter

Stakeholder	Numbers
Local Government Mayors	68
Local Government CEOs	68
Planning Together Panel via Democracy Co	50
Community Engagement Charter Practitioner Organisations	70
State Government Agency CEOs	21
Community Participation Advisory Committee	10
Development Industry Committee	8
Local Government Advisory Committee	9
Stage 1 Discussion Paper Submitters	27

