

**STATE  
PLANNING  
COMMISSION**



# **Community Engagement Charter 2017**

Discussion Draft -  
Outputs from Stage 1



**Government of South Australia**  
Department of Planning,  
Transport and Infrastructure



## Foreword

### From the Commission

The commencement of the new *Planning, Development and Infrastructure Act 2016* brings with it the opportunity for us to do things differently in South Australia when it comes to planning.

The new Act calls for the introduction of a Community Engagement Charter, a document that will change the way we consult our communities when setting or changing planning policies. In the past our system for notifying affected communities about planning policy has been too rigid and limited, and has not reached the people that are affected by the proposed changes.

The Community Engagement Charter is about changing this approach, and defining a whole set of new arrangements and techniques that Councils and Government will be required to follow to provide for more effective and meaningful engagement. The intention is to change the planning system in a way that will achieve better planning decisions and for more people to know about why decisions have been made.

The Commission is responsible for developing and maintaining the Charter. The Commission will also be responsible for making sure Councils and Government comply with the Charter and they may provide direction, or step in, if it considers the standard of engagement anticipated by the Charter has not been met.

In developing this first Charter, the Commission has taken a novel approach that involves the community assisting in the preparation of principles. A community panel of 50 community members was randomly selected to help shape the Charter. They were supported by a wider group of over 70 planning practitioners, groups and individuals with an interest in the planning system.

This discussion draft of the Charter is the result of this process. It is not a finished product, but the first stage of what the Charter could look like. It is intended to provide the foundation for further discussion with the community and the development of the specific requirements and methods for consultation in the future. Following this feedback, the Commission will consider any amendments to the document and release a formal draft for statutory consultation.

We now invite the community, planning and development specialists and others to provide feedback on this preliminary draft and assist us in completing the Charter over the coming months.



Mr Tim Anderson QC

## Engagement so far

The Commission has taken a deliberative approach in shaping this discussion draft. This approach involved bringing together a range of people supported with information sources to work on a clear task. Three groups were formally convened to assist in this work:

- **Planning Together Panel** - a randomly selected, statistically representative group of 50 community members who were tasked with developing the components of the Charter in conjunction with representatives from the planning sector and other groups with an interest in planning.
- **Practitioner Group** - a group of senior professionals (encompassing local and state government, industry associations, and consultants) tasked with providing their perspective to help the Panel understand the practical needs of the planning system in relation to engagement. This group met prior to the first Panel session and their advice was considered by the Panel in its deliberations.
- **Broader Stakeholder Group** - a wider group of planning practitioners, associations and individuals with an interest in the planning system (around 70 people), who contributed their knowledge and experience of the planning system as part of the Planning Together Panel discussions.

The Panel was supported by the Broader Stakeholder Group, State Planning Commission Members and the Department of Planning, Transport and Infrastructure in learning about the new planning system. Input was also sought from the broader community on-line via yourSAy.sa.gov.au and through the SA Planning Portal. Feedback received through this process was considered in day 3 and 4 of the Panel’s deliberations.

The Planning Together Panel met over for four full days across two weekends (1 and 2 July and 29 and 30 July 2017) as shown in the figure below.



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; and
- Suggested performance measures

The outcomes of their work is documented in the Planning Together Panel Report, which is available on the SA Planning Portal ([www.saplanningportal.sa.gov.au](http://www.saplanningportal.sa.gov.au)).

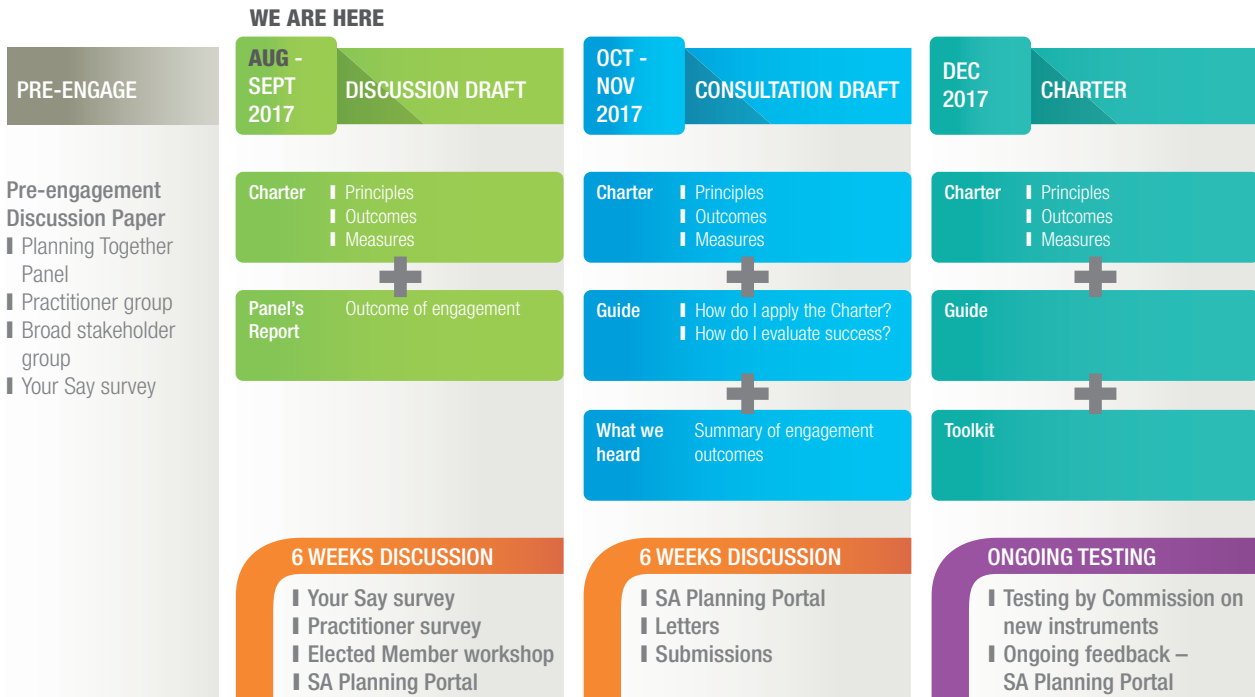
This work has formed the basis of the Discussion Draft as follows:

- 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.

The Panel’s Report also includes preliminary exploration of a ‘decision-making’ framework, which starts to look at how the Charter could be applied and performance of an engagement activity measured. The Panel acknowledged that the draft decision making framework requires further discussion and significant refinement.

As such this Discussion Draft has only started to touch on the draft decision making framework and seeks to explore the development of an implementation section that will provide methods and specific tools selected for particular engagement processes. Accordingly this discussion draft is circulated for a 6 week consultation period to obtain initial feedback on the directions so far.

Feedback on this paper will enable the Charter to be further refined and the next components developed, including the implementation measures that will assist authorities in making decisions about how to engage, the community’s role in the engagement process, and how to evaluate the success of the engagement process. The Commission will then run a second engagement process in accordance with the statutory requirements under the Act later in the year. From this the Commission will finalise the Charter for presentation to the Minister.



## What is the role of the Charter?

The Community Engagement Charter will establish requirements for engaging the community on proposed changes to planning policy. It will also contain methods to measure the success and effectiveness of the engagement.

The Charter is a requirement of the *Planning, Development and Infrastructure Act 2016*. The Act prescribes that the Charter must be used to develop the engagement process associated with the preparation and amendment of the following specific documents in the planning system:

- State Planning Policies
- Regional Plans
- The Planning and Design Code
- Local Heritage place listing
- Design Standards
- Infrastructure Schemes

Entities such as the Minister for Planning, State Planning Commission, Councils, Joint Planning Boards and private entities will be responsible for developing and implementing an engagement strategy in accordance with the Charter when preparing any of the above documents. They will also need to identify the techniques and measures they will employ to evaluate the extent to which the objectives of the Charter have been achieved.

If the Commission considers an entity has not complied with the Charter, it may require that entity to do so. The Commission is not compelled to accept any of the above documents until such time as it is satisfied with the engagement process. If necessary the Commission could undertake the engagement on behalf of the entity and recover the associated costs.

The Charter does not have a statutory role in the assessment of development applications. Separate and specific requirements for the public notification of certain classes of development applications are outlined in the Act and the procedures to be followed will be subsequently determined in regulations (yet to be prepared) under the Act.

The SA Planning Portal provides information about the respective instruments in the new planning system, as well as the key entities who will be responsible for engagement in the system.

## Statutory Obligations

For the preparation and amendment of statutory instruments the following requirements are mandatory under the Act and will need to be reflected in an engagement plan established under the Charter:

Category	Mandatory requirement
Proposals that are specifically relevant to a particular Council or Councils (where Council did not initiate the proposal)	That Council or Councils must be directly notified of the proposal and consulted
Proposals that are generally relevant to councils	The Local Government Association must be consulted.
A proposal to enter a place within the Planning and Design Code as a place of local heritage value	The owner of any land on which the place resides, must be directly notified of the proposal and consulted for a minimum period of four weeks.
Infrastructure schemes	Landowners affected by the scheme must be directly notified of the proposal

## Structure of the Charter

It is proposed that the charter include the following components:

- Principles: A set of principles which set the outcomes sought from engagement in the planning system.
- Outcomes: the outcomes you would see from a successful engagement process.
- Implementation Measures: guidance for users of the system to establish who to engage with, how to engage, the community's role in the engagement process, and measures to evaluate the success (or otherwise) of the engagement process. This could include:
  - *A decision making framework* to assist authorities to develop an engagement plan (how and who to engage with)
  - *The engagement tool kit* – a library of tools, measures and procedures to be used in building the engagement process specific to the project and that meets the principles and outcomes (types of engagement techniques)
  - *Evaluation measures* and the process for evaluating the success (or otherwise) of the engagement process (during and at its completion)

The implementation measures component of this discussion draft has not been fully developed as yet and feedback is sought through the informal consultation process to help shape this part of the Charter before formal feedback is sought.

## Principles

The following principles describe what is important when engaging in the planning system and the outcomes sought by community when involved in this process.

The application of the principles is not discretionary and should be considered when a decision maker determines the appropriate approach to engagement in the particular circumstances. Each engagement may have a different purpose, and can be undertaken in different places, with different outside influences and with different people involved.

The principles are a reference point for good engagement. If a decision maker is able to ‘tick off’ on each of the principles as the engagement strategy is designed and delivered, then the public should be able to have confidence that the engagement will be appropriate and effective.

The first seven draft principles were developed by the Planning Together Panel with the Stakeholder Group. The Commission has added a further principle (8) for discussion.

The draft principles are:

- 01 Inclusion & participation is genuine**
- 02 People affected are meaningfully engaged & those interested have an opportunity to participate**
- 03 Differing views are acknowledged, respected & considered**
- 04 People have access to complete information that they can understand, they know about proposals and the impacts of the potential outcomes**
- 05 Engagement processes make clear the reasons for the outcomes and decisions**
- 06 Engagement is accountable and improving**
- 07 Engagement is targeted, flexible, scalable and specific**
- 08 People recognise that decision making often involves interests being supported and others not.**



## **Outcomes - What do the Principles mean?**

In developing these principles, the Planning Together Panel and Stakeholder Group provided some clarity about what these principles meant to them. They could be seen as the outcomes from successful achievement of the principles. There has been some editorial refinement to the Planning Together Panel work but the following reflects what they said.

### **Inclusion and participation is genuine**

Community members from all backgrounds and abilities have an equal and genuine opportunity to be involved. People feel that engagement is genuine when their opinion was asked and heard in making the final decision (i.e. the decision wasn't already made before engagement) they had all the information required, the decision makers could look them in the eye, agreements were adhered to and there was genuine interest in considering their views.

### **People affected are meaningfully engaged and those interested have an opportunity to participate.**

Engagement will happen early in the planning process and be equitable and inclusive of community. All stakeholders are acknowledged and respected through a transparent decision making process. This principle promotes timely and evolving engagement that recognises a decision making process must provide reasons why community comments have been adopted or disregarded.

All members of our diverse community will have an opportunity to participate, and barriers to engagement will be identified and overcome to promote inclusion. Those undertaking engagement processes must be proactive in their pursuit of community involvement.

### **Differing views are acknowledged, respected and considered.**

It is important to understand and consider culture, heritage, natural and built environment, and ensure that diverse views, perspectives and people contribute to the process. The community are more accepting of decisions even when they do not agree because their input was recognised. The cooperation between the community, council, governments, stakeholders and planners will result in continuous involvement.

### **People have access to complete information that they can understand, they know about proposals and the impacts of potential outcomes.**

The community will have ready access to information needed to meaningfully engage in the process through delivery of accessible, complete and timely information. Opportunities for engagement will be offered via a wide variety of methods. Anyone who registers comments on a policy or proposed project will receive a response within a reasonable time before a final decision is made on any proposal that has a significant impact on the community.

### **Engagement processes make clear the reasons for the outcomes and decisions.**

The process of engagement is to be transparent and give reasons behind decisions made. Local Government will have a more open relationship with their communities, with fewer disputes. The State Government will have a clearer delineation of responsibilities with the potential for future policy guidance from the Community. Other parties proposing changes within the planning system will undertake early consultation, with the potential for less direct and indirect costs to them and more certainty for development.

**Engagement is accountable and improving.**

Engagement will be accountable, taking account of the scale of the proposed change and its level of impact. Measuring and evaluating the performance of the consultation should occur throughout the process, with a view to continuous improvement. In developing an engagement plan entities should consider the design, delivery and post engagement tasks.

Measurement and evaluation should be considered from multiple perspectives, those of the community, planning professionals and the governments who have a role to play in the engagement.

**Engagement is targeted, flexible, scalable and specific.**

Engagement approaches must be fit for purpose. A targeted engagement approach seeks to address all relevant and important issues that may be appropriate to the affected community, whether directly or indirectly relevant to the project.

Engagement approaches must also look into adapting to changing circumstances, while a project is being executed. Engagement approaches must be informed and not built on rigid behaviours or mindsets, as it will shut out the ability to react to potential communities previously overlooked or development of critical events that could evolve over the life of a project.

Engagement approaches must be considered and tailored to the size of the project, the financial impact or costs to the community, the significance of the prioritised issues, and the number of people that would be affected both directly and indirectly as a consequence of the actions of the project.

Engagements must be specific and conducted in a way that focuses on a prioritised issues and catered to the affected communities.

## **Implementation - what level of engagement is required?**

As referred to earlier, implementation measures or guidance will be developed to assist users of the Charter to determine an appropriate engagement path (and associated tools) for a proposal. This guidance should be scalable depending on the level of change proposed. For instance an engagement plan will be different where a significant change is proposed and a large number of people are potentially affected, as compared to a simple change where a very small group of people are likely to be affected.

In making this decision, there are some key questions that could be considered, which then flow through to the evaluation of how successful the engagement has been.

The Commission is seeking feedback on the following considerations, as a means to make decisions about the type of engagement required to suit the need of the project (decision making framework) and subsequent performance (evaluation measures):

- Reach: establish how many people are impacted and the level of participation that is expected.
- Impact: determine how much influence the community will have in the final decision with reference to the IAP2 Spectrum of Public Participation (Inform, Consult, Involve, Collaborate, Empower).
- Sociability: to what degree does the engagement need to involve ongoing interaction with each other and community capacity building.
- Tone: what is the anticipated level of concern within the community, and likely level of emotion that could be elicited by the proposal?
- Sustainability: to what degree do we want to build capacity in community and have them engage in similar processes in the future?
- Depth: determine how much information and knowledge needs to be gained for the community to genuinely engage in the process and what depth of conversation is required?

## Measuring Performance

Engagement is undertaken to achieve better outcomes, decisions, projects and policies. Establishing engagement objectives, and then measuring progress helps to gauge how successful the engagement process has been. Evaluation can build transparency and accountability. It can contribute to the evidence base, identify good engagement practice and improve future practice.

Planning for evaluation should commence as early as possible. The scope of activities in the evaluation will vary based on the purpose and scale of the engagement. Early planning enables identification of the criteria that could be used to measure success and the information to be collected to support this, as well as what tools and resources are required. Early evaluation planning also provides an opportunity to clarify the purpose and objectives of the engagement process.

There are a range of ways that performance can be measured including surveys, capturing the number of responses received, the general tone of feedback and a range of other techniques. Following are some examples of the types of measures that could be considered. The Commission is seeking views on the ideas explored below, to help inform the next iteration of the draft Charter, which will be released for statutory consultation later in the year.

What needs to be measured	Possible measures
<p><b>Reach</b></p> <p>Did everyone who is impacted and/or interested have an opportunity to participate?</p>	<ul style="list-style-type: none"> <li>■ The number of people engaged</li> <li>■ % of people engaged who reported:                             <ul style="list-style-type: none"> <li>– the size and method of engagement was appropriate for the issue they were engaged on</li> <li>– they were supported to actively contribute to the engagement</li> </ul> </li> <li>■ the engagement was accessible and jargon-free</li> </ul>
<p><b>Impact</b></p> <p>Was community input considered in the final decision?</p>	<ul style="list-style-type: none"> <li>■ % of people engaged who reported that their views were:                             <ul style="list-style-type: none"> <li>– heard and genuinely responded to</li> <li>– genuinely considered in the final decision</li> </ul> </li> <li>■ % of people engaged who were satisfied with the planning outcome</li> <li>■ % of people who understood how and why the final decision was made</li> </ul>
<p><b>Sociability</b></p> <p>How did people interact with each other, and did the process build community capacity?</p>	<ul style="list-style-type: none"> <li>■ The number of opportunities that brought people together</li> <li>■ % of people engaged who reported the engagement process had a positive impact on community cohesion</li> <li>■ % of people who reported they heard alternative views and opinions that were different than their own</li> </ul>

What needs to be measured	Possible measures
<p><b>Tone</b></p> <p>What was the level of emotionality and controversy?</p>	<ul style="list-style-type: none"> <li>■ The number of self-formed community groups in relation to the project</li> <li>■ % of people engaged who:                             <ul style="list-style-type: none"> <li>– reported that their views were heard and genuinely responded to</li> <li>– reported the engagement process had a positive impact on community cohesion</li> </ul> </li> </ul>
<p><b>Sustainability</b></p> <p>Would people participate in similar process in the future?</p>	<ul style="list-style-type: none"> <li>■ The number of engagement plans</li> <li>■ % of people engaged who understood why they were being engaged</li> <li>■ % of plans consistent with Charter Principles</li> <li>■ % of engagement processes that:                             <ul style="list-style-type: none"> <li>– measured performance using one or more performance measures from this Charter</li> <li>– demonstrated improved performance through implementing Charter Principles</li> </ul> </li> <li>■ % of people designing the engagement demonstrating they:                             <ul style="list-style-type: none"> <li>– learnt from the experience</li> <li>– made process improvements</li> </ul> </li> </ul>
<p><b>Depth</b></p> <p>Is there an opportunity for different knowledge and perspectives to be shared? And did people have access to the information they needed?</p>	<ul style="list-style-type: none"> <li>■ % of people engaged who reported diverse views were included</li> <li>■ % of people who reported they had the right information available to them to contribute to the process.</li> </ul>

## Our next steps

This Discussion Draft of the Charter is now available for consultation for 6 weeks. Initial feedback is now sought from a broad audience to assist the Commission in refining the Charter by building on the work of the Panel. This includes exploring in greater detail implementation measures that will assist authorities in making decisions about how to engage, the community's role in the engagement process, and how to evaluate the success (or otherwise) of the engagement process.

Feedback on this Discussion Draft will assist in further refining the Charter. The Commission will then run a second engagement process in accordance with statutory requirements of the Act later in the year. The Commission will then finalise the Charter ready for consideration by the Minister for Planning. This process will complete the drafting of the first edition Charter.

This process is outlined in the diagram below:



A number of engagement activities will be run by the Commission during the 6 week 'informal' consultation process including:

- General community feedback on-line via yourSAy.sa.gov.au and the SA Planning Portal
- Written submissions invited from the general community
- A survey for planning professionals and practitioners on the SA Planning Portal
- Workshop with Elected Members of Council
- Further consultation with the Practitioner Group
- Feedback invited specifically from the Planning Together Panel.

### Ongoing refinement

Being the first of its kind, it is recognised that the Charter will need to evolve over time. In its first year, it will primarily be applied to the development of the new State Planning Policies, the Planning and Design Code, and Infrastructure Schemes required under the Act. As the Commission prepares these documents, it will test the Charter and its application to allow for its ongoing evolution. During this time the Commission welcomes feedback to assist in monitoring and improving the Charter.

Implementation assistance will be available for Government agencies, Councils and other practitioners to help consider how they will frame their engagement programs in accordance with the Charter well in advance of them being required to formally undertake this role.

## **Definitions**

### **State Planning Policies**

The State’s overarching goals or requirements for the planning system (and to be given effect through the various instruments prepared in the system).

[www.saplanningportal.sa.gov.au/our\\_new\\_system/state\\_planning\\_policies](http://www.saplanningportal.sa.gov.au/our_new_system/state_planning_policies)

### **Regional Plans**

A long-term vision for a region or area, including provisions about the integration of land use, transport infrastructure and the public realm, and including maps and plans that relate to spatial patterns that are relevant to the long-term vision.

[www.saplanningportal.sa.gov.au/our\\_new\\_system/regional\\_planning](http://www.saplanningportal.sa.gov.au/our_new_system/regional_planning)

### **Planning and Design Code**

A comprehensive set of policies, rules and classifications which may be selected and applied in the various parts of the State for the purposes of development assessment and related matters within the State. The Code will include the use of zones, subzones, overlays and policies.

[www.saplanningportal.sa.gov.au/our\\_new\\_system/planning\\_and\\_design\\_code](http://www.saplanningportal.sa.gov.au/our_new_system/planning_and_design_code)

### **Design Standards**

A design standard that relates to the public realm or infrastructure, which may specify design principles, design standards, or design guidelines.

### **Infrastructure Delivery Schemes**

A scheme approved by the Minister in relation to the provision of basic or general infrastructure, and the funding arrangements associated with the provision of that infrastructure.

[www.saplanningportal.sa.gov.au/our\\_new\\_system/infrastructure\\_schemes](http://www.saplanningportal.sa.gov.au/our_new_system/infrastructure_schemes)



**Submissions on this discussion paper may be made as follows:**

- By:** 9 October 2017
- Email to:** [DPTI.PlanningEngagement@sa.gov.au](mailto:DPTI.PlanningEngagement@sa.gov.au)
- Comment on:** [www.saplanningportal.sa.gov.au](http://www.saplanningportal.sa.gov.au)
- On line survey:** [yourSAy.sa.gov.au](http://yourSAy.sa.gov.au) and  
[www.saplanningportal.sa.gov.au\(practitioners\)](http://www.saplanningportal.sa.gov.au(practitioners))
- Mail to:** The State Planning Commission  
GPO Box 1815, Adelaide, SA, 5001