

Developing the Community Engagement Charter Discussion Draft



democracyCo Consultation Report
August 2017



Introduction

The purpose of this document is to inform the State Planning Commission and the Minister for Planning about how feedback received from public and other stakeholder consultation was used to inform the development of the Community Engagement Charter Discussion Draft.

This document sets out the Charter consultation process facilitated by democracyCo between February and July 2017 on behalf of the State Planning Commission and the Minister for Planning.

Consultation context

The Charter was one of 22 recommendations developed following almost two years' consultation with over 2,500 people, led by the 'Expert Panel on Planning Reform'. The Expert Panel consulted with community, industry, local Government and other stakeholders to hear their experience of the existing planning system and opportunities for reform.

The Expert Panel provided their recommendations to Government in December 2014, signalling an urgent need to reform the planning system, with a deliberate focus on simplifying processes and improving public participation and collaboration.

The Government responded in March 2015 and the proposed Community Engagement Charter is now one part of the wider reform of the South Australian planning system enshrined in the new Planning, Development and Infrastructure Act 2016.

The Planning Reform team in DPTI has provided significant technical guidance on the legislative and systemic changes required for the planning reform to be implemented, including requirements for consultation in developing the Community Engagement Charter.

democracyCo was contracted by DPTI to design an engagement process to develop the Charter which went beyond traditional consultation models to a deeper involvement of citizens and other stakeholders through deliberation - working together to understand the context for community engagement in planning, considering evidence and developing shared Principles and measures for community engagement in planning.



Consultation overview

The Planning Together Panel was the central focus for engagement in developing the draft Charter. The panel process was designed and facilitated by democracyCo and 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. (list of stakeholders in Appendix A)

The broader consultation process to develop the Charter Discussion Draft was managed by the Planning Reform team in the Department for Planning Transport and Infrastructure. The Planning Reform team identified stakeholders including planners, developers, industry, members of residents' associations and local and State government who they consulted with via individual meetings and a 'roadshow' during June and July 2017.

These consultations sought to inform stakeholders about the planning reform process in general, including the development of the Community Engagement Charter, and to invite people to be involved in further consultation via the Planning Portal, the YourSAy public engagement portal and to contribute to the Planning Together Panel. Several stakeholders also provided evidence and resources for consideration by the Panel. These resources are listed in Appendix B.

A 10 person Practitioner Group provided advice on how the Charter could be useful in various major planning scenarios including State Planning Policies, Regional Plans and the Planning and Design Code/Re-Zoning. This group met in June 2017 and their advice was shared with the Planning Together Panel during their deliberations in July.

This consultation report focuses on the Planning Together Panel as a critical component of the consultation process to develop the Community Engagement Charter Discussion Draft.



Planning Together Panel design - a deliberative process

By using deliberative processes to involve citizens and stakeholders in the design of the Charter itself, the Government, and the State Planning Commission have demonstrated a commitment to best practice community engagement that reflects the Principles within the Charter Discussion Draft.

Deliberative democratic processes in engagement have been used to great effect in Australia and internationally to enable deep consideration of complex issues and to develop shared and therefore sustainable solutions.

In deliberative processes, participants come together for a period of time, with credible and reliable information on the topic under review, and discuss/deliberate on a topic over sufficient time to arrive at a shared view on the way forward.

Key features of effective deliberative processes are:

- random recruitment of participants
- a clear focus and 'authority' or 'promise' from Government for the outcomes of their deliberations
- specialised facilitation design that supports deliberation

The Planning Together Panel process was designed using a modified design charrette process.

Random Sampling

The panel of community representatives was recruited using random selection stratified sampling following invitations from the Minister for Planning and State Planning Commission chairperson which were sent to 5,000 South Australians selected from the Vote Compass database.



There was a higher than usual response rate of approximately 450 responses. democracyCo applied random stratified sampling to ensure the 50¹ member panel was representative of the South Australian population in terms of age, location, gender, cultural diversity, rate payers compared to tenants of rental properties and degree of experience with the planning system.

¹ On Day 1, 54 panel members attended, with 44 panel members participating by day 4. All panel members who withdrew cited family / health reasons.

Panel members were required to familiarise themselves with the Community Engagement Charter Discussion Guide (available on the planning portal) which included a foreword from the Commission Chair, describing the Panel's role in the context of the planning system and in developing a Charter, and examples of good engagement practices. They were also expected to read and refer to the State Government's Better Together Principles of Engagement.

Panellists were also part of a private online discussion forum to allow them to share research (including resources provided by stakeholders), discuss ideas and thoughts about their task before and between panel sessions.

The Panel's Focus

"How can we better put people & communities at the centre of major planning decisions in SA?"

The Planning Together Panel were charged with providing advice on the Draft Charter. This was explained by the following text:

"To be effective, planning must provide ways for the views of citizens to be heard, understood and acted upon. Too often current statutory consultation processes focus on individual developments and ask for feedback on 'finished ideas' at the end processes. This limits the value of consultation and frustrates citizens who want to participate in the development of policies and strategies. Prescriptive consultation requirements also tend to produce a very legalistic 'lowest common denominator' approach to engagement that fails to elicit feedback or prompt dialogue. These criticisms are equally true of local councils and state agencies"



The question: *"How can we better put people & communities at the centre of major planning decisions in SA?"* was the focus of their deliberations.

What government promised

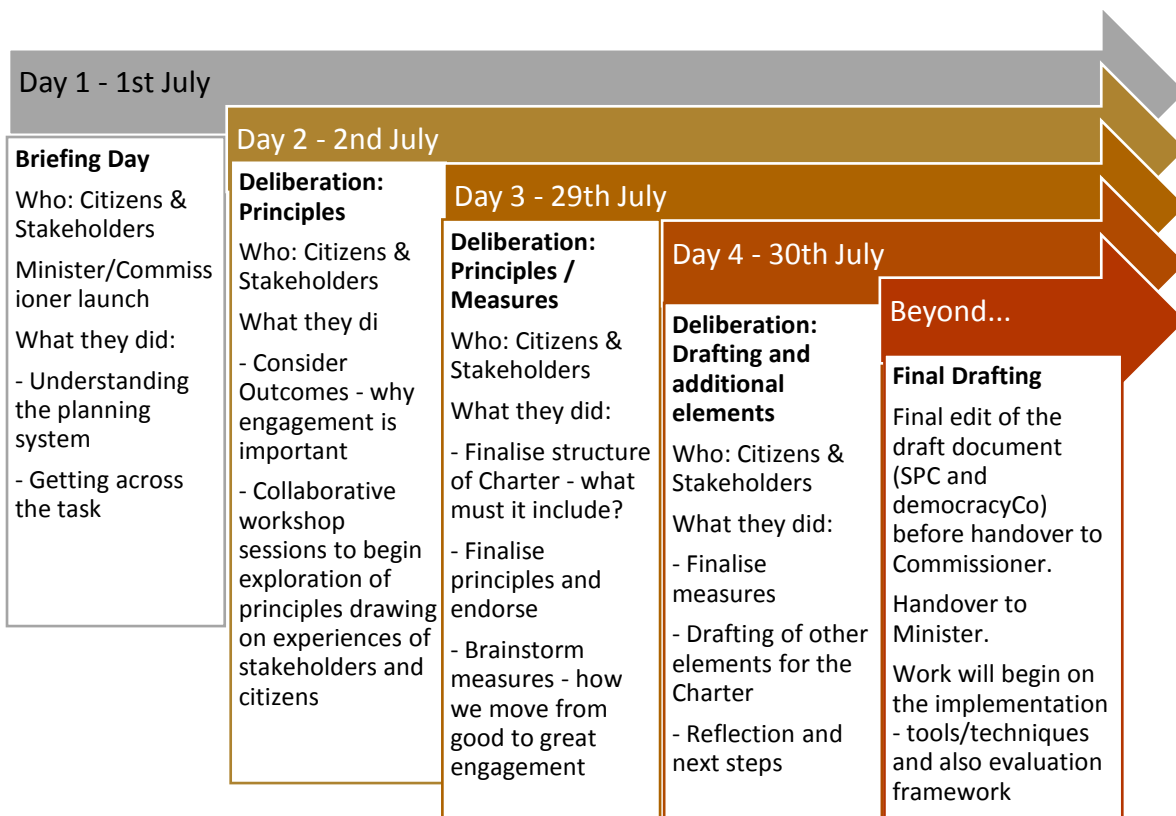
As part of the commitment by government to the deliberative process of the Panel, the Minister made the following commitment to panel members before their work began:

- The Panel will meet with the Minister and the new State Planning Commission at the outset of their work to draft a Community Engagement Charter for the State Planning Commission and referred to the Minister for Planning for tabling in Parliament.
- The Charter may be amended (or it may not be) by the Commission and/or Minister once the Panel has completed their work.
- The panel will be informed about the adoption of the Charter from the Planning Reform team and democracyCo.



Overview of Panel methodology

The Panel met over four days on two weekends on the 1st, 2nd, 29th and 30th of July. The following roadmap shows the panels work over the 4 days:



Day 1

On day 1 and 2 they heard from a range of people to better understand the background of the planning reforms and the new processes set out in the *Planning Development and Infrastructure Act 2016*. The panel members were exposed to a wide range of perspectives from community groups, Local and State Government, the development industry and planning practitioners to gain knowledge about what works and what doesn't in community engagement in planning in SA.

Panelists also heard from the Minister for Planning, members of the new State Planning Commission and Departmental staff to build valuable insights into the purpose of the Charter, the types of planning decisions it will apply to and insights into the background and current status of planning reform.

Day 2

On the second day, panelists, stakeholders and practitioners worked through a facilitated and deliberative process in small groups to define what better community engagement in the planning system could look like. These desired outcomes were then worked up into a series of 10 draft principles, which the group of around 100 people tested against common planning scenarios, to see if they could lead to better planning outcomes.

The draft principles were then reviewed and rated by the group, noting how they could be further developed and refined over the next weekend workshop.



Day 3

On day three, the panel agreed and refined their principles and began brainstorming measures by which practitioners and community can evaluate performance. In doing this, the panel reaffirmed the high level outcomes of engagement in the planning system. The Panel also considered actual planning scenarios for new planning instruments such as the development of State Planning Polices, Regional Plans and Planning and Design Codes.

Day 4

The final day was focused on writing the report and finalising content. The Panel also undertook multiple consensus activities to ensure all perspectives were heard and reflected in their final recommendations.

The entire process was informed by public feedback via the YourSAy website,² as well as further input from the State Planning Commission and the Practitioners Group. The Panel handed their input to the draft Charter to the Commission at the end of their deliberations on Sunday 30th July.

How effective was the Panel Process?

democracyCo have assessed the effectiveness of the consultation to develop the Charter using the draft Charter Principles (as developed by the panel) and also through the use of available data from the democracyCo survey of the citizen members of the Planning Together Panel at the completion of their work.

Stakeholders who participated are currently providing feedback via an online survey and this data will be added as an addendum to this report once complete.

Inclusion and participation is genuine

86% of Planning Together Panel members believe the Panel was a good way to improve public participation in Government decision-making.

“it gives a broad community feedback opportunity which is sadly lacking in many other forums where the communities voices need to be heard if effective change for the better is going to happen!”

“I believe that the fact that they decided to incorporate the panel into the process indicates that they will value our input.”

“Everyone was respectful and willing to listen”

“I appreciated that all the information we put up was kept and became part of the next stage. The feeling of participation and ownership was created and demonstrated.”

“I found it to be a genuine consultative process and I also came away with tools to apply in my everyday life.”



² <https://yoursay.sa.gov.au/decisions/community-engagement-charter-planning/about>

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

100% of Panel members reported they had adequate opportunity to contribute in the Panel sessions

"I have a great interest in essential community feedback and empowerment that is somewhat lacking to say the very least after having first-hand experience with planning, infrastructure and development boards at the local and state government level."

"I accepted the invitation to participate as it seems to me that the people most affected by the planning process are the very people left out of the process."

"I don't have a problem speaking up for the most part, but I was genuinely impressed by how both the group and the facilitators were able to create a space for respectful dialogue where everyone seemed able to contribute. Also, the Commissioners/ most of the "other stakeholders" seemed genuinely interested in what community members had to say."

Differing views are acknowledged, respected and considered.

100% of Panel members reported they had adequate opportunity to contribute in the Panel sessions

"Open and non-judgemental discussion was encouraged"

"this panel is trying to let Mr and Mrs Joe Blow have their say, which is unusual for governments in my experience"

"I think that the idea of mixing and matching us over the course of deliberations allowed ample opportunity for all to contribute."

"Open and non-judgemental discussion was encouraged"



"Very impressed with the diversity of the group in terms of age, gender and regional sample. However, there seemed to be a lack of ethnic diversity and representation from the Aboriginal community."

"I think that the value of the social capital built during these weekends and general good will

developed between the public, professionals and government cannot be underestimated. The positive effect of opportunities like this will ripple out into the community well into the future"

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

95% of Planning Together Panel members reported they had the information they needed to develop the Charter.

'we were well informed from the start by many of the stakeholders, even those who were not so helpful at least encouraged the need to make this charter comprehensive.'

"The resources are extensive, however, I think it would be easier if they were characterised and organised in a clearer manner. For example, preliminary knowledge listed, followed by more intermediate information, advanced... etc. This way the resources aren't overwhelming and participants can decide on which resources to use"

"I thought the inclusion of stakeholders from SA Gov Departments, instrumentalities and Local Gov gave the panel the benefit of their knowledge and expertise. Their input was invaluable and much appreciated."

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

47% of Panel members were confident that the Panel will influence the Government's design and implementation of the Charter; 26% were not sure, and 8% were not confident.

'Confident, because it's just too big a process to be cynical with'

"Governments in general do not have a good record of listening to people. Having said that I am hopeful that the fact that this exercise was conducted does at least indicate our State Gov wants it to be successful."

Engagement is accountable and improving.

86% of Planning Together Panel members believe the Panel was a good way to improve public participation in Government decision-making.

'I feel that regardless of whether the views expressed by such a panel as ours are incorporated in legislation, in whole or in part, or heaven forbid, totally rejected, our legislators are left in no doubt what those views are and that they were reached via a legitimate and well debated process'.

"very inspiring to be part of this ground breaking process"

"The visible involvement of 'the people' in the decision making process is vital to ensure Australia does not go the way of other disaffected populations that in their anger, punch themselves in face and other sensitive areas of their body politic."

"Congratulations to the Democracy team for an excellent, well conducted process and to the Minister, Commission members and DPTI for their contributions and for their courage in instituting this process"

Engagement is targeted, flexible, scalable and specific.

95% of Planning Together Panel members reported they had the information they needed to develop the Charter.

100% of Planning Together Panel members reported that had adequate opportunity to contribute in the panel sessions.

94% of Panel members believe the government should use this sort of deliberative process more.

82% of Panel members said they are very likely to participate in this sort of process in the future.

'While the panel members achieved a great deal and the end result of two weekends was a Charter, perhaps the process could be conducted over three weekends two weeks apart. I found the three to four week break between sessions to be too much of a gap. Also I felt that the panel selection needs to reflect the population more accurately along with the stakeholders who attend. Aside from these two points I had a wonderful time participating in this process and would hope that there were more of these going forward'



Appendix A

Stakeholder Organisations who participated in the Development of the Community Engagement Charter Discussion Draft*

Adelaide Plains Council	Iris Iwanicki & Associates
AECOM	Jensen Plus
Alexandrina Council	Kangaroo Island Council
Architecture and Access (Aust) Pty Ltd	Kyron Group
Campbelltown City Council	Light Regional Council
City of Adelaide	Local Government Advisory Committee
City of Burnside	Local Government Association
City of Charles Sturt	Master Builders Association
City of Mitcham	MasterPlan
City of Norwood, Payneham & St Peters	Mid Murray Council
City of Onkaparinga	National Trust
City of Playford	Planning Institute of Australia (SA)
City of Port Adelaide Enfield	Planning Chambers
City of Prospect	Property Council of Australia
City of Unley	Prospect residents Association
City of West Torrens	Renewal SA
Cminus Sustain	Save our Suburbs – Adelaide Inc
Community Alliance	Starfish Developments
Community Participation & Sustainability Advisory Committee	Stimson Consulting
Coorong District council	Sustain SA
Concordia Land	The Barossa Council8
Department of Premier & Cabinet	Tract Consultants
DevCo	Urban Development Institute of Australia (SA)
Development Industry Advisory Committee	URPS
District Council of Yankalilla	
Ekistics	
Environmental Defenders Office	
Future Urban Group	
SA Government Architect	

*53 of the 70 invited organisations participated

Planning Together Panel Resource Table Resource Log

#	Resource	Provide By:
1	Planning Together Discussion Guide, Department for Planning, Transport and Infrastructure, DemocracyCo and Davis + Davis	DemocracyCo
2	Better Together Principles of Engagement, South Australian Government, Department of Premier and Cabinet	South Australian Government, Department of Premier and Cabinet
3	Think Design Deliver – Reports of the Expert Panel on Planning Reform	Department for Planning, Transport and Infrastructure
4	Index of Community Engagement Techniques, Tamarack Institute	DemocracyCo
5	Public Participation Charter for Environmental Decision Making	Environmental Defenders Office
6	Democracy and the Environment Technical paper 8, Australian Panel of Experts in Environmental Law	Environmental Defenders Office
7	Information for CE Panellists	Environmental Defenders Office
8	Planning Development and Infrastructure Act, 2016 and Draft Policy	
9	Resource Guide on Public Engagement, National Coalition for Dialogue and Deliberation	DemocracyCo
10	National Standards for Community Engagement, Scottish Government	DemocracyCo
11	Deliberative Public Engagement: 9 Principles, National Consumer Council	DemocracyCo
12	Effective Engagement, Department of Sustainability – Victoria	DemocracyCo
13	Planning for People, A Community Charter for Good Planning	DemocracyCo
14	Community Engagement Charter Eurobodalla Shire	DemocracyCo
15	Development of the CE Charter, DPTI	Department for Planning, Transport and Infrastructure
16	Shaping South Australia's – Planning Future, DPTI	Department for Planning, Transport and Infrastructure
17	30 Year Plan for Greater Adelaide.	Department for Planning, Transport and Infrastructure
18	Two Things you need to know	Community Alliance SA
19	Principle for engagement in a new planning system	City of Adelaide