

18 December 2018

The Secretary
Department of Planning and Environment
320 Pitt Street
SYDNEY NSW 2000

Carolyn,

DPE COMMUNITY PARTICIPATION PLAN – PIA SUBMISSION

The Planning Institute of Australia (PIA) appreciated the opportunity to provide comments at a workshop on the draft Community Participation Plan (CPP) framework as well as the opportunity to provide feedback in this written submission.

PIA supports community consultation across the planning process and emphasises that open and transparent consultation where expectations are clearly outlined, and the level of participation is appropriate to the objective for undertaking the consultation. Community Participation Plans should provide the opportunity for the community, key stakeholders, planners, development industry and Council to participate in the planning system.

The draft Community Participation Plan for the Department of Planning provides a great initiative and framework to clearly demonstrate the type, level and involvement in projects, policy or legislation undertaken by the Department.

PIA NSW have reviewed the document and provides the following general comments.

Objectives of the CPP

The objective of the CPP is to outline the Department of Planning's commitment to consultation in the planning system.

The Secretary's message should more clearly identify that this is the CPP for the department and how it will consult, and not a document for councils. While there is a statement on page 6 which makes this point, it would be better located at the very opening of the document to avoid confusion.

The CPP (Table 1) cites planning proposals subject of a gateway determination, development control plans, contribution plans, and plans for urban renewal as examples of where the CPP would apply. While legislation may determine exhibition and minimum consultation requirements, it is a clear responsibility of Council as part of its existing CSP, CES and SPS once prepared. The CPP should acknowledge the role of local government in fulfilling this role and remove potential for duplication between what councils may undertake and the role of DPE under this draft CPP.

Guidance documents and best practice

The CPP proposes actions to embed best practice community participation within the department. PIA NSW believes it would be useful that If DPE is preparing guidelines regarding best practice for its internal operations, then this be helpful if it was prepared in a way which can be utilised by all local councils in preparation of their CPPs. Likewise, if DPE is preparing procedures to evaluate the effectiveness of the CPP, then a support package for local councils which included this information would be helpful.

Community participation objectives

The heading on Page 8 reads "How the community can participate in the planning system". If the CPP is about how DPE operates and relates to the community it seems to PIA that this heading seems to imply participation in the entire planning process. We suggest that the heading refer to those areas of the planning system where the CPP applies. A suggested wording could be 'How the department will facilitate community participation in preparation of its strategies, policies plans and legislation'.

Consultation with all key stakeholder is important and not just community. As increasing awareness and change in policy is occurring with regard to indigenous planning, indigenous consultation is not obvious within the table, and perhaps a specific action or objective could make this clearer.

We believe that it may be useful to include a further objective namely "Accurately captures relevant views", rather than as an action in the CPP (Table 2) - "community participation accurately captures the relevant views of the community". While pre-consultation and sampling is an option, it is extremely difficult prior to going out to consultation to know what "the relevant views of the community" are. For this reason, perhaps the action could reflect the greater challenge of ensuring that the community is adequately represented in feedback received during consultation. This is a big challenge with our time-deficient lifestyles; making sure that submissions and feedback reflects a true cross-section of the community. In addition to refining this action or inserting a new action, if DPE is preparing guidelines to evaluate the effectiveness of their community participation, some examples of best practice and how to achieve this could be included and useful to all planners.

The CPP (Table 2) proposes that engagement is tailored to match the "level of community interest". Perhaps this proposed action could be reworded to ensure that the entire community is given equal access and opportunity to be engaged, and the process should acknowledge that quantity is less important than the quality of responses. In some cases, it may be more important that the process makes the community fully aware and able to respond from a well-informed point of view regardless of perceptions of how interested the community might be.

The CPP (Table 2) does not clearly outline digital communications and as this is key to many communities, PIA NSW is of the view that this needs to be written in and acknowledged how the contribution can be made.

Commitment to engagement

PIA NSW is of the view the Department of Planning should be proactive in its engagement and commit to consult clearly outlining prior to the consultation, what the objectives of the consultation will be, the role for government, the extent and level of engagement and the community's level of involvement. The pre-engagement or scoping objectives in Table 3 could be added and could include this commitment. Rather than coming in at the notify and consult stages there should be an earlier stage acknowledging the need to relate to those affected prior to preparing any advice to the community thereby ensuring that resources are well targeted to the issues and expectations.

Further, Table 3 should also include a “feedback” stage – to show that there is an implementation role, and that a feedback loop/reporting back to community about the outcomes and the response to issues is critical.

Definitions and common terms

PIA urges DPE to check that the use of engagement terminology in the paper follows the accepted definitions used by IAP2.

Consultation Process

It is acknowledged by PIA NSW that the approach and objectives to consultation may vary with different projects due to the level of detail, the size of the project or the complexity of the project. In this respect the process outlined in Table 3 seems to indicate a more linear approach, when it is likely to be more circular.

It is also important to consider the measuring of the effectiveness of the consultation, as part of the participation approach, and perhaps adapt it if the outcomes are not being achieved.

Need for good planning outcomes

The CPP talks about systems with little focus on outcomes. PIA NSW considers it essential that a new objective and discussion be added to the CPP which addresses the need to community participation to be directed and better informed and more relevant planning outcomes for the benefit of the community.

Service NSW

The CPP refers to Service NSW staff being available to answer questions or connecting with relevant staff or contacting directly with departmental staff. The service provided by Service NSW as a central one-stop-shop has at times not met the expectations of those seeking information or access to relevant staff. In speaking to our members, it is always more valuable to speak to the project team who is managing the project consultation.

Exhibition timeframes

In the CPP (Table 6) non-mandatory exhibition timeframes are outlined. PIA NSW is of the view that to provide certainty and transparency to the system, the table could include what is the minimum timeframe, and then a typical timeframe. It is acknowledged that the Minister would have discretion in timeframes if there was an urgency, but that would not be the norm.

Thank you for this opportunity to provide comments. As mentioned at the workshop meeting with DPE, we would welcome further discussions and input by our members, prior to finalisation. Should you wish to discuss our response please contact myself or our National Policy Manager, John Brockhoff on 0400 953 025 or john.brockhoff@planning.org.au.

Yours sincerely,



Jenny Rudolph
Past President, PIA NSW