



COMMUNITY DEVELOPMENT ADVOCACY

EMPOWERING COMMUNITY VOICES

Ensuring Effective Community Engagement in South Australia's Planning System

A Report for the SA Planning Commission

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Executive Summary

This report presents an evaluation of the Community Engagement Charter (Version 2, 2025), as established under the Planning, Development and Infrastructure Act 2016, and recently road-tested in the Glenside Urban Corridor (Living) Code Amendment.

The report identifies both the strengths of the Charter, and areas where reform is needed to achieve equitable and effective public participation in practice within South Australia's planning system.

The Charter demonstrates several commendable features. It is firmly embedded within legislation, establishing a statutory requirement for community engagement in the development and amendment of key planning instruments. It outlines five core principles - genuineness, inclusivity, proportionality, transparency, and continuous improvement - and provides some measurable performance outcomes to assess whether these principles have been upheld.

Despite these strengths, the practical application of the Charter has recently fallen short of its intended goals. The case of the Glenside Urban Corridor (Living) Code Amendment illustrates significant procedural concerns, including the reliance on unverified AI sentiment analysis and the outright dismissal of hundreds of formal community and expert submissions. Such practices arguably violate multiple provisions of the Act, including Sections 12, 15, 44 and 75(2).

To improve procedural integrity and rebuild community trust, this report makes several recommendations, including the establishment of an Independent Engagement Quality Review Panel to conduct impartial peer reviews of engagement reports on significant planning proposals.

This report also identifies the substantial burden placed on communities expected to respond to technical planning documents within short consultation periods, despite proponents having months or years of preparation. The report recommends measures to mitigate this imbalance, including extended consultation timeframes, publicly funded community access to independent experts, and simplified summary materials for lay audiences.

The analysis concludes that while the Charter provides a sound framework, further systemic reform is necessary to ensure that, in practice, engagement is meaningful, inclusive, impactful, and most importantly, accountable.

Strengths of the Community Engagement Charter (2025)

1. Clear Statutory Role

- The Charter is embedded in the Planning, Development and Infrastructure Act 2016, giving it legal authority and making its application mandatory for designated planning processes. This elevates engagement from a discretionary activity to a legislated responsibility.
- It applies to the preparation and amendment of key planning instruments: State Planning Policies, Regional Plans, the Planning and Design Code, Design Standards, and Infrastructure Schemes.

2. Well-Articulated Principles of Good Engagement

The Charter defines five principles that must be considered in all engagement activities:

1. Engagement is genuine
2. Engagement is inclusive and respectful
3. Engagement is fit for purpose
4. Engagement is informed and transparent
5. Engagement processes are reviewed and improved

Each principle is supported by:

- Clear performance outcomes (what success looks like)
- Evaluation guidance to assess whether the principle was met
- Encouragement for continual review of the process

3. Mandatory Requirements for Specific Consultation Categories

The Charter outlines specific requirements for different scenarios, ensuring consistency and coverage:

- Direct notification of proposed development plans to councils, affected landowners, and infrastructure stakeholders
- A defined minimum consultation period
- Tailored rules for Complying Changes under Section 75 of the Act

This reduces ambiguity for planners and ensures direct communication with affected parties.

4. Recognition of Diverse Community Needs

The Charter explicitly states that engagement plans must consider:

- First Nations peoples
- Young people
- Culturally and linguistically diverse (CALD) communities
- People with disabilities or neurodivergence

- Businesses, workers, and employers

This focus on inclusivity demonstrates a genuine intention to reach underrepresented voices during planning processes.

5. Emphasis on Early and Scalable Engagement

- The Charter promotes early engagement, allowing the community a voice in the direction of policy or development from the start.
- It encourages fit-for-purpose and scalable engagement, adapting methods based on the scale and complexity of the proposal.

6. Strong Focus on Transparency and Access to Information

- The Charter mandates that all relevant information be made available to participants at the appropriate time.
- It requires that final decisions are explained, including how community input influenced the outcome.

7. Requirement for Review and Continuous Improvement

- All engagement processes must be reviewed post-delivery.
- The Charter encourages capturing learnings and best practices for future engagements.

8. Robust Evaluation Guidance

The Charter provides:

- Sample evaluation measures mapped to each engagement principle;
- Suggested metrics such as satisfaction rates, inclusivity indicators, community understanding, and capacity-building outcomes;
- Encouragement of early evaluation planning, integrated into the engagement plan from the start.

Shortcomings of the Current SA Charter

As written, the Community Engagement Charter 2025 presents a strong, principle-driven framework that formalises the role of community consultation in planning decisions. Its clear statutory backing, inclusivity focus, and adaptability to modern engagement methods represent a major advancement in South Australian planning policy. It offers a pathway to build trust, legitimacy, and better outcomes in land use planning.

However, it has recently been demonstrated that in practice, the Charter does not prevent an Engagement Report being successfully submitted to decision-makers, while being based on a community engagement process that sits well outside the Charter guidelines.

Below is a summary of identified issues within the current Charter:

Area	Identified Issue
Statistical Relevance	No defined threshold for what constitutes “representative” feedback.
Consultation Methods	No controls over unverified digital methods (e.g. AI sentiment scraping).
Accessibility and Equity	No requirement to demonstrate that feedback has been received from diverse sectors of the community.
Transparency	Lack of mandatory disclosure of how feedback influences outcomes.
Enforcement	No penalties for breaching Charter principles.
Appeal Mechanism	No formal recourse if community input is ignored or misrepresented.

An analysis of the recent Glenside Code Amendment process follows, as an exemplar of circumventions of the Charter guidelines which can currently occur in practice.

Glenside Urban Corridor (Living) Code Amendment – A Case Study

The Engagement Report in support of the Code Amendment was undertaken by URPS, having been commissioned by the developer, Cedar Woods. In addition to referencing this Engagement Report, the following discussion is based on a review of the Community Engagement Charter (Version 2, 2025), as well as additional evidence including the Planning, Development and Infrastructure Act 2016 and a report provided by the Glenside Development Action Group Inc.

1. Four apparent violations of the Charter

1a. Compliance with Section 75(2) – Mandatory Consultation under the Community Engagement Charter

Legal Reference:

“An amendment under subsection (1) must be the subject of consultation under the Community Engagement Charter.” PDI Act 2016, Section 75(2)

Comment:

While consultation was technically conducted, the process was not consistent with the principles of genuine, inclusive, informed and fit-for-purpose engagement mandated by the Charter. Specifically:

- Submissions from 475 individuals (a 29% response rate from 1,700 properties letter-boxed by URPS¹) were dismissed as "not statistically representative"² contradicting the requirement for genuine engagement (Charter Principle 1).

It is notable that, by comparison, pre-election Federal political polling in Australia often uses sample sizes of between 1,000 and 2,000 respondents³ to represent the entire voting population of over 17 million people. On that basis, 475 responses would be accepted nationally as statistically representative of over 4 million people, rendering the URPS decision to dismiss them as unrepresentative⁴ highly questionable.

- The decision to set aside the community submissions and instead create an AI-generated analysis of 35,639⁵ online comments, collected outside the statutory consultation process, and outside the given timeframe, constitutes a breach of transparency and validity, violating Principle 3 (Fit for Purpose) and Principle 4 (Informed and Transparent) of the Charter.

1b. Failure to Uphold the Objects of the Act – Section 12

Legal Reference:

“The primary object of this Act is to support and enhance the State’s liveability and prosperity... by creating an effective, efficient and enabling planning system... that promotes and facilitates

¹ Engagement-report-part-1-3521, URPS, page 8

² Summary of Engagement and Amendment Recommendations, URPS, 17 December 2024, page 15

³ https://en.m.wikipedia.org/wiki/Opinion_polling_for_the_2022_Australian_federal_election

⁴ Engagement-report-part-1-3521, URPS, page 12

⁵ Engagement-report-part-1-3521, URPS, page 30

development... [and] provides a scheme for community participation in relation to the initiation and development of planning policies and strategies.” PDI Act 2016, Section 12(1)(b)

Comment:

By dismissing authentic community and expert submissions and replacing them with unverifiable AI data, the Engagement Report undermined the value of community participation in creating their living environment, and the integrity of the public engagement process.

1c. Violation of Section 15 – General Duties

Legal Reference:

“It is expected that a person or body... will act in a cooperative and constructive way... be honest and open... and be prepared to find reasonable solutions.” PDI Act 2016, Section 15(1)(d)–(f)

Comment:

The exclusion of community feedback and its replacement with opaque AI sentiment data, along with the sidelining of expert reports commissioned and submitted by the community, does not reflect open or honest engagement, co-operative behaviour, or an attempt to find reasonable solutions. This approach erodes public trust and breaches the behavioural expectations outlined in Section 15.

1d. Breach of Section 44 – Compliance with the Charter

Legal Reference:

“The Minister must ensure that engagement complies with the Charter.” PDI Act 2016, implied from Sections 44–46 and confirmed in the Charter text

Comment:

The Minister’s acceptance of a consultation report that arguably failed to uphold the Charter’s standards directly contradicts this statutory obligation. The State Planning Commission has the authority to reject an engagement process that fails to meet Charter standards and can conduct engagement itself if necessary. This did not occur.

2. Perception of bias

The current system allows the property developer to commission their own impact reports on traffic, utility infrastructure, parking, overshadowing, heritage, the environment and so forth. It is a reasonable assumption that reports paid for by the developer will strive to please their commissioner - at the very least there is perceived potential for bias.

The community is faced with two additional concerns regarding impact reports:

- (1) They may not have the technical expertise required to decipher the expert reports presented to them within the public consultation time-frame;
- (2) When engaging their own expert reports, communities have no guarantee that these reports will be taken into appropriate consideration.

As an example, the local community group in Glenside (Glenside Development Action Group Inc.) raised \$30,000 from affected residents to ensure legal, planning and traffic reviews, that were commissioned independently of the developer, would be heard. However, the URPS report engaged with these reports superficially at best, omitting most of the concerns raised from their final submission. The community, unless it wishes to pursue a Judicial Review at the expense of approximately \$100,000, currently has no opportunity to submit their reports for independent analysis or debate.

A system in which the developer's selected and commissioned reports can be perceived to control the final submission, while community input can be dismissed at will, cannot be perceived to be free from bias.

3. Failure To Consider Expert Reports

The URPS report failed to provide adequate analysis of the professional reports commissioned by the affected community at their own expense.

A reading of these impact reports reveals a litany of concerns about inaccuracies, omissions and questionable procedures within the Code Amendment submission, none of which were appropriately addressed within the URPS report.

A sample of the unaddressed concerns contained within these reports is outlined below:

3a. Wallmans Lawyers:

- *"The Code Amendment...is responding to the 30 Year Plan for Greater Adelaide, which is no longer current and has no legal status under current planning legislation"*⁶.
- *"The Proposed Code Amendment does not adequately address fundamental infrastructure requirements such as traffic, parking and water"*⁷.

3b. Philip Brunning & Associates, Town Planning/Development Advice:

- *"The increase in maximum building height proposed is excessive and will have profound impacts on the character and amenity of this successful estate."*⁸
- *"To...say that as there is no physical work being carried out at this stage as part of the Code Amendment, there will be no real impact on the current significant historic fabric is dismissive and mischievous, if not fallacious."*⁹
- *"With respect to overshadowing, the...solar access study provided by Hames Sharley shows that during Winter months the development to the south will be significantly impacted by the form and scale of development arising from this Code Amendment..."*¹⁰
- *"...existing community services with respect to education (schools and childcare) are currently oversubscribed and under significant pressure, with Marryatville High School and Glenunga International High School currently operating over capacity."*¹¹

⁶ Submission - GLENSIDE URBAN CORRIDOR (LIVING) CODE AMENDMENT, Wallmans Lawyers, page 3

⁷ Submission - GLENSIDE URBAN CORRIDOR (LIVING) CODE AMENDMENT, Wallmans Lawyers, page 3

⁸ Submission - GLENSIDE URBAN CORRIDOR (LIVING) CODE AMENDMENT, Wallmans Lawyers, page 26

⁹ Submission - GLENSIDE URBAN CORRIDOR (LIVING) CODE AMENDMENT, Wallmans Lawyers, page 21

¹⁰ Submission - GLENSIDE URBAN CORRIDOR (LIVING) CODE AMENDMENT, Wallmans Lawyers, page 22

¹¹ Submission - GLENSIDE URBAN CORRIDOR (LIVING) CODE AMENDMENT, Wallmans Lawyers, page 25

- *“Contrary to the URPS report, Glenside is not within the zone for Botanic High School, nor that for Adelaide High, Unley High and/or Urrbrae Agricultural High Schools.”¹²*

3c. MFY Pty Ltd, Traffic/Parking/Transport:

- *“There are a number of fundamental flaws in the traffic analysis that has been completed for the Code Amendment which has resulted in a **gross understatement** of the potential impact of increasing the dwelling yield within the Glenside Development Area.”¹³*
- *“...the proposal will have a substantial impact on the operation of the Fullarton Road/Mulberry Road intersection and adjacent arterial road network.”¹⁴*
- *“...the “existing” (traffic) volumes identified by the WGA report produced for Cedar Woods at this intersection were significantly understated.”¹⁵*
- *“The MFY model identified an average queue length of 185m for drivers exiting Mulberry Road. Such a queue will extend beyond the Harriet Lucy Drive/Mulberry Road intersections...(and) result in significant congestion within the site. Further, the queue will obstruct emergency vehicle movements and given the limited accessibility to the area this could result in **significant consequences**.”¹⁶*
- *“...the report has not been transparent as to the potential impact of queues and delays on other approaches to the intersection.”¹⁷*
- *“A significant failing of their parking assessment is that it has not accounted for existing demand...”¹⁸*
- *“Application of more accurate traffic volume forecasts will only cause to demonstrate a greater impact and there is significant potential that adoption of such volumes will be fatal to the successful operation of the Fullarton Road/Mulberry Road intersection.”¹⁹*
- *“In my view the proposal, as currently presented, will have a substantive impact on the adjacent road network and will **compromise safety** for existing residents.”²⁰*

These comments reveal a disturbing number of concerns including significant negative impact on amenity, overshadowing, traffic, parking and emergency access – concerns which extend beyond the development itself into impact on the surrounding area. The comments also call into question the processes undertaken within the commissioned reports.

None of this commentary was addressed in the URPS report.

Instead, the reports submitted contain much inaccurate or unverifiable commentary, such as the below:

¹² Submission – GLENSIDE URBAN CORRIDOR (LIVING) CODE AMENDMENT, Wallmans Lawyers, page 25

¹³ Submission – GLENSIDE URBAN CORRIDOR (LIVING) CODE AMENDMENT, Wallmans Lawyers, page 28

¹⁴ Submission – GLENSIDE URBAN CORRIDOR (LIVING) CODE AMENDMENT, Wallmans Lawyers, page 34

¹⁵ Submission – GLENSIDE URBAN CORRIDOR (LIVING) CODE AMENDMENT, Wallmans Lawyers, page 29

¹⁶ Submission – GLENSIDE URBAN CORRIDOR (LIVING) CODE AMENDMENT, Wallmans Lawyers, page 31

¹⁷ Submission – GLENSIDE URBAN CORRIDOR (LIVING) CODE AMENDMENT, Wallmans Lawyers, page 32

¹⁸ Submission – GLENSIDE URBAN CORRIDOR (LIVING) CODE AMENDMENT, Wallmans Lawyers, page 33

¹⁹ Submission – GLENSIDE URBAN CORRIDOR (LIVING) CODE AMENDMENT, Wallmans Lawyers, page 34

²⁰ Submission – GLENSIDE URBAN CORRIDOR (LIVING) CODE AMENDMENT, Wallmans Lawyers, page 34

Document	Quote	Comment
Infrastructure and Servicing Review – 2 August 2024 ²¹	<i>SA Water have recently upgraded sewer mains in Fullarton and Greenhill Roads, including a new main link in Mulberry Road to Fullarton Road, completed in 2024.</i>	This work did not factor in the proposed 20% increase in residences.
	<i>It is assumed that no network upgrades are required and that there is sufficient capacity...</i>	No facts presented on which to base this assumption.
Heritage Impact Statement – August 2024 ²²	<i>There is no physical work being carried out at this stage as a part of the proposed Code Amendments. Hence there is no impact at all on the current significant historic fabric.</i>	Nonsensical – “...dismissive and mischievous, if not fallacious.” ²³
	<i>...such a significant distance from the proposed building sites that there would be no detrimental impact on their setting or heritage value.</i>	No definition of ‘significant distance’, nor measurement of potential impact.
	<i>The current 8 level height limit on the site tends to mean the proposed buildings are quite blocky and heavy set.</i>	Cedar Woods recently won design awards for a 6-storey and an 8-storey building within the Glenside development. ²⁴
Parking Impact Assessment – 2 August 2024 ²⁵	<i>The affected area of the proposed Code Amendment regarding available parking is considered to be along the road network within a 50m radius of the proposed sites.</i>	No study conducted regarding impact on the rest of the development or the surrounding area.
Concept Design ²⁶	<i>Careful consideration has been given to ensure existing and new residents have views to open space and the sky.</i>	An increase from 8 to 20-storeys will inevitably impact space and views, as admitted in the

²¹ Glenside-Urban-Corridor-Living-Code-Amendment-Attachment-E5-Infrastructure-and-Servicing-Review, Greenhill Engineers Pty Ltd, 2 August 2024, pages 4 & 11

²² Glenside-Urban-Corridor-Living-Code-Amendment-Attachment-E3-Heritage-Impact-Statement, bbarchitects, August 2024, pages 4, 5 & 21

²³ Submission – GLENSIDE URBAN CORRIDOR (LIVING) CODE AMENDMENT, Wallmans Lawyers, page 21

²⁴ <https://www.udiasa.com.au/nomination-information/awards-for-excellence/2025-awards-for-excellence>

²⁵ Glenside-Urban-Corridor-Living-Code-Amendment-Attachment-E2-Parking-Impact-Assessment, Greenhill Engineers Pty Ltd, 2 August 2024, page 4

²⁶ Glenside-Urban-Corridor-Living-Code-Amendment-Attachment-E4-Concept-Design, Hames Sharley, August 2024, page 44

Transportation Investigation – 2 August 2024²⁷

No changes to the external access arrangements to/from Glenside Development are proposed as part of this Code Amendment.

Hames Sharley
solar access report.

The MFY report identified a substantive negative impact on the surrounding road network, with a compromise in safety for existing residents.

The above excerpts illustrate a disturbing degree of inaccuracy, mis-statement and omission in the reports submitted by URPS on behalf of Cedar Woods. Seemingly, none of this incongruence was picked up during the assessment process.

4. Transparency of Submission Method

Prior to and during the public consultation period, key decision-makers and stakeholders explicitly referred to written submissions lodged during the public consultation window as the only legitimate way to participate or “have your say” on the Glenside Code Amendment.

For example:

“Formal consultation for the proposed Glenside Urban Corridor (Living) Code Amendment is also open for a 6-week period and will close at 5 pm on Friday, 11 October 2024. You can have your say on the amendment by filling out the online submission form or the online survey below.”²⁸

“This Code Amendment is on consultation for 6 weeks from 30 August 2024 to 11 October 2024. During this time, you are welcome to lodge a written submission about the changes proposed in this Code Amendment.”²⁹

“The engagement period will run for 6 weeks from 30 August 2024 to 11 October 2024.”³⁰

These statements, and many others, clearly and consistently offered written submissions as the official and only channel for community input.

They also served as unequivocal public reminders that submissions had to be lodged within the six-week window to be considered.

In direct contravention of these statements, the URPS report dismissed all submissions received through the advertised channels within the specified time frame, and instead utilised data from post hoc AI aggregation methodologies. Both the method and the timeframe were contrary to the publicly stated framework of the engagement process.

²⁷ Glenside-Urban-Corridor-Living-Code-Amendment-Attachment-E1-Transportation-Investigation, WGA, August 2024, page 7

²⁸ James Stevens MP, May 2024

²⁹ Draft Code Amendment, URPS, page 1

³⁰ Engagement Plan, URPS, page 17

Conclusion

The above analysis points to a demonstrable failure of the Glenside Code Amendment process to adhere to the principles and practices of the Charter. It can be argued that the engagement process was neither genuine, inclusive, respectful or transparent. An Engagement Report which dismisses community concerns and underplays potential impact while claiming to comply with industry standards for consultation and development, significantly undermines confidence in the South Australian planning system.

There is strong evidence that the Glenside Urban Corridor (Living) Code Amendment process did not comply with multiple provisions of the Planning, Development and Infrastructure Act 2016, including:

- Section 75(2) (consultation under the Charter),
- Section 44 (Ministerial duty to uphold the Charter),
- Section 12 (object to enable community participation),
- Section 15 (duties of honesty, cooperation, and openness).

It also failed to meet the mandatory consultation requirements and statutory principles in the Community Engagement Charter, particularly those concerning transparency, inclusivity, and fitness for purpose.

Critically, in circumstances where an Engagement Report such as this fails to meet the requirements of the Charter, the Charter provides no pathway for community comment or appeal.

Interstate Case Study: Strategy Consultation - City of Perth, Western Australia

Overview

Below is an analysis of the City of Perth's "City Planning Strategy" community engagement, focusing on the way in which early and inclusive public involvement shaped effective planning outcomes. This case offers concrete best-case examples that, if adopted in South Australia, might avoid the shortcomings identified in the Glenside consultation process.

As part of the development of the City Planning Strategy - a strategic framework to guide Perth's long-term growth - the City undertook a comprehensive, phased engagement approach that prioritised early public input.

1. Community Consultation Initiative

1. The City's 2017 "Share to Shape Your Capital" campaign opened with an initial "visioning" consultation covering themes of people, culture, movement, environment, and economy.
2. This was followed by targeted informal engagement in early 2018 to shape the City Planning Strategy before any draft policies were prepared.

2. Methods Used

1. **Online platform ("Engage Perth"):** Hosted background information, FAQs, and project timelines.
2. **Interactive online survey and hardcopy versions:** Asked residents what they value about their neighbourhood, how they use it, and what needs improvement.
3. **Interactive digital mapping:** Participants placed pins on maps to mark valued and problematic locations, along with annotations explaining their choices.
4. **Random intercept surveys:** Conducted in public spaces across precincts over a two-week period with volunteers handing out printouts of the online survey.

3. Inclusion of Multiple Stakeholders

1. Stakeholder engagement included state agencies, redevelopment authorities, local businesses, educational institutions, and community groups.
2. Communities newly incorporated into the City's jurisdiction were specifically engaged to ensure their perspectives were included.

SA Charter Engagement Principles in Action

The table below demonstrates how the City of Perth engagement process aligned in practice with the principles of the SA Charter:

Charter Principle	City of Perth Application	Benefit
Principle 1: Genuine Engagement	Early input shaped neighbourhood vision before formal drafting.	Community influence began early, not after decisions made.
Principle 2: Inclusive & Respectful	Mix of online access, intercept surveys, stakeholder workshops.	Ensured representation across demographics and precincts.
Principle 3: Fit for Purpose	Tailored engagement per precinct; digital mapping vs general survey.	Methods matched scale (neighbourhood-level) and complexity.
Principle 4: Informed & Transparent	Engage Perth shared outcomes and timelines; FAQs gave context.	Participants were regularly informed and updated.
Principle 5: Reviewed & Improved	Continuous feedback assimilation: engagement toolkit used for structure.	Every phase was reviewed with purpose statements and follow-through.

Closing the Loop: The City updated its Engage Perth platforms to thank participants and explain how input would be used in the Strategy. These summaries informed the technical appendices of the final document, indicating direct feedback-to-policy connections.

Distinction from Glenside Consultation

By contrast, the Glenside engagement:

1. Began only during final code drafting - public feedback came too late to influence foundational decisions.
2. Discounted community feedback in its final report.
3. Relied on unregulated AI sentiment scraping outside the official consultation window.
4. Failed to provide transparent, accessible updates back to the community.
5. Offered no interactive, place-based feedback mechanisms.

Perth's approach exemplifies authentic, proactive public engagement, and can usefully inform South Australian consultation processes going forward.

References:

1. City of Perth, Local Planning Strategy, 30 May 2023
2. Schedule of Response to Submissions, Local Planning Strategy

International Comparisons

1. United Kingdom (National Planning Policy Framework – NPPF)³¹

- Requires early and meaningful engagement in Local Plans and neighbourhood plans.
- Consultations are subject to judicial review if perceived to be procedurally unfair or predetermined.
- Encourages community-led planning, not just feedback loops.

Relevance: SA's Charter allows top-down discretion; the NPPF insists on upfront co-creation.

2. Canada (Ontario Planning Act and Smart Growth Initiatives)³²

- Requires notice of engagement, public meetings, and formal consultation reports submitted for review.
- Independent Planning Tribunals allow third-party appeals.

Relevance: In SA, community groups have no independent recourse to challenge engagement quality once a Minister has approved a Code Amendment.

3. New Zealand (Resource Management Act 1991)³³

1. Places Treaty of Waitangi obligations and community values at the heart of consultation.
2. Requires public hearings and reasoned decisions that reflect all feedback, not summaries.

Relevance: SA's Charter lacks legal recourse for feedback that has been ignored or misrepresented.

4. Dudley Street Neighbourhood Initiative (Boston, USA)³⁴

Founded in 1984 by residents in Roxbury, this community-led initiative secured legal authority over local land use, including eminent domain, to guide redevelopment aligned with community priorities.

Over time, residents shaped housing, open spaces, and economic development on their terms.

Relevance: Inclusion of local residents from the outset and retention of decision-making power.

5. Brooklyn Bridge Park (New York, USA)³⁵

1. Redevelopment of a dilapidated waterfront involved strong coalitions between residents, advocacy groups, and planners.

³¹ Ministry of Housing, Communities & Local Government, National Planning Policies Framework, December 2024

³² Planning Act, R.S.O. 1990

³³ Resource Management Act 1991

³⁴ <https://www.luc.edu/eminent-domain/siteessays/bostonma/dudleystreetneighborhoodinitiative/>

³⁵ <https://www.curbed.com/article/brooklyn-bridge-park-20-years-architecture-climate-urbanism.html>

2. Community advocacy shaped decisions on access, design, park programming, and commercial integration.

Relevance: Resulted in a sustainable, public-centric space with wide use, without sacrificing financial viability.

6. Rackheath Eco-town (Norfolk, UK)³⁶

1. A large-scale eco-town proposal faced overwhelming local opposition.
2. Despite 71% opposition in a local parish council poll, development was advanced by government decision-makers.
3. Communities felt ignored in the planning process.

Relevance: When large local opposition is dismissed, the integrity and overall success of the project is negatively impacted.

7. Wang Chau Housing Controversy (Hong Kong)³⁷

1. The government's soft, informal consultations with rural leaders excluded the bulk of villagers.
2. Public housing decisions for up to 17,000 flats lacked transparency and meaningful inclusion, triggering scandal and political controversy.

Relevance: Political controversy and negative financial impacts can easily ensue when consultation is negligent.

³⁶ <https://www.architectsjournal.co.uk/archive/who-killed-the-eco-town>

³⁷ <https://hongkongfp.com/2021/04/29/hong-kong-villagers-forced-out-in-final-wang-chau-eviction/>

Lessons for Reform in Community Engagement Approaches

From examination of the case studies above, the following best practice principles can be identified:

1. Embed Community Early and Responsibly

Successful projects begin before decisions are made, allowing residents to co-design or at least meaningfully influence foundational options.

2. Empower Communities with Decision-Making Tools

Initiatives like Dudley Street show the value of delegated authority and ownership, not just consultation.

3. Ensure Transparency Through Feedback Loops

Projects such as Brooklyn Bridge Park maintain public trust by demonstrating how feedback shapes decisions.

4. Avoid High-Stakes Decisions Based on Minimal Input

Rackheath and Wang Chau exemplify the potential harms of referendum-style or stakeholder-led decisions without broad input. This can lead to lasting community mistrust and financial loss.

5. Promote Independent Oversight

Planning systems benefit when engagement outcomes are validated through independent review or appeal pathways, as seen in the UK and Ontario frameworks.

Positive SA Benchmarks

In contrast to the controversial Glenside engagement process, there are local examples where public consultation was conducted early and was transparent, with the implementation of the result being positively affected.

The Future Living Code Amendment³⁸

This report demonstrates adherence to Charter principles, including early engagement, transparency, and feedback integration. Noteworthy highlights include:

- Engagement occurred early enough in the process for feedback to influence the first draft.
- Moderate policy changes in response to community feedback were documented and publicly summarised in a “What We Heard” statement.
- The process was reviewed midstream, resulting in tactical adjustments based on stakeholder feedback.
- A consultation period of three months was provided to ensure community feedback was informed and encouraged.

These elements suggest that well-structured and adaptable engagement can align closely with the Charter's vision when conducted with transparency, humility, and community focus.

Greater Adelaide Regional Plan 2025³⁹

From a reading of this report, the following positive aspects of public engagement can be identified:

1. Scale and Reach of Consultation

More than 4,000 individuals and organisations contributed to the engagement process, demonstrating both a wide reach and strong public interest.

2. Diverse Stakeholder Inclusion

The report highlights inclusive practices such as tailoring workshops for specific interest groups and using plain language summaries to make technical information accessible.

3. Serious Consideration of Feedback

Submissions were systematically coded, analysed, and grouped into themes that directly shaped the draft plan.

Strong community concern about housing affordability and environmental sustainability was reflected in the priorities of the draft Regional Plan.

³⁸ Future Living Code Amendment Engagement Report 2465, March 2025

³⁹ Greater Adelaide Regional Plan Section 73 Engagement Report, 10 February 2025

4. Transparency in Reporting

The Engagement Report explicitly documented what was heard and how it influenced the plan.

Clear explanations were provided where community suggestions could not be incorporated, improving accountability.

5. Outcomes of Engagement

- Community input shifted the focus of the draft plan towards issues of liveability, climate resilience, green space protection, and equitable growth across metropolitan and regional areas.
- The consultation reinforced that growth should be balanced with sustainability and social equity, rather than narrowly focusing on development supply.
- The high participation rate and the documented impact of community views demonstrate that public engagement was taken seriously and materially shaped outcomes.

Summary

Public consultation that clearly follows the Charter guidelines provides superior results, based on thoughtful and considered reports.

Engaging feedback early – Suggested Best Practice Framework

- Announce the Intention before the plan.
- Share the problem or opportunity first, not the fully formed solution.
- Use plain language to avoid alienating non-technical stakeholders.
- Invite stakeholders into the problem-solving process.
- Hold workshops, forums, or online surveys to capture initial thoughts.
- Ensure representation from diverse voices, not just the most vocal.
- Be transparent about constraints.
- Clearly state any non-negotiables (e.g., budget limits, legal requirements) so that discussions are realistic.
- Clearly demonstrate active listening by providing summaries of feedback received and show how it is being used to shape proposals.
- Start with open-ended exploration before moving to structured options.
- Allow time between phases for reflection and iterative improvement.
- Offer Plain English summaries, diagrams, and explanatory videos so all stakeholders can understand key issues.
- Provide independent expert advice for communities or staff where technical complexity is high.

Early engagement is not simply a procedural step - it is a strategic investment in the long-term success of any significant development proposal. When people are invited to participate in shaping the future of their neighbourhood from the outset, the result is higher-quality solutions, reduced opposition, and a stronger sense of shared purpose. The proponent also receives valuable insight into what services are most important to their target market.

Key Conclusions

1. Place Public Consultation First

Early engagement is not just a courtesy; it is a foundational principle of successful change implementation, whether in a community or organisational setting.

Failing to engage early almost always results in higher costs - financial, reputational, and relational - while genuine early engagement creates momentum, trust, and a legacy of collaboration that extends beyond the immediate project.

Research in both urban planning and organisational change consistently demonstrates that the earlier in the process stakeholders are informed, involved, and invited to contribute, the greater the likelihood of achieving sustainable, widely supported outcomes.

In community contexts, early engagement:

- **Builds trust before decisions are made:** Communities are more likely to accept change when they feel their input has shaped the proposal.
- **Surfaces local knowledge:** Residents often hold valuable, place-based insights that can prevent costly design errors or oversights.
- **Reduces conflict and resistance:** Addressing concerns proactively prevents escalation into opposition campaigns, legal challenges, or negative media coverage.
- **Creates shared ownership:** When people see their ideas reflected in the final outcome, they develop a vested interest in its success.

2. Mitigate the risk of Self-Assessment Bias

The risk of institutional self-assessment bias, or the perception of such bias, is significant when the Designated Entity is both proponent and assessor of the engagement outcomes.

This issue was starkly illustrated in the Glenside case, where methodological opacity eroded trust.

A transparent system, that both listens to and respects the voice of the community, and demonstrates that community feedback has been heard and taken into account, is necessary for the Charter principles to be achieved.

It is essential that an official path is provided for community concerns to be heard by an objective committee that can be perceived to be free from potential bias.

Currently, members of the Environment, Resources and Development Committee are politically selected, and most represent a political party and their policies. An instance where the ERD Committee has rejected a proposal already signed off by a Minister is rare.

This leads to a clear sense of bias, whether it exists or not. The ERD Committee should be represented by a cross-section of independent professional people and community representatives, similar to the recommended IEQRP (see recommendation 4). In addition, an earlier appeal pathway is needed via which the community can express any concerns prior to the Minister making a decision.

3. Reduce the Burden of Compressed Timeframes on Local Communities

One of the most significant structural imbalances in South Australia's planning consultation framework lies in the unequal distribution of time and resources between property developers and the local communities they impact.

While developers often engage in preparatory work for a Code Amendment or major planning application for 12 to 24 months - supported by teams of paid experts across traffic, heritage, infrastructure, and environmental disciplines - local residents are frequently expected to absorb, interpret, and respond to the resulting reports in just four to six weeks.

These reports can be hundreds of pages in length, dense with technical language and professional assumptions. A single planning submission can include (but is not limited to):

- Traffic Impact Assessment
- Parking Demand Study
- Environmental Impact Review
- Utility Infrastructure Audit
- Cultural or Aboriginal Heritage Statement
- Economic or Social Impact Assessments

The burden of reviewing this material falls on everyday citizens - often working full-time jobs, caring for families, and unfamiliar with statutory planning language. They are currently expected to decipher these documents, identify key issues of concern, and formulate a coherent and technically credible submission within a very short timeframe. In some cases, communities must coordinate this work with others, identify external experts (e.g. town planners or traffic engineers) to assist, and organise public meetings or campaigns, all within a matter of weeks.

This significant imbalance creates an inherent unfairness within the system. It undermines the Charter's principles of genuine, inclusive, and informed engagement by placing communities at an immediate procedural disadvantage. The expertise gap is compounded by a time constraint that developers simply do not face.

For example, in the Glenside case study referred to, the City of Burnside was notified by the proponent in September 2023 of their proposal to submit a code amendment to increase building heights from eight to twenty levels. However, the local community only became aware of the proposal after a media announcement in April 2024.

This results in three major challenges:

1. **Overload and Under-representation:** Many community voices are excluded simply because people do not have time to read and respond meaningfully.
2. **Reliance on Unpaid Volunteers:** Local advocacy is often driven by a few dedicated residents, placing disproportionate burden on individuals who have limited time and little or no understanding of the planning process to 'speak for the neighbourhood'.

- 3. Lack of Access to Counter-Experts:** Without funding or institutional support, communities do not have access to expert advice to contest technical claims made by consultants paid for by the proponent unless they are able to self-fund.

This fundamental inequality must be addressed if community engagement is to be meaningful.

Unless timeframes and support mechanisms are rebalanced, communities will remain structurally disadvantaged in planning consultation processes.

4. Independent Review of Engagement Reports

While recent reforms in the updated Community Engagement Charter (2025) demonstrate the SA Planning Commission's commitment to strengthening participatory planning, residual concerns remain around trust, impartiality, and the quality assurance of engagement reporting.

The Charter itself states; "The Commission is also responsible for making sure the Charter is complied with and may provide direction, or step in, if it considers the standard of engagement anticipated by the Charter has not been met."⁴⁰ However, there is currently no independent authority to validate the process of community engagement. Accountability, in essence, is absent.

4a. Establishment of an Independent Engagement Quality Review Panel

The Charter also states; "The State Planning Commission or the Minister for Planning is not compelled to accept any of the...documents until it is satisfied with the engagement process."⁴¹ However, there does not seem to be an accountable process of assessment of each engagement process to support this assertion.

To institutionalise fair and transparent engagement evaluations, we recommend the creation of an Independent Engagement Quality Review Panel (IEQRP) to conduct pre-publication reviews of all major Engagement Reports.

4b. Key Functions

- Assess methodological integrity and data transparency
- Validate whether community voices were accurately and proportionately represented
- Ensure compliance with the Charter's five principles
- Flag any issues with process or reporting prior to submission to the Minister or public release

4c. Oversight

The IEQRP would be overseen by a multi-stakeholder advisory board that might comprise:

- One Planning Commission delegate
- One nominee from the Local Government Association of SA
- Two representatives from community peak bodies (e.g. Community Development Advocacy SA Inc., Community Alliance SA)

⁴⁰ Community Engagement Charter 2025, page 2

⁴¹ Community Engagement Charter 2025, page 4

- One academic with planning/public policy expertise
- One rotating member from an environmental or heritage NGO

This would introduce a formalised layer of quality control - akin to the academic or judicial review process - and help identify shortcomings before reports are submitted to the Department for Housing and Urban Development and the Minister for Planning or publicly released.

Such a model is not without precedent. Canada's Ontario Planning Act requires formal consultation reports to be reviewable by independent tribunals, while the UK's NPPF allows for judicial review of consultation processes that are deemed unfair or superficial. These safeguards provide communities with confidence that their views are collected, interpreted and represented fairly, ensuring transparency and accountability.

5. Prohibit Unverified Consultation Tools

Any use of AI, social media or any other consultation tool apart from written submissions for engagement reporting must be clearly rejected in the Charter until such time as they can be adequately assessed and tested for accuracy.

Any future use of an algorithm or AI Agent must be approved prior to its use, including the submission of all coding for analysis.

6. Right of Community Appeal

At present, to respond to an Engagement Report, the community has very few options. These options require significant funding (legal challenge) or a request to present before the ERD Committee. Such an appearance is not guaranteed.

A mechanism for community appeal needs to be enshrined within the Charter.

7. Strengthen Role of Councils

Local Councils have limited say in large scale projects. However, as they represent the wider local community it must be mandatory for them to produce a written submission on behalf of their constituents. To not submit an opinion, concerns, or support for a project which is then made public, strikes at the transparency which is so critical to the charter.

8. Require a 'Statement of Influence'

The Public Engagement Charter states that Engagement Reports must respond to significant concerns raised through consultation and written submissions, and state how they were addressed.

Without clarification regarding how this should be addressed, this can result in a 'marketing statement' within such a report that does not adequately detail the response of the proponent to the concerns raised.

Detailed requirements need to be included in the Charter as to how a proponent should respond to community and expert submissions outside their own commissioning process.

9. Targeted Outreach to Under-Represented Groups

Engagement with diverse groups is mandated within the charter. However, no detail on how this should be done is provided, nor are specific engagement measures for diverse groups and individuals.

Evidence of engagement should be required to ensure that individuals from across the community, including traditionally under-represented sectors, are included.

10. Statutory Response Obligations

The Public Engagement Charter states that Engagement Reports must respond to significant concerns raised through consultation and written submissions, and explain how they were addressed.

However, in its current form, the Charter lacks substantive detail on how this requirement should be met or assessed. Consequently, as in the Glenside case, this can result in a generalised and often inaccurate response that does not respect or adequately address the concerns raised.

To strengthen the Charter, detailed requirements for responding to community submissions need to be mandated. A direct, specific and detailed response must be required to ensure transparency and accountability.

11. Minimum Representation Thresholds

To align with the significance and life-changing potential of major developments, the case can be made for a minimum number of the local community affected by the proposal to be engaged. This would require a specified percentage of the affected community to provide written submissions prior to an Engagement Report being written.

Recommendations:

Place Public Consultation First

1. Appropriate, Charter mandated public consultation must be conducted prior to any proposal being submitted to any government or planning body.
2. Continuous feedback, indicating clearly that all issues raised have been objectively considered, should be mandated instead of a proponent-directed Engagement Report at the end of the process.

Reduce the Burden on Local Communities

3. Extend public engagement periods for major or multi-disciplinary proposals to at least 12 weeks.
4. Mandate an 'Executive Summary for Laypersons' for all major planning proposals and submissions that must be made public within 5 working days of local councils being notified.

Independent Review of Engagement Reports

5. Establish an independent Engagement Quality Review Panel.
6. This panel is to conduct an independent review of the Engagement Report prior to the report being submitted to the Minister or their Department and being made publicly available.
7. State Planning to sign off only after audit results are considered.

Prohibit Unverified Consultation Tools

8. The Charter must provide a mechanism to ensure that official advice on how submissions should be made MUST be adhered to.
9. Use of AI, social media or other consultation tool apart from written submissions must be clearly rejected in the Charter until such time as they can be adequately assessed and tested for accuracy.
10. Alternatively, any use of an algorithm or AI agent must be approved prior to its use, including the submission of all coding for analysis.

Right of Community Appeal

11. A mechanism for community appeal needs to be enshrined within the Charter.

Targeted Outreach

12. Evidence of engagement should be required to ensure that individuals from across the community, including traditionally under-represented sectors, are included.

Statutory Response Obligations

13. Every engagement process should conclude with a publicly available "Statement of Influence," detailing how community feedback influenced decision making, or explaining why no change was made.

Minimum Representation Thresholds

14. Introduce a requirement that any Code Amendment or Planning Proposal must demonstrate a minimum proportion of the affected population was engaged during public consultation, similar to electoral participation expectations or statistically valid sample thresholds.

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