

Submission on the draft Planning Bill, Australian Capital Territory (ACT), June 2022

The new Planning Bill offers an important opportunity for significant improvement of planning processes in the Territory, to offer more clarity and build lasting trust in the community.

In this brief submission I will focus on what are fundamental aspects of the new Planning Bill: good community or public consultation and participation.

As stated in the New Planning Bill – Overview document:

- The planning framework will allow consideration of “how we inform people in planning processes to be part of the decision-making”;
- The key principle of Transparency includes “...community participation in the planning system...”.

An outcomes focus could lead to better planning, if coupled with strong safeguards, solid review mechanisms and consistent engagement of the public in a meaningful way.

There is the need to select the right level of public participation for various parts of the planning process: from basic information, to consultation, to direct participation in decision-making, in order to guide public engagement in each step of the deliberation to decision process, from design to implementation, done in a fair, open, reasonable and workable manner.

I suggest the Incorporation of a clearly defined Charter for public consultation and participation in the Planning Bill. A well designed Charter would also guide how delays could be reduced and how to manage inevitable conflicts regarding developments.

In the ACT, we need a planning system that values genuine public participation, going well beyond the provision of information and consultation, that enshrines it as a core process, that is widely known, and supports transparency, including overview, at all levels of planning system processes.

A few examples:

- The South Australian Government “Community Engagement Charter” and the associated Guide, provide useful insights into how good public engagement can be conducted.

As stated in the Overview of the Charter, The Community Engagement Charter is included in the Planning, Development and Infrastructure Act 2016: “The Act places the emphasis on engaging communities early, when the rules, such as the Planning and Design Code and other regulatory instruments are being developed rather than at the later stages of the planning process when it may be too late to influence outcomes”; “Measuring, reporting and reviewing the performance of public engagement is also a key requirement of the Charter”.

There is much scope for equivalent approaches being incorporated in the proposed outcomes-focussed planning system in the ACT.

- The UK platform, 'Hello Lamp Post', empowers citizens in cities around the world to think about and influence Urban Planning and pays particular attention to effective public participation. Hello Lamp Post considers that:

"Public participation is concerned with an individual's or group of individuals' right to be involved with and influence public assessment and decision-making processes".

"Hello Lamp Post has been deployed in over 25 cities around the world such as Vancouver, Singapore, London, Malmo, Summerside, Belfast, Mesa and Sydney".

<https://www.hellolamppost.co.uk/blog/the-importance-of-public-participation-in-urban-planning>

- Research is being conducted into ways of using digital technology to provide more pathways for public participation in urban planning, for example:

"Urban planning, public participation and digital technology: App development as a method of generating citizen involvement in local planning processes"

<https://journals.sagepub.com/doi/full/10.1177/2399808317712515>

Strong public participation in planning processes in the ACT would bolster the decision-making authorities, thereby assisting the functions of the Chief Planner and the Legislative Assembly

The ACT has been a precursor in many domains. The review of the planning system provides considerable potential for the ACT to be a leader in public engagement, consultation and participation in planning processes.

Dr B G Rohan
ACT resident

15 June 2022