

# Submission to State Planning Commission on Community Engagement Charter and Regional Planning Portal

Strategic Alignment - Our Places

Public

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City Planning, Development  
and Business Affairs  
Committee

**Program Contact:**

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**Approving Officer:**

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Shaping

## EXECUTIVE SUMMARY

The purpose of this report is to seek Committee's recommendation to Council for endorsement of submissions to the State Planning Commission on behalf of the State Government, on planning consultations that are open until 6 June 2024 on:

- Community Engagement Charter Update (the Charter), and
- Regional Planning Portal (the Portal).

The updated Charter seeks to amend the Community Engagement Charter based on a review undertaken by the State Planning Commission in 2023.

The draft submission on the Charter reiterates the Council's suggested amendments made in the Planning System Implementation Review submission in January 2023.

The Portal is the new digital platform that will house all Regional Plans, including the Greater Adelaide Regional Plan (GARP) when it is released for consultation later in 2024. Currently, the Portal includes the draft Kangaroo Island Regional Plan, which is the first Regional Plan released for consultation by the State Planning Commission.

The draft submission on the Portal focuses on relevance to the GARP and City Plan, as well as feedback on the overall format and details. In particular, it seeks further clarification and detail about the Code Amendments identified in the Regional Plan, given the intent is that the consultation requirements are significantly reduced if the Code Amendments are identified in the draft Regional Plan.

A key element of both submissions is clear and transparent procedural and consultation requirements for any complying Code Amendments identified in the draft Regional Plan.

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## RECOMMENDATION

The following recommendation will be presented to Council on 14 May 2024 for consideration

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE RECOMMENDS TO  
COUNCIL

THAT COUNCIL

1. Endorses the submission on the State Government's Community Engagement Charter Update contained in Attachment A to Item 7.5 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 7 May 2024.
2. Endorses the submission on the State Government's Regional Planning Portal contained in Attachment B to Item 7.5 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 7 May 2024.

3. Authorises the Acting Chief Executive Officer (or delegate) to make minor typographical, syntactical and technical amendments to the documents contained in Attachment A and Attachment B to Item 7.5 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 7 May 2024, for the purposes of submitting to the Community Engagement Charter Update and Regional Planning Portal consultation processes by 6 June 2024.
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## IMPLICATIONS AND FINANCIALS

City of Adelaide 2024-2028 Strategic Plan	<b>Strategic Alignment – Our Places</b> Encourage bold, interesting and purposeful development that supports the changing needs of our community and city
Policy	Not as a result of this report
Consultation	The submission seeks to ensure transparency and clarity of community consultation requirements established by the State Government in relation to urban planning. The changes proposed in the Update to the Community Engagement Charter will provide greater guidance for the Council when undertaking consultation on future Council-led Code Amendments.
Resource	Not as a result of this report
Risk / Legal / Legislative	The Charter and the Regional Plan Portal have regard to the <i>Planning, Development and Infrastructure Act, 2016 (SA)</i> .
Opportunities	The Regional Planning Portal will be the platform used by the State Government for the Greater Adelaide Regional Plan. The City Plan is being developed to inform the Council's submission on the Greater Adelaide Regional Plan, including the opportunity for City Plan content to be included on the Portal.
23/24 Budget Allocation	Not as a result of this report
Proposed 24/25 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	The State Government must ensure the Community Engagement Charter is reviewed at least one in every five years.
23/24 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

# DISCUSSION

## Background

1. The purpose of this report is to seek Council endorsement of submissions to State Government planning consultations that are open until 6 June 2024 on:
  - 1.1. Community Engagement Charter Update (the Charter) ([Link 1](#)), and
  - 1.2. State Government Digital Regional Planning Portal (the Portal).
2. The updated Charter's release coincides with consultation on the draft Kangaroo Island Regional Plan (KIRP). The KIRP is the first Regional Plan developed under the Act and is presented through the Portal ([Link 2](#)).
3. Given the linkages between the changes proposed in the updated Charter and the Regional Planning Portal/Regional Planning process, the State Government and State Planning Commission are seeking feedback on all elements concurrently.

## Community Engagement Charter

4. A key element of the planning reforms implemented through *the Planning, Development and Infrastructure Act, 2016* (the Act) was the requirement for the State Planning Commission to develop a Community Engagement Charter (the Charter).
5. The Charter must be used to guide public participation in the preparation and amendment of designated policies, strategies and schemes under the Act. The Charter does not have a statutory role in consultation on development applications.
6. The Charter was established in April 2018, and in accordance with the requirements of the Act, the State Planning Commission undertook its inaugural 5-year review of the Charter in October 2023 (the Review).
7. As a result of the Review, the State Government has released the updated Charter for consultation until 6 June 2024. Proposed amendments to the Charter include:
  - 7.1. Requiring engagement and communication activities to address the needs of:
    - 7.1.1. First Nations people
    - 7.1.2. Youth
    - 7.1.3. Culturally and linguistically diverse communities
    - 7.1.4. People living with disability and neurodiverse communities
    - 7.1.5. Businesses, workers and employers.
  - 7.2. Introducing a new engagement process for 'complying changes' to the Planning and Design Code (section 75 Code Amendments), including a minimum of two weeks consultation period, and direct notification to owners or occupiers of land affected, and land adjacent to the proposed rezoning.
  - 7.3. Requiring mandatory notification of relevant statutory boards/committees.
  - 7.4. Updating wording to reflect that the Charter is an established part of the South Australian planning system.
  - 7.5. The review's recommendations not included in the update relate to supporting documents, including the Community Engagement Charter Toolkit and Guide, and will likely be addressed in consequential changes once the updated Charter is finalised.
8. The updated Charter does not address Council's request in its Planning System Implementation Review (PSIR) submission in January 2023 for minimum engagement periods on complex Code Amendments. However, this may be addressed through updates to the supporting documents.

## Council's Submission on the Community Engagement Charter Update

9. In summary, the proposed submission:
  - 9.1. Supports the intent of the Update to enable improved engagement outcomes.
  - 9.2. Supports the recognition of more communities impacted by engagements, including suggestions for engaging with First Nations people.
  - 9.3. Reiterates Council's request that minimum timeframes of 8 weeks are mandated for complex Code Amendments, in line with Council's submission to the Planning System Implementation Review.

- 9.4. Recommends that the mandatory requirements for 'complying changes' to the Planning and Design Code include a minimum timeframe of three weeks, in alignment with development assessment notification periods, or four weeks in line with existing requirements.
- 9.5. Recommends that the Charter (or supporting documents) provide additional clarification about when property owners need to be directly notified of a Code Amendment.
- 9.6. Seeks clarification of engagement requirements for Heritage Code Amendments identified in a Regional Plan.
- 9.7. Notes changes to Practice Direction 2 – Preparation and Amendment of Designated Instruments relating to complying changes, including suggestions for editorial amendments and clarifying the level of detail required to be included in the Regional Plan to comply.
- 9.8. Welcomes the opportunity to provide further feedback when the Charter is reviewed in the future.

### **Digital Regional Planning Portal**

10. The Portal is the digital platform that provides access to the state-wide planning and infrastructure framework. It includes a long-term vision, interactive maps, dynamic data and spatial plans for each region.
11. It will provide users with the ability to access statistical data and create a detailed report for a selected parcel of land which includes the relevant Regional Plan actions and a map with relevant data layers.
12. A key element of Regional Plans is the ability to identify complying changes to the Planning and Design Code (Code Amendments) that would be subject to a more targeted and faster engagement process.
  - 12.1. The extent of change permitted through complying changes is limited to zone or subzone changes and the introduction of overlays.
  - 12.2. These Code Amendments will follow a legislative process outlined in section 75 of the Act.
13. It is unclear from the draft KIRP if any of the identified Code Amendments would proceed through the 'complying changes' pathway.

### **Council's Submission on the Digital Regional Planning Portal**

14. In summary, the proposed submission:
  - 14.1. Acknowledges the benefits of the Portal and opportunities for integration of local government strategic planning into regional plans.
  - 14.2. Seeks inclusion of a data index to ensure consistency of data used.
  - 14.3. Supports the State Government reporting on outcomes and targets in regional plans.
  - 14.4. Seeks clarification of how the Portal will present subregional plans with reference to the Greater Adelaide Regional Plan (GARP).
  - 14.5. Requests that the 'complying changes' Code Amendment process is clearly described in the Portal and in all Regional Plans for transparency to the community.
  - 14.6. Recognises the valuable working relationship between the State Government and the City of Adelaide with respect to City Plan and the GARP.

### **Next Steps**

15. The State Government's consultation on the Update and the Portal closes on 6 June 2024.
16. The Charter will then be finalised and presented to the Minister for Planning for approval.
17. The State Government has indicated that a further review of the Charter will be undertaken following the completion of the Regional Planning Program being undertaken in 2024.
18. The Portal will be updated to reflect feedback received on the KIRP as well as feedback received directly on the Portal.

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## **DATA AND SUPPORTING INFORMATION**

**Link 1** – [Community Engagement Charter Update – Consultation Version](#)

**Link 2** – [Draft Kangaroo Island Regional Plan](#)

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## ATTACHMENTS

**Attachment A** – City of Adelaide Submission on the Community Engagement Charter Update

**Attachment B** – City of Adelaide Submission on the Regional Planning Portal

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