



# **Public Participation in Planning Barriers, Opportunities and Ideas**

**Pre-Workshop Background Paper**

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## Introduction

The purpose of the workshop is to provide inputs to a monograph that the Henry Halloran Trust is writing with the working title “Public Participation in Planning: Barriers, Opportunities and Ideas”. The purpose of the workshop is not to debate the merits or otherwise of the recently released NSW White paper although that will be a reference point and in some ways it has been a catalyst for the workshop itself. In the words of Jane-Frances Kelly (2013) “The NSW Government has set itself a monumental challenge. It is proposing a process of community engagement on a scale not yet seen in Australia”. The aim of the monograph is to provide some ideas to assist with this challenge.

Since the 1950s and 60s, public participation has been identified as critical to sustainable and democratic planning processes. As argued by Marcus Lane, in his review of the history of participation in planning, “whereas participation was previously considered a decision-making adjunct, all [planning] schools of the contemporary era view participation as a fundamental element of planning and decision-making” (2005, p.298). The issue is very complex, as demonstrated by the broad range of literature available on public participation, with a variety of factors influencing its effectiveness. We aren’t going to provide a “solution” in one monograph but the purpose is to provide a useful resource document that can assist the debate.

By way of background it is useful to review the issues of what are the principles of effective engagement. The OECD (2001) has established ten principles for open and inclusive governance and policy making:

1. **Commitment:** *Leadership and strong commitment to open and inclusive policy making is needed at all levels – politicians, senior managers and public officials.*
2. **Rights:** *Citizens’ rights to information, consultation and public participation in policy making and service delivery must be firmly grounded in law or policy. Government obligations to respond to citizens must be clearly stated. Independent oversight arrangements are essential to enforcing these rights.*
3. **Clarity:** *Objectives for, and limits to, information, consultation and public participation should be well defined from the outset. The roles and responsibilities of all parties must be clear. Government information should be complete, objective, reliable, relevant, easy to find and understand.*
4. **Time:** *Public engagement should be undertaken as early in the policy process as possible to allow a greater range of solutions and to raise the chances of successful implementation. Adequate time must be available for consultation and participation to be effective.*
5. **Inclusion:** *All citizens should have equal opportunities and multiple channels to access information, be consulted and participate. Every reasonable effort should be made to engage with as wide a variety of people as possible.*
6. **Resources:** *Adequate financial, human and technical resources are needed for effective public information, consultation and participation. Government officials must have access to appropriate skills, guidance and training as well as an organisational culture that supports both traditional and online tools.*

7. **Co-ordination:** *Initiatives to inform, consult and engage civil society should be co-ordinated within and across levels of government to ensure policy coherence, avoid duplication and reduce the risk of “consultation fatigue.” Co-ordination efforts should not stifle initiative and innovation but should leverage the power of knowledge networks and communities of practice within and beyond government.*
8. **Accountability:** *Governments have an obligation to inform participants how they use inputs received through public consultation and participation. Measures to ensure that the policy-making process is open, transparent and amenable to external scrutiny can help increase accountability of, and trust in, government.*
9. **Evaluation:** *Governments need to evaluate their own performance. To do so effectively will require efforts to build the demand, capacity, culture and tools for evaluating public participation.*
10. **Active citizenship:** *Societies benefit from dynamic civil society, and governments can facilitate access to information, encourage participation, raise awareness, strengthen citizens’ civic education and skills, as well as to support capacity-building among civil society organisations. Governments need to explore new roles to effectively support autonomous problem-solving by citizens, CSOs and businesses.*

**Are these a good set of principles to use in designing public participation programs in planning?**

It is interesting to review the results of a recent Queensland survey on community engagement (Carroli and Armstrong, 2011) that shows that some of these principles resonate with members of the community. In the survey (see Appendix 1) respondents were asked what are the attributes of good consultation and engagement. The top six items listed were:

- Openess
- Transparency
- Honesty
- Clarity
- Factual information
- Listening

:

## Barriers and Challenges

This section (unfortunately) is probably the easiest section to write. It will be explored by examining barriers and challenges for the public and for Governments separately.

### Barriers for the public

Chapter 3 of another OECD report (2009, p48) report identifies two major groups of people who don't participate in public engagement exercises:

- 1. People that are “Willing but unable to participate for a variety of reasons such as:**
  - . cultural or language barriers;
  - . geographical distance;
  - . disability or socio-economic status (eg lack of ICT resources to participate in on-line processes);
  
- 2. People that are “Able but unwilling” to participate because:**
  - . they are not very interested in politics,
  - . do not have the time;
  - . see no personal gain or relevance;
  - . believe someone else will look after their interests;
  - . do not trust government to make good use of their input.

The literature more relevant to the planning literature identified some more specific barriers. In a review of the English situation, Kitchen and Whitney (2004) identified the additional issue of the difficulty of the public understanding planning issues and the technical elements of planning, and the difficulty of getting the public to focus on regional issues and not just very local ones.

### Barriers for the Government

The same OECD report addressed what were the challenges for Governments in public engagement. The challenges for governments listed included how to:

- . Design cost effective and useful public consultation and engagement initiatives?
- . Make public policy more interesting and relevant to more people?
- . Earn and keep people's trust that government will actually use their input?
- . Address the very real constraints of the “time poor” that characterise modern urban societies in OECD countries?
- . Design engagement so that the personal benefits are more obvious (OECD 2009 p. 54-5)

Kitchen and Whitney (2004) identified particular barriers for Government in relation to planning included the difficulty in raising the resources to mount effective public engagement strategies and the difficulties of educating staff about public engagement (Note that their research was undertaken at a time when a significant increase in public engagement was mandated in the English planning system).

The recent Community Forum on the green paper had a theme on public engagement and a clip from panellists provides some useful contributions.  
<http://www.youtube.com/watch?v=ICdSiAO5JKY>

A barrier for the public which was identified by a panellist (and not already listed) was “consultation fatigue”. A community member also made the interesting observation that draft plans should not read like mobile phone contracts.

Additional barriers and challenges for Government identified by panellists were:

- Leadership enabling meaningful public engagement;
- Generating processes that can adapt to a variety of urban, regional and rural settings
- Designing processes that reduce “fatigue”

The context of some of these barriers and challenges can be seen in some results from the Queensland survey (Carroli and Armstrong, 2011). The predominant motivation for participation is to “protect community interests”. In the planning context this motivation is obvious when a resident is objecting to a local DA. Strategic planners in councils often report a much greater reluctance for citizens to engage in discussions when formulating local plans, particularly in lower socio-economic areas.

Question 9: What mostly motivates you to participate in consultations?

Answer Options	Response Percent
Having a say	8.4%
Concern	12.3%
Interest	5.7%
Influencing decisions	15.4%
Anger	1.3%
Help make up my mind	2.2%
Seeking information	6.2%
Activism	1.8%
Self-interest	2.2%
Fear	0.4%
Dislike change	0.0%
<b>Protecting community interests</b>	<b>28.6%</b>
Environmental protection	7.0%
Exercising democratic rights	7.9%
None of the above	0.4%
<b>Total Responses</b>	<b>227</b>

**Are there any additional barriers that should be mentioned in the monograph?**

## Opportunities

One of the opportunities is that whilst public participation in planning is a challenging task there is an abundant array of resources and literature that can support planners in developing more effective approaches. For example, a recent annotated bibliography (Australian Centre of Excellence for Local Government, 2011;p7) identified the following published Government guides.

**Box 1: Examples of guidance on community engagement for Australian local government**

Resources produced by state governments or local government associations about how local government might successfully engage communities:

**QUEENSLAND**

- State of Queensland (2010), **Community engagement in Queensland Local Government - A guide**. Published by the Department of Infrastructure and Planning, December 2010
- Department of Communities, Queensland Government (various dates), **Community Engagement Guides**
- Queensland Government Department of Communities (2007), **Engaging Queenslanders; An introduction to working with culturally and linguistically diverse (CaLD) communities**

**WESTERN AUSTRALIA**

- Government of Western Australia, Department of Local Government (2010), **Implementing the Principles of Multiculturalism Locally**. Office of Multicultural Interests, Department of Local Government

**VICTORIA**

- Victorian Local Governance Association (2007), **Let's Talk – a consultation framework**.
- Victorian Local Governance Association (2001), Best Value Victoria, **Community Consultation Resource Guide**, 2001.

**SOUTH AUSTRALIA**

- LGA (2008), **Community Engagement Handbook. A Model Framework for Leading Practice in Local Government in South Australia**. Local Government Association of South Australia.

A previous report to the NSW Government Planning agency by Carson and Gelber (2001) provides a range of interesting methods for consultation. Their paper for the then NSW Department of Urban Affairs and Planning was prepared to improve community consultation practice in NSW. The document provides guidelines to best practice. In the first part of the document Carson and Gelber argue that there are a number of elements to achieving effective community consultation:

- Basing community consultation on 'principles for effective community consultation'
  - Make it timely
  - Make it inclusive
  - Make it community-focussed
  - Make it interactive and deliberative
  - Make it effective

- Make it matter
  - Make it well-facilitated
  - Make it open, fair, and subject to evaluation
  - Make it cost effective
  - Make it flexible
- Collaboration. Effective collaboration ensures interaction, collective reasoning and deliberation between the participant
- 

They also suggest a four step process which is shown in the Figure below.

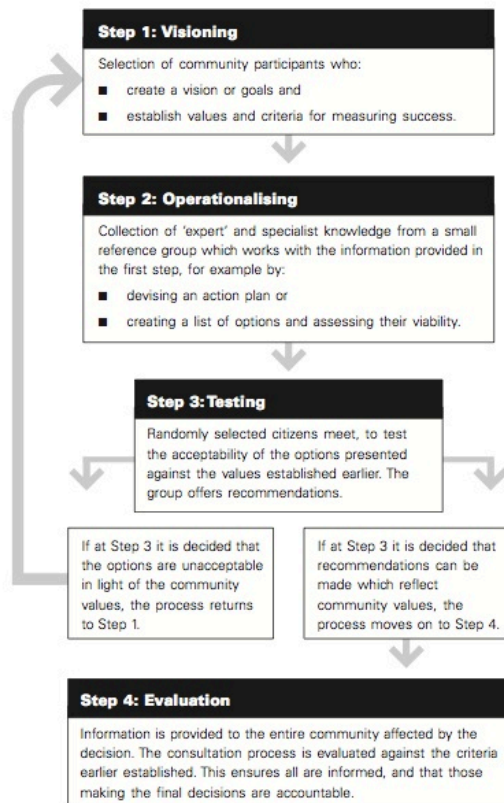


Figure 1 Carson Four Step Consultation Process (Carson & Gelber 2001, p.17)

Carson and Gelber argue that where the consultation is needed to be representative of a community, random selection is a useful method of selecting participants (p. 19). The advantage of this selection method is seen to 'fair' as 'each member of a community has a statistically equal possibility of being selected to take part in a consultative process' (Carson & Gelber 2001 p. 19). Some methods of random selection include: face-to-face; targeted advertisements; non-targeted advertisements; random letter writing; personalised letter writing; and random telephoning.

In the second part of the report, Carson and Gelber outline seven types of innovative community consultation methods. The following table summarises each of the methods.



<b>Method</b>	<b>Characteristics</b>	<b>Advantages</b>	<b>Disadvantages</b>	<b>When useful</b>
<b>Search Conferences</b>	<ul style="list-style-type: none"> <li>• Targeted recruitment (snowballing);</li> <li>• Selection based on knowledge;</li> <li>• 20 – 50 people;</li> <li>• Meets once for 1 – 2 days;</li> <li>• Develops parameters for long-term plan making; and</li> <li>• Prepares concrete action plan and goals.</li> </ul>	<ul style="list-style-type: none"> <li>• Makes use of a particular set of skills and knowledge;</li> <li>• Action-oriented; and</li> <li>• Creative endeavour.</li> </ul>	<ul style="list-style-type: none"> <li>• Can not substitute for broader community consultation; and</li> <li>• Undertaken as a precursor to broader consultation.</li> </ul>	<ul style="list-style-type: none"> <li>• Early in planning process.</li> </ul>
<b>Deliberative polls / televoting</b>	<ul style="list-style-type: none"> <li>• Random selection;</li> <li>• Representative sample;</li> <li>• 100 + participants;</li> <li>• Briefing material issued in advance;</li> <li>• Extended small and large group discussions;</li> <li>• Preceded by a poll; and</li> <li>• Leads to a vote or series of votes.</li> </ul>	<ul style="list-style-type: none"> <li>• Participants provided with lots of information with opportunity for deliberation;</li> <li>• Agenda prepared by organisers but open process – difficult to manipulate;</li> <li>• Various debating formats can be used; and</li> <li>• Very representative.</li> </ul>	<ul style="list-style-type: none"> <li>• Costly; and</li> <li>• Televoting as an alternative (less deliberative).</li> </ul>	<ul style="list-style-type: none"> <li>• Resolution of contentious issues;</li> <li>• Relatively short time frame;</li> <li>• Not suitable for complex issues; and</li> <li>• Larger planning issues</li> </ul>
<b>Citizens' juries</b>	<ul style="list-style-type: none"> <li>• Created by commissioning authority with power to act (or not) on recommendations;</li> <li>• Expert witnesses;</li> <li>• Random selection</li> <li>• 12-25 participants per jury (multiple juries could be held at once);</li> <li>• Requires independent and skilled facilitator;</li> <li>• Interactive – meet for 2 – 4 days;</li> <li>• Background material provided;</li> <li>• Recommendations are published in report; and</li> </ul>	<ul style="list-style-type: none"> <li>• Allows for inclusion of high level of expertise, knowledge and skills due to small size of juries;</li> <li>• Complex and in-depth deliberations; and</li> <li>• Report means tangible results that can be evaluated.</li> </ul>	<ul style="list-style-type: none"> <li>• Can be costly.</li> </ul>	<ul style="list-style-type: none"> <li>• Clear questions for deliberation required; and</li> <li>• Useful for complex issues where expert involvement is required.</li> </ul>

Method	Characteristics	Advantages	Disadvantages	When useful
	<ul style="list-style-type: none"> <li>Feedback from organisers about implementation (or not) of recommendations.</li> </ul>			
<b>Consensus conferences</b>	<ul style="list-style-type: none"> <li>Similar to citizens' juries</li> <li>Random selection;</li> <li>Participants establish criteria, key questions and expert witnesses required;</li> <li>Held over longer period of time;</li> <li>Involves preparatory weekends;</li> <li>Report prepared at end; and</li> <li>Can reconvene panel at end.</li> </ul>	<ul style="list-style-type: none"> <li>Similar to citizen juries; and</li> <li>Greater control of participants over agenda.</li> </ul>	<ul style="list-style-type: none"> <li>Can be costly;</li> <li>Considerable resources required; and</li> <li>Long time frame.</li> </ul>	<ul style="list-style-type: none"> <li>Planning at regional level; and</li> <li>Major strategic planning processes.</li> </ul>
<b>Focus Groups</b>	<ul style="list-style-type: none"> <li>Represents a particular set of interests</li> <li>Up to 25 people</li> <li>Can meet once, several times, or at regular intervals;</li> <li>Provides particular information not readily available in broader consultative methods; and</li> <li>Feedback to the commissioning body</li> </ul>	<ul style="list-style-type: none"> <li>Knowledge of group on particular issue – faster consultation; and</li> <li>Innovative ideas and solutions.</li> </ul>	<ul style="list-style-type: none"> <li>Not representative;</li> <li>Considerable time to find participants; and</li> <li>Does not invoke deliberation and enhance deliberative capacity</li> </ul>	<ul style="list-style-type: none"> <li>Useful to gauge opinions of specific groups</li> </ul>
<b>Charrettes</b>	<ul style="list-style-type: none"> <li>Convened by team of professionals (planners, architects, urban designers) work intensively to draw up feasible proposals and facilitate the meetings;</li> <li>Well-publicised meetings;</li> <li>Consultation with stakeholders and special interest groups</li> <li>Community are involved in devising initial proposals and given the opportunity to assess the outcomes</li> </ul>	<ul style="list-style-type: none"> <li>Rapid process producing concrete results;</li> <li>Allows multiple opportunities for community input;</li> <li>Cost effective; and</li> <li>Can incorporate new technologies</li> </ul>	<ul style="list-style-type: none"> <li>Some participants may feel insufficient time to understand process or all the issues;</li> <li>Does not involve random selection; and</li> <li>Can be difficult to involve groups usually marginalised from consultation</li> </ul>	<ul style="list-style-type: none"> <li>Useful when need to plan within a short period of time and community consultation is still desired.</li> </ul>

Method	Characteristics	Advantages	Disadvantages	When useful
	<ul style="list-style-type: none"> <li>Held over intensive period</li> <li>Needs community agreement</li> </ul>		process.	
<b>Residents' feedback panel</b>	<ul style="list-style-type: none"> <li>Establishes a pool of potential respondents;</li> <li>Can be selected by random selection;</li> <li>Can be representative;</li> <li>50 – 1000+;</li> <li>Maintained over long period;</li> <li>Don't have met in person;</li> <li>Gain deeper understanding over time; and</li> <li>Publish research findings</li> </ul>	<ul style="list-style-type: none"> <li>Cross-selection of citizens;</li> <li>Can track changing attitudes over time</li> <li>Large group of participants;</li> <li>Convenient for all participants</li> </ul>	<ul style="list-style-type: none"> <li>Resources required to maintain panel</li> </ul>	<ul style="list-style-type: none"> <li>To conduct surveys</li> <li>General strategic planning issues</li> </ul>

The other opportunity is the large number of community engagement specialists that have emerged in Australia in recent years. These firms provide capacity to assist Governments with designing and implementing public engagement processes. A number of these organisations including individual practitioners have developed particular approaches to public participation. For example, Wendy Sarkissian<sup>1</sup> proposes a strategy which she summarises as L.O.V.E.

**In my model, L is for listening, O is for openness, V is for validation and E is for community education.**

I believe we make a huge mistake when we try to educate people first – before we listen openly to them and validate what they have to say to us. So, I'm advocating that we engage with NIMBY responses with engagement processes that are deeply respectful, with more than enough time for the L of; that we model the O of openness and inclusivity in our processes; that we V, validate and respect community members' views. Our validation must include influence.

And finally (not firstly), we come to the E of LOVE: Education.

As already mentioned, there is a lot of material available from international practice.

Kelly (2010) report for the Grattan Institute reviews the governance structures, processes (formal and informal) and decision-makers of 8 international cities "that have significantly improved in serving a broad range of their residents' needs" (2010, p.4). These cities are:

- Vancouver;

<sup>1</sup> Wendy was a member of the Faculty of Architecture in the 1990s

- Toronto;
- Seattle;
- Portland;
- Chicago;
- Austin;
- Dublin; and
- Copenhagen.

The report notes a series of common themes across all the case studies:

- High and sustained levels of public engagement in decision making;
- Consistency of strategic direction (including across political cycles);
- Collaboration across different sectors of society (i.e. between government, business communities and civic organisations);
- Regional co-operation; and
- Key trigger for improvement.

The international literature has some reasonably clear findings about what promotes public participation in planning. Body, Godschalk and Burby (2003) in a review of US experience highlight that strong State Government mandates with both carrots and sticks are effective. They also make the following comments (2003,257) :

*As expected, the use of techniques that tend to engage the public and allow for a two-way exchange of information generated the highest level of citizen participation. For example, the use of visioning workshops and community forums is strongly correlated with the number of groups participating during the planning process. Opportunities for citizens to share their views in an informal setting seemed to encourage participation.*

In a very significant review of US public participation strategies Innes and Booher make this sharp observation (2004, p419):

*Legally required methods of public participation in government decision making in the US—public hearings, review and comment procedures in particular—do not work. They do not achieve genuine participation in planning or other decisions; they do not satisfy members of the public that they are being heard; they seldom can be said to improve the decisions that agencies and public officials make; and they do not incorporate a broad spectrum of the public. Worse yet, these methods often antagonize the members of the public who do try to work with them. The methods often pit citizens against each other, as they feel compelled to speak of the issues in polarizing terms to get their points across. This pattern makes it even more difficult for decision makers to sort through what they hear, much less to make a choice using public input. Most often these methods discourage busy and thoughtful individuals from wasting their time going through what appear to be nothing more than rituals designed to satisfy legal requirements”*

They go on to say that:

*Research shows that collaborative participation can solve complex, contentious problems such as budget decision making and create an improved climate for future action when bitter disputes divide a community. Authentic dialogue, networks and institutional capacity are the key elements.*

## Improvements in communicative technologies

There are a variety of improvements in technology that provide scope for improving public participation in planning. The first of these involves improvements in web technology and access to the internet. This makes disseminating information and receiving feedback much more cost effective than in the past. However, there is still a variety of people, mostly the aged and those with less resources who do not use the internet at all or have limited access, so consultation processes need to reflect this. For example, the Queensland survey on community engagement showed a wide variety of preferred engagement methods.

Question 6: On matters that directly impact on you, how do you prefer to be consulted or engaged?

Answer Options	Least preferred	Not preferred	Neutral	Preferred	Most preferred	Response Count
	<i>percentage</i>					
Interviews	12.3	11.4	30.1	29.7	16.4	219
Surveys	4.5	8.5	24.2	49.3	13.5	223
Focus groups	9.2	14.2	25.2	35.3	16.1	218
Information sessions	3.2	7.7	19.5	45.9	23.6	220
Public forums	2.7	8.1	21.3	43.0	24.9	221
Letters	8.2	16.0	27.4	36.5	11.9	219
Newsletters	7.4	14.3	26.7	41.9	9.7	217
Reference Groups	6.6	17.5	34.6	31.8	9.5	211
Websites	6.6	10.0	26.1	40.3	17.1	211
Online forums	9.5	20.4	30.3	29.4	10.4	211
Online surveys	4.6	14.7	24.8	39.4	16.5	218
Social media	20.3	19.8	25.1	18.8	15.9	207
<b>Total Responses</b>						<b>234</b>

The other opportunity is improvements in visualisation techniques and 3 D modelling. These methods have migrated from high end workstations to portable devices that allow an interactive design approach to be feasible at a community meeting. However, as the recent controversy about Barangaroo designs show this opportunity also provides a potential area of conflict.

### Opportunities: Summary

In summary the opportunities we have identified include:

- A wide ranging set of government guidelines on public participation
- A vast array of international literature on the topic with some clear learnings on what has and has not worked. Common finding is the need for effective engagement methods, the need for a sustained campaign with long term visions, the need for adequate resources and capacity building and a focus on genuine collaborative methods;
- A lot of capacity in private firms to assist Governments with participation
- Rapid improvements in web and visualisation technologies.

**Can we add or amend this list of opportunities**

## Ideas

**Over to you: To be discussed at the workshop**

## Select Bibliography

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### Key Practitioners

See also Lyn Carson's website [www.activedemocracy.net](http://www.activedemocracy.net) for copies of her publications on issues of deliberative democracy, public participation and decision making

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## Appendix 1 – Survey results in detail

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Question 8: In your experience, what are the attributes of good consultation and engagement?

Answer Options	Most Undesirable attribute	Undesirable attribute	Neither desirable nor undesirable	Desirable attribute	Most desirable attribute	Response Count
	<i>percentage</i>					
Openness	0.9	0.0	2.8	40.4	<b>56.0</b>	218
Transparency	1.4	0.5	4.6	27.6	<b>65.9</b>	217
For real	0.5	1.0	18.4	31.8	<b>48.3</b>	201
Outreach	1.0	3.5	<b>43.0</b>	32.5	20.0	200
Honesty	0.5	0.0	1.4	29.1	<b>69.0</b>	213
Clarity	0.5	0.0	2.4	33.0	<b>64.1</b>	209
Factual Information	0.5	0.0	3.8	21.7	<b>74.1</b>	212
Relationship building	1.5	2.0	30.2	<b>43.4</b>	22.9	205
Independence	0.5	4.4	29.4	<b>37.3</b>	28.4	204
Mediation	1.0	5.3	<b>43.7</b>	34.0	16.0	206
Discussion	0.9	0.9	13.8	<b>49.3</b>	35.0	217
Deliberation	1.0	4.4	28.4	<b>42.2</b>	24.0	204
Diverse	3.0	4.5	33.7	<b>39.6</b>	19.3	202
Answers	1.0	1.0	20.5	<b>40.0</b>	37.6	210
Listening	0.9	0.5	7.1	31.6	<b>59.9</b>	212
Ideas	1.0	1.5	14.1	<b>44.4</b>	39.0	205
Cultural awareness	4.4	5.8	23.8	<b>37.9</b>	28.2	206
Creativity	2.0	5.4	25.2	<b>40.1</b>	27.2	202
Hospitality	3.5	11.5	41.0	32.0	12.0	200
Having a say	0.9	1.4	13.7	<b>42.2</b>	41.7	211
<b>Total Responses</b>						<b>224</b>