

10 September 2019

Mr Michael Lennon
Chairperson, State Planning Commission
Level 5, 50 Flinders Street,
Adelaide SA 5000

Dear Michael,

Thank you for the opportunity to comment upon the attached document, *Planning Reform Submission Policy* provided to the South East City Residents Association (SECRA) at the meeting held on 23 August 2019. These comments are provided after consultation with SECRA Committee members.

Firstly, SECRA is pleased to see a process in place to respond to submissions which form an essential part of the consultation processes to deliver the best possible planning system for South Australia.

Secondly SECRA's specific comments are:

- The use of a submission template provides opportunities to obtain input on a standard range of issues usually determined by the Commission which may overlook issues that are seen as important by some respondents. For example SECRA was recently consulted on a draft South Ward Streets and Movement Survey document and was able to have a number of additional questions included that addressed a broader range of the ways that people moved around the South-East precinct of the city and associated issues. While the issues covered by this particular survey is not usually the province of the Commission it illustrates SECRA's concerns on relying upon templates alone. In order to address issues that may not be covered in a template SECRA is of the view that there should always be section that allows respondents to comment on issues not specifically addressed in the template and be able to raise specific local issues of importance to them.
- SECRA welcomes timely acknowledgement emails upon the receipt of submissions.
- SECRA acknowledges the importance of keeping to timelines in relation to consultation process and approves the management of late submissions and extensions.
- With the publishing of submissions, SECRA supports the non-publication of personal addresses, phone numbers and other identifying information such as email addresses. However the word "business" should be expanded to cover government agencies, incorporated bodies, councils etc. For example SECRA as an incorporated body representing residents in the south east corner of the city would want its submission being identified as being submitted by SECRA.
- SECRA believes that the scoping of key stakeholders should be determined in the early planning of a consultation process. While business, government and local government bodies and industry groups are identified, further consideration could be given to how community input is obtained. Often those persons or organisations that would want to be consulted are unaware that a consultation process is being conducted. Also it may well be that the consultation process is inappropriate for community based organisations.

- In the case of consultations involving large complex documentation SECRA is of the view that a summary identifying and explaining key issues should also be available to assist respondents in considering and responding to the document. This summary should also direct respondents to the relevant clauses in the documentation to enable them to better understand what is proposed.
- SECRA is encouraged by the timely release of the *What We Have Heard* document to close the loop for those making a submission and believe that it should be attached to the *Statutory Engagement Report* to the Minister for transparency.

SECRA is encouraged by the development of a practice guide for the consultation process on planning and land uses.

Yours Sincerely



John Underwood
Chairperson, South East City Residents Association
Ph. 0428 232 418



PLANNING REFORM SUBMISSION POLICY

Document Purpose

The purpose of this policy is to provide guidance on how Planning and Land Use Services – Reform (PLUSR) Team seeks, accepts and reviews submissions as a result of an engagement process.

The Policy has been prepared to meet the Charter principles and Practice Direction 2, Preparing and Amending a Designated Instrument.

Review and Endorsement

Name	Role	Review / Endorse / Comment	Date
Anita Allen	Manager, Planning Reform	Endorse	
Alex Mackenzie	Unity Manager, Planning, Reform & Infrastructure	Endorse	Approved 19 March
Mary-Ellen Catchpole	Change Manager	Comment	
Jason Bailey	Team Leader, Planning and Design Code	Comment	Attended Workshop
Benjamin Murphy		Comment	Attended Workshop
Sarah Elding	Project Lead, State Planning Policies	Comment	Attended Workshop/Provided feedback
Rhiannon Hardy	Project Lead, Regulations	Comment	Attended Workshop/Provided feedback/ tested
Carmela Luscri		Comment	Provided comments
Alison Collins	Stream Lead, Discussion Papers	Comment	Provided comments
Jane Clayton	Acting C & E Lead	Comment	Provided comments

Related Documents

Document	Location
Community Engagement Charter	https://www.saplanningportal.sa.gov.au/__data/assets/pdf_file/0009/449496/Community_Engagement_Charter_-_April_2018.pdf
Guide to the Community Engagement Charter	https://www.saplanningportal.sa.gov.au/__data/assets/pdf_file/0010/449497/Guide_to_the_Community_Engagement_Charter_-_April_2018.pdf
Practice Direction 2- Preparing & Consulting on a Designated Instrument	https://www.saplanningportal.sa.gov.au/__data/assets/pdf_file/0010/485155/Practice_Direction_2_-_Consultation_on_the_Preparation_or_Amendment_of_a_Designated_Instrument_2018.pdf
Evaluation Framework	Knet 13126815
Charter Toolkit	https://www.saplanningportal.sa.gov.au/planning_reforms/new_planning_tools/community_engagement_charter/charter_toolkit

The Process for Seeking Submissions

The preferred method for receiving submissions following an engagement process is by using a submission template. The template should include targeted questions relating to the purpose and specific scope of the engagement, and together with the State Planning Commission's mandated evaluation questions. The use of a template to guide feedback ensures the Department gets the best outcomes and value from the engagement process. This also meets the Community Engagement Charter evaluation requirements.

While this is the preferred method for seeking feedback, it is also understood and accepted that non-descript submissions will also be received.

The Project Lead and the Communications and Engagement Advisor should work on these targeted questions. These targeted question will then help distil the information.

In regard to future Code Amendments, Consult 24 (Redman Solution) is built for inputting targeted questions into the system.

The Process for Receiving Submissions

Steps

The Communication and Engagement team (C&E) will organise with an administrative officer to undertake the process of receiving submissions:

1. Upon release of documents etc. for consultation the engagement team will create a new Knet file to accommodate submissions.
2. Use of an excel work book for registering all submissions for all consultation. – A new worksheet for current consultation is created.
3. C&E Team receives written submission through the Engagement email address.
4. Submissions are identified as Council, Agency, Public, Interest Groups and Professional Groups and numbered accordingly and saved to specifically named Knet file. All submission should be clearly checked to ensure they are formal submissions (eg Agency sign off, not a request for an extension, ensure no duplicates in the system eg a draft sent in and then a formal submission)
5. Submissions are then entered into the register of submissions and linked to the Knet file.
6. Project Lead advises whether any other data is required for metrics (e.g. submitter's region of residence)
7. Submissions are acknowledged by the C&E Team via return email within 48 hours (see Appendix A for wording of acknowledgements)

Late Submissions & Extensions

Extensions will not be granted unless approval is given by the Program Director and Executive Director Planning and Land Use Services for statutory engagement processes and Unit Manager (and the project timeframe is considered) for all other engagement processes. Any extensions should apply to all stakeholders within the category (eg agencies, councils, community).

Stakeholders should be encouraged to lodge a draft submission by the due date with the final copy to be lodged within a week of the closing date. Any submissions received after the due date will be marked as late.

Whilst all submissions should be read and considered (if new issues arise), a decision should be made to how late submissions will be formally summarised.

The due date and how late submissions will be handled should be communicated to stakeholders at the beginning of the consultation.

Publishing Submissions

Submissions on reform engagement are published on the SA Planning Portal within five business days of the close of submissions. Personal addresses and phone numbers are not published but businesses names are. Submissions will not be numbered. The acknowledgement of submission advises that the submission will be published on the SA Planning Portal. If an organisation/individual specifically requests that their feedback not be published, their comments will not be considered to be a formal submission, but rather 'voluntary feedback'. This will be advised by return emails.

Submissions may be removed from the SA Planning Portal, after 3 months of the ERDC completion of advice, Operation of new regulations or if neither of these from release of the final What We Have Heard (WWHH) document.

Summarising Submissions

Practice Direction on Engagement Report (ii) the outcome of the engagement including a summary of the feedback made (with the name of the person or body providing written feedback) and the response to the feedback;

Submission summaries are used for the following purposes:

- WWHH -to close the loop soon after submissions (public document)
- To inform amendments to the instrument (practitioners)
- For preparing the statutory Engagement Report for a designated instrument or similar document which contains a more detail summary to assist the Commission, Minister and Environment, Resources and Development Committee (ERDC) consideration.
- Note that the statutory engagement report is released to the public within 5 business days of the Minister's decision for a designated instrument, except an SPP which is 5 business days from the Governor's decision (transparency and closing the loop)

Stage 1 steps

1. Submission Summary Template prepared (**Template to be prepared**)
2. Submission Manager appointed from the project team
3. At this time the number of submissions are considered, and resources allocated to the summarising for stage 2, preparing the WWHH and the Statutory Engagement Report.
4. Project Lead to arrange a meeting with the 'submissions' team to discuss submissions and clearly explain expectations for summarising:
 - a. The top issues
 - b. Adding additional issues
 - c. No repetition
 - d. Issues out of scope

- e. Clear timeframes
- f. Risks

5. Submissions from key stakeholders are summarised first such as the UDIA, PIA, Property Council, AILA, LGA, Community Alliance, MPs, Key Government Agencies and Councils
6. Top 10 to 20 Issues are identified from the key stakeholders submissions, and entered into template with clear title headings of the issue.
7. This first cut summary from the key stakeholder submissions is provided to the Manager Planning Reform and Unit Manager Planning Reform Implementation with a link to the excel spreadsheet to assist with communications with key stakeholders on significant issues.
8. The remainder of the submissions are summarised in accordance with the expectations set.

Stage 2 steps

1. Submission Manager to audit and check summary for repetition, risks and identification of key issues.
2. Project Team summarise and identify key issues that may be taken on as changes and what suggestions and submissions may need escalation.
3. Project Team is responsible for preparing response to submissions in table.
4. Allocated team member commences the What We Have Heard Report (WWHH).
5. Allocated team member commences the Engagement Report.

What We Have Heard Documents

In line with the Community Engagement Charter a WWHH documents is part of 'closing the loop' for engagement to demonstrate to the Community that our **engagement is genuine, transparent and informed**.

The WWHH Report is released as soon as possible. For a designated instrument this is prior to the Engagement Report being finalised and endorsed by the State Planning Commission. The role of the WWHH is to inform the community about the engagement process and the next steps.

The WWHH, captures:

- the big ticket issues (i.e. the 10 to 20 issues identified above). The content should not be a list of dot points but tell a story about the issues
- the next steps of the process
- a summary of the engagement activities undertaken
- some metrics about the reach of engagement (refer to the engagement plan about the intent of reach to stakeholders)
- depending on the project there may be instances where a response to the submissions can be made in regard to how they may be considered in the future e.g. Policy Discussion Papers

Refer to the State Planning Policy, Code Technical Paper and Assessment Pathways WWHH Reports on the SA Planning Portal.

The contents of the WWHH report can be used for preparing the Commission's Engagement Report.

The Statutory Engagement Report

The Commission's Engagement Report is prepared in accordance with Practice Direction 2. The current template for the Engagement Report is contained in the tools section of the Charter toolkit on the SA Planning Portal.

The draft Engagement Report should be checked by the Community Engagement Charter lead prior to being finalised.

Part 2 – Section 73 Report 5 – Requirements in relation to engagement under section 73

(4) At the completion of engagement on a draft of a proposal to prepare or amend a designated instrument an engagement report must be provided to the Minister by the designated entity.

(a) That report must set out:

(i) details of the engagement undertaken and how that engagement met the agreed community engagement plan, and reasons for variations, if any to that plan;

(ii) The outcome of the engagement including a summary of the feedback made (with the name of the person or body providing written feedback) and the response to the feedback;

(iii) Details of, and reasons for, changes to the proposal to prepare or amend a designated instrument when compared to the proposal that was engaged on. This should specifically indicate: