Code Amendments Initiated by Proponents

Section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016*

Initiation

Proponent Lodges
Proposal to Initiate is prepared in accordance with Practice Direction 2 and lodged on SA Planning Portal.

Department Assessment
Department assesses the Proposal to Initiate for compliance with Practice Direction 2.

Commission Advice
Commission considers and prepares advice to the Minister, including consultation and investigation requirements and suggested conditions of approval.

Minister's Decision
Minister makes a decision on whether to approve the Proposal to Initiate (with or without conditions).

Preparation & Engagement

Investigations
Designated Entity undertakes investigations and prepares Engagement Plan and Code Amendment. Drafting instructions provided to the Department.

Prepare Code Amendment
Department prepares draft Code Policy and Mapping and provides to Designated Entity to finalise the draft Code Amendment for engagement.

Prepare for Engagement
Designated Entity finalises documentation for engagement. Designated Entity provides publication instructions to the Department.

Engagement
Designated Entity undertakes engagement in accordance with the Engagement Plan and utilising the SA Planning Portal.

Post Consultation

Post Consultation
Designated Entity summarises submissions, prepares Engagement Report and provides instructions for amendments to the Department.

Update Amendment
Department amends draft Code Policy and Mapping and provides to Designated Entity to finalise the draft Code Amendment for approval.

Finalise Amendment
Designated Entity finalises draft Code Amendment and Engagement Report and lodges with Department.

Approval

Department Assessment
Department assesses the Engagement Report and approval documentation.

***Commission** may also make a determination about compliance with the Community Engagement Charter.*

Minister Receives Report
Minister receives the Engagement Report and draft Code Amendment and determines whether to consult with the Commission. If no consultation is required, the Minister can proceed straight to a decision on the draft Code Amendment.

Commission Consultation
Minister consults with the Commission on the draft Code Amendment if the Minister thinks the matter is significant, or where a cost recovery agreement is in place between the Designated Entity and a third party.

Minister's Decision
Minister considers the Engagement Report and advice from the Commission (if any) and makes a decision on the Code Amendment.

Department publishes Engagement Report, Code Amendment and advice from the Commission (if any) on the SA Planning Portal.

Parliamentary Scrutiny

Commission Report
Commission prepares its Parliamentary Report for the ERDC and provides to the Minister for tabling together with the approved Code Amendment.

Refer to ERDC
Minister refers the Code Amendment and Commission's Parliamentary Report to the ERDC within 28 days of the Code Amendment taking effect.

ERDC Consideration
ERDC resolves to object, not object or suggest amendments to Code Amendment within 28 days of referral. ERDC consults with councils as required.

Minister's Decision
Minister determines whether to adopt changes suggested by ERDC, and (as required) consults with the Commission or reports back to ERDC.

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