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

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.