

**PROPOSAL TO INITIATE AN AMENDMENT TO THE
PLANNING & DESIGN CODE**

River Murray Flood Resilience Code Amendment

By the Chief Executive (*the Designated Entity*)



_____ (Signature Required)

CHIEF EXECUTIVE, DEPARTMENT FOR TRADE AND INVESTMENT

Date: 13/04/2023

This Proposal to Initiate document together with conditions specified by the Minister forms the basis for the preparation of a proposed amendment to the Planning and Design Code for the purpose of section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016*.



_____ (Signature Required)

MINISTER FOR PLANNING

Date: 24/5/23

1. INTRODUCTION	3
1.1. Designated Entity for Undertaking the Code Amendment	3
1.2. Rationale for the Code Amendment	3
2. SCOPE OF THE CODE AMENDMENT	5
2.1. Affected Area	5
2.2. Scope of Proposed Code Amendment	5
3. STRATEGIC ALIGNMENT	8
3.1. Alignment with State Planning Policies	8
3.2. Alignment with Regional Plans	9
3.3. Alignment with Other Relevant Documents	11
4. INVESTIGATIONS AND ENGAGEMENT	13
4.1. Investigations Already Undertaken	13
4.2. Further Investigations Proposed	14
4.3. Engagement Already Undertaken	15
4.4. Further Engagement Proposed	16
5. CODE AMENDMENT PROCESS	18
5.1. Engagement Plan	18
5.2. Engagement Report	18
5.3. Code Amendment Timetable	19

ATTACHMENTS

Attachment A – Affected Area

Attachment B – Timetable for Code Amendment

1. INTRODUCTION

The Chief Executive seeks to amend the Planning and Design Code (the Code) pursuant to section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016* (the Act). This 'Proposal to Initiate' details the scope, relevant strategic and policy considerations, nature of investigations to be carried out and information to be collected for the Code Amendment. It also details the timeframes to be followed in undertaking the Code Amendment.

The Chief Executive is the 'designated entity' responsible for conducting this Code Amendment process and is required to undertake consultation in accordance with the Community Engagement Charter and make final recommendations to the Minister for Planning (the Minister) prior to consideration whether to approve, amend or refuse the Code Amendment.

It is acknowledged that the Minister may specify conditions on approving this Proposal to Initiate, under section 73(5) of the Act. In the event of inconsistency between this Proposal to Initiate and any conditions specified by the Minister, the conditions will apply.

1.1. Designated Entity for Undertaking the Code Amendment

In accordance with section 73(2)(b) of the Act, the Chief Executive will be the Designated Entity responsible for undertaking the Code Amendment process. As a result:

- 1.1.1. The Chief Executive acknowledges that he will be responsible for undertaking the Code Amendment in accordance with the requirements Act.
- 1.1.2. The Chief Executive intends to undertake the Code Amendment by:
 - (a) Engaging with relevant State Government agencies and local governments, and
 - (b) Utilising professional expertise of employees of the Department including:
 - i. professional planning staff
 - ii. mapping and spatial data expert staff
 - iii. ePlanning staff responsible for the management and operation of the Planning and Design Code
 - iv. communications staff.

1.2. Rationale for the Code Amendment

In mid-2022 unprecedented rainfall in the eastern states on already heavily saturated catchments led to the significant flooding of the River Murray. By December 2022, the waters had reached South Australia (SA), causing widespread floods through the Murraylands and Riverlands.

It is estimated that 220 gigalitres flowed into SA at the peak of the flood. Many of the levees along the River Murray (private and public) were breached in early 2023, causing additional inland flooding.

OFFICIAL

State Government modelling estimates approximately 4000 holiday shacks and permanent dwellings were inundated, with the majority requiring complete rebuild or significant repair.

In addition to dwellings, there is also the loss of much needed irrigation and agricultural infrastructure such as pump houses and sheds. The regions impacted by the floods are lucrative primary producing areas which experienced significant damage to fruit orchards, vineyards, grain and livestock. Not to mention the riverbank, public open space, roads, footpaths and other public infrastructure.

While the South Australian State Government has already implemented mechanisms to help the impacted regions to commence their recovery process through various monetary disaster relief packages, there are additional ways in which it can help rebuild the Murraylands and Riverlands regions, providing clearer guidance to both permanent and holiday homeowners to rebuild their houses in a manner more resilient to future hazard risk.

In early February 2023, the Hon. Nick Champion, Minister for Planning, initiated a River Murray Flood Round Table with a focus on working with the building and development sector to understand and address challenges for the rebuild effort. Discussions at the Round Table will continue as River Murray communities rebuild.

The Department for Trade and Investment – Planning and Land Use Services (PLUS) is the primary custodian of the State's planning system. PLUS has worked alongside the Department for Environment and Water (DEW) and councils impacted by the floods to identify how the Code could be improved to assist in mitigating future flood risk as they rebuild their communities.

A range of necessary planning policy amendments have been identified to provide better guidance for impacted communities to rebuild more flood-resilient development. These amendments are expected to:

- provide more accurate finished floor levels that should be adopted to avoid inundation in future flood events using data and modelling regarding Australian Height Datum (AHD) levels reached by the 2022/23 flood waters in towns & settlements
- provide greater flexibility in building height allowances (this involves review of current policy that seeks to restrict building height above ground level for amenity purposes)
- update policy regarding building materials (what is and isn't 'removeable' in the event of flood) and underfloor structures (how these should / shouldn't be designed for flood resilience purposes), and
- better align the referral trigger to the Department of Environment and Water on development applications.

The proposed Code Amendment will investigate and implement these identified policy amendments.

2. SCOPE OF THE CODE AMENDMENT

2.1. Affected Area

The proposal seeks to investigate amending the Code for some or all the Affected Area, being land and water that generally lies within the external boundaries of the River Murray Flood Protection Area Overlay in the Code mapping, as shown in the map in **Attachment A**.

Note - There is the potential that once more detail becomes apparent on the extent of the recent flood event that some areas that lay near the external boundaries of the Overlay may also be included in the Affected Area for this Code Amendment.

The Affected Area traverses the following Council areas:

- Mid-Murray Council (*this Council area is most affected*)
- The District Council of Loxton-Waikerie
- Renmark-Paringa Council
- The Berri-Barmera Council
- The Rural City of Murray Bridge
- Coorong District Council
- Alexandrina Council
- District Council of Karoonda East Murray

2.2. Scope of Proposed Code Amendment

Current Policy	<p>The existing Code policies which apply to the Affected Area are expansive given the breadth of the geographical area and would be impractical to list.</p> <p>A particular focus will be made on amendments to the River Murray Floodplain Protection Area Overlay. In addition, the following other Overlays, Zones, Subzones and Technical and Numeric Variations (TNVs) (but not limited to these) have the potential to be amended through the Code Amendment:</p> <p><u>Overlays</u></p> <ul style="list-style-type: none"> • River Murray Floodplain Protection Area • Hazards (Flooding- General) • Hazards (Flooding – Evidence Required) • Limited Land Division • Murray- Darling Basin Overlay • River Murray Tributaries Protection Area Overlay • Ramsar Wetlands Overlay • Prescribed Water Resources Overlay • Water Resources Overlay
-----------------------	---

OFFICIAL

	<ul style="list-style-type: none">• Prescribed Watercourses Overlay <p><u>Zones</u></p> <ul style="list-style-type: none">• Conservation• Caravan and Tourist Park• Rural• Rural Shack Settlement• Infrastructure (Ferry and Marina Facilities)• Rural Horticulture• Tourism Development• Rural Living• Business Neighbourhood <p><u>Sub – Zones</u></p> <ul style="list-style-type: none">• Waterfront• Bookmark Creek• River Murray Experience• Visitor Experience <p><u>TNVs</u></p> <ul style="list-style-type: none">• Finished Ground and Floor Levels• Maximum Building Height (Metres)• Maximum Building Height (Levels)
Amendment Outline	<p>The proposed amendment can generally be summarised into two main areas of policy change:</p> <ol style="list-style-type: none">1) Ensuring a streamlined, efficient and fit for purpose planning assessment regime for development requiring to be rebuilt as a result of the recent River Murray flood event.2) Ensuring that planning policy responds to the learnings of the recent flood event by amending policy to ensure development is more resilient from flooding of a similar magnitude in the future.
Intended Policy	<p>With significant input and expertise provided from affected Councils and DEW, the following has been identified as the areas of investigation and potential amendments to the Code:</p> <ul style="list-style-type: none">• introducing accurate finished floor levels to avoid inundation of habitable buildings in a future flood event. This will involve considering Australian Height Datum (AHD) levels that flood waters reached in towns, settlements and shack areas during the 2022/23 event, as well as technical and scientific modelling;

- reviewing the spatial extent of the River Murray Floodplain Protection Area Overlay in connection with the above investigations;
- greater flexibility in building height allowances involving a review of current policy that seeks to restrict building height above ground level for amenity purposes;
- additional policy to guide the design of underfloor structures and areas including building materials to provide better resilience to flood events;
- updated policy to facilitate more flood resilient caravan and tourist parks;
- a review of policy guiding the construction of levees;
- consideration of the rezoning of established shack settlements (e.g. Murbko, Paisley and potentially others) currently located in the Conservation Zone into a more appropriate zone to reflect the existing land use;
- a review the assessment pathway and policy for irrigation infrastructure and related structures which support primary production activities;
- investigations on the relationship between policy in the Code and approval processes for wastewater management and updating policy where appropriate.
- consideration of additional deemed to satisfy pathways for outbuildings, sheds and other storage structures;
- a review of public notification triggers related to dwellings and ancillary structures; and
- a review of the referral framework to the Minister responsible for the River Murray Act 2003 to ensure appropriate alignment with the function and purpose of that Act.

3. STRATEGIC PLANNING OUTCOMES

Proposed Code Amendments occur within a state, regional and local strategic setting, which includes:

- State Planning Policies (SPPs)
- Regional Plans
- Other relevant strategic documents.

3.1. Summary of Strategic Planning Outcomes

Infrastructure and services

Detailed consideration will be given to wastewater infrastructure requirements for rebuilt dwellings and associated approval processes under the *Public Health Act 2011* to ensure alignment with proposed planning policy amendments.

Environmental impacts

Analysis will occur as to the potential for inadvertent impacts that amending planning policy requirements for rebuilding of dwellings or other structures could have on the environment including but not limited to, matters such as native vegetation, biodiversity, water quality to the River Murray, its estuaries and/or surrounding land.

Visual impacts

Analysis will be undertaken regarding the potential visual amenity impacts that could potentially result from amending planning policies for maximum building heights, finished floor levels and design and materiality of undercroft areas of dwellings.

3.2. Alignment with State Planning Policies

The State Planning Policies (SPPs) set out the State's overarching goals and requirements for the planning system. Under section 66(3)(f) of the Act, the Code must comply with any principle prescribed by a SPP.

The Code Amendment should be initiated because the strategic planning outcomes sought to be achieved through the Code Amendment align with or seeks to implement the following SPPs:

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<p>SPP 5 – Climate Change Principles for Statutory Instruments</p> <p>The Planning and Design Code should include a range of overlays that identify both the hazards that need to be considered when proposing new development and the features</p>	<p>The Code Amendment proposes to introduce updated, contemporary policies to respond to the learnings of the recent River Murray flood event.</p> <p>The policies will assist in better protecting rebuilt dwellings and new development from the impacts of future flooding.</p>

<p>that should be protected due to their contribution to climate resilience, e.g. coastal dunes and natural environments that store carbon. Policies should allow for innovative adaptation technologies; promote climate-resilient buildings; improve the public realm; and identify areas suitable for green industries and carbon storage.</p> <p>SPP 15- Natural Hazards</p> <p>Principles for Statutory Instruments</p> <p>The Planning and Design Code should include policy that mitigates the adverse impacts from natural hazards, particularly flood and fire. Overlays will be used to identify risks relating to bushfire, flooding and other natural hazards.</p>	
--	--

3.3. Alignment with Regional Plans

As with the SPPs, the directions set out in Regional Plans provide the long-term vision as well as setting the spatial patterns for future development in a region. This includes consideration of development being appropriately located to be adequately protected from natural hazards.

The Affected Area for the Code Amendment traverses multiple planning regions and therefore also multiple volumes of the Planning Strategy (interim Regional Plans) being:

- The Murray Mallee Regional Plan 2011
- The 30 Year Plan for Greater Adelaide 2010 and 2017 Update (as relevant to those parts of the River which traverse the Alexandrina Council and Rural City of Murray Bridge areas).
- Limestone Coast Regional Plan 2011 (for a relatively small section of the Coorong which traverses that Planning Region).

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
<p>Murray Mallee Regional Plan</p> <p><i>Principles</i></p> <p>3 – Protect people, property and environment from exposure to hazards.</p> <p><i>Policies</i></p> <p>3.1 - Design and plan for development to prevent the creation of hazards (including exposing residents to unacceptable noise and air pollution) and minimise the impacts of naturally occurring hazards, including flooding and sea level rise.</p> <p>7.1 Protect, enhance and promote the assets that attract tourists and are of value to the community, including:</p> <ul style="list-style-type: none"> - caravan parks, campsites, motor homes facilities (that is, large sites with effluent disposal facilities) outside of the floodplain. <p>The 30 Year Plan for Greater Adelaide - 2017 Update</p> <p><i>Emergency management and hazard avoidance Section</i></p> <p><i>Policies</i></p> <p>P118 –</p> <p>Minimise risk to people, property and the environment from exposure to hazards (including bushfire, terrestrial and coastal flooding, erosion, dune drift and acid sulphate soils) by designing and planning for development in accordance with a risk hierarchy of:</p>	<p>The Code Amendment proposes to introduce updated, contemporary policies to respond to the recorded and modelled flood levels and other learnings of the recent River Murray flood event. The policies will assist in better protecting rebuilt dwellings and new development from the impacts of future flooding.</p> <p>This assists in addressing a likely increase in extreme weather events in future due to the impacts of Climate Change.</p>

<ul style="list-style-type: none"> • avoidance • adaptation • protection. <p>Making it happen – in the planning system</p> <p>A66. Map hazards to be identified as overlays within the Planning and Design Code, including flood, bushfire and coastal hazards.</p> <p>A67. Create a consistent policy response that is proportionate to the level of risk for all hazards to be included within the Planning and Design Code.</p> <p>Other key levers to unlock opportunity:</p> <ul style="list-style-type: none"> • Utilise flood hazard mapping to increase the public’s awareness of their exposure to flood risk and assist in risk assessments to identify the priority flood risks in the State. 	
---	--

3.4. Alignment with Other Relevant Documents

Additional documents may relate to the broader land use intent within the scope of this proposed Code Amendment (or directly to the Affected Area) and therefore are identified for consideration in the preparation of the Code Amendment.

The following table identifies other documents relevant to the proposed Code Amendment:

Other Relevant Documents	Code Amendment Alignment with Other Relevant Documents
<p>Stronger Together - South Australia's Disaster Resilience Strategy (2019)</p> <p>The Strategy (led by South Australian Fire and Emergency Services Commission (SAFECOM) provides a foundation upon which state and local governments, non-government</p>	<p>The Code Amendment proposes to introduce updated, contemporary policies to respond to the recorded and modelled flood levels and other learnings of the recent River Murray flood event. The policies will assist in better protecting rebuilt dwellings or other new</p>

organisations, businesses, and communities can work together to build resilience and make South Australia a safer place.

The Strategy also focusses on building the capability of emergency services and other emergency management organisations.

National Disaster Risk Reduction Framework 2018

The National Disaster Risk Reduction Framework is a multisector collaboration led by the National Resilience Taskforce within the Australian Government Department of Home Affairs.

The Framework guides national, whole-of-society efforts to proactively reduce disaster risk in order to minimise the loss and suffering caused by disasters from natural hazards.

Australian Disaster Preparedness Framework 2018

This document describes the Australian Disaster Preparedness Framework and its seven components. It outlines the principles that underpin national preparedness and defines what constitutes preparedness capabilities for severe to catastrophic for disasters. Importantly, the document provides guidelines that can be used by all jurisdictions to inform the development of capability across Australia to prepare for and manage severe to catastrophic disasters.

South Australian Flood Hazard Plan (2021)

The purpose of the Flood Hazard Plan is to set out arrangements and provide information for effective, efficient and coordinated flood management in South Australia. It includes State government flood management priorities for the coming years.

development from the impacts of future flooding.

This assists in addressing a likely increase in extreme weather events in future due to the impacts of Climate Change.

It generally aligns with Australian Government strategies and frameworks about preparing for disasters from natural hazards.

<p>The primary audience for the Flood Hazard Plan is the State Emergency Management Committee (SEMC), the emergency management sector, other relevant State Agencies, local councils, local government authorities and boards as well as the broader general public.</p> <p>South Australian Government Climate Change Action Plan 2021–2025</p> <p>The Action Plan sets out how the South Australian government will deliver on its climate smart policy directions and emissions reduction goals over the next five years.</p> <p>It describes government-led objectives and actions to help to build a strong, climate smart economy, further reduce greenhouse gas emissions, and support South Australia to adapt to a changing climate.</p>	
--	--

4. INVESTIGATIONS AND ENGAGEMENT

4.1. Investigations Already Undertaken

The table below identifies the investigations already undertaken in support of the proposed Code Amendment.

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
Minister’s Flood Construction Roundtable	<p>The Minister for Planning has convened a Flood Construction Roundtable with the construction and building sector. The membership comprises representatives of Master Builders Association, Housing Industry Association, Urban Development Institute Australia, Property Council, Unions, Local Government and relevant State Agencies (Flood Emergency Recovery Coordinator, SAFA, Dept. Environment & Water & SafeWork SA).</p> <p>The Intent is to discuss issues facing recovery and</p>	<p>The first meeting was held in February 2023, and discussed matters relating to planning approvals, planning policy improvements, insurance audits, certification of building works, regional supply chain and capacity issues.</p> <p>Actions from the first meeting included identifying planning policy improvements and exploring development assessment support for impacted councils.</p>

	reconstruction and seek government and industry agreement on pathways forward to address these.	
River Murray Planning and Building Working group with Council staff	<p>On 8 February and 17 March 2023, meetings were held between PLUS and senior staff of Development Services Teams of impacted Councils. The Chief Executive Officer of the Murraylands and Riverlands Local Government Association also participated in the meeting.</p> <p>The purpose of these meetings was to discuss potential amendments to the Code and PDI Regulations which would assist with the recovery and minimise impacts from a future flood event in a way that embeds the learnings from the recent flood event.</p>	The group discussed the key issues facing the rebuilding of dwellings and other structures and the scope of priority policy amendments that may be required to ensure better flood resilience for an equivalent flood in future.

4.2. Further Investigations Proposed

In addition to the investigations already undertaken and identified above, the table below outlines what additional investigations that will be undertaken to support the Code Amendment.

Further Investigations Proposed	Explanation of how the further investigations propose to address an identified issue or question
Statistics and data on impacts of the flood event	<p>Working closely with the Flood Recovery Program led by the Department for Premier and Cabinet (DPC) to define the specific impacts of the flood event, such as:</p> <ul style="list-style-type: none"> • numbers of dwellings and buildings affected; • locations of affected properties; and • tenure and uses of properties (freehold versus leasehold/Crown ownership and permanent residences versus holiday use).
Spatially identifying the extent of the recent flood event	PLUS will obtain mapping data from the Department of Environment and Water (DEW) regarding the extent of the flood waters from the recent event to assist in informing planning policy and mapping amendments in the Code.

<p>Identification of Australian Height Datum (AHD) levels</p>	<p>PLUS will obtain data as well as technical and scientific modelling from DEW and any other appropriate bodies regarding the AHD levels of the recent flood event, particularly as it relates to developed areas such as townships, settlements, shack areas and caravan parks and other tourism sites.</p> <p>This will inform the inclusion of accurate finished floor levels to avoid inundation of habitable buildings in a future flood event.</p>
<p>Design and materiality of under croft areas of buildings</p>	<p>Researching the learnings of the recent flood event on different examples of design relating to under croft areas of buildings and looking at other interstate or overseas jurisdictions for best practice in design for flood resilience.</p> <p>This will inform policy to better guide the design of underfloor structures and areas including building materials to provide better resilience to flood events.</p>
<p>Application pathways</p>	<p>Reviewing the appropriateness of amending application pathways for dwellings being rebuilt because of the flood event in the Rural Shack Settlement Zone and other Zones where urban type development is generally envisaged.</p>
<p>Interstate jurisdiction planning schemes</p>	<p>Investigate best practice planning interventions for flood resilience in interstate jurisdictions to identify policies and approaches that could inform amendments to the Code for better flood resilience.</p>

4.3. Engagement Already Undertaken

The following engagement has occurred on the proposed Code Amendment:

- Minister’s Flood Recovery Roundtable (discussed above).
- Council and State Agency staff working group (discussed above).
- A series of community meetings led by DPC in central locations in flood affected areas where State Government Agencies, infrastructure and utility providers, community services and Council staff have provided information regarding response and recovery and heard the key issues facing the community.

A summary of outcomes or matters raised through engagement already undertaken is as follows:

- The priorities for potential Code policy amendments which require further investigation via a Code Amendment (listed in Section 2.2 above)

- The desire for community guideline information to assist those seeking to rebuild to understand proposed new planning policies resulting from the Code Amendment and other useful information regarding the process to rebuild.
- The need for coordination of all relevant parts of Federal, State and Local Government, utility providers, industry bodies and the broader community to ensure efficient and holistic recovery to the flood event.

4.4. Further Engagement Proposed

In addition to the engagement already undertaken and identified above, the table below outlines what additional engagement will be undertaken to support the Code Amendment.

Further Engagement Proposed	Explanation of how the further engagement propose to address an identified issue or question
Direct Consultation	<p>The Engagement Plan will outline the specific method and nature of consultation. It is intended that the following bodies and persons be directly notified:</p> <ul style="list-style-type: none"> • Attorney-General’s Department - Aboriginal Affairs and Reconciliation • Department for Environment and Water • Department for Infrastructure and Transport • Environment Protection Authority • Department for Health and Wellbeing, SA Health • State Members of Parliament for the electorates in which the proposed Code Amendment applies • Local Government Association (LGA) and the Murraylands and Riverlands LGA • SafeWork SA • Department of Premier and Cabinet • Flood Emergency Recovery Coordinator, Alex Zimmerman • SA State Emergency Services • SA Water • Master Builders Association • Housing Industry Association • Urban Development Institute Australia

OFFICIAL

- Property Council
- Relevant irrigation trusts:
 - Renmark Irrigation Trust
 - Central Irrigation Trust
 - SA Murray Irrigators
 - Lower Murray Private Irrigators Association
- Relevant 'shack owner' associations and organisations
- Primary Producers SA and the following related organisations:
 - Almond Board of Australia
 - South Australian Wine Industry Association Incorporated
 - SA Dairy Farmers Association Inc
 - Riverland Wine
 - Citrus SA
- Business SA
- Regional Development Australia Murraylands and Riverlands
- South Australian Government Financing Authority
- Insurance Council of Australia

In addition, in accordance with sections 44(6) and 73(6)(d) of the Act, the consultation must be undertaken with:

- Mid-Murray Council
- The District Council of Loxton-Waikerie
- Renmark-Paringa Council
- The Berri-Barmera Council
- The Rural City of Murray Bridge
- Coorong District Council
- Alexandrina Council
- District Council of Karoonda East Murray

Given the proposal is generally relevant to councils, the Local Government Association must be notified in writing and consulted on the proposed Code Amendment.

Community consultation	Broader community consultation to provide an opportunity for any interested community members to comment on the proposed outcomes of the Code Amendment. This includes ongoing community meetings led by DPC providing recovery information.
Consultation with any person or body specified by the Commission under section 73(6)(e) of the Act.	Consultation will include any additional bodies specified by the Commission under Section 73(6)(e) of the Act.

5. CODE AMENDMENT PROCESS

5.1. Engagement Plan

The Code Amendment process will occur in accordance with the Community Engagement Charter and *Practice Direction 2 – Consultation on the Preparation or Amendment of a Designated Instrument* (Practice Direction 2).

5.2. Early Commencement

The Act provides the option of a Code Amendment coming into effect upon commencement of community engagement (what the Act terms ‘early commencement’). It is intended that this option be employed in respect of this initiative given that development applications proposing redevelopment have begun to be lodged. This brings with it the associated urgent imperative to update planning policy that recognises the lessons learnt from the recent flood to ensure better flood resilience of rebuilt dwellings and other structures.

5.3. Engagement Report

Once engagement on the Code Amendment is complete, the Designated Entity will prepare an Engagement Report under section 73(7) of the Act.

The Designated Entity must ensure that a copy of the Engagement Report is furnished on the Minister and also published on the SA Planning Portal. This will occur in accordance with Practice Direction 2.

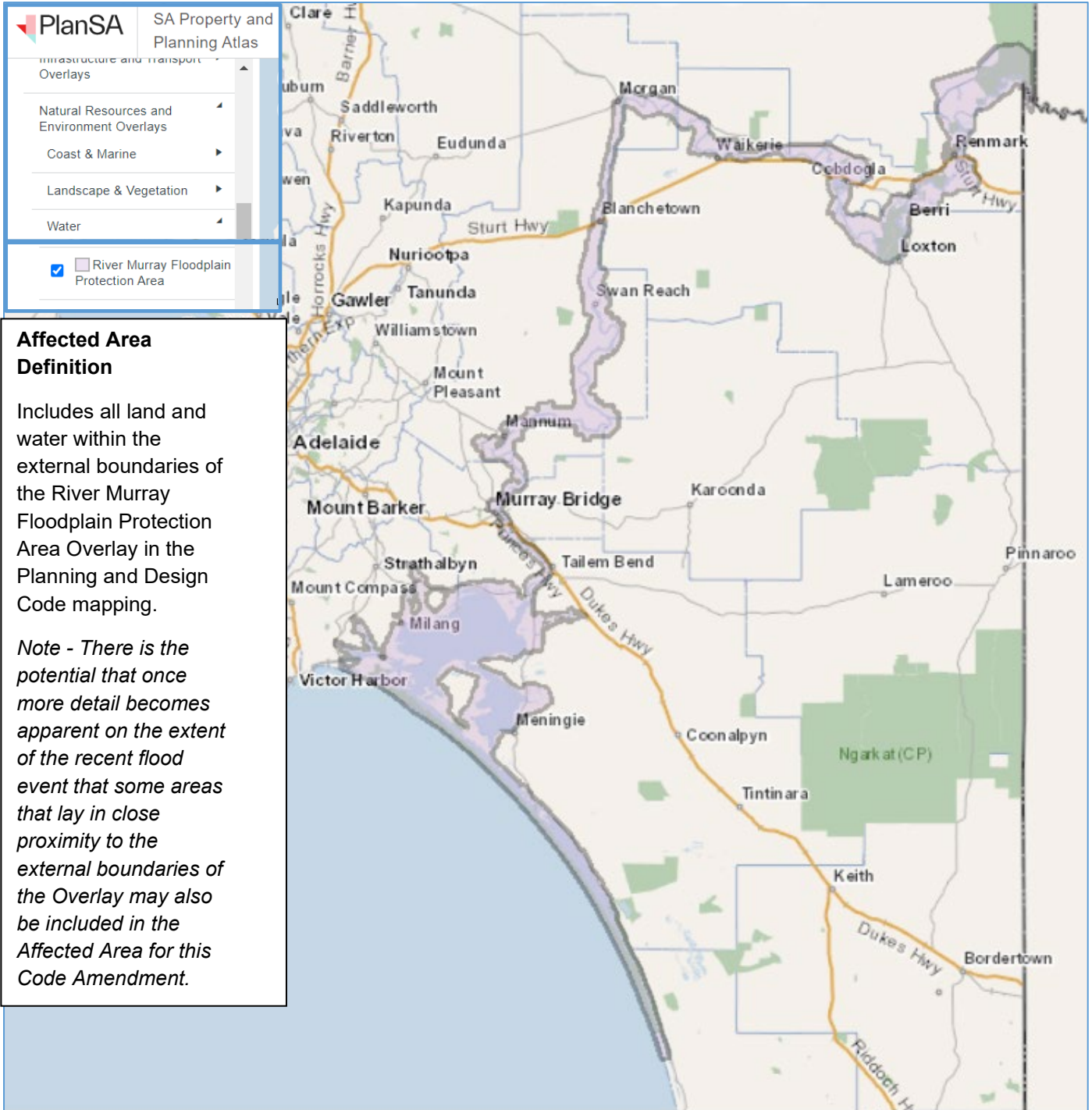
The Engagement Plan and the Engagement Report will also be considered by the State Planning Commission during the final stages of the Code Amendment process. The Commission will provide a report to the Environment, Resources and Development Committee of Parliament under section 74(3) of the Act. The Commission’s report will provide information about the reason for the Code Amendment, the consultation undertaken on the Code Amendment and any other information considered relevant by the Commission.

5.4. Code Amendment Timetable

The Code Amendment is intended to be undertaken in line with the timeframe outlined **Attachment D**.

ATTACHMENT A

Map of Affected Area (see definition)



ATTACHMENT B

Timetable for Code Amendment by the Chief Executive

Step	Responsibility	Timeframe
Approval of the Proposal to Initiate		
Consideration of Proposal to Initiate and advice to the Minister	Commission	3 weeks
Proposal to Initiate agreed to by the Minister	Minister	1 week
Preparation of the Code Amendment		
Engagement Plan Prepared Investigations conducted; Code Amendment Report prepared Drafting instructions and draft mapping prepared	Chief Executive (as Designated Entity)	4 weeks
Preparation of Materials for Consultation	Chief Executive (as Designated Entity)	1 week (mainly simultaneous to above step)
Engagement on the Code Amendment		
Code Amendment Report released for public consultation in accordance with the Community Engagement Charter and the prepared Community Engagement Plan	Chief Executive (as Designated Entity)	8-12 weeks
Consideration of Engagement and Finalisation of Amendments		
Submissions summarised; Amended drafting instructions provided, Engagement Report prepared	Chief Executive (as Designated Entity)	3 weeks
Prepare report to the Commission	DTI	3 weeks
Consideration of Advice	Commission	3 weeks
Decision Process		
Minister considers the Code Amendment Report and the Engagement Report and makes decision	Minister	3 weeks
Implementing the Amendment (operation of the Code Amendment)		
Go-Live - Publish on the PlanSA Portal	DTI	3 weeks
Parliamentary Scrutiny		
Referral of approved Code Amendment to ERDC	DTI	8 weeks