



# A toolkit for local government when making or amending a planning scheme

November 2021



**Copyright**

This publication is protected by the Copyright Act 1968.

**Licence**



This work, except as identified below, is licensed by Department of State Development, Infrastructure, Local Government and Planning under a Creative Commons Attribution-Non Commercial-No Derivative Works (CC BY-NC-ND) 4.0 Australia licence. To view a copy of this licence, visit: <http://creativecommons.org.au/>

You are free to copy and communicate this publication, as long as you attribute it as follows:

© State of Queensland, Department of State Development, Infrastructure, Local Government and Planning, November, 2021.

Third party material that is not licensed under a Creative Commons licence is referenced within this document. All content not licensed under a Creative Commons licence is all rights reserved. Please contact Department of State Development, Infrastructure, Local Government and Planning / the copyright owner if you wish to use this material.



The Queensland Government is committed to providing accessible services to Queenslanders of all cultural and linguistic backgrounds. If you have difficulty understanding this publication and need a translator, please call the Translating and Interpreting Service (TIS National) on 13 14 50 and ask them to contact Department of State Development, Infrastructure, Local Government and Planning on 13 74 68.

**Disclaimer**

While every care has been taken in preparing this publication, to the extent permitted by law, the State of Queensland accepts no responsibility and disclaims all liability (including without limitation, liability in negligence) for all expenses, losses (including direct and indirect loss), damages and costs incurred as a result of decisions or actions taken as a result of any data, information, statement or advice, expressed or implied, contained within. To the best of our knowledge, the content was correct at the time of publishing.

Copies of this publication are available on our website at [www.statedevelopment.qld.gov.au/planning](http://www.statedevelopment.qld.gov.au/planning) and further copies are available upon request to:

Department of State Development, Infrastructure,  
Local Government and Planning  
PO Box 15009, City East QLD 4002  
1 William Street Brisbane Qld 4000 (Australia)

Phone: 13 QGOV (13 7468)  
Email: [bestplanning@dsdilgp.qld.gov.au](mailto:bestplanning@dsdilgp.qld.gov.au)  
Web: [www.statedevelopment.qld.gov.au/planning](http://www.statedevelopment.qld.gov.au/planning)

# Contents

- 1.0 Introduction ..... 4
- 2.0 Engagement ..... 5
- 3.0 Studies and investigations ..... 9
- 4.0 Drafting the planning scheme content ..... 16
  - 4.1 Alignment with specific requirements ..... 16
    - 4.1.1 Strategic outcomes and measures ..... 16
    - 4.1.2 Zones ..... 17
    - 4.1.3 Categories of development and assessment..... 17
    - 4.1.4 Definitions ..... 19
    - 4.1.5 Planning scheme policies..... 20
    - 4.1.6 Notations ..... 20
  - 4.2 Alignment with the Building Act and Section 8(5) of the Planning Act ..... 22
    - 4.2.1 Categories of development and assessment..... 22
    - 4.2.2 Triggering building provisions ..... 23
    - 4.2.3 Triggering / including alternative provisions to the Queensland Development Code (QDC)..... 24
    - 4.2.4 Incentives in the planning scheme to deliver higher standards than in the Building Assessment Provisions (BAPs) ..... 25
    - 4.2.5 Including complementary provisions to Building Assessment Provisions (BAPs)..... 25
  - 4.3 Alignment with drafting principles ..... 27
    - 4.3.1 Scheme approach and structure..... 27
    - 4.3.2 Drafting principles ..... 28
- 5.0 Submitting the package ..... 32
  - 5.1 Making or amending a planning scheme using a tailored process..... 32
  - 5.2 Major amendment..... 33
  - 5.3 Qualified state interest amendment ..... 35
  - 5.4 Minor amendment..... 36
  - 5.5 Administrative amendment ..... 36
  - 5.6 Making or amending a Local Government Infrastructure Plan – LGIP ..... 36
  - 5.7 Making or amending a Planning Scheme Policy – PSP ..... 38
  - 5.8 Making or amending a Temporary Local Planning Instrument – TLPI ..... 39

# 1.0 Introduction

The purpose of this toolkit is to assist local government in addressing relevant plan-drafting considerations when making a new or amending an existing planning scheme.

*Note – The use of the toolkit is not mandatory; however, it is designed to support a culture of no surprises and to streamline the plan-making review steps and where possible avoid the need to pause processes. Where a local government has elected to use the toolkit, the department encourages the submission of the completed document (the components relevant to the nature of the amendment package) at the state interest review stage.*

PHASE / TASK	OBJECTIVE / DELIVERABLE	RESOURCES	SECTION IN THIS TOOLKIT
undertaking ongoing engagement	Early and ongoing engagement with government and other stakeholders deals with issues early in the plan-drafting process and the advice and feedback received informs the package. The plans and development outcomes of the planning scheme reflect balanced community views and aspirations.	'Engagement' sections of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a>	The advice in columns 1 and 2 of the table in <b>2.0 Engagement</b>
undertaking necessary studies and investigations	Investigations necessary to inform the drafting of up-to-date planning scheme outcomes and provisions that integrate state interests are undertaken.	'Understanding the planning scheme context' sections of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a>	The advice in columns 1 and 2 of the table in <b>3.0 Studies and investigations</b>
drafting the planning scheme content	The planning scheme content aligns with the specific requirements of the <i>Planning Act 2016</i> and Planning Regulation 2017, is "well drafted and clearly articulated" and applies the State Planning Policy 2017 guiding principles.	<a href="#">Drafting a planning scheme - Guidance for local governments</a> <a href="#">Integrating building work in planning schemes - Guidance for local governments</a>  <i>Note – This toolkit does not address the integration of state interest policy content in a planning scheme – refer to the 'Approach to plan-drafting' sections of the <a href="#">Delivery of state interests through the Planning Regulation 2017 - Guidance for local governments</a> for this advice</i>	The advice in columns 1 and 2 of the tables in <b>4.0 Drafting the planning scheme content</b>
submitting the package for the amendment or new scheme	A well-made package is submitted that meets all the requirements of the <a href="#">Minister's Guidelines and Rules</a> and includes material of a standard and detail that enables the relevant plan-making step to progress efficiently.	<a href="#">Minister's Guidelines and Rules</a> <a href="#">Guidance for the Minister's Guidelines and Rules</a>	<b>5.0 Submitting the package</b> <b>Complete 'Local government response' column 3 (applicable rows) in all tables</b>  <i>Note - For an Administrative or Minor amendment, it will usually only be necessary to complete column 3 in 5.4 Minor amendment or 5.5 Administrative amendment</i>

## 2.0 Engagement

The State Planning Policy 2017 (SPP) guiding principles include that plans and development outcomes reflect balanced community views and aspirations. A well-made planning scheme is one that has been prepared in collaboration with stakeholders and the community, including early engagement with the State. The following table collates advice on suggested stakeholders to engage with (to inform both the scope and approach of the package and then in the drafting of the planning scheme content), and ones that are identified in Integrating state interests in a planning scheme - Guidance for local governments.

*Note – The scope and nature of engagement likely to be of value in informing the package will be determined by the scope and nature of the proposed amendment / new scheme, the local government context and the scope of consultation that have been undertaken previously. It is not expected that all the identified key stakeholders are required to be engaged with for every package – complete the sections relevant to the nature of the package.*

Item to be considered to inform the planning scheme content (prior to drafting a new planning scheme or drafting an amendment to an existing planning scheme)		Advice on addressing the matter	Local government response
The department and technical agencies			
1.	Refer to 'engagement' sections of <u>Integrating state interests in a planning scheme - Guidance for local governments</u> for details	<b>Coordinate early engagement with the Department and relevant state agencies and other government-owned corporations or bodies via the local DSDILGP office, to confirm matters of state interest, discuss locally responsive approaches to delivering on the state interest and for technical information</b>	<i>For example:</i>  <i>"Meetings and conversations have been held with the following agency officers in relation to the following specific matters:</i>  <i>John Smith of DES on 1/1/21 regarding xxxx"</i>
Key stakeholders			
2.	<b>Housing supply and diversity state interest key stakeholders</b>  Refer to section 2.1.1 of <u>Integrating state interests in a planning scheme - Guidance for local governments</u> for details	(a) Industry and community housing providers and local communities to inform policies for residential growth, infill and housing mix and understand the challenges and needs in the local government area	
3.	<b>Liveable communities state interest key stakeholders</b>  Refer to section 3.1.1 of <u>Integrating state interests in a planning scheme - Guidance for local governments</u> for details	(a) The local community to identify local landscape character and values (b) Local businesses and industries, including small businesses to understand their role and contribution to the community and local centres, and their needs to be able to continue to generate employment and provide services to the community	
4.	<b>Agriculture state interest key stakeholders</b>  Refer to section 4.1.1 of <u>Integrating state interests in a planning scheme - Guidance for local governments</u> for details	(a) Surrounding local authorities, to identify agriculture industries that rely on or require infrastructure across local government areas, to deliver cohesive agricultural supply chains (b) Agriculture industry associations and advocates to identify key trends and issues relevant to the local government area (c) Aquaculture industry associations, commercial fishing industry associations and recreational fishing advocacy groups to identify key trends and issues relevant to the local government area and surrounds	

Item to be considered to inform the planning scheme content (prior to drafting a new planning scheme or drafting an amendment to an existing planning scheme)		Advice on addressing the matter	Local government response
5.	<b>Development and construction state interest key stakeholders</b>  Refer to section 5.1.1 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details	(a) Registered Native Title parties where a registered Indigenous Land Use Agreement is in place	<i>Providing a record of the engagement activities and feedback received will assist the State in understanding the evidence base that has informed the scheme approach and efficiently undertaking MGR plan making steps</i>
6.	<b>Mining and extractive industry state interest key stakeholders</b>  Refer to section 6.1.1 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details	(a) Surrounding local authorities, to identify extractive resource and mining opportunities and impacts that may cross local government boundaries (b) Affected community, to identify known issues and explore opportunities for understanding the importance of extractive resources to the community (c) Industry, including local extractive industry operators, to gain technical advice and be advised of current and future operations	
7.	<b>Tourism state interest key stakeholders</b>  Refer to section 7.1.1 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details	(a) Agencies and providers identified in significant tourism plans and strategies, to gain further advice on and explore opportunities associated with those tourism plans (b) Surrounding local authorities, to identify tourism opportunities and impacts that may cross local government boundaries	
8.	<b>Biodiversity state interest key stakeholders</b>  Refer to section 8.1.1 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details	(a) Surrounding local authorities and regional Natural Resource Management (NRM) groups, to consider possible significant connections and corridors which cross local government boundaries (b) Local community, Aboriginal and Torres Strait Islander communities and land protection groups, to gain input and local knowledge to support the identification of MES	
9.	<b>Coastal environment state interest key stakeholders</b>  Refer to section 9.1.1 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details	(a) Surrounding local governments to identify coastal resources and landforms which may cross local government boundaries (b) Members of the community including Aboriginal and Torres Strait Islander groups, industry including the development and tourism industry, and other interest groups such as land management groups, to identify important places and features, known issues, areas which require protection and areas which are underutilised for development	
10.	<b>Cultural heritage state interest key stakeholders</b>  Refer to section 10.1.1 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details	(a) Local community and local historical societies to assist in identifying places of local heritage value (b) Aboriginal and Torres Strait Islander groups to identify (where appropriate) and protect matters of Aboriginal and Torres Strait Islander cultural heritage significance from development that could impact on their values and to assist in identifying, understanding and advancing Aboriginal and Torres Strait Islander knowledge, culture and tradition	
11.	<b>Water quality state interest key stakeholders</b>  Refer to section 11.1.1 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details	(a) Bulk water entities and water service providers providing drinking water (e.g., Sunwater, Seqwater, local governments) to identify drinking water supply storage sources (such as reservoirs) and buffers within the local government area and identify water supply buffer areas outside of SEQ (b) Natural resource management (NRM) bodies / groups for the scope and status of projects in Regional NRM plans	



Item to be considered to inform the planning scheme content (prior to drafting a new planning scheme or drafting an amendment to an existing planning scheme)		Advice on addressing the matter	Local government response
12.	<b>Emissions and hazardous activities state interest key stakeholders</b>  Refer to section 12.1.1 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details	(a) Surrounding local authorities and other plan making agencies, particularly where buffer distances protecting activities generating emissions extend across Land Use Plan or Development Scheme and neighbouring local government boundaries (b) Operators and owners of industrial development, major infrastructure, and sport and recreation facilities, and hazardous industries to understand issues, constraints and opportunities for these activities in the local government area (c) Residents and business owners in interface or buffer areas to understand issues, constraints, and opportunities for these activities in the local government area (d) High pressure gas pipeline owners and operators to identify the 'measurement length' (also referred to as the 'consequence zone') in existence for each segment of the pipeline and the implications of the proposed land use planning intent on the location class, design, procedural and protective measures currently being employed by the operator	<i>Providing a record of the engagement activities and feedback received will assist the State in understanding the evidence base that has informed the scheme approach and efficiently undertaking MGR plan making steps</i>
13.	<b>Natural hazards, risk and resilience state interest key stakeholders</b>  Refer to section 13.13.1 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details	(a) Surrounding local authorities to identify District disaster management strategies relevant to the local government area	
14.	<b>Energy and water supply state interest key stakeholders</b>  Refer to section 14.1.1 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details	(a) The department and utility providers and state-owned bulk water entities (e.g., Energex, Ergon Energy, Essential Energy, Gladstone Area Water Board, Mount Isa Water Board, Powerlink, Sunwater, Seqwater) to identify existing and approved infrastructure including the location of infrastructure where not mapped in the SPP IMS, potential changes to this infrastructure, future infrastructure and network needs, the efficiency and effectiveness of preferred zoning for future infrastructure development, and requirements for planning and development in and around their infrastructure (b) Surrounding local authorities, to identify infrastructure that may cross local government boundaries	
15.	<b>Infrastructure integration state interest key stakeholders</b>  Refer to section 15.1.1 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details	(a) Surrounding local authorities, to identify infrastructure opportunities and impacts that may cross local government boundaries (b) Responsible agencies and providers identified in significant infrastructure plans and strategies, to gain further advice on and explore opportunities associated with those infrastructure plans	
16.	<b>Transport infrastructure state interest key stakeholders</b>  Refer to section 16.1.1 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details	(a) Surrounding local governments, to identify key transport infrastructure opportunities that may cross local government boundaries	
17.	<b>Strategic airports state interest key stakeholders</b>	(a) The airport operator, and if necessary, the Civil Aviation Safety Authority (CASA), Airservices Australia, the Commonwealth Department of Infrastructure and/or the Department of Defence, when undertaking land use planning in the vicinity of a strategic airport to discuss the local government planning scheme intentions and gain	

Item to be considered to inform the planning scheme content (prior to drafting a new planning scheme or drafting an amendment to an existing planning scheme)		Advice on addressing the matter	Local government response
	Refer to section 17.1.1 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details	<p>an understanding of aviation activity forecasts and future plans, particularly airport master plans, where relevant</p> <p>(b) The airport operator to identify potential opportunities for development to complement the role of a strategic airport as an economic, freight and logistics hub or enhance economic opportunities that are available in proximity to a strategic airport, and to identify issues and constraints to avoid planning and operation conflicts</p> <p>(c) Airservices Australia to inform specifications for each aviation facility (this is particularly important for glide path and localiser facilities which are not mapped in the SPP IMS)</p>	Providing a record of the engagement activities and feedback received will assist the State in understanding the evidence base that has informed the scheme approach and efficiently undertaking MGR plan making steps
18.	<p><b>Strategic ports state interest key stakeholders</b></p> <p>Refer to section 18.1.1 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details</p>	<p>(a) Surrounding local authorities, to identify port infrastructure opportunities and impacts that may cross local government boundaries</p> <p>(b) Port authorities, to identify known issues, understand the port authority's land use plan and master plan, gain advice on future plans, understand shipping and industry trends, and identify the specific range, type and pattern of industrial, logistic and marine activities in the surrounding local government area and adjoining the port that would best capitalise on and support port operations and development</p> <p>(c) Major import and export industries and port users</p> <p>(d) Environmental interest groups and Traditional Owners</p>	
Community			
19.	Refer to the <a href="#">Community Engagement Toolkit for Planning</a> for details and to the guidance contained in <a href="#">Advancing Aboriginal And Torres Strait Islander interests in land use planning</a>	<p><b>Develop and implement a communications strategy for early and ongoing engagement with State Agencies, key stakeholders and Traditional Owners that ensures the attention of the community, or the affected part of the community, will be drawn to the purpose and general effect of the proposed amendment or new scheme</b></p> <p>Community views and aspirations may be communicated in feedback that has informed the package (for example, submissions and engagement as part of previous amendment process may have informed the scoping of the current package) and via implementing a communications strategy that draws the attention of the community to the purpose and general effect of the new planning scheme or the amendment to an existing planning scheme.</p>	<p>For example:</p> <p>"The communications strategy is attached - refer to appendix (XX)"</p>



# 3.0 Studies and investigations

The SPP guiding principles include that *evidence and objectively assessed needs form a basis for planning that uses the best available knowledge*. The following table collates the typical studies and investigations relevant to inform the drafting of up-to-date planning scheme outcomes and provisions, that are identified in Integrating state interests in a planning scheme - Guidance for local governments.

*Note – The scope and nature of investigations and studies likely to be necessary to inform the package will be determined by the scope and nature of the proposed amendment / new scheme, the local government context and the scope of investigations that have been undertaken previously. It is not expected that all the identified studies and investigations are required for every package – a contained amendment will have a smaller scope than a new planning scheme – complete the section relevant to the nature of the package.*

Item to be considered to inform the planning scheme content (prior to drafting a new planning scheme or drafting an amendment to an existing planning scheme)		Advice on addressing the matter	Local government response
1.	Planning report	<p>Consider preparing a consolidated planning report that draws together the finding of specialised studies that informs and provides the rationale for the scheme approach and outcomes.</p> <p>The need for proposed planning scheme provisions should be clearly connected to and justified by the evidence base and analysis contained in these investigations.</p>	<p><i>Providing a record of the studies and investigations undertaken will assist the State in understanding the evidence base that has informed the scheme approach and efficiently undertaking MGR plan making steps</i></p>
2.	<p><b>Housing supply and diversity state interest investigations</b></p> <p>Refer to section 2.1.2.1 of <u>Integrating state interests in a planning scheme - Guidance for local governments</u> for details</p>	<p>In local government areas which have at least one urbanised area with a population greater than 10,000:</p> <p>Prepare a <b>housing strategy</b> sets a clear plan for housing in a local government area for an identified period, to appropriately plan for residential growth and deliver housing choice, diversity and affordability that meets the current and future needs and emerging trends of the local government area:</p> <ul style="list-style-type: none"><li>(a) Set a clear vision of the housing objectives for the local government area</li><li>(b) Consider the local government context, the content of the existing planning scheme, and the currency of that content, including the physical characteristics of the local government area and/or region and the legislative and policy context within which the housing strategy is being developed</li><li>(c) Identify and undertake an in-depth analysis of the local growth pressures and existing and future housing needs in the local government area, founded on a clear evidence base including a <b>land supply analysis</b> and <b>housing needs assessment</b></li><li>(d) Analyse the extent to which the current local government planning scheme adequately caters for the housing needs of the local government area’s residents, based on their future housing needs – considering affordability, suitability and preference</li><li>(e) Make recommendations on how planning scheme provisions can respond to the ‘gap’ between projected dwellings and projected household needs and preferences to deliver a sufficient supply of housing in the right locations that responds to residential growth and the diversity of housing needs and supports affordable housing outcomes, including recommendations in relation to the local government planning scheme approach to:<ul style="list-style-type: none"><li>i. the local government area settlement pattern</li><li>ii. land release strategy</li><li>iii. the allocation of zones</li></ul></li></ul>	<p><i>For example:</i></p> <p><i>“A housing strategy has been prepared, including a land supply analysis and housing needs assessment - refer to appendix (XX)”</i></p>

Item to be considered to inform the planning scheme content (prior to drafting a new planning scheme or drafting an amendment to an existing planning scheme)		Advice on addressing the matter	Local government response
		<ul style="list-style-type: none"> <li>iv. prescribed categories of development and assessment for different aspects of development and uses</li> <li>v. provisions to support the quantum and mix of housing in all or parts of the planning scheme area.</li> </ul> <p>In local government areas subject to very few development applications where significant changes in the population are unlikely:</p> <ul style="list-style-type: none"> <li>(f) Review population and dwelling projections for the local government area and compare those to the availability and unutilised / realistic capacity of residentially zoned land to determine whether additional land is required to be zoned in accessible and well-serviced locations to accommodate the projected population and changing resident needs</li> <li>(g) Consider the changing needs of the population and local market feedback and assess whether the planning scheme enables accommodation types that will cater to these needs</li> </ul>	<p><i>Providing a record of the studies and investigations undertaken will assist the State in understanding the evidence base that has informed the scheme approach and efficiently undertaking MGR plan making steps</i></p>
3.	<p><b>Liveable communities state interest investigations</b></p> <p>Refer to section 3.1.2.1 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details</p>	<p><b>Community infrastructure</b></p> <p>In local government areas experiencing growth:</p> <ul style="list-style-type: none"> <li>(a) Prepare a <b>community infrastructure plan</b> to identify current community needs and the land required for the provision of community facilities and services (such as education facilities, emergency services facilities, aged care facilities, correctional facilities and waste management facilities) to support growth opportunities</li> <li>(b) Assess whether the current land use planning policy supports a development mix that: <ul style="list-style-type: none"> <li>i. caters to the diverse needs of all people and abilities in the community, including different income levels, people with disabilities or restricted mobility, seniors, and people with young children</li> <li>ii. supports community facilities and services, with different scales and types of activities, good connectivity through a range of public and private transport options, temporary to permanent uses, and development which can be adapted to function for a variety of uses, depending on the needs of the community</li> </ul> </li> <li>(c) Assess whether the location and capacity of existing infrastructure networks aligns with projections for anticipated development</li> </ul> <p>In local government areas subject to very few development applications where significant changes to the urban fabric are unlikely:</p> <ul style="list-style-type: none"> <li>(d) Analyse the population projections for the local government area in relation to the availability of land within townships to cater to the mix of land uses needed to service the needs of the community</li> <li>(e) Identify the availability, number, location, and zoning of existing community facilities needed to cater to the community</li> </ul> <p><b>Local character and values</b></p> <ul style="list-style-type: none"> <li>(f) Identify areas of local landscape character, important cultural landscapes or sites, areas of high scenic amenity and important views and vistas</li> </ul>	
4.	<p><b>Agriculture state interest investigations</b></p>	<p><b>Agriculture industry</b></p> <ul style="list-style-type: none"> <li>(a) Identify the existing infrastructure and processing facilities that support agriculture development</li> </ul>	

Item to be considered to inform the planning scheme content (prior to drafting a new planning scheme or drafting an amendment to an existing planning scheme)	Advice on addressing the matter	Local government response <i>Providing a record of the studies and investigations undertaken will assist the State in understanding the evidence base that has informed the scheme approach and efficiently undertaking MGR plan making steps</i>
	<p>Refer to section 4.1.2.1 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details</p> <p><b>Agricultural land</b></p> <ul style="list-style-type: none"> <li>(b) Identify whether there are any important agricultural areas (IAAs) in the planning scheme area</li> <li>(c) Identify whether there is any agricultural land classification (ALC) Class A and B land in the planning scheme area</li> <li>(d) Identify the specific existing agricultural activities in the local government area</li> <li>(e) Identify potential agricultural values in the local government area</li> <li>(f) Consider whether to locally verify and refine areas mapped as IAAs in the SPP IMS to consider the local importance (rather than the regional or statewide importance) of the relevant agricultural commodities</li> <li>(g) Identify the suitable lot sizes to support the types of agricultural activities existing or suited to different parts of the local government area. Undertaking an <b>economic analysis and survey</b> to identify the typical holding sizes of successful agricultural enterprises in the local area can inform lot sizes</li> </ul> <p><b>Fisheries resources</b></p> <ul style="list-style-type: none"> <li>(h) Identify whether there are any areas that host fisheries resources in the planning scheme area</li> </ul> <p><b>Aquaculture</b></p> <ul style="list-style-type: none"> <li>(i) Identify whether there are any aquaculture development areas (ADAs) or other suitable areas for aquaculture in the planning scheme area</li> </ul> <p><b>Stock route network</b></p> <ul style="list-style-type: none"> <li>(j) Identify the stock route network both within the local government area and where it crosses into other local government areas</li> </ul>	
<p>5. <b>Development and construction state interest investigations</b></p> <p>Refer to section 5.1.2.1 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details</p>	<p><b>Facilitating a range of land uses</b></p> <ul style="list-style-type: none"> <li>(a) Review the local government area population and employment projections and compare this to the planning scheme capacity to support these growth projections</li> <li>(b) Undertake a <b>commercial / retail / industrial land supply and employment needs analysis</b> to inform the allocation of a sufficient supply of land for retail, commercial, industrial, residential and mixed-use land uses into the future</li> <li>(c) Identify the location and capacity of existing infrastructure networks including projections to cater for anticipated development</li> <li>(d) Ensure (for example via preparing or updating an LGIP) necessary infrastructure can be funded/provided to <b>support the needs of the community generated by population and employment projections</b></li> </ul> <p><b>State owned land</b></p> <ul style="list-style-type: none"> <li>(e) Identify the location of state-owned land within the planning scheme area and understand the public benefit outcomes sought for this land under the <i>Land Act 1994</i></li> </ul> <p><b>Priority Development Areas (PDAs)</b></p> <ul style="list-style-type: none"> <li>(f) Identify whether there are any PDAs within the local government area and if so, understand desired outcomes within and surrounding the PDAs and the likelihood or timing of any potential revocation of the PDA</li> </ul> <p><b>State development areas (SDAs)</b></p>	



Item to be considered to inform the planning scheme content (prior to drafting a new planning scheme or drafting an amendment to an existing planning scheme)		Advice on addressing the matter	Local government response
		(g) Identify whether there are any SDAs within the local government area and if so, understand desired outcomes within and surrounding these sites	
6.	<b>Mining and extractive state interest industry investigations</b>  Refer to section 6.1.2.1 of <u>Integrating state interests in a planning scheme - Guidance for local governments</u> for details	(a) Identify whether there are any KRAs or mining resources in the planning scheme area	
7.	<b>Tourism state interest investigations</b>  Refer to section 7.1.2.1 of <u>Integrating state interests in a planning scheme - Guidance for local governments</u> for details	(a) Consider the findings and desired outcomes from the state-endorsed studies and plans relevant to the local government area (b) Identify significant tourism areas and tourism opportunities in the local government area, including tourism assets and unique attractions of the area (c) Explore the type of tourism for type of place	
8.	<b>Biodiversity state interest investigations</b>  Refer to sections 8.1.2.1, 8.2.3 and 8.2.4 of <u>Integrating state interests in a planning scheme - Guidance for local governments</u> for details	(a) Prepare a <b>landscape-wide biodiversity strategy</b> to identify biodiversity values at a local government level (b) Identify any MNES in the local government area including immediately adjacent to the boundary of the local government area and offshore areas, such as marine parks (c) Identify any MSES in the local government area including immediately adjacent to the boundary of the local government area and offshore areas and choose whether to locally refine wildlife habitat and high environmental value wetlands and watercourse layers (d) Identify and describe the MLES in the local government area (e) Identify land that provides ecological connectivity or includes ecological corridors (f) In SEQ, identify parts of the local government area that are recognised as Koala Priority Areas (KPAs) and Koala Habitat Areas (KHA)	
9.	<b>Coastal environment state interest investigations</b>  Refer to section 9.1.2.1 of <u>Integrating state interests in a planning scheme - Guidance for local governments</u> for details	(a) Identify whether a coastal management district applies in the local government area and if so: <ul style="list-style-type: none"> <li>i. identify the coastal resources, processes or landforms, including reefs and islands, important to the local government area and the community, based on their environmental, historical, cultural, aesthetic and economic value</li> <li>ii. identify areas of coastal scenic and aesthetic value, in particular those values and areas unique to the local government area which require protection through the planning scheme</li> <li>iii. identify the landscape character of the local government area</li> <li>iv. identify where public access along the coast can be facilitated or improved and where access should be restricted, including identifying where and how access and use of state coastal land is preferred in the local government area</li> </ul> (b) Identify whether the local government area is in a Great Barrier Reef catchment (c) Identify any strategic ports and airports, priority ports, aviation facilities, boat harbours or associated facilities in the local government area (d) Identify and analyse: <ul style="list-style-type: none"> <li>i. the existing patterns of urban development in the area and areas available for infill and redevelopment which don't impact on coastal processes or resource</li> <li>ii. areas which currently support, or which could support coastal dependent development</li> </ul>	

Item to be considered to inform the planning scheme content (prior to drafting a new planning scheme or drafting an amendment to an existing planning scheme)		Advice on addressing the matter	Local government response
		iii. areas which have historically relied on reclamation (canals, dryland marinas) and/or areas that may support reclamation into the future	
10.	<b>Cultural heritage state interest investigations</b> Refer to section 10.1.2.1 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details	(a) Identify whether there are any world heritage areas, national heritage places or state heritage places in the local government area (b) Undertake or update a <b>local heritage survey</b> to identify places and areas of cultural heritage significance to the local government area (c) Improve the standard of existing statements of significance where necessary	
11.	<b>Water quality state interest investigations</b> Refer to section 11.1.2.1 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details	(a) Identify water supply resource catchments and drinking water supply sources (such as reservoirs) and buffers within the local government area (b) Confirm if the river basins both within the local government area and that cross local government boundaries have EVs and WQOs and identify high ecological value areas aquatic ecosystems (c) Identify which stormwater climatic regions apply to the local government area, to inform stormwater management design objectives for development assessment (d) Identify areas of high-risk soils	
12.	<b>Emissions and hazardous activities state interest investigations</b> Refer to section 12.1.2.1 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details	<b>Emissions and hazardous activities</b> (a) Identify land used, planned and/or zoned for industrial development, major gas, waste and sewerage infrastructure, and sport and recreation activities or the storage and disposal of hazardous materials in or adjoining the planning scheme area (b) Identify the separation distance from land used, planned or zoned for emissions or hazardous activities where incompatible uses should be avoided (c) Identify locations where an established conflict exists between activities generating emissions and nearby sensitive uses, resulting in existing conditions exceeding desired ambient emissions levels (d) Identify the location of existing high pressure gas pipelines and available pipeline measurement lengths  <b>Previous activities that may cause risk to people or property</b> (e) Identify and analyse potential past mining activity in the planning scheme area (f) Identify contaminated land including land likely to be contaminated with per- and polyfluoroalkyl substances (PFAS) in the planning scheme area  <b>Acid sulfate soils</b> (g) Identify where development may impact on acid sulfate soil (ASS) affected areas and assessment required because of this disturbance	
13.	<b>Natural hazards, risk and resilience state interest investigations</b> Refer to section 13.1.2.1 and 13.1.3 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details	(a) Consider Queensland's strategic policy directives and strategies for disaster risk reduction, climate adaptation planning and resources that explain and assist in identifying natural hazards (b) Undertake a 'fit-for-purpose' <b>risk assessment</b> to inform the provisions of a planning scheme relating to natural hazard risk	
14.	<b>Energy and water supply state interest investigations</b>	<b>Major electricity infrastructure and bulk water supply infrastructure</b>	

Item to be considered to inform the planning scheme content (prior to drafting a new planning scheme or drafting an amendment to an existing planning scheme)		Advice on addressing the matter	Local government response
	Refer to section 14.1.2.1 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details	<p>(a) Identify the existing and approved future major electricity infrastructure and bulk water supply infrastructure locations, corridors and easements both within the local government area and that cross local government boundaries</p> <p>(b) Review utility provider annual and planning reports to assist in understanding future network planning</p> <p><b>Renewable energy</b></p> <p>(c) Identify whether there are any regionally significant renewable energy resources in the planning scheme area or through state energy strategies or initiatives</p> <p>(d) Explore the opportunities for new areas to be set aside for renewable energy developments in the planning scheme area and where opportunities and availability exist, identify suitable and viable locations within the identified areas for renewable energy generators and supporting infrastructure</p>	<i>Providing a record of the studies and investigations undertaken will assist the State in understanding the evidence base that has informed the scheme approach and efficiently undertaking MGR plan making steps</i>
15.	<b>Infrastructure integration state interest investigations</b>  Refer to section 15.1.2.1 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details	<p>(a) Identify the infrastructure plans and initiatives for the local government area contained in the Australian Infrastructure Plan, State Infrastructure Plan and relevant regional plans. Gain advice from government agencies, corporations and utility providers on the current and planned capacity, demand forecasting, need for new, and augmentation feasibility, for infrastructure</p> <p>(b) Identify the types of land use or development that may compromise the ability of each infrastructure type and their associated services to operate safely and efficiently</p> <p>(c) Where new greenfield or infill urban growth areas are proposed in the planning scheme:</p> <ol style="list-style-type: none"> <li>identify the existing water supply infrastructure capacity to service the anticipated development</li> <li>identify future infrastructure requirements including community infrastructure</li> <li>identify the location of this future infrastructure and infrastructure corridors</li> </ol>	
16.	<b>Transport infrastructure state interest investigations</b>  Refer to section 16.1.2.1 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details	<p>(a) Identify existing and future transport corridors, strategic transport infrastructure and public passenger transport facilities, both within the local government area and that cross local government boundaries</p> <p>(b) Identify land that is adversely affected by environmental emissions generated from transport infrastructure and corridors</p>	
17.	<b>Strategic airports state interest investigations</b>  Refer to section 17.1.2.1 of <a href="#">Integrating state interests in a planning scheme - Guidance for local governments</a> for details	<p>(a) Identify whether there are any strategic airports and aviation facilities in the local government area</p> <p>(b) Identify the associated Australian Noise Exposure Forecast (ANEF) contours, obstacle limitation surfaces (OLS) or height restriction zones, public safety areas (PSAs), lighting area buffers, light restriction zones and wildlife hazard buffer zones affecting the local government area</p> <p>(c) Identify whether there are building restricted areas (BRAs) associated with aviation facilities affecting the local government area (identify in consultation with Airservices Australia who can assist in identifying the location and specific protection requirements for aviation facilities)</p> <p>(d) Identify key transport corridors (passenger and freight) linking strategic airports to the broader transport network</p>	
18.	<b>Strategic ports state interest investigations</b>	<p>(a) Identify whether there is a strategic port in the local government area and if so, identify whether there is a statutory land use plan for the port made under the <i>Transport Infrastructure Act 1994</i></p>	



Item to be considered to inform the planning scheme content (prior to drafting a new planning scheme or drafting an amendment to an existing planning scheme)		Advice on addressing the matter	Local government response
	Refer to section 18.1.2.1 of <u>Integrating state interests in a planning scheme - Guidance for local governments</u> for details	<ul style="list-style-type: none"><li>(b) Identify the supply chains that are critical to port operations and the local community and the key transport corridors (including freight corridors) linking a strategic port to the broader transport network and to supply chains</li><li>(c) Identify land that is adversely affected by environmental emissions generated by strategic ports</li><li>(d) Identify whether the strategic port is identified as a priority port and if so, review the port authority's land use plan to identify the location of strategic port land and core port land (if any) for the relevant strategic port, to determine the extent of port operations and identify where the local government planning scheme does not apply, and identify if there is a port overlay and master plan made under the <i>Sustainable Ports Development Act 2015</i> for the priority port</li></ul>	<i>Providing a record of the studies and investigations undertaken will assist the State in understanding the evidence base that has informed the scheme approach and efficiently undertaking MGR plan making steps</i>

# 4.0 Drafting the planning scheme content

## 4.1 Alignment with specific requirements

Requirements of the *Planning Act 2016* and *Planning Regulation 2017* apply when making or amending a planning scheme. Refer to the [Drafting a planning scheme - Guidance for local governments](#) and the [Delivery of state interests through the Planning Regulation 2017](#) for details.

*Note – Section 4(c) of the Act states that planning schemes form part of the system to facilitate the achievement of ecological sustainability, by setting out integrated State, regional and local planning and development assessment policies for all of a local government area, and Section 16(1)(c) of the Act states that a planning scheme is to coordinate and integrate the matters dealt with by the planning scheme, including State and regional aspects of the matters. For consideration of how to effectively set out, coordinate and integrate state and regional planning policy refer to [Integrating state interests in a planning scheme - Guidance for local governments](#).*

### 4.1.1 Strategic outcomes and measures

Item to be considered when making drafting a new planning scheme or amending an existing planning scheme		Advice on addressing the matter	Local government response
			<i>Providing a record of considerations and the scheme response, including identifying the key sections of the scheme that respond to the matter, will assist the State in understanding the scheme approach and in efficiently undertaking the plan making steps</i>
1.	Section 16(1) of the Act states that a planning scheme must identify strategic outcomes	(a) Clearly include provisions that are referred to as 'strategic outcomes' OR (b) Clearly explain what elements of the planning scheme are to be read as 'strategic outcomes' for the purposes of Section 16(1)	<identify which option the scheme uses>
2.	Section 43(2) of the Act states that the assessment benchmarks for code assessment do not include the strategic outcomes	(a) Ensure the scope of matters identified as applying to code assessment throughout the planning scheme do not include elements identified as or identified to be read as 'strategic outcomes' for the purposes of Section 16(1)	
3.	Section 16(1) of the Act states that a planning scheme must include measures to facilitate the achievement of the strategic outcomes	(a) Clearly include provisions that are referred to as 'measures' OR (b) Clearly explain what elements of the planning scheme are to be read as 'measures' for the purposes of Section 16(1)	<identify which option the scheme uses>

4.1.2 Zones

Item to be considered when making drafting a new planning scheme or amending an existing planning scheme		Advice on addressing the matter	Local government response
			<i>Providing a record of considerations and the scheme response, including identifying the key sections of the scheme that respond to the matter, will assist the State in understanding the scheme approach and in efficiently undertaking the plan making steps</i>
1.	<b>Zone names</b> Section 6 of the Regulation states that a planning scheme may only include land in the zones identified in schedule 2 (it is not necessary to use every zone)	(a) Ensure references to zones use the exact zone names as contained in column 1 of schedule 2 of the Regulation  <i>Note – A planning scheme may include zones precincts for a zone, but the overarching zone name must remain as per the Regulation</i>	
2.	<b>Zone map colours</b> Section 6 of the Regulation states that a planning scheme must show the zones using set zone map colours identified in schedule 2	(a) Ensure zones colours in planning scheme mapping use the exact red, green and blue values, referred to as RGB colour, for each zone as contained in column 3 of schedule 2 of the Regulation	
3.	<b>Zone map colours</b> While not a regulatory requirement, guidance for local government includes that a planning scheme may add a symbol or letter to each zone colour to assist in differentiating between zones	(a) If a symbol or letter is added to the zone in planning scheme mapping, clearly identify this in the map legend	
4.	<b>Zone purpose statements</b> Section 6 of the Regulation states that a planning scheme must include the zone purpose statement identified in schedule 2 for each zone used	(a) Include the exact zone purpose statements as contained in Column 2 of schedule 2 of the Regulation  OR (b) Provide supporting information explaining the basis/rationale for the departure from the purpose statement in the Regulation  <i>Note – Where a changed purpose statement is proposed the Minister is required to consider the change in accordance with section 6(3) of the Regulation</i>  <i>Note – Section 6(3) of the Regulation states “a local planning instrument may change a purpose statement for a zone if the Minister considers the change is necessary or desirable having regard to the circumstances in the local government area to which the instrument will apply”. In this case the planning scheme is to identify that the purpose statement has changed and the day the changed purpose statement took effect (in accordance with section 6(4) of the Regulation)</i>	<identify which option the scheme uses>

4.1.3 Categories of development and assessment

Item to be considered when making drafting a new planning scheme or amending an existing planning scheme		Advice on addressing the matter	Local government response
			<i>Providing a record of considerations and the scheme response, including identifying the key sections of the scheme that respond to the matter, will assist the State in understanding the scheme approach and in efficiently undertaking the plan making steps</i>
1.	<b>Accepted default</b>	(a) Be aware that where a development is not otherwise categorised, it will be accepted as per section 44 of the Planning Act	



Item to be considered when making drafting a new planning scheme or amending an existing planning scheme		Advice on addressing the matter	Local government response <i>Providing a record of considerations and the scheme response, including identifying the key sections of the scheme that respond to the matter, will assist the State in understanding the scheme approach and in efficiently undertaking the plan making steps</i>
	Under Section 44 of the Act, development is accepted unless a categorising instrument (e.g. the Planning Regulation or a planning scheme) categorises the development as assessable	(b) Consider how the planning scheme seeks to categorise development as assessable (code or impact)  <i>Note – Not all development is permitted to be assessable (see below regarding Schedules 6, 7, 9 and 10)</i>	
2.	<b>Prohibited</b>  Under Section 43 of the Act, a planning scheme may only make development prohibited if a regulation allows (it does not)  Under Section 44 of the Act, Section 19 of the Regulation makes development in Schedule 10 prohibited (provided the stated requirements are met)	(a) Do not use / include any development in the ‘prohibited’ category of development (b) Be aware of circumstances where the development is categorised and prohibited and ensure the planning scheme does not attempt to regulate (e.g. do not include assessment benchmarks that infer that development is assessable under the planning scheme)	
3.	<b>Not assessable</b>  Under Section 43 of the Act, a planning scheme may not make development identified in Schedule 6 of the regulation assessable (provided the stated requirements are met)  <b>Accepted</b>  Under Section 44 of the Act, Section 18 of the Regulation makes development in Schedule 7 accepted (provided the stated requirements are met)  <b>Assessable</b>  Under Section 44 of the Act, Section 20 of the Regulation makes development in Schedule 9 or 10 assessable (provided the stated requirements are met)	(a) Ensure the planning scheme is as consistent with the category of development and assessment in the Regulation as possible, and not deliberately inconsistent (as the Regulation prevails), i.e., avoid making development identified in Schedule 6 and 7 of the Regulation assessable and avoid making development identified in Schedule 9 and 10 accepted (b) Include notes in the planning scheme if considered helpful, to alert users to provisions of the Regulation that prevail over the provisions in the planning scheme  <i>Note – Refer to the <a href="#">Delivery of state interests through the Planning Regulation 2017</a> for itemisation of these circumstances</i>	
4.	<b>Names</b>	(a) Only categorise development as “accepted” or “assessable” (b) Only categorise assessable development as “code assessable” or “impact assessable”  <i>Note – Do not use other phrases to identify the category of development and category of assessment, such as exempt, self-assessable, accepted with requirements, code notifiable, impact appropriate / consistent / inconsistent (advice on appropriateness of development should be contained in the strategic outcomes or assessment benchmarks e.g., zone desired outcomes)</i>	
5.	<b>Accepted development parameters</b>	(a) Do not identify “accepted with requirements” (or similar) as a category of development, rather identify the category of development as “accepted” acknowledging there are specified parameters / thresholds that define this development as “accepted”	

Item to be considered when making drafting a new planning scheme or amending an existing planning scheme		Advice on addressing the matter	Local government response
		<p>(b) Ensure the planning scheme clearly articulates upfront what development the planning scheme categorises as assessable (i.e., subject to the planning scheme measures / strategic outcomes) and what development is categorised as accepted, including any parameters around what makes development accepted versus assessable</p> <p><i>Note – It is recommended that advice about parameters / thresholds applicable to domestic type accepted development, such as a home-based business, be made available in a user-friendly format e.g. in fact sheets</i></p> <p>(c) Do not identify the parameters for accepted development as assessment benchmarks (as assessment benchmarks only apply to assessable development)</p>	<p><i>Providing a record of considerations and the scheme response, including identifying the key sections of the scheme that respond to the matter, will assist the State in understanding the scheme approach and in efficiently undertaking the plan making steps</i></p>
6.	<p><b>Assessment benchmarks</b></p> <p>Under Section 43 of the Act, a planning scheme must not be inconsistent with the assessment benchmarks identified in section 17 of the Regulation</p>	<p>(a) Be consistent with and do not duplicate the assessment benchmarks identified in the Regulation</p> <p><i>Note – Refer to the <a href="#">Delivery of state interests through the Planning Regulation 2017</a> for itemisation of these assessment benchmarks</i></p>	

## 4.1.4 Definitions

Item to be considered when making drafting a new planning scheme or amending an existing planning scheme		Advice on addressing the matter	Local government response
			<p><i>Providing a record of considerations and the scheme response, including identifying the key sections of the scheme that respond to the matter, will assist the State in understanding the scheme approach and in efficiently undertaking the plan making steps</i></p>
1.	<p><b>Development</b></p> <p>Schedule 2 of the Act defines the aspects of development</p>	<p>(a) Ensure references to “development” are intended to capture all aspects of development</p> <p>OR</p> <p>(b) Singularly identify the aspects of development that the categories of development and assessment and the measures within the scheme apply to i.e.:</p> <ol style="list-style-type: none"> <li>carrying out building work</li> <li>carrying out plumbing or drainage work</li> <li>carrying our operational work</li> <li>reconfiguring a lot</li> <li>making a material change of use of premises</li> </ol> <p>(c) Do not apply planning scheme provisions to temporary or infrequent activities that do not constitute development (i.e., that does not materially change the use of the premises) or to other activities on land that do not constitute development</p>	
2.	<p><b>Definitions – use terms</b></p> <p>Section 7 of the Regulation states that a planning scheme may only adopt the use terms related to the use of land for development that are contained in schedule 3 of the Regulation</p>	<p>(a) Only use the use terms listed in schedule 3 of the Regulation</p> <p>(b) Confirm that it is intended that undefined uses remain accepted development, in accordance with Section 44(6)(a) of the Planning Act, or establish the category of development and assessment that it is intended apply to undefined uses</p> <p>(c) Include the definitions for adopted use terms in an appropriate manner – refer to <a href="#">Drafting a planning scheme - Guidance for local governments</a> for options</p> <p><i>Note – Where a use term listed in schedule 3 of the Regulation is not used in the planning scheme, development for that purpose will be treated as undefined</i></p>	

Item to be considered when making drafting a new planning scheme or amending an existing planning scheme		Advice on addressing the matter	Local government response
3.	<b>Definitions – administrative terms</b> Section 8 of the Regulation states that a planning scheme may include additional administrative terms contained in schedule 4 of the Regulation, but only if the term and definition used is consistent with and does not change the effect of, the administrative terms and their definitions in the Regulation	(a) If the planning scheme uses any additional administrative terms to those listed in schedule 4 of the Regulation, the term is to be consistent with and does not change the effect of a term in schedule 4 of the Regulation (b) Include the definitions for adopted administrative terms in an appropriate manner – refer to <a href="#">Drafting a planning scheme - Guidance for local governments</a> for options	<i>Providing a record of considerations and the scheme response, including identifying the key sections of the scheme that respond to the matter, will assist the State in understanding the scheme approach and in efficiently undertaking the plan making steps</i>

## 4.1.5 Planning scheme policies

Item to be considered when making drafting a new planning scheme or amending an existing planning scheme		Advice on addressing the matter	Local government response
1.	Under section 43 of the Act, a planning scheme policy is not a local categorising instrument	(a) The content of a planning scheme policy must not seek to perform the role of a categorising instrument, i.e., must not: <ol style="list-style-type: none"> <li>regulate the level of assessment for development</li> <li>contain assessment benchmarks that an assessment manager must assess assessable development against</li> <li>take the place of a policy that should be contained in the body of the planning scheme</li> <li>require land, infrastructure or monetary contributions</li> </ol>	<i>Providing a record of considerations and the scheme response, including identifying the key sections of the scheme that respond to the matter, will assist the State in understanding the scheme approach and in efficiently undertaking the plan making steps</i>

## 4.1.6 Notations

Item to be considered when making drafting a new planning scheme or amending an existing planning scheme		Advice on addressing the matter	Local government response
1.	<b>Infrastructure designations</b> Under section 42(1) of the Act, a planning scheme must include a note if either the local government makes, amends, extends or repeals a designation or receives a notice about the Minister making, amending, extending or repealing a designation	(a) Include notations of designation of premises for development of infrastructure (b) Include all the information required under Section 42(3) of the Act: <ol style="list-style-type: none"> <li>identify the premises that were designated</li> <li>describe the type of infrastructure for which the premises were designated (schedule 5 of the Regulation</li> <li>prescribes the types of infrastructure that can have premises designated)</li> <li>state the day the designation, amendment, extension or repeal started to have effect.</li> </ol> Refer to <a href="#">Drafting a planning scheme - Guidance for local governments</a> for details	<i>Providing a record of considerations and the scheme response, including identifying the key sections of the scheme that respond to the matter, will assist the State in understanding the scheme approach and in efficiently undertaking the plan making steps</i>
2.	<b>Particular approvals</b> Under section 89 of the Act, a planning scheme must include notations of	(a) Include notations of the following approvals issued and decisions made: <ol style="list-style-type: none"> <li>development approvals that are substantially inconsistent with the planning scheme</li> <li>variation approvals</li> </ol>	



Item to be considered when making drafting a new planning scheme or amending an existing planning scheme		Advice on addressing the matter	Local government response <i>Providing a record of considerations and the scheme response, including identifying the key sections of the scheme that respond to the matter, will assist the State in understanding the scheme approach and in efficiently undertaking the plan making steps</i>
	certain decisions affecting the planning scheme	<ul style="list-style-type: none"> <li>iii. decisions agreeing to a request for assessment and decision of a development application against a superseded planning scheme.</li> </ul> (b) Include all the information required under Section 89 of the Act: <ul style="list-style-type: none"> <li>i. date of the decision</li> <li>ii. location (the real property description, for example Lot 8 RP 030609)</li> <li>iii. decision type (variation approval for a reconfiguring a lot or material change of use), and</li> <li>iv. local government file or map reference.</li> </ul> Refer to <a href="#">Drafting a planning scheme - Guidance for local governments</a> for details	
3.	<b>Charges resolution for an LGIP</b> Under section 118(1)(b) of the Act, a planning scheme must include a note of any charges resolution made for an LGIP	(a) Include notations of any charges resolutions made for an LGIP (b) Check the note in the planning scheme includes details of the resolution Refer to <a href="#">Drafting a planning scheme - Guidance for local governments</a> for details	
4.	<b>Urban encroachment</b> Under section 267(13) of the Act, a planning scheme must include a note of any registration of premises or renewal of registration of premises related to an urban encroachment	(a) Include notations of any urban encroachment registrations. (b) Check the note in the planning scheme includes the information prescribed by section 63 of the Regulation Refer to <a href="#">Drafting a planning scheme - Guidance for local governments</a> for details	
5.	<b>Mining tenements</b> Under section 4B of the Mineral Resources Act 1989, planning scheme mapping must include a note of a mining tenement (mining claim, mineral development licence or mining lease) that has been granted or renewed in their local government area	(a) Include notations of any mining tenement on mapping (b) Includes all the following information: <ul style="list-style-type: none"> <li>i. the area of the mining tenement (refer to the GeoResGlobe)</li> <li>ii. states that the Planning Act does not apply to development in the area authorised under the Mineral Resources Act (other than development on a Queensland heritage place under the Heritage Act)</li> <li>iii. states that interested persons may obtain details of the mining tenement from the chief executive of the department in which Mineral Resources Act is administered</li> </ul> Refer to <a href="#">Drafting a planning scheme - Guidance for local governments</a> for details	

## 4.2 Alignment with the Building Act and Section 8(5) of the Planning Act

Section 8(6) of the Planning Act states that “A local planning instrument must not include a provision about building work, to the extent the building work is regulated under the building assessment provisions, unless allowed under the Building Act”. Refer to Integrating building work in planning schemes - Guidance for local governments for details.

*Note – The State Planning Policy 2017 guiding principles also state that “Plans only seek to regulate land use and planning outcomes and do not address matters regulated outside of the planning system, for instance building work regulated under the Building Act 1975 (unless permitted)”.*

### 4.2.1 Categories of development and assessment

Item to be considered when making drafting a new planning scheme or amending an existing planning scheme		Advice on addressing the matter	Local government response <i>Providing a record of considerations and the scheme response, including identifying the key sections of the scheme that respond to the matter, will assist the State in understanding the scheme approach and in efficiently undertaking the plan making steps</i>
1.	<b>Default category of development</b> The category of development for building work is “Accepted” unless the Planning Regulation / planning scheme specify otherwise	(a) Check the scheme-wide categories of development and assessment operate as intended (b) Where building work is made assessable: i. Ensure these are matters that fall under the definition of building work ii. Ensure this is consistent with the category of assessment and assessment benchmarks for assessable building work under Schedule 9 of the Planning Regulation iii. Ensure the planning scheme clearly distinguishes building work from works associated with reconfiguring a lot or ‘stand-alone’ operational work	
2.	<b>Assessable building work</b> Refer to 2.3.1 and 2.3.2 of <u>Integrating building work in planning schemes - Guidance for local governments</u> for details	(a) Ensure the planning scheme is not dealing with matters regulated by BAPs (unless allowed to as detailed in the rows below), being: i. Building Code of Australia (BCA), being Vol 1 & 2 of the National Construction Code (NCC) ii. The Queensland Development Code (QDC) iii. Chapter 3 of the Building Act and fire safety standards in Chapter 7 <i>Note – the NCC is available at <a href="https://ncc.abcb.gov.au/ncc-online/NCC">https://ncc.abcb.gov.au/ncc-online/NCC</a>. You can create a log in to access / download this for free.</i>	
3.	<b>Identifying building assessment provisions</b> Refer to section 3.0 of <u>Integrating building work in planning schemes - Guidance for local governments</u>	(a) Ensure the planning scheme clearly explains what BAPs are triggered or varied by the planning scheme so assessment managers may easily locate this information	

## 4.2.2 Triggering building provisions

Item to be considered when making drafting a new planning scheme or amending an existing planning scheme	Advice on addressing the matter	Local government response <i>Providing a record of considerations and the scheme response, including identifying the key sections of the scheme that respond to the matter, will assist the State in understanding the scheme approach and in efficiently undertaking the plan making steps</i>
<p>1. <b>Designating a bushfire prone area for the BAC / QDC</b> Refer to section 3.9 of <a href="#">Integrating building work in planning schemes - Guidance for local governments</a></p>	<p>(a) Determine whether the planning scheme seeks to <b>designate</b> all or part of the local government area as a <b>designated</b> bush fire prone area <b>for the BCA</b></p> <p>(b) If so, planning scheme maps are to show each of its designated bush fire prone areas and the maps must state when each designation was made</p> <p>(c) Clearly identify up-front in the planning scheme that BAPs are included and include notes as necessary to alert users to the implications of this eg: <i>Note – The bushfire hazard area defined by this planning scheme is declared as designated bushfire hazard area pursuant to section 7 of the Building Regulation 2021. Building work in a designated bushfire prone area must meet the mandatory provisions in the Building Code of Australia and AS3959–2018: Construction of buildings in bushfire prone areas.</i></p>	
<p>2. <b>Designating a flood hazard area for the QDC</b> Refer to section 3.11 of <a href="#">Integrating building work in planning schemes - Guidance for local governments</a></p>	<p>(a) Determine whether the planning scheme seeks to <b>designate</b> all or part of the local government area as a <b>designated</b> flood hazard area <b>for the Building Regulation</b> for the purpose of triggering MP3.5</p> <p>(b) If so:</p> <ol style="list-style-type: none"> <li>Ensure these areas do not include areas subject to storm-tide inundation (unless also within a flood hazard area) <i>Note – If the planning scheme mapping contains areas in both a storm-tide inundation area and a flood hazard area the flood triggers of <b>MP3.5 will not apply</b> to land in the identified storm-tide inundation area</i></li> <li>Ensure the BAPs triggered to address flood hazard do not address storm tide inundation</li> <li>Clearly state that the designation is made under section 8 of the Building Regulation</li> <li>Maintain a register of all designated flood hazard areas and when each designation was made</li> </ol> <p>(c) If the planning scheme declare a defined flood level or requirements, ensure the following precise <b>terms</b> are used:</p> <ol style="list-style-type: none"> <li>the <b>defined flood level</b> (DFL) – <b>declaring of a defined flood level is necessary to trigger MP 3.5 to apply</b></li> <li><b>the maximum flow velocity of water</b></li> <li><b>an inactive flow or backwater area</b></li> <li>a <b>freeboard</b> that is more than 300mm</li> <li>the <b>finished floor level</b> of class 1 buildings built in all or part of the flood hazard area</li> </ol> <p>(d) Clearly identify up-front in the planning scheme that BAPs are included and include notes as necessary to alert users to the implications of this eg: <i>Editor's note – The flood hazard area defined by this planning scheme is taken to be the flood hazard area pursuant to section 8 of the Building Regulation 2021. Building work in a designated flood hazard area must meet the requirements of the relevant building assessment provisions under the Building Act 1975.</i></p>	
<p>3. <b>Designating land as a transport noise corridor for the QDC</b> Refer to section 3.15 of <a href="#">Integrating building work in planning schemes - Guidance for local governments</a></p>	<p>(a) Determine whether the planning scheme seeks to <b>designate</b> land as a transport noise corridor to enable the application of BAPs in MP 4.4</p> <p>(b) If so, give notice about the proposed designation and include a record of the transport noise corridor in its planning scheme that:</p> <ol style="list-style-type: none"> <li>identifies the land that is within the transport noise corridor.</li> <li>includes details about the levels of noise within the corridor caused by traffic on the road for which it is designated</li> </ol>	



Item to be considered when making drafting a new planning scheme or amending an existing planning scheme		Advice on addressing the matter	Local government response <i>Providing a record of considerations and the scheme response, including identifying the key sections of the scheme that respond to the matter, will assist the State in understanding the scheme approach and in efficiently undertaking the plan making steps</i>
		iii. states that interested persons may obtain details about the transport noise corridor and the levels of noise from the local government <i>Note – Land must meet the designation criteria:</i> 1. The land is within: a. 100m of a road under the local governments control, or b. a distance of more than 100m but not more than 200m of a road under the local governments control, if the noise level caused by traffic on the road at the distance has been measured, in a way approved by the chief executive, to be at least 58db(A), and 2. The road has an annual average daily traffic rate (AADT) of at least 3,000 vehicles	
4.	<b>Designating land as a transport noise corridor for the QDC</b> - Where the transport chief executive designates land as a transport noise corridor (such as within proximity of railway land or a State-controlled road) Refer to section 3.15 of <a href="#">Integrating building work in planning schemes - Guidance for local governments</a>	(a) Include a record of the transport noise corridor in the planning scheme that: i. identifies the land that is within the transport noise corridor ii. includes details about the levels of noise within the corridor caused by rolling stock or traffic on the railway land or State-controlled road for which it is designated iii. states that interested persons may obtain details about the transport noise corridor and the levels of noise from the local government	

### 4.2.3 Triggering / including alternative provisions to the Queensland Development Code (QDC)

*Note – Variations will also be assessed by the State in relation to delivery of SPP guiding principles of efficiency and transparency*

Item to be considered when making drafting a new planning scheme or amending an existing planning scheme		Advice on addressing the matter	Local government response <i>Providing a record of considerations and the scheme response, including identifying the key sections of the scheme that respond to the matter, will assist the State in understanding the scheme approach and in efficiently undertaking the plan making steps</i>
1.	<b>Variations to QDC MP1.1 and MP1.2</b> Refer to section 3.3 of <a href="#">Integrating building work in planning schemes - Guidance for local governments</a>	(a) Determine whether the planning scheme seeks to deal with the design and siting of single detached housing (b) If so, ensure these are limited to <u>variations</u> to the boundary clearance and site cover or to siting and design contained in MP1.1 and MP1.2, that are permitted under section 6 of the Building Regulation (and do not deal with the effect on/from relevant infrastructure that is addressed in MP1.4)	
2.	<b>Variations to QDC MP1.3</b> Refer to section 3.4 of <a href="#">Integrating building work in planning schemes - Guidance for local governments</a>	(a) Determine whether a resolution will be sought under Schedule 6, Part 2, Section 3 of the Planning Regulation to apply the provisions of that part of the Planning Regulation to material change of use for dual occupancy made up of 2 attached dwellings (b) If so, and once done so, ensure variations to apply for new building work for a duplex are permitted variations of MP1.3	
3.	<b>Water saving provisions</b> - Mandating application of the water saving provisions in the QDC Refer section 3.14 of <a href="#">Integrating building work in planning schemes - Guidance for local governments</a>	(a) Determine whether it is intended to opt-in to the mandatory application of MP 4.2 and/or 4.3 to a building development application within a reticulated town water area (b) If so, apply to the Minister responsible for the Building Act for an approval to do so	

Item to be considered when making drafting a new planning scheme or amending an existing planning scheme		Advice on addressing the matter	Local government response <i>Providing a record of considerations and the scheme response, including identifying the key sections of the scheme that respond to the matter, will assist the State in understanding the scheme approach and in efficiently undertaking the plan making steps</i>
4.	<b>End of trip facilities</b> Identifying the local government area as a 'designated local government area' for the purpose of MP 4.1 end of trip facilities Refer to section 3.16 of <a href="#">Integrating building work in planning schemes - Guidance for local governments</a>	(a) For local government areas identified as a “designated local government areas” in Schedule 1 of MP4.1, the planning scheme may (as permitted) refer to, vary, or add additional provisions (b) For any other local government area, determine whether it is intended to either: i. identify in the planning scheme the local government area ii. as a designated local government area for the purpose of MP 4.1 iii. resolve to designate the local government area for the purpose of MP 4.1 where notice of the resolution is published in a newspaper that is circulating generally in the local government area and on the local government’s website – <i>this option is not recommended in terms of transparency for scheme users</i> iv. include own end-of-trip facilities provisions in the planning scheme	

## 4.2.4 Incentives in the planning scheme to deliver higher standards than in the Building Assessment Provisions (BAPs)

Item to be considered when making drafting a new planning scheme or amending an existing planning scheme		Advice on addressing the matter	Local government response <i>Providing a record of considerations and the scheme response, including identifying the key sections of the scheme that respond to the matter, will assist the State in understanding the scheme approach and in efficiently undertaking the plan making steps</i>
1.	<b>Adaptable / liveable housing elements</b> Refer to section 3.2 of <a href="#">Integrating building work in planning schemes - Guidance for local governments</a>	(a) Ensure the planning scheme does not mandate construction to Liveable Housing Australia levels of performance (but it may incentivise development that delivers on these)	

## 4.2.5 Including complementary provisions to Building Assessment Provisions (BAPs)

Item to be considered when making drafting a new planning scheme or amending an existing planning scheme		Advice on addressing the matter	Local government response <i>Providing a record of considerations and the scheme response, including identifying the key sections of the scheme that respond to the matter, will assist the State in understanding the scheme approach and in efficiently undertaking the plan making steps</i>
1.	Dealing with common planning matters that interrelate with or may inadvertently impinge upon building matters	(a) Ensure the planning scheme deals with matters complementary to the BAPs in an allowable way. For specific guidance on matters a planning scheme cannot include / may include, refer to <a href="#">Integrating building work in planning schemes - Guidance for local governments</a> sections: 3.1 – Sustainable design 3.5 – Local character and design 3.6 – Noise 3.7 – Lighting 3.8 – Retaining walls and fences 3.9 – Bushfire 3.11– Landslide	

Item to be considered when making drafting a new planning scheme or amending an existing planning scheme		Advice on addressing the matter	Local government response
		3.11 – Flood 3.12 – Overland flow and stormwater 3.13 – Stormtide inundation 3.17 – Fire hydrants	<i>Providing a record of considerations and the scheme response, including identifying the key sections of the scheme that respond to the matter, will assist the State in understanding the scheme approach and in efficiently undertaking the plan making steps</i>



# 4.3 Alignment with drafting principles

When drafting a new planning scheme or amending an existing planning scheme, the State review under the Minister’s Guideline and Rules includes that the planning scheme is *well drafted and clearly articulated* and applies the State Planning Policy 2017 guiding principles. Refer to the [Drafting a planning scheme - Guidance for local governments](#) for further details.

## 4.3.1 Scheme approach and structure

Item to be considered when making drafting a new planning scheme or amending an existing planning scheme		Advice on addressing the matter	Local government response
1.	Scheme approach	<p>(a) Clearly articulate the overall land use intentions for the local government area that the scheme seeks to manage</p> <p>(b) Ensure the provisions in the scheme deliver on this land use intent – both in the way land is allocated/intended for development and in the provisions that then apply to that development</p> <p>For example, ensure the assessment benchmarks for the zone and applicable to certain uses or circumstances (such as overlays and local plans), enable land to be used for the purpose for which it is zoned and that the category of development and assessment supports uses consistent with the purpose of the zone</p> <p>(c) Ensure the scheme functions appropriately in relation to the construct of the Planning Regulation and decision rules – that code assessable development can be fully and properly assessed against specified benchmarks and can deliver on the overall intent for the land, without reliance on strategic outcomes</p> <p>(d) Ensure the provisions enable and facilitate, rather than hinder, development that aligns with the articulated land use intent</p>	Providing a record of considerations and the scheme response, including identifying the key sections of the scheme that respond to the matter, will assist the State in understanding the scheme approach and in efficiently undertaking the plan making steps
2.	Scheme structure	<p>(a) When making changes to scheme structure (for example when preparing a new planning scheme or a major amendment) test the proposed approach against the principles of delivering an efficient, effective, transparent and integrated document that is as easy for users to navigate as possible</p> <p><i>Note – Options and approaches could include:</i></p> <ul style="list-style-type: none"><li>• Structuring content based on category of development and assessment and ‘segregating’ the strategic outcomes for impact assessment from the assessment benchmarks for code assessable development</li><li>• Structured from the perspective of an applicant:<ul style="list-style-type: none"><li>– Do I need a planning application?</li><li>– If not, are there certain parameters around that, that I must agree to comply with?</li><li>– If I need to submit an application, does this require notification?</li><li>– What are the provisions my application needs to address and will be assessed against?</li></ul></li><li>• Structured from the perspective of ‘impacted’ community:<ul style="list-style-type: none"><li>– What type of development can I expect in my area?</li><li>– What rules do applicants need to follow and outcomes do they need to deliver for a proposal to be considered appropriate?</li><li>– When do I have the chance to hear and voice an opinion about these developments?</li></ul></li><li>• Themed around delivery of each state interest statement</li><li>• Grouping assessment benchmarks either spatially or functionally, for example by zone, topic-based codes, local plans or overlays</li></ul>	

Item to be considered when making drafting a new planning scheme or amending an existing planning scheme	Advice on addressing the matter	Local government response
	<ul style="list-style-type: none"> <li>Format of assessment benchmarks – whether to continue to use a traditional ‘hierarchy’ of Acceptable outcome, Performance Outcome and Overall outcome, or apply a singular assessment benchmark</li> </ul>	Providing a record of considerations and the scheme response, including identifying the key sections of the scheme that respond to the matter, will assist the State in understanding the scheme approach and in efficiently undertaking the plan making steps

## 4.3.2 Drafting principles

Item to be considered when making drafting a new planning scheme or amending an existing planning scheme	Advice on addressing the matter	Local government response
<b>A. Outcome focussed and positive</b>		
1. <b>Performance-based planning</b> Refer to sections 2.0, 3.1 and 3.6 of <a href="#">Drafting a planning scheme - Guidance for local governments</a> for details	<p>(a) Ensure the content and construct of outcomes and measures objectively articulate the outcomes intended and that these outcomes are consistent with the purpose of the zone (i.e., do not constitute a ‘quasi prohibition’ of development envisaged by the zone). The scheme should not only prescribe a solution, but is to include a statement of the outcome sought (the outcome sought may be the purpose of the zone, another assessment benchmark or component of an assessment benchmark, or a strategic outcome)  <i>Note – Consider the operation of the decision rules in structuring content</i></p> <p>(b) Ensure the assessment benchmarks and strategic outcomes are focussed on the outcomes that are desired to be delivered as a result of approving assessable development, including that the content of assessment benchmarks and strategic outcomes relate to land use planning e.g., avoid managing private social arrangements</p> <p>(c) Ensure that the content of assessment benchmarks and strategic outcomes:</p> <ol style="list-style-type: none"> <li>relate to matters that can be assessed based on the information reasonably expected to be provided or are matters reasonable / relevant to be conditioned</li> <li>does not just identify a process, but rather include an outcome (and may identify a process that may assist in demonstrating achievement of that outcome)</li> </ol>	
<b>B. Integrated</b>		
2. <b>Assessment process</b> Refer to sections 2.0 and 3.6 of <a href="#">Drafting a planning scheme - Guidance for local governments</a> for details	<p>(a) Ensure it is easy to determine whether development is assessable, consider:</p> <ol style="list-style-type: none"> <li>how many places a user needs to look to establish the category of development and assessment applying to a development</li> <li>if more than one location, that the process to navigate through the scheme is clear and connected</li> </ol> <p>(b) For low risk development and common development, where it is even more important that the process is clear and simple:</p> <ol style="list-style-type: none"> <li>ensure one-off users can easily ascertain whether (i.e., within what parameters) domestic type activities require a planning application, and if yes, what process and provisions apply</li> <li>ensure there is no risk a user may determine their category of development and assessment in one part of the scheme and not realise it could potentially be varied by other parts of the scheme</li> </ol>	
3. <b>Assessment criteria</b>	(a) Ensure it is easy to determine what assessment benchmarks apply to assessable development	

Item to be considered when making drafting a new planning scheme or amending an existing planning scheme		Advice on addressing the matter	Local government response <i>Providing a record of considerations and the scheme response, including identifying the key sections of the scheme that respond to the matter, will assist the State in understanding the scheme approach and in efficiently undertaking the plan making steps</i>
	Refer to sections 2.0 and 3.7 of <a href="#">Drafting a planning scheme - Guidance for local governments</a> for details	(b) Where the same group of assessment benchmarks apply to different uses/circumstances, evaluate how often the whole group of assessment benchmarks is then relevant to all circumstances and the extent to which a user needs to 'sieve through' multiple assessment benchmarks to 'find' the ones of relevance (c) Where different places / groups of assessment benchmarks may apply to the one development, ensure the 'sets of assessment benchmarks' that may apply (e.g by development type, by use, by zone, by overlay, by local plan) are clear and obvious <i>Note – approaches to grouping assessment benchmarks need to balance simplicity with avoiding great repetition</i> (d) Ensure assessment benchmarks used in assessing impact assessable development clearly identify the circumstances / type of development to which they should apply	
4.	<b>Purpose of zone</b> Refer to sections 2.0 and 3.3 of <a href="#">Drafting a planning scheme - Guidance for local governments</a> for details	(a) Ensure the zoning of land reflects and responds to the characteristics of the land that constrain its use (b) Ensure overlays are compatible with and do not operate individually or cumulatively to prevent or restrict land from being used for the purpose for which it has been zoned (c) Where multiple layers of intent exist, ensure outcomes still facilitate development consistent with the purpose of the zone	
5.	<b>Intended outcome</b> Refer to sections 2.0, 3.3, 3.4, 3.5 and 3.6 of <a href="#">Drafting a planning scheme - Guidance for local governments</a> for details	(a) Ensure that it is clear/easy to understand the intended outcome for a piece of land, for example that multiple layers and/or refinements/variations of intent are avoided (b) Where multiple layers exist, ensure it is clearly articulated how these layers (e.g zones, zone precincts, local plans, local plan precincts, overlays) all work together (whether they work side by side, replace, trump or vary each other) and that this is workable	
6.	<b>Content and operation</b> Refer to sections 2.0, 3.6 and 3.7 of <a href="#">Drafting a planning scheme - Guidance for local governments</a> for details	(a) Ensure it is definitive and easy to determine what the 'final' category of development and assessment is (b) Ensure it is clear what assessment benchmarks apply in different circumstances (c) Ensure the assessment benchmarks cumulatively send a largely consistent message that means development that would be reasonably anticipated is achievable (if not, the underlying land use intent e.g., zoning should be modified) (d) Ensure the scope and nature of assessment and provisions is commensurate with the likely nature of impacts	
<b>C. Efficient</b>			
7.	<b>Accepted development becoming assessable development</b> Refer to sections 2.0 and 3.6 of <a href="#">Drafting a planning scheme - Guidance for local governments</a> for details	(a) Where development that is accepted within certain parameters becomes assessable because it does not meet one or more of those parameters, ensure: <ol style="list-style-type: none"> <li>the category of assessment is consistent with the nature of the development and intent of the land</li> <li>the scope of matters that the development is then assessed against are matters that all directly related to demonstrating the suitability of an outcome that relates to the parameter that was not met (i.e., avoid the assessable development being subject to a multiple assessment benchmarks / additional assessment benchmarks)</li> </ol>	
8.	<b>Category of development and assessment</b> Refer to sections 2.0 and 3.6 of <a href="#">Drafting a planning scheme - Guidance for local governments</a> for details	(a) Ensure the planning scheme is only regulating development to the extent necessary to address potential impacts / achieve the desired outcomes (b) Consider the land use intent for the circumstance (e.g., zone, overlay, aspect of development) and evaluate what category of development and assessment is applied to development within that context	
9.	<b>Accepted development</b>	(a) Identify the low risk development that:	

Item to be considered when making drafting a new planning scheme or amending an existing planning scheme		Advice on addressing the matter	Local government response <i>Providing a record of considerations and the scheme response, including identifying the key sections of the scheme that respond to the matter, will assist the State in understanding the scheme approach and in efficiently undertaking the plan making steps</i>
	Refer to sections 2.0 and 3.6 of <a href="#">Drafting a planning scheme - Guidance for local governments</a> for details	<ul style="list-style-type: none"> <li>i. are clearly intended and compatible with the articulated land use intent and do not impact on other matters throughout the scheme, i.e., a very defined range of considerations are relevant to the development</li> <li>ii. do not require professional expertise to determine compliance with any technical parameters around that development occurring OR are low risk and suitable for 'sign-off' by third party (maybe submitted to council for record keeping / future compliance) e.g., landscape plans as separate operational work following MCU</li> <li>iii. are adequately regulated via other means (such as building assessment provisions)</li> </ul> <ul style="list-style-type: none"> <li>(b) Categorise this development as accepted</li> <li>(c) Identify current code assessable development that is assessed against definitive benchmarks, analyse whether this development could be accepted (subject to occurring within any defined parameters)</li> </ul>	
10.	<b>Code assessable development</b> Refer to sections 2.0 and 3.6 of <a href="#">Drafting a planning scheme - Guidance for local governments</a> for details	<ul style="list-style-type: none"> <li>(a) Identify the development that: <ul style="list-style-type: none"> <li>i. is consistent with the articulated land use intent</li> <li>ii. has impacts that can clearly be managed through assessment against a series of pre-identified assessment benchmarks (i.e., the scope of assessment is set before the application is received)</li> <li>iii. require professional expertise to assess achievement of desired outcomes</li> </ul> </li> <li>(b) Categorise this development is code assessable</li> <li>(c) Identify current impact assessable development that: <ul style="list-style-type: none"> <li>i. is consistent with the articulated land use intent</li> <li>ii. is intended to be assessed largely against defined assessment benchmarks</li> <li>iii. public input is unlikely to 'add value' (because the assessment is largely of a technical nature) or not be of significant public interest</li> </ul> </li> </ul> <p>Analyse whether this development could be categorised as code assessable, including via assessment benchmarks being improved to articulate the full suite of provisions necessary to address the potential impacts of the proposed development</p>	
11.	<b>Strategic outcomes and assessment benchmarks</b> Refer to sections 2.0 and 3.2 of <a href="#">Drafting a planning scheme - Guidance for local governments</a> for details	<ul style="list-style-type: none"> <li>(a) Ensure scheme content is drafted in a way that is easy to understand and consistently interpret</li> <li>(b) Ensure an applicant can clearly understand what is expected, that is, can read the assessment benchmarks and say, "yes I understand what the local government wants development to look like / deliver", and ensure that the assessment manager will be able to make a consistent and objective decision on whether a proposal meets an assessment benchmark</li> </ul>	
12.	<b>Assessment benchmarks</b> Refer to sections 2.0 and 3.7 of <a href="#">Drafting a planning scheme - Guidance for local governments</a> for details	<ul style="list-style-type: none"> <li>(a) Ensure the scope of assessment benchmarks applicable to the development are relevant to both the use and the circumstance, for example do not include: <ul style="list-style-type: none"> <li>i. provisions about MCU in RAL code or vice versa</li> <li>ii. provisions about residential matters in codes that only apply to non-residential uses</li> <li>iii. provisions about 'works' when the trigger for the assessment benchmark only applies to change of tenancy</li> </ul> </li> <li>(b) Ensure the assessment benchmarks that apply to code assessable development are relevant to development that is intended and envisaged in the area</li> <li>(c) Ensure that strategic outcomes are not relied upon for assessment of code assessable development</li> <li>(d) Ensure assessment benchmark content comprise criteria to be applied at DA stage and do not contain content that is an input to plan drafting, for example that is in relevant in allocating zones and overlays to land / determining the suitability of land for the articulated purpose</li> </ul>	



Item to be considered when making drafting a new planning scheme or amending an existing planning scheme	Advice on addressing the matter	Local government response <i>Providing a record of considerations and the scheme response, including identifying the key sections of the scheme that respond to the matter, will assist the State in understanding the scheme approach and in efficiently undertaking the plan making steps</i>
<b>D. Accountable</b>		
13. <b>Development</b> Refer to sections 2.0 and 3.6 of <a href="#">Drafting a planning scheme - Guidance for local governments</a> for details	<p>(a) Ensure the planning scheme is only dealing with development (not all activities on land constitute development), for example ensure the planning scheme does not attempt to regulate:</p> <ul style="list-style-type: none"> <li>i. temporary or infrequent activities that do not constitute a material change of use from existing land use i.e., are not defined as development – fetes, garage sales (see Temporary uses in Section 3.6 of Guidance)</li> <li>ii. matters that comprise activities (e.g., traditional practices on land like riding horses)</li> <li>iii. matters that are unrelated to land use / not suited to being assessed and conditioned at development assessment stage, such as procedures associated with activities and individuals that may reasonably be expected to vary or require ongoing monitoring</li> </ul> <p>Note - These may be better suited to LG local laws/licensing arrangements. Refer to the model local laws and templates for subordinate local laws available on the State Development, Infrastructure, Local Government and Planning <a href="#">website</a>. Keep in mind s37 Local Government Act states a local government must not make a local law that establishes an alternative development process that is similar to or duplicates all or part of the development assessment process under the Planning Act. So, test whether the matter involves 'development'</p> <ul style="list-style-type: none"> <li>iv. matters that are regulated elsewhere, such as building work covered by building assessment provisions (refer <i>Integrating building work in planning schemes – Guidance for local governments</i>) development regulated via other Acts or Regulations</li> </ul> <p>(b) Ensure the planning scheme does not duplicate matters assessed via the State Development Assessment Provisions (SDAP)</p> <p>(c) Ensure supporting material is located outside of the planning scheme e.g., in a planning scheme policy (see Section 3.9 of Guidance) or non-statutory guidance</p>	

# 5.0 Submitting the package

A package is well-made when it provides the required materials, and the materials clearly explain and support the intent and effect of the proposed new planning scheme or amendment to the existing planning scheme.



The [Minister's Guidelines and Rules](#) identify the **required material** to be provided by local government in support of the proposed new planning scheme or amendment to an existing planning scheme. Where the required material refers to the provision of a proposed communication strategy and details of consultation, including with state agencies, further information is contained in 2.0 Engagement, and where the required material refers to the provision of background studies or reports, further information on the nature of investigations relevant to each state interest is contained in 3.0 Studies and investigations.

The format of the package should be one that enables the proposed amendments to be easily identified (both mapping and text) and the reasons for the amendment clearly explained.

Unless specific requirements exist, electronic copies of the amendment should comprise as a **minimum**:

- **Text with tracked changes** – a Word document of the planning scheme (or the relevant parts of the planning scheme) with all changes identified via track changes
- **Spatial data** – different planning layer types as individual ESRI layers (shapefiles or layers in Geodatabase) and PDF maps of any new or amended mapping layers in their proposed final form. Map data supplied in GDA2020 with data layers labelled in the name of the layer that it is displaying and if applicable, different categories for the layer are communicated on what field this information is in within the metadata
- **Mapping 'tracked changes'** – ESRI layers and PDF maps that only show areas that are changing
- **Reasons** – a simple summary of the reasons and driving forces behind each amendment.

A simple table can complement the track-changed document to communicate the reasons for amendments, for example:

Part of scheme	Current text/mapping	Proposed text/mapping	Council's reasons for change
Part 5.2.1 – Biodiversity overlay code – PO3	PO3 Development avoids impacts on trees.	PO3 Development avoids impacts on <del>trees</del> <u>native vegetation</u> .	Align with terminology used elsewhere in scheme.
Mapping Zone maps Lot 206SP314436	 Low Density Residential Zone	 Open Space Zone	Lot 206SP314436 is a reserve which has been granted for the purpose of 'Drainage'. Changing the zone to Open Space more appropriately reflects the purpose.

Where a local government elects to share spatial data and mapping changes in multiple formats over and above the minimum requirements stated above (i.e. ePlanning Scheme layers, excel data and/or table lists), care should be taken to ensure consistency across all data sources.

*Note – Complete the section relevant to the package type. For advice on the different types of amendments available under the [Minister's Guidelines and Rules](#) refer to the [Guidance for the Minister's Guidelines and Rules](#).*

## 5.1 Making or amending a planning scheme using a tailored process

This is the process under Section 18(3)(a) or (b) of the Planning Act.

Process / step		Required material and advice on addressing the matter	Local government response
			<i>Details of the materials submitted will assist the State in determining compliance with the Minister's Guidelines and Rules and in efficiently undertaking the plan making steps</i>
1.	<b>Preparation of notice</b> Refer to Chapter 1 Part 1, 2 of the <a href="#">Minister's Guidelines and Rules</a>	The notice of the proposed planning scheme or amendment is to include the necessary information to understand the planning scheme intent and meet statutory requirements. For example:	

Process / step		Required material and advice on addressing the matter	Local government response <i>Details of the materials submitted will assist the State in determining compliance with the Minister's Guidelines and Rules and in efficiently undertaking the plan making steps</i>
		<p>(a) A statement about <b>the nature and objectives of the proposed planning scheme or amendment</b> (this will assist the State in understanding the approach to the matters the local government seeks to regulate and the approaches taken in the integration of state interests)</p> <p>(b) A statement of <b>the state interests, or the likely state interests, affected by the proposed planning scheme or amendment and the impacts of the proposed planning scheme or amendment on state interests</b> (if known)</p> <p>(c) A statement advising that Chapter 4 of the <u>Minister's Guidelines and Rules</u> (ie. making a planning change to reduce a risk of serious harm to persons or property on the premises from natural events or processes) may apply to the proposed planning scheme or amendment (if known)</p> <p>(d) A preferred process, including the order and timing of steps in the process</p> <p>(e) A proposed <b>communications strategy</b> (including early engagement with State Agencies, key stakeholders and Traditional Owners) and the engagement activities in the event of re-advertising due to significantly different changes post-notification</p> <p>(f) If the local government has requested an amended notice (under section 18(3)(b) of the Planning Act), the reasons for the request to amend the process that was contained in the original notice.</p> <p>Note – Further information about the proposed planning scheme or amendment may be requested</p>	
2.	<b>Adoption stage</b> Refer section 18(3)(a) or (b) of the Planning Act	(a) The notice requesting to adopt the proposed amendment is to include the matters stated in the Chief Executive notice or amended notice given to the local government under section 18(3)(a) or (b) of the Planning Act	

## 5.2 Major amendment

This is a process under Section 20 of the Planning Act.

Process / step		Required material and advice on addressing the matter	Local government response <i>Details of the materials submitted will assist the State in determining compliance with the Minister's Guidelines and Rules and in efficiently undertaking the plan making steps</i>
1.	<b>Planning and preparation stage – early confirmation of state interests (optional)</b> Refer to Chapter 2, Part 4, 16.2 of the <u>Minister's Guidelines and Rules</u>	<p>The notice requesting an early confirmation of state interests is to include:</p> <p>(a) <b>The nature and details of the proposed amendment</b></p> <p>(b) <b>A statement of the state interests expressed in a regional plan or SPP the local government considers relevant to the proposed amendment</b></p>	
2.	<b>Planning and preparation stage – state interest review</b> Refer to Chapter 2, Part 4, 16.4 and Schedule 3 of the <u>Minister's Guidelines and Rules</u>	<p>The notice of the decision to amend the planning scheme is to include:</p> <p>(a) An electronic copy of the proposed amendment in the format identified by the department</p> <p>(b) A <b>statement addressing the state interests in the relevant regional plan and SPP</b> which includes—</p> <ol style="list-style-type: none"> <li><b>how the state interests are integrated in the amendment</b></li> <li><b>reasons why any state interests have not been integrated in the amendment</b></li> <li><b>any state interests that are not relevant</b></li> </ol> <p>Note – Refer to the <u>Integrating state interests in a planning scheme - Guidance for local governments</u> document for advice on integrating state interests</p>	

Process / step		Required material and advice on addressing the matter	Local government response <i>Details of the materials submitted will assist the State in determining compliance with the Minister's Guidelines and Rules and in efficiently undertaking the plan making steps</i>
		<p>(c) A statement about <b>how the key elements of a planning scheme mentioned in section 16(1) of the Planning Act have been addressed and if the amendment is consistent with the regulated requirements</b></p> <p>Note – Refer to <i>4.1 Alignment with specific requirements</i> for advice on how to demonstrate that the amendment is consistent with the regulated requirements</p> <p>(d) A detailed <b>communications strategy</b> (as defined in Schedule 8 of the MGR), is a plan for public consultation for a proposed planning scheme or amendment that:</p> <ul style="list-style-type: none"> <li>i. complies with any prescribed consultation period requirements under the Act or the relevant section of the MGR</li> <li>ii. includes a statement about the extent of consultation with relevant state agencies</li> <li>iii. describes how the attention of the community, or the affected part of the community, will be drawn to the purpose and general effect of the instrument</li> <li>iv. has been prepared having regard to the department's <u>Community Engagement Toolkit for Planning</u>, (non-statutory ideas, options and tools to inform possible approaches to community engagement)</li> </ul> <p>(e) An indicative timeframe for the completion of the amendment process</p> <p>(f) Any <b>background studies or reports</b> that informed the preparation of the amendment, including any strategic study or report, or review required under section 25(1) of the Planning Act</p> <p>(g) Any <b>natural hazards risk and resilience evaluation report</b></p> <p>Note – The 'natural hazards, risk and resilience evaluation report' referred to in Schedule 3 (Required material) of the MGR for a major amendment has the same meaning as the fit-for-purpose risk assessment referred to in this state interest policy.</p> <p>(h) Any relevant <b>mapping</b> (if available ideally in shapefiles)</p> <p>(i) Any other information considered relevant by the local government</p>	
3.	<b>Notice of request to adopt</b> Refer to Chapter 2, Part 4, 21 of the <u>Minister's Guidelines and Rules</u>	<p>The notice requesting to adopt the proposed amendment is to include:</p> <p>(a) An electronic copy of the proposed planning scheme amendment. <b>If the proposed amendment has changed since the state interest review, the changes must be clearly identified.</b></p> <p>(b) The <b>consultation report</b> prepared under section 18.4 of MGR. <b>If the proposed amendment has changed since the state interest review, the consultation report must include:</b></p> <ul style="list-style-type: none"> <li>i. <b>the changes made</b> to the proposed amendment</li> <li>ii. <b>when the changes were made</b></li> <li>iii. <b>why the changes were made</b></li> <li>iv. <b>how the changes relate to any relevant regional plan or SPP or affect a state interest</b></li> <li>v. <b>what issues the changes respond to</b></li> </ul> <p>(c) <b>If the proposed amendment has changed since the state interest review, a statement about whether the local government considers any proposed amendment is significantly different from the version for which public consultation has been undertaken, and the reasons why the local government formed this view</b></p>	
4.	<b>Adoption stage</b> Refer to Chapter 2, Part 4, 22.2 of the <u>Minister's Guidelines and Rules</u>	<p>The material submitted to the Chief Executive is to include:</p> <ul style="list-style-type: none"> <li>(a) A copy of the public notice</li> <li>(b) A certified copy of the major amendment</li> <li>(c) An electronic copy of the amendment or instrument</li> <li>(d) A copy of electronic spatial files (mapping) relevant to the amendment</li> </ul>	



## 5.3 Qualified state interest amendment

This is a process under Section 20 of the Planning Act.

Process / step		Required material and advice on addressing the matter	Local government response <i>Details of the materials submitted will assist the State in determining compliance with the Minister's Guidelines and Rules and in efficiently undertaking the plan making steps</i>
1.	<b>Planning and preparation stage</b> Refer to Chapter 2, Part 3, 8 and Schedule 3 of the <u>Minister's Guidelines and Rules</u>	<p>The notice of the decision to amend the planning scheme is to include:</p> <ul style="list-style-type: none"> <li>(a) An electronic copy of the proposed amendment in the format identified by the department</li> <li>(b) A statement which includes how the amendment accords with the definition of a qualified state interest amendment, including: <ul style="list-style-type: none"> <li>i. <b>the state interests that are relevant to the amendment</b> and that the amendment affects no more than three state interests</li> <li>ii. does not involve the state interest of natural hazards, risk and resilience</li> <li>iii. reflects the <b>guiding principles of the SPP</b></li> <li>iv. <b>does not adversely affect a state interest in the SPP or regional plan</b></li> <li>v. accords with the Act's purpose</li> <li>vi. is consistent with the <b>regulated requirements</b> under the Planning Act</li> </ul> </li> </ul> <p>Refer to the 4.3 <i>Alignment with drafting principles</i> for advice on how to demonstrate that the guiding principles of the SPP are reflected in the proposed amendment and the amendment accords with the Act's purpose</p> <p>Refer to 4.1 <i>Alignment with specific requirements</i> for advice on how to demonstrate that the amendment is consistent with the regulated requirements</p> <ul style="list-style-type: none"> <li>(c) A summary of any <b>consultation undertaken with state agencies and any outcomes of that consultation</b></li> <li>(d) A <b>communications strategy</b> (as defined in Schedule 8 of the MGR), is a plan for public consultation for a proposed planning scheme or amendment that: <ul style="list-style-type: none"> <li>i. complies with any prescribed consultation period requirements under the Act or the relevant section of the MGR</li> <li>ii. includes a statement about the extent of consultation with relevant state agencies</li> <li>iii. describes how the attention of the community, or the affected part of the community, will be drawn to the purpose and general effect of the new planning scheme or the amendment to the existing planning scheme</li> <li>iv. has been prepared having regard to the department's <u>Community Engagement Toolkit for Planning</u>, (non-statutory ideas, options and tools to inform possible approaches to community engagement)</li> </ul> </li> <li>(e) An indicative timeframe for the completion of the amendment process</li> <li>(f) Any <b>background studies or reports</b> that informed the preparation of the amendment</li> <li>(g) Any relevant <b>mapping</b> (if available)</li> <li>(h) Any other information considered relevant by the local government</li> </ul>	
2.	<b>Notice of compliance</b> Refer to Chapter 2, Part 3, 13 of the <u>Minister's Guidelines and Rules</u>	<p>The notice of compliance is to include:</p> <ul style="list-style-type: none"> <li>(a) Confirmation that public consultation has been completed in accordance with section 9 of MGR (as a minimum)</li> <li>(b) Identification of any changes made to the proposed amendment under section 10 of MGR including when the changes were made, why they were made and what issues the changes respond to</li> <li>(c) Identification of whether the local government considers any proposed amendment under section 10 of MGR to be significantly different from the version for which public consultation has been undertaken, and state the reasons why the local government formed this view</li> </ul>	

Process / step		Required material and advice on addressing the matter	Local government response <i>Details of the materials submitted will assist the State in determining compliance with the Minister's Guidelines and Rules and in efficiently undertaking the plan making steps</i>
		(d) Demonstration that any changes made to the proposed amendment would not adversely affect a state interest (if relevant) (e) The <b>consultation report</b> prepared under section 9.4 of MGR.	
3.	<b>Adoption stage</b> Refer to Chapter 2, Part 3, 14.2 of the <u>Minister's Guidelines and Rules</u>	The material submitted to the Chief Executive is to include: (a) A copy of the public notice (b) A certified copy of the qualified state interest amendment (c) An electronic copy of the amendment (d) A copy of electronic spatial files (mapping) relevant to the amendment	

## 5.4 Minor amendment

This is a process under Section 20 of the Planning Act.

Process / step		Required material and advice on addressing the matter	Local government response <i>Details of the materials submitted will assist the State in determining compliance with the Minister's Guidelines and Rules and in efficiently undertaking the plan making steps</i>
1.	<b>Adoption stage</b> Refer to Chapter 2, Part 2, 6.3 of the <u>Minister's Guidelines and Rules</u>	The material submitted to the Chief Executive is to include: (a) A copy of the public notice (b) A certified copy of the minor amendment (c) An electronic copy of the amendment or instrument (d) A copy of electronic spatial files (mapping) relevant to the minor amendment	

## 5.5 Administrative amendment

This is a process under Section 20 of the Planning Act.

Process / step		Required material and advice on addressing the matter	Local government response <i>Details of the materials submitted will assist the State in determining compliance with the Minister's Guidelines and Rules and in efficiently undertaking the plan making steps</i>
1.	<b>Adoption stage</b> Refer to Chapter 2, Part 1, 3.3 of the <u>Minister's Guidelines and Rules</u>	The material submitted to the Chief Executive is to include: (a) A copy of the public notice (b) A certified copy of the administrative amendment (c) An electronic copy of the amendment or instrument (d) A copy of electronic spatial files (mapping) relevant to the administrative amendment	

## 5.6 Making or amending a Local Government Infrastructure Plan – LGIP

Making or amending an LGIP is a process under Section 21 of the Planning Act. Reviewing an LGIP is a process under section 25(3) of the Planning Act.

Process / step		Required material and advice on addressing the matter	Local government response <i>Details of the materials submitted will assist the State in determining compliance with the Minister's Guidelines and Rules and in efficiently undertaking the plan making steps</i>
<b>Administrative LGIP amendment</b>			

Process / step		Required material and advice on addressing the matter	Local government response <i>Details of the materials submitted will assist the State in determining compliance with the Minister's Guidelines and Rules and in efficiently undertaking the plan making steps</i>
1.	<b>Adoption stage</b> Refer to Chapter 5, Part 1, 2.2 of the <a href="#">Minister's Guidelines and Rules</a>	The material submitted to the Chief Executive is to include: (a) A certified copy of the administrative LGIP amendment (b) An electronic copy of the administrative LGIP amendment (c) A copy of electronic spatial files (mapping) relevant to the amendment	
<b>Interim LGIP amendment</b>			
2.	<b>Adoption stage</b> Refer to Chapter 5, Part 2, 6.3 of the <a href="#">Minister's Guidelines and Rules</a>	The material submitted to the Chief Executive is to include: (a) A copy of the public notice (b) A certified copy of the interim LGIP amendment	
<b>LGIP amendment</b>			
3.	<b>State interest review stage (material provided in compliance check)</b> Refer to Chapter 5, Part 3, 9.4 of the <a href="#">Minister's Guidelines and Rules</a>	The notice requesting a state review of the proposed LGIP amendment is to include: (a) An electronic copy of the proposed LGIP amendment (in Word) (b) The SOW model prepared by the local government as part of the LGIP amendment (in Excel) (c) The Review checklist completed by the Appointed reviewer (in Word, final may be converted to PDF) (d) The completed and signed Appointed reviewer statement (in PDF) (e) Any extrinsic material including background studies, reports and supporting information	
4.	<b>Notice for Minister's consideration (material provided in public consultation stage)</b> Refer to Chapter 5, Part 3, 11.9 of the <a href="#">Minister's Guidelines and Rules</a>	The notice requesting to adopt the proposed LGIP amendment is to include: (a) An electronic copy of the proposed LGIP amendment. If the proposed LGIP amendment <b>has changed</b> since the compliance check, the changes are clearly identified (b) The Review checklist updated by the local government (c) The Appointed reviewer statement including how the local government dealt with the recommendations contained within the Appointed reviewer statement (d) If the proposed LGIP amendment <b>has changed</b> as a result of public consultation, a summary of matters raised in the properly made submissions and how the local government dealt with the matters (e) The reasons why the local government does not consider the proposed LGIP amendment is significantly different from a version which has undertaken public consultation (f) Any extrinsic material including background studies, reports and supporting information	
5.	<b>Adoption stage</b> Refer to Chapter 5, Part 3, 13.3 of the <a href="#">Minister's Guidelines and Rules</a>	The material submitted to the Chief Executive is to include: (a) A copy of the public notice (b) A certified copy of the LGIP amendment	
<b>New LGIP</b>			
6.	<b>State interest review stage (material provided in first compliance check)</b> Refer to Chapter 5, Part 4, 16.4 of the <a href="#">Minister's Guidelines and Rules</a>	The notice requesting a state review of the proposed new LGIP is to include: (a) An electronic copy of the proposed LGIP (in Word) (b) The SOW model prepared by the local government as part of the LGIP (in Excel) (c) The Review checklist completed by the Appointed reviewer (in Word, final may be converted to PDF) (d) The completed and signed Appointed reviewer statement (in PDF) (e) Any extrinsic material including background studies, reports and supporting information	

Process / step		Required material and advice on addressing the matter	Local government response <i>Details of the materials submitted will assist the State in determining compliance with the Minister's Guidelines and Rules and in efficiently undertaking the plan making steps</i>
7.	<b>Notice for Minister's consideration (material provided in second compliance check)</b> Refer to Chapter 5, Part 4, 19.4 of the <a href="#">Minister's Guidelines and Rules</a>	The notice requesting to adopt the proposed LGIP is to include: (a) An electronic copy of the proposed LGIP. If the proposed LGIP <b>has changed</b> since the compliance check, the changes are clearly identified (b) The updated Review checklist completed by the Appointed reviewer (c) The updated Appointed reviewer statement (d) If the proposed LGIP <b>has changed</b> as a result of public consultation, a summary of matters raised in the properly made submissions and how the local government dealt with the matters (e) The reasons why the local government does not consider the proposed LGIP is significantly different from a version which has undertaken public consultation (f) Copy of any conditions as imposed under the state review, if applicable (g) Any extrinsic material including background studies, reports and supporting information	
8.	<b>Adoption stage</b> Refer to Chapter 5, Part 4, 21.3 of the <a href="#">Minister's Guidelines and Rules</a>	The material submitted to the Chief Executive is to include: (a) A copy of the public notice (b) A certified copy of the new LGIP	
<b>LGIP review</b>			
9.	<b>If on completing the review decide not to make a LGIP or LGIP amendment – notice for Minister's consideration (material provided in compliance check)</b> Refer to Chapter 5, Part 5, 25.5 of the <a href="#">Minister's Guidelines and Rules</a>	The request for the Minister's consideration to not amend the current LGIP is to include: (a) An electronic copy of the current LGIP (b) The updated <b>Review checklist completed by the Appointed reviewer</b> (c) The <b>Appointed reviewer statement</b> (d) Any extrinsic material including <b>background studies, reports and supporting information</b>	

## 5.7 Making or amending a Planning Scheme Policy – PSP

This is a process under Section 22 of the Planning Act.

Process / step		Required material and advice on addressing the matter	Local government response <i>Details of the materials submitted will assist the State in determining compliance with the Minister's Guidelines and Rules and in efficiently undertaking the plan making steps</i>
1.	<b>New PSP</b> Refer to Chapter 3, Part 1, 5.3 of the <a href="#">Minister's Guidelines and Rules</a>	The material to be submitted to the Chief Executive is to include: (a) A copy of the public notice (b) If the PSP is adopted: i. a certified copy of the PSP ii. an electronic copy of the PSP iii. a copy of electronic spatial data files (mapping) relevant to the PSP	
2.	<b>PSP amendment</b> Refer to Chapter 3, Part 1, 5.3 of the <a href="#">Minister's Guidelines and Rules</a>	The material to be submitted to the Chief Executive is to include: (a) A copy of the public notice (b) If the PSP amendment is adopted: i. a certified copy of the PSP amendment ii. an electronic copy of the PSP amendment iii. a copy of electronic spatial data files (mapping) relevant to the PSP amendment	



# 5.8 Making or amending a Temporary Local Planning Instrument – TLPI

This is a process under Section 23 of the Planning Act.

Process / step		Required material and advice on addressing the matter	Local government response
		<i>Details of the materials submitted will assist the State in determining compliance with the Minister's Guidelines and Rules and in efficiently undertaking the plan making steps</i>	
1.	<b>New TLPI</b> Refer to Chapter 3, Part 2, 8.1 and 9 and Schedule 3 of the <a href="#">Minister's Guidelines and Rules</a>	The material to be submitted with the TLPI is to include: (a) An electronic copy (mandatory) and a hard copy (optional) of the proposed TLPI in the format identified by the department (b) A statement that includes: i. <b>why the local government proposes to make the TLPI</b> ii. <b>how the proposed TLPI complies with section 23(1) or (2) of the Planning Act</b> (c) Any <b>background studies or reports</b> that informed the preparation of the TLPI (d) Any relevant <b>mapping</b> (if available)	
2.	<b>TLPI amendment</b> Refer to Chapter 3, Part 2, 8.1 and 9 and Schedule 3 of the <a href="#">Minister's Guidelines and Rules</a>	The material to be submitted with the TLPI amendment is to include: (a) An electronic copy (mandatory) and a hard copy (optional) of the proposed TLPI amendment in the format identified by the department (b) A statement that includes: i. <b>why the local government proposes to amend the TLPI</b> ii. <b>how the proposed TLPI amendment complies with section 23(1) or (2) of the Planning Act</b> (c) Any <b>background studies or reports</b> that informed the preparation of the TLPI amendment (d) Any relevant <b>mapping</b> (if available)	