

Planning Scheme Amendments

What is a planning scheme amendment?

A planning scheme amendment refers to changes made by Council from time to time to the planning scheme. Our region's current planning scheme is the *Moreton Bay Regional Council Planning Scheme 2016*. Council may also decide to make a new planning scheme in the future and is required by law to review the planning scheme every 10 years.

In Queensland, planning schemes are made under State legislation - *the Planning Act 2016*.

Why are amendments needed?

Council undertakes amendments to keep the planning scheme up-to-date and improve how it works.

Amendments can:

- correct simple errors
- reflect development approvals
- incorporate updated State Government requirements
- give effect to a policy change.

Types of amendments

There are five main types of planning scheme amendments (see diagram below). The type of amendment and process to follow depend on the changes to be made.

Other changes can occur to planning scheme policies (PSPs), which are technical/guidance documents attached to a planning scheme.

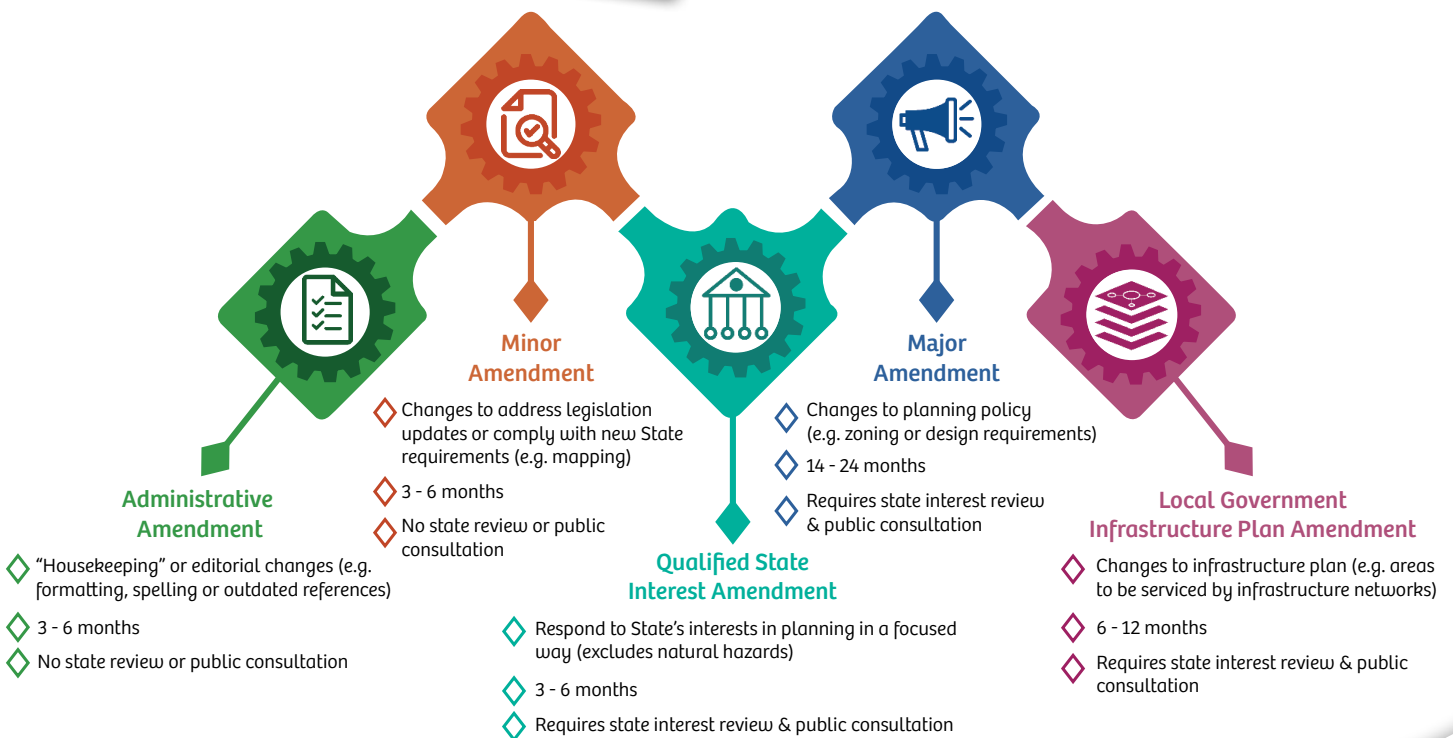
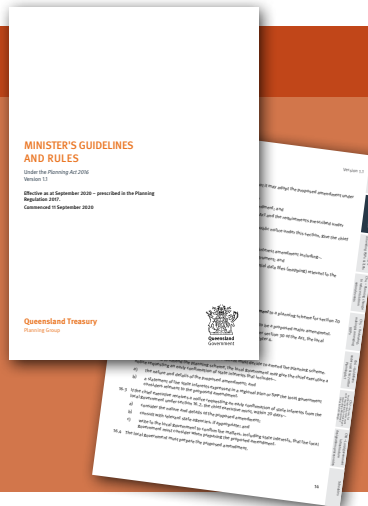
A Temporary Local Planning Instrument (TLPI) can also be made by the Planning Minister when an immediate change is required. A TLPI overrides parts of the planning scheme for up to two years.

The most common type of planning scheme amendment is a major amendment.

Plan-making process

The Planning Act puts in place a legal process to guide the making and amending of planning schemes in Queensland.

This is known as the **plan-making process**, which is set out in the *Minister's Guidelines and Rules*.



Types of amendments

Snapshot: Typical major amendment process

A major amendment may be made to change policy relating to “big ticket” issues, for example building height, car parking or other design standards.

The key steps are:

1. Planning and preparation

- **Council** - decides to amend the planning scheme, confirms early state interests with the State Government and prepares the amendment.
- **State** - confirms early state interest matters to be addressed by Council.

2. State interest review

- **State** - agencies review the amendment and its effect on state interests. The State can require changes to the amendment at this time.

3. Public consultation

- **Council** - undertakes public consultation, invites and considers submissions and potential changes to the amendment and prepares a consultation report. Council then requests Ministerial approval to adopt the amendment.

4. Minister's consideration

- **State** - The Minister considers if the amendment can be adopted by Council and any conditions or changes that apply.

5. Adoption (changes formally commence)

- **Council** - adopts the amendment (i.e. incorporates it into the planning scheme) and publishes a public notice.

For certain amendment types, it is possible to combine the state interest review and public consultation steps.

Why does a major amendment take so long?

Preparing a major planning scheme amendment requires evidence to develop and support any policy changes proposed. This often requires research and technical studies.

For a major amendment, a state interest review is required and the State Government checks the draft amendment against its various plans and legislation. This is followed by public consultation and consideration of submissions received by Council. The Planning Minister must then approve the amendment before Council can adopt it.

While this all adds to the overall timing, the process is transparent and involves a combination of Council, state agency, community and Ministerial review and sign-off to inform the outcomes.

The time and resources to complete a major amendment, and the range of issues and priorities to balance in its preparation, mean Council cannot deliver too many amendments at the same time.

Will I be able to have my say?

In most amendments (except for administrative or minor), public consultation is required by law and is undertaken by Council.

The amendment content is then re-considered based on community feedback received through public submissions.

Find out more

Council reviews the planning scheme regularly. If you would like to find out more, please phone Council on **(07) 3205 0555** and ask to speak to the planning scheme team or email mbrclplanningscheme@moretonbay.qld.gov.au

