

## CP 19 Strategic Planning Amendment Notification Policy

<b>Responsible Officer:</b>	Manager Development
<b>Document type:</b>	Council Policy
<b>Reference:</b>	CP 19
<b>Approval by the Leadership Team:</b>	3 May 2024
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<b>Date of next review:</b>	May 2028

### Policy Objective

The purpose of this policy is to provide:

- guidance to Council officers of what is considered to be the minimal amount of notification required for Planning Scheme amendments
- consistency in the type of notification required for Planning Scheme amendments.

### Background

The strategic planning amendment process is defined with an informal policy creation process and a statutory process. The notification taken out for both processes is similar, however, contains some minor differences.

Once a policy has been drafted it is generally best practice to allow for affect property owners, adjoining landowners and the public to have the ability to submit comments with regard to the policy. Any comments can then be incorporated into the policy prior to finalizing the policy.

Pursuant to Section 19 of the Planning and Environment Act 1987, the Responsible Authority must give certain notice of an application. This process is formally known as the exhibition period. The planning scheme amendment must be notified to specific referral authorities, Ministers of State Government and affected landowners as part of this process.

The scope of advertising an amendment to affected landowners, adjoining properties and the public at large is generally at the discretion of Council. This policy will outline to what extent a planning scheme amendment should be advertised.

## **Procedure**

### **1. Application of Policy**

The requirements for notification are set out in a table format for ease of use.

The planning scheme amendment types in the table are by no means exhaustive but cover the great majority of the types of amendments prepared by Council, in particular the ones that are most likely to create a level of community interest. Planning Scheme Amendments will be notified in accordance with the attached table.

Where a Planning Scheme Amendment type is not specified in the table, the decision to notify adjoining property owners/occupiers shall be at the discretion of the Planning Officer and their superior, based on an assessment of whether the proposed amendment would cause material detriment to any person.

### **2. Notification of Requirements**

The types of notification required for specific land uses are set out in Table 1 below, which forms part of this policy.

Where an amendment is due to be advertised between 15 December and 15 January, the minimum time for comment will be doubled to two months for the convenience of all stakeholders.

## **Review**

This policy may be reviewed at any time by the Council to accommodate changes in legislation, regulations, policy gaps, new technology or systems, as well as remain consistent with industry best practice.

**Table 1**

Type of Amendment	Type of Notice of Amendment required					
	Letter to affected property owners / occupiers	Letter to adjoining property owners / occupiers	Publishing Notice in Newspaper	Letter to prescribed Ministers of State Government	Letter to referral authorities	Notes
<b>Notification of a Draft Policy prior to adoption by Council</b>						
Anomaly/Corrective Amendment	√	*	√*	√	√*	*Notification at the discretion of the Planning Officer
Policy Based – New Planning Scheme Amendment	√	√	√	√	√	*Notification at the discretion of the Planning Officer
<b>Notification of a Planning Scheme Amendment - Exhibition</b>						
Anomaly/Corrective Amendment	√	√*	√	√	√	*Notification at the discretion of the Planning Officer
Policy Based – New Planning Scheme Amendment	√	√	√	√	√	*Notification at the discretion of the Planning Officer