Making or changing planning rules

The planning system in Victoria is managed by the State Government and is the responsibility of the Minister for Planning. The State Government maintains the Planning Scheme - or the 'planning rulebook' that controls how land can be used and developed. Councils can propose changes to the planning rules, which must be approved by the Minister. This is called a 'Planning Scheme Amendment'.





1. Strategic Work

Council works with the community and experts to identify local needs and develop strategies or policies that set out how to respond (e.g. Heritage studies, Structure Plans, Housing Strategies).

This usually involves two rounds of community consultation. Final policies and strategies must be approved by Council at a Council Meeting.

- ✓ Council
- ✓ Experts

2. Prepare **Amendment**

Council prepares a draft Planning Scheme Amendment which outlines the proposed changes to the planning rules.

The draft is prepared by Council officers and experts.



3. Authorisation

The Minister for Planning must give Council permission ('authorisation') to proceed and consult on the draft Planning Scheme Amendment to apply the strategies and policies.

The Minister must be satisfied with the intent and rigour of the strategy or policy and its alignment with State Government Policy.

4. Community Consultation

The community can review and provide feedback ('submissions') on the Draft.

The consultation process is run by Council and may involve letters. meetings, information sessions and online methods.



5. Planning **Panel**

An independent Planning Panel considers submissions. conducts hearings and prepares a report with recommendations for Council. This is run by Planning Panels Victoria.

Council and anyone who has made a submission can attend and present to the Panel. Sometimes experts are engaged to help.



6. Final **Amendment**

Council considers the submissions received and the Planning Panel report and decides whether to adopt, change or abandon the draft Planning Scheme Amendment.

The decision is made by Council at a Council Meeting.

Who is involved



7. Approval

The Minister for Planning will review and decide whether to approve the Amendment and update the rules in the Planning Scheme.

The Minister's decision is published in the Victoria Government Gazette.



8. Implementation

The new planning rules are applied through the Planning Permit submission and assessment process.

Who is involved

- ✓ Applicant

Who is involved

✓ Council **✓** Experts

Who is involved

✓ Vic Gov

Who is involved

- ✓ Council
- ✓ Community

Who is involved

- ✓ Council
- ✓ Community ✓ Experts

✓ Council

Who is involved

✓ Vic Gov

Who is involved

- ✓ Council
- ✓ Community
- ✓ Applicants ✓ Experts



The Planning Scheme Amendment process (from step 3 to step 7) usually takes between 6 and 12 months, but sometimes longer. In some circumstances changes to the planning rules are considered urgent. In this case Council can ask the Minister to apply 'Interim' planning rules while Council undertakes the full process. The Minister decides whether to grant interim rules and for how long. To learn more visit bayside.vic.gov.au/services/planning-and-building

