

Enclosure A - Process for making a template planning scheme under section 18 of the *Planning Act 2016*

Stage	Step	Type of action	Summary of action	Specific actions	Commentary	Entity responsible for task	Estimated timeframe
Local government resolves to make a planning scheme in accordance with the approved section 18 notice for making a template scheme.							
Stage 1	Step 1	Planning and preparation	Local government prepares a draft planning scheme	The local government must prepare a draft planning scheme.		Local Government	4 months
	Step 2	Planning and preparation	Local government consults with state agencies	The local government must consult with the relevant state agencies while preparing the draft planning scheme.		Local Government	
Local government resolves to progress its proposed planning scheme for state interest review and public consultation.							
Stage 2	Step 3	State interest review	Local government provides notice to commence the state interest review (SIR) process	<p>The local government must give a notice to the Chief Executive to request a state interest review of the proposed planning scheme that includes:</p> <ol style="list-style-type: none"> 1. An electronic copy of the proposed planning scheme in the format identified by the department. 2. A written statement addressing the state interests in the relevant regional plan and SPP which includes: <ol style="list-style-type: none"> a) how the state interests are integrated in the planning scheme b) reasons why any state interests have not been not integrated in the planning scheme c) any state interests that are not relevant. 3. A written statement about how the key elements of a planning scheme mentioned in section 16(1) of the Act have been addressed and if the planning scheme is consistent with the regulated requirements. 4. A communications strategy. 5. Any background studies or reports that informed the preparation of the planning scheme, including any strategic study or report, or review required under section 25(1) of the Act. 6. Any natural hazards, risk and resilience evaluation report prepared having regard to the SPP. 7. If the proposed planning scheme includes a planning change under section 30 of the Act – any draft feasible alternatives report prepared for a planning change made to reduce the risk of natural hazards, including details of the potentially affected premises and any relevant supporting information. (Refer to chapter 4 of the Minister’s Guidelines and Rules for information on how to prepare the report). 8. A summary of consultation with state agencies and the outcome of the consultation. 9. Any other information considered relevant by the local government. 		Local Government	10 business days

Stage 2	Step 4	State interest review	Chief Executive commences the SIR	<p>Within 5 days of receiving the notice from the local government under step 3, the Chief Executive must:</p> <ol style="list-style-type: none"> 1. commence the state interest review 2. give the proposed planning scheme to other relevant state agencies for consideration of the effect of the amendment on state interests, including those identified in legislation, the State Planning Policy (SPP), or a regional plan 3. inform the Minister of the proposed planning scheme 		Chief Executive	40 business days	
	Step 5	State interest review	Chief Executive undertakes the SIR	<p>As part of the state interest review, the Chief Executive must consider if the proposed amendment:</p> <ol style="list-style-type: none"> 1. advances the purpose of the Act 2. is consistent with section 16(1) of the Act 3. is consistent with the regulated requirements prescribed in the Planning Regulation 4. is well drafted and clearly articulated 5. accords with the result of any relevant study or report, or review required under section 25(1) of the Act. 		Chief Executive		
	Step 6	State interest review	Chief Executive advises of changes required	<p>The Chief Executive may give notice to the local government advising of any changes:</p> <ol style="list-style-type: none"> 1. to the proposed planning scheme required to address state interests 2. to the proposed communications strategy as a result of the state interest review. 	<p>If required, DSDMIP can decide to use the stop the clock mechanism or the Chief Executive may issue a notice to advise the local government of any changes.</p> <p>If the local government decides to change the proposed planning scheme in response to the notice given by the Chief Executive, the local government must resubmit the proposed amendment for state interest review and thus restarting the timeframe.</p>	Chief Executive		
	Step 7	State interest review	Chief Executive provides outcomes of SIR	The Chief Executive must give notice to the local government of the outcome of the state interest review.		Chief Executive		
	Step 8	Public consultation	Local government commences public consultation of the proposed planning scheme	<p>The local government must undertake public consultation:</p> <ol style="list-style-type: none"> 1. for a period of at least 40 business days; and 2. in accordance with: <ol style="list-style-type: none"> a. the public notice requirements prescribed in the Act b. the public notice requirement prescribed in Attachment B c. the communications strategy given to the Chief Executive under step 3. 		Local Government		40 business days

Stage 3	Step 9	Considering submissions	Local government considers all properly made submissions	The local government must consider all properly made submissions about the proposed planning scheme and may consider other submissions.		Local Government	20 business days
	Step 10	Considering submissions	Local government prepares consultation report	The local government must prepare a consultation report about how the local government has dealt with properly made submissions, which is: <ul style="list-style-type: none"> 1. provided to each person who made a properly made submission; and 2. available to view and download on the local government's website; or 3. available to inspect and purchase in each of the local government's offices. 		Local Government	
	Step 11	Changing the proposed planning scheme	Local government makes changes to the proposed planning scheme	<p><i>After considering the submissions, the local government:</i></p> <ul style="list-style-type: none"> 1. may make changes to the proposed planning scheme to: <ul style="list-style-type: none"> a. address issues raised in submissions; b. amend a drafting error; or c. address new or changed planning circumstances or information. 2. must ensure any changes made to the proposed planning scheme continue to appropriately integrate and address relevant state interests, including those identified in a state interest review. 	Only if required.	Local Government	20 business days
	Step 12	Changing the proposed planning scheme	Local government considers if changes made results in the proposed scheme being significantly different	<p><i>If the local government changes the proposed planning scheme and the change results in the proposed scheme being significantly different to the version released for public consultation, the local government:</i></p> <ul style="list-style-type: none"> 1. must repeat the public consultation required for the proposed planning scheme 2. may limit the public consultation to only those aspects of the proposed planning scheme that have changed. 	Only if required.	Local Government	
	Step 13	Changing the proposed planning scheme	Local government repeats public consultation actions	<i>If public consultation has been repeated, the local government must take actions required under steps 8, 9, and 10 for the repeated consultation.</i>	Only if required.	Local Government	
Local government resolves to progress its proposed planning scheme for the Minister's endorsement.							
Stage 4	Step 14	Endorsement	Local government requests adoption of scheme	The local government must give the Minister a notice to request to adopt the proposed planning scheme that includes: <ul style="list-style-type: none"> 1. an electronic copy of the amended planning scheme, clearly identifying any change that has been made to the proposed planning scheme since the state interest review 2. a written consultation report containing a summary of the matters raised in the properly made submissions and stating how the local government dealt with the matters 3. the reasons why the local government doesn't consider the proposed planning scheme amendment to be significantly different from the version for which public consultation has been undertaken. 		Local Government	10 business days

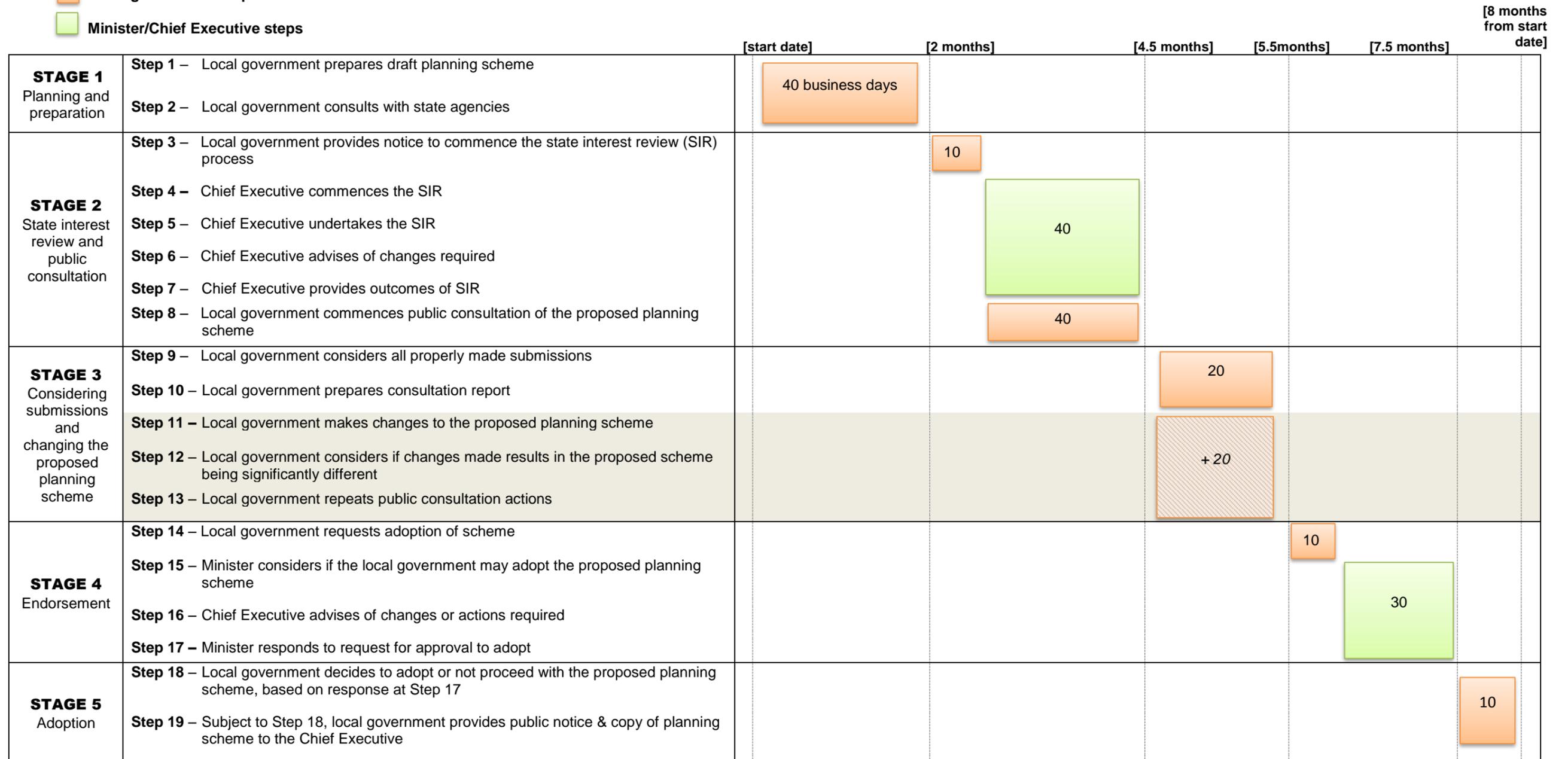
	Step 15	Endorsement	Minister considers if the local government may adopt the proposed planning scheme	<p>The Minister must consider if the local government may adopt the proposed planning scheme by considering:</p> <ol style="list-style-type: none"> 1. if the adoption version of the proposed planning scheme is significantly different to the version released for public consultation 2. if the proposed planning scheme: <ol style="list-style-type: none"> a. advances the purpose of the Act b. is consistent with section 16(1) of the Act c. is consistent with the regulated requirements prescribed in the Planning Regulation d. is well drafted and clearly articulated e. accords with the result of any relevant study or report, or review required under section 25(1) of the Act. 		Minister	30 business days
	Step 16	Endorsement	Chief Executive advises of changes or actions required	<p>The Chief Executive may give notice to the local government advising:</p> <ol style="list-style-type: none"> 1. any changes to the proposed planning scheme to address state interests 2. any actions the local government must take. 	Only if required	Chief Executive	
	Step 17	Endorsement	Minister's decision on request for approval to adopt	<p>The state must give the local government a notice stating:</p> <ol style="list-style-type: none"> 1. if the local government may adopt the proposed planning scheme; and 2. the Minister's conditions, if any, that apply to the proposed planning scheme; or 3. if the proposed planning scheme may not be adopted, and the reasons why it may not be adopted. 		Minister	

Local government resolves to adopt or not proceed with the proposed planning scheme.

Stage 5	Step 18	Adoption	Local government decides to adopt or not proceed with the proposed planning scheme	<p>If the Minister has notified the local government that it may adopt the proposed planning scheme, the local government must:</p> <ol style="list-style-type: none"> 1. decide: <ol style="list-style-type: none"> a. to adopt the proposed planning scheme; or b. not to proceed with the proposed planning scheme; and 2. publish a public notice in accordance with the Act and requirements prescribed in Attachment B; and 3. if the proposed planning scheme includes a planning change under section 30 of the Act, give notice as required under Chapter 4, Part 1, section 3.13 of the MGR. 		Local Government	10 business days
	Step 19	Adoption	Local government provides public notice & copy of planning scheme to the Chief Executive	<p>The local government must, within 10 business days of giving public notice under this stage, give the Chief Executive:</p> <ol style="list-style-type: none"> 1. a copy of the public notice 2. if adopted, a certified copy and an electronic copy of the planning scheme. 		Local Government	

Gantt chart showing the section 18 process for making a template scheme with indicative timeframes

KEY
 Local government steps
 Minister/Chief Executive steps



Dated this 10th day of April 2018



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Enclosure B - General requirements for the process

Managing timeframes

1. Any party may pause a timeframe (provided it is not during public consultation), for an action for which they are responsible, by giving notice to any other party in the relevant step of the process, stating how long the timeframe will be paused and a date upon which the timeframe will restart.
2. If a notice to pause a timeframe is issued, the process is paused from the day after the notice is given until the date stated in the notice, unless the notice is withdrawn by the party that gave the notice.
3. If the timeframe pause notice is withdrawn, the process restarts from the day after the party gives the notice to withdraw the notice.

Requesting information

4. The chief executive may, at any time, give the local government a notice requesting further information.

Public consultation

5. In accordance with the *Planning Act 2016*, the local government is required to:
 - a. publish at least one public notice about the proposal to make the planning scheme, and
 - b. keep the instrument available for inspection and purchase for a period (the consultation period) stated in the public notice of at least 40 business days after the day the public notice is published in a newspaper circulating in the local government area.
6. The public notice published under step 8 must state:
 - a. the name of the local government
 - b. the title of the proposed planning scheme
 - c. the purpose and general effect of the proposed planning scheme
 - d. the location details of the area where the proposed planning scheme applies, if it only relates to part of the local government area
 - e. where the proposed planning scheme may be inspected and purchased
 - f. that submissions about any aspect of the proposed planning scheme may be made to the local government by any person
 - g. the consultation period during which a submission may be made
 - h. the requirements for making a properly made submission
 - i. a contact telephone number for information about the proposed amendment.
7. The public notice published under step 19 must state:
 - j. the name of the local government
 - k. the decision made by the local government about the planning scheme
 - l. the date the planning scheme was adopted
 - m. the commencement date for the planning scheme (if different to the adoption date)
 - n. the title of the planning scheme
 - o. if the planning scheme only applies to part of the local government area, a description of the location of that area
 - p. the purpose and general effect of the planning scheme
 - q. where a copy of the planning scheme may be inspected and purchased

Enclosure C – Communications Strategy

Pursuant to section 18(5)(d) of the Planning Act, a local government following the process for making a template scheme (in Attachment A) must implement the following communications strategy.

Communications Strategy – [insert name of proposed planning scheme]

1. Purpose

The purpose of this communications strategy is to outline how council will engage with key stakeholders and its local community in a relevant and appropriate way.

Council will undertake its engagement process detailed below in line with the following principles (detailed in part 1 of the Department of State Development, Manufacturing, Infrastructure and Planning's (DSDMIP) [community engagement toolkit for planning](#)):

1. Engagement focuses on the best interests of the community.
2. Engagement is open, honest and meaningful.
3. Approaches to engagement are inclusive and appropriate.
4. Information is timely and relevant.
5. Information is accurate, easy to understand and accessible.
6. Decision-making is transparent.

2. Objectives

The following are the outcomes sought by the proposed communications strategy:

- The community (i.e. residents, ratepayers, community groups and developers) is aware that the council is drafting a new planning scheme for its local government area and that the community can participate in/contribute to the plan-making process.
- The community is informed that the draft scheme will be released for public consultation, and understand how and when to make a properly-made submission.
- The community has adequate opportunities to provide input through widespread communication and, where appropriate, targeted consultation activities.
- The council and community have confidence that the planning scheme will achieve its desired strategic intent.

3. Engagement process

NOTE – The following table provides a suite of engagement techniques for council to choose from. These techniques are additional to the consultation requirements outlined in the 'general requirements for the process'. Only select the techniques suitable to your council. [delete this note]

Stage in the process	Stakeholder	Engagement techniques
Planning and preparation	Broader community	<p><i>These techniques seek to raise awareness and capture community input for drafting the scheme:</i></p> <ul style="list-style-type: none">• Prepare a letter that outlines the commencement of the planning scheme and the consultation period. Council to distribute the letter to all ratepayers.• Place advertisements in local newspaper and book community service announcements.• Establish a page for the proposed planning scheme on council's current website to provide information supplied in the letter to ratepayers and any other relevant information.• Create a project email address and project telephone hotline.

		<ul style="list-style-type: none"> Establish Facebook page and/or Instagram account (create a hashtag #mytown). Launch Instagram campaign #mytown to encourage people to share images of the things that are important to them in town. Conduct 'talk to a planner' sessions in the main street where community members can talk to a planner about the future of the town and the planning concepts that are being considered as part of the plan-making process.
	Identified stakeholder groups	<ul style="list-style-type: none"> Send direct emails to representatives of identified stakeholder groups (i.e. state agencies with specific interests) outlining the plan-making process. Establish a Community Reference Group. Conduct workshop with Community Reference Group and any other interested community groups.
SIR & public consultation	Broader community	<p><i>These techniques seek to capture community input on the proposed planning scheme:</i></p> <ul style="list-style-type: none"> Prepare print materials such as factsheets, brochure, and a guide to making a 'properly made submission'. Place advertisements in local newspaper and book community service announcements. Place public consultation information and how to view the proposed planning scheme on council's website, Chamber of Commerce website, [and Facebook page and/or Instagram] Conduct 'talk to a planner' sessions in the main street where community members can talk to a planner about the proposed planning scheme and how to make a submission.
	Identified stakeholder groups	<ul style="list-style-type: none"> A targeted mail out to property owners affected by zone changes Conduct workshop with Community Reference Group and any other interested community groups. The delivery of briefings to the Chamber of Commerce and RAPAD Board [and other peak bodies on request].
Review of submissions	Broader community	<ul style="list-style-type: none"> Prepare and distribute consultation report as detailed in Step 10 of the plan-making process.
Endorsement	N/A	N/A
Adoption	Broader community	<ul style="list-style-type: none"> Place advertisements in local newspaper, council's website and social media. Release planning scheme on council's website.

4. Community engagement action/implementation plan

A schedule of how and when council has/will undertake the above engagement process will be provided to DSDMIP at the state interest review stage.