

# PRIVATE (or PROPONENT) AMENDMENT PROCESS

## What is a Planning Scheme Amendment (PSA)?

A Planning Scheme Amendment (PSA) is a request to change the local planning scheme. The planning scheme sets out how land is used and developed within the municipality. An example would be a request to change controls that relate to heritage or vegetation protection or to rezone land to support development. The process for carrying out a planning scheme amendment is set out in Part 3 of the Planning and Environment Act 1987.

## Who can request a PSA?

Council generally initiates the process to amend the planning scheme however this process can also be initiated at the request of a private applicant or land owner. Most privately sponsored amendments relate to an individual parcel of land where the land owner is the main beneficiary.

## Fees

All costs associated with processing a privately sponsored amendment are paid for by the applicant (proponent). Fees (available [HERE](#)) are set by the state government. There may also be significant costs associated with the Planning Panel process.

*Note that the payment of fees does not guarantee Council support for the amendment.*

## Strategic merit

Council only considers amendments to the planning scheme that demonstrate strategic merit including (but not limited to):

- Amendments that substantially aid implementation of an adopted state, regional or local strategic study, plan or policy of significance and priority for Central Goldfields Shire.
- Amendments that deliver substantial net benefit to the broader community. In addition to the merits of the application, Council will also consider the resourcing available to proceed with any privately sponsored PSA.

## Pre-application meeting

For privately sponsored amendments, applicants need to arrange a pre-application meeting with the strategic planner to discuss the proposal prior to lodgement. For complex projects it is also recommended that proponents seek advice from state government agencies and employ the services of a professional town planner.

## Helpful links

- [Strategic Assessment Guidelines – Practice Note 46](#)
- [Strategic Assessment of Amendments Requirements – Ministerial Direction 11](#)
- [Amending a planning scheme – State Government Website](#)

# PRIVATE SPONSORED PLANNING SCHEME AMENDMENTS

## Facts and Processes

### What is the Planning Scheme?

The Central Goldfields Planning Scheme applies to all land within the Central Goldfields Shire and sets out the controls, policies and provisions for the use, development and protection of land.

### What is a Planning Scheme Amendment?

A Planning Scheme Amendment is a change to the Planning Scheme. This may include a change to a local policy about the use of land or the design and layout of buildings. It may also include a rezoning or a change to overlay controls relating to, for example, heritage or vegetation protection.

The process for carrying out a planning scheme amendment is set out in the Planning and Environment Act 1987.

### What is a private sponsored amendment?

A private sponsored amendment is a planning scheme amendment initiated at the request of an applicant or land owner. Most private sponsored amendments relate to an individual parcel of land where the land owner is the main beneficiary.

### Does Council support private sponsored amendments?

Council assesses private sponsored amendments against the objectives of the Planning and Environment Act 1987 and the policies contained in the Central Goldfields Planning Scheme. Council is not obliged to process a private sponsored amendment. Private sponsored amendments might be supported if they are consistent with Council's policies for the area and result in a net benefit to the broader community.

### Who pays for private sponsored amendments?

All costs associated with processing a private sponsored amendment are paid for by the applicant (proponent) requesting the amendment. Note that the payment of fees does not guarantee Council support for the amendment.

## Private Sponsored Amendment Fee Schedule 2019/2020

Stage	Fee	Timing of payment
<i>Stage One – Considering a request</i>		
Statutory fee to consider request	\$3,050.90	The time at which the amendment is requested
<i>Stage Two – Public exhibition</i>		
Public notice letters	Approximately \$2.00 per letter (subject to variation on application-by-application basis)	Following public exhibition process
Public notice in local papers	At cost (approx \$1,500 – subject to variation on application-by application basis)	
Public notice in Government Gazette	At cost (approx \$100)	
Signs on the site (if required)	At cost (approx \$70 – subject to variation on application-by application basis)	
<i>Stage three - Considering submissions that seek a change, and referral and assistance to panel</i>		
Up to and including 10 submissions	\$15,121.00	Prior to scheduling the Council report seeking a resolution to refer the amendment to a Panel
11 to (and including) 20 submissions	\$30,212.40	
Submissions that exceeds 20	\$40,386.90	
<i>Stage four – Panel (if required)</i>		
Planning Panels Victoria fees	At cost (approx \$5,000 per day of hearing – subject to change on application-by-application basis)	Prior to scheduling the Council report seeking a resolution to adopt the amendment
Venue hire	At cost	
<i>Stage five – Approval of amendment</i>		
Adopting the amendment, submitting it for approval and giving notice of approval	\$481.30 if the Minister is not the planning authority or nil fee if the Minister is the planning authority	At time of submitting the amendment for approval to the Minister for Planning
Statutory fee to submit the amendment to the Minister for Planning for approval	\$481.30 if the Minister is not the planning authority or nil fee if the Minister is the planning authority	

Note 1: The payment of fees does not guarantee Council support for the amendment.

Note 2: Council will invoice proponents for the above fees at each stage of the process.

Note 3: For the first 12 months from commencement, the fees for planning scheme amendments will be charged at 50% of the fees set out in the regulations applicable (Planning and Environment (Fees) Regulations 2016).

## Combined permit applications and amendments

The Planning and Environment (Fees) Regulations 2016 (Reg 14) states that, for combined permit applications and amendments, the fee applicable is:

- 50% of the fee which would have applied if the application for the permit had been made separately
- If the application is for more than one permit the fee is the highest of the fees which would have applied if separate applications for the permits had been made. Planning Scheme Amendment process.

The flowchart below summarises each stage of a Planning Scheme Amendment towards approval.

