



## LIVINGSTONE PLANNING SCHEME 2018 Information sheet

### Planning Scheme Amendments

The *Livingstone Planning Scheme 2018* (Planning Scheme) regulates development in the region. The Planning Scheme is a dynamic document whereby Livingstone Shire Council seeks to respond to changes in legislation, community values, emerging issues and other factors, through an ongoing program of feedback, review and amendments.

#### Why amend the planning scheme?

Under the *Planning Act 2016* a local government is required to formally review a planning scheme every ten (10) years and review its Local Government Infrastructure Plan (LGIP) every five (5) years.

In addition, Council may make amendments to the Planning Scheme from time to time for a number of other reasons. Other reasons may include:

- ▶ to respond to new or changed State government legislation or planning policy that is required to be reflected in the Planning Scheme (e.g. *the Planning Act 2016* and the *Central Queensland Regional Plan 2013*); or
- ▶ to respond to development, infrastructure or other issues which have emerged since the commencement of the planning scheme; or
- ▶ to respond to economic, social or environmental changes; or
- ▶ to achieve better planning outcomes and to support a more efficient development assessment process; or
- ▶ to incorporate the outcomes of informed planning investigations and changes to policy which have occurred since the commencement of the planning scheme; or
- ▶ to clarify existing policy; or

- ▶ to correct errors or inconsistencies that have been identified during the ongoing operation of the planning scheme.

Amending a Planning Scheme is a necessary part of maintaining the integrity of Council's planning framework and something that is undertaken periodically by most local governments.



#### What are the different types of planning scheme amendments?

In Queensland, the *Planning Act 2016* regulates land use planning and associated processes of plan-making and development assessment. The *Minister's Guidelines and Rules* is a regulatory instrument under the *Planning Act 2016*, which outlines the process for making and amending local government planning schemes. The amendment process varies depending on the type of amendment.

There are four main types of planning scheme amendments. These are:

- ▶ **administrative amendments** – which are made to address administrative matters such as spelling or grammatical errors, formatting changes, inconsistency in numbering or cross-referencing, or outdated terminology and the like;
- ▶ **minor amendments** – which are made to address changes that are minor in nature but which cannot otherwise be categorised as being administrative amendments;
- ▶ **qualified state interest amendments** – which are made to address changes with limited or qualified state interests. This amendment type aims to reduce the state interest stages and timeframes; and
- ▶ **major amendments** – which are made to address major changes in planning policy including changes to zones or the introduction of new or materially different planning provisions.

There are also rules and requirements for amending a Planning Scheme Policy (PSP), Temporary Local Planning Instrument (TLPI) and Local Government Infrastructure Plan (LGIP).

When the State Government adopts an amended or new piece of planning legislation an **alignment amendment** may be required to align the planning scheme with the changes in the legislation.

Administrative amendments, minor amendments and alignment amendments are the only amendments undertaken by local government that do not require public consultation. All other types of amendments require public consultation and State interest checks, with the exception of an amendment to a PSP, which does not require a State interest check.

## Livingstone Planning Scheme 2018 and the amendment process

Since the commencement of the *Livingstone Planning Scheme 2018* on 1 May 2018, Livingstone Shire Council has made one (1) amendment to the Planning Scheme for the purpose of including a Local Government Infrastructure Plan. This amendment came into effect on 25 June 2018.

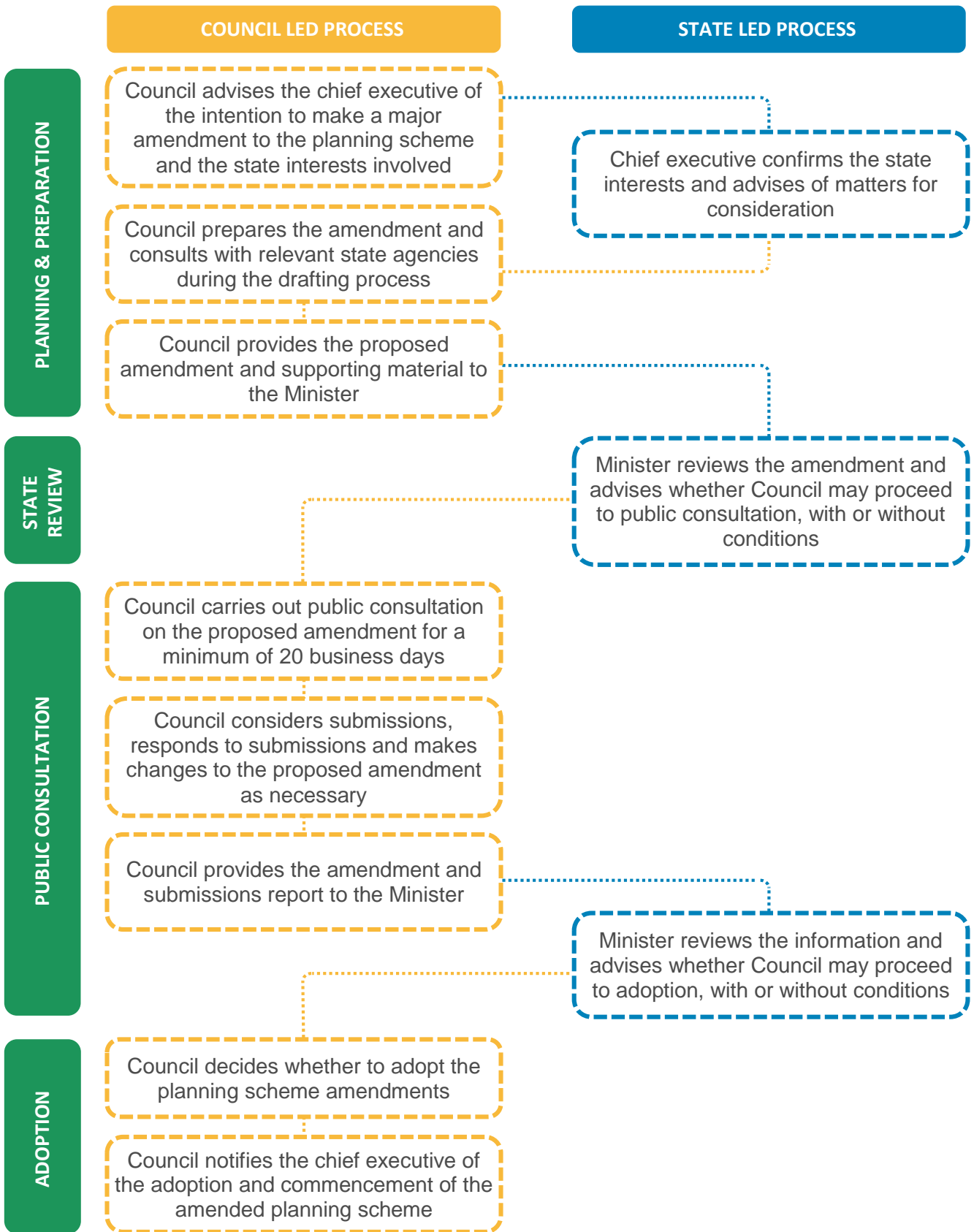
Livingstone Shire Council is currently reviewing other aspects of the Planning Scheme to ensure that appropriate development continues to occur within the region.

When Council decides to progress with a proposed major amendment, an amendment package and supporting material is prepared and submitted to the State for review. The State will then review the amendment package and supporting material and advise Council whether it may proceed to public consultation. If the State has advised Council that it may proceed, Council will then carry out the public consultation. This provides an opportunity for the public and relevant stakeholders to review the amendments and if necessary, they may make a submission.

Following the public consultation stage, Council must consider all properly made submissions and prepare a consultation report about how Council has dealt with the submissions. The State will review this information and advise Council whether it may proceed to adoption. Council may then decide to adopt the amendments and the previous version of the Planning Scheme will become a superseded planning scheme.



## OUTLINE OF THE AMENDMENT PROCESS



**Note:** The flowchart above is only a broad outline of the amendment process. The full process is contained in *the Minister's Guidelines and Rules 2017*.

## Public consultation for planning scheme amendments

Public consultation is an essential part of the amendment process which gives the public and relevant stakeholders the opportunity to have their say on the proposal.

Any major amendment to the planning scheme is subject to a communications strategy, approved by the Minister. The communications strategy will outline the manner in which public consultation with the community is to occur.

Council is required to:

- ▶ publish a public notice about the purpose and general effect of the amendments;
- ▶ display a copy of the public notice and proposed amendment in each of the publically available government offices;
- ▶ undertake the public consultation period for at least 20 business days;
- ▶ place the proposed amendments on the Council's website for viewing and download;
- ▶ carry the public consultation out in accordance with any other requirements of the Minister.



Livingstone Shire Council encourages interest in the planning of the region and encourages the involvement of the whole community in shaping the region as it is now, as well as where it wants to be in the future.

Submissions on proposed amendments to the *Livingstone Planning Scheme 2018* can be made during the public consultation period.

### Further information:

For further information about proposed amendments to the *Livingstone Planning Scheme 2018* visit Council's website or contact Council directly with your enquiry.

Web: <https://www.livingstone.qld.gov.au/>

E-mail: [enquiries@livingstone.qld.gov.au](mailto:enquiries@livingstone.qld.gov.au)

Phone: 1300 790 919 or (07) 4913 5000

Mail: PO Box 2292 Yeppoon QLD 4703

### Contact a Planner:

Council's Duty Planners are available for confidential discussions to help you navigate the planning scheme. To make an appointment with the Duty Planner call 1300 790 919 or submit a customer service enquiry through Council's [online services portal](#).