

# The Kingborough Interim Planning Scheme 2015

## Fact Sheet 22 – Planning Scheme Amendments

### What is a Planning Scheme Amendment?

A Planning Scheme Amendment is a change to the [Kingborough Interim Planning Scheme 2015](#). Typically, such an amendment to the planning scheme involves either a change to the zoning plan or a change to the written component of the Planning Scheme which sets out the rules under which development can be carried out.

### Who can seek a Planning Scheme Amendment?

Any person can ask Council (acting as the Planning Authority) to start an amendment process. If that person is seeking an amendment which affects one or more parcels of land which they do not own, then they must first get the written permission of the landowner or owners. The Planning Authority can also initiate a planning scheme amendment.

### Who approves Planning Scheme Amendments?

In the first instance, the Planning Authority decides whether or not to initiate a draft amendment. If the amendment is initiated, the Tasmanian Planning Commission (TPC) makes the final decision on the amendment request. The TPC is an independent body set up under the State's planning legislation. The TPC has the power to approve, modify or reject a Planning Scheme Amendment.

### What is the process for a Planning Scheme Amendment?

The Planning Scheme Amendment Process is quite complex, but the diagram on the next page provides an overview of the process. A Planning Scheme Amendment generally takes about 12 months to go through the full assessment process after lodgement.

### How Do I apply for a Planning Scheme Amendment?

To request a Planning Scheme Amendment, you need to provide the following:

1. The [application form](#) and supporting documentation which outlines the following:
  - a) Detailed description of the requested amendment identifying the extent of its application.
  - b) A Planning Report that demonstrates how the application meets the requirements of s32 of the Land Use Planning and Approvals Act 1993, in particular, the Schedule 1 Objectives of the Act and relevant State Policies.
  - c) Consideration of the relevant provisions of the Planning Scheme such as the Intents, Development Principles, Objectives and detailed provisions of this zone.
  - d) Strategic impact of the proposal such as alternative uses, flow on development cumulative impacts.
2. Landowner's consent (this can be provided in the application form)
3. A current full copy of the Certificate of Title (no less than 3 months old) to the land containing the:
  - a) Search Page
  - b) Plan, Sealed Plan or Diagram
  - c) Any Schedule of Easements, Covenants, Council Notifications or Conditions of Transfer
4. Payment of the application fee - the fee is provided in [Council's Fees and Charges](#).

# THE KINGBOROUGH INTERIM PLANNING SCHEME 2015 PROCESS OF PLANNING SCHEME AMENDMENT

## Preparation

Applicant arrange preliminary meeting with planning officers

Applicant lodge application

Planning officers may request additional information

Planning officers prepare and present a report to the PA (The Council)

## Certification

Yes

PA decides whether to initiate amendment.

No

PA prepares and certifies amendment.

Process ends

## Exhibition

The amendment is exhibited

Any person may make a representation during exhibition

A report on the representation is submitted to the PA with a recommendation the Commission

## Assessment

Commission may hold hearings

Commission considers report, representations and amendment

## Decision-making

Commission requires modifications to the planning scheme amendment

Commission decides application and inform the PA and other parties including representors

If the modifications are substantial re-exhibition may be required.

If the changes are minor, the Commission may make those themselves or require the PA to make them



PLANNING AUTHORITY (PA)



TASMANIAN PLANNING COMMISSION (COMMISSION)