

Review of Planning Schemes

Planning and Environment Act 1987 Section 12B

GENERAL PRACTICE NOTE

FEBRUARY 2006

This practice note explains what a planning scheme review is and suggests a process for conducting and reporting the review.

What is a planning scheme review?

Section 12B of the *Planning and Environment Act 1987* requires a planning authority to regularly review the provisions of the planning scheme.

The purpose of the review is to enhance the effectiveness and efficiency of the planning scheme in achieving:

- the objectives of planning in Victoria
- the objectives and strategies of the planning scheme including the State Planning Policy Framework and the Local Planning Policy Framework.

The review should assess whether the scheme provisions, such as local planning policies, zones, overlays and schedules have been effective and efficient in achieving the objectives and strategies of the planning scheme.

The review also provides the opportunity to evaluate the planning scheme to ensure that it:

- is consistent in form and content with any directions or guidelines issued by the Minister under section 7(5) of the Act
- sets out effectively the policy objectives for use and development of land in the area to which the planning scheme applies
- makes effective use of State provisions and local provisions to give effect to State and local planning policy objectives.

The review is an audit of the performance of the planning scheme at a point of time and will inform the continuous improvement of the planning scheme by addressing:

- What has been achieved since the last review?
- Where are we now?
- Where to from here?

The review is also likely to identify changes or additional strategic work that would improve the performance of the planning scheme. Any proposed improvements to the planning scheme that flow from the review should be carried out as planning scheme amendments separate to the review.

The review process

The review cycle

The review cycle starts when the previous review is reported to Council.

What are the aims of the review?

The review is a self-assessment process that aims to:

- maintain the strategic focus of the planning scheme
- ensure council's continued ownership and commitment to the planning scheme and its continuous improvement
- satisfy the requirements of section 12B of the Act
- establish a framework to efficiently administer and enforce the planning scheme in accordance with section 14 of the Act.

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Benefits of a review

Some of the benefits of undertaking the review include:

- improving the performance of the planning scheme and strengthening its strategic objectives to satisfy the requirements of section 12B of the Act
- streamlining planning processes
- reducing the complexity of processes
- identifying unnecessary permit requirements
- complying with Best Value reporting.

How do you undertake a review?

The *Continuous Improvement Review Kit* provides a suggested methodology that will both:

- meet the requirements of section 12B of the Act
- identify operational improvements to council's planning processes.

The kit is a working document. By using the kit, a review of the planning scheme and planning processes can be undertaken in a manner proven to have beneficial outcomes and can be completed in a reasonable period of time.

The kit includes:

- A guide to the review, which describes in detail the following step-by-step process:
 - Step 1 – Scope the review
 - Step 2 – Collect data
 - Step 3 – Consultation
 - Step 4 – Review data
 - Step 5 – Analyse data
 - Step 6 – Report the review
 - Step 7 – Implement the findings
- Self-audit tools – with useful templates
- A workshop session approach – as a potential model
- Suggested planning practices – to stimulate discussion and information sharing.

An integrated approach

The kit complements other corporate and statutory reporting obligations, including the Council Plan, Business Planning, Council's annual risk insurance audit, Best Value and other strategic council documents.

Council should ensure that there are clear links between the review of the planning scheme and other local government processes, monitoring, review and organisational requirements to gain maximum value for all systems.

Best Value Principles

The methodology of the guide is consistent with the Best Value Principles and can provide a structure for collecting information necessary to apply the Best Value Principles and reporting outcomes and actions to the community.

Councils using the guide can be confident that they are meeting the requirements of the *Local Government Act 1989* for the review of council planning services. Only some additional quality and cost information may be necessary to meet the Best Value Principles.

Further information and details on Best Value can be found at www.dvc.vic.gov.au in the Local Government Victoria section.



Reporting the review

Each council will have its own approach to reporting the outcomes of the review to Council and its community. Section 12B (5) of the Act requires that, on the completion of the review, council reports the findings of the review to the Minister.

The review should be presented in a report to Council which:

- identifies the major planning issues facing the municipality
- demonstrates how the planning scheme implements State Planning Policy
- assesses the strategic performance of the scheme
- documents the strategic work that has been completed or carried out since the previous review and any additional work required to strengthen the strategic direction of the planning scheme
- articulates the monitoring and review that has been carried out
- outlines the consultation process and its outcomes
- makes recommendations arising from the review including:
 - suggested changes to the objectives and strategies of the LPPF
 - suggested changes to the VPP tools to achieve the strategies and ensure the objectives and desired outcomes are being met
 - new strategic work necessary to support future policy development or changes to the provisions of the scheme
 - suggested changes to improve operational and process practices
 - identifying any planning application or other data that may need to be collected to inform the next review.

The report to the Minister should:

- identify the major issues facing the municipality
- outline key matters requiring further strategic work to strengthen the strategic objectives of the planning scheme in terms of its efficiency and effectiveness to satisfy the requirements of Section 12B of the Act and indicate what action is proposed to be taken
- identify any operational and process improvements proposed to be undertaken
- outline issues that require the engagement or assistance of the Department of Sustainability and Environment.

General Practice Notes provide practical advice on general planning and urban design matters.

For copies of other practice notes in the series visit:
www.dse.vic.gov.au/planning

Department of Sustainability and Environment
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