

Planning Scheme Amendment



Pyrenees
Shire Council

If you wish to change the zone to your land, you need to request a rezoning from Council. Rezoning must follow a particular process and has to be approved by the Minister for Planning. Rezoning is treated as an amendment to the Pyrenees Planning Scheme.

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

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 landowner. Most privately sponsored amendments relate to an individual parcel of land where the landowner is the main beneficiary.

Fees

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

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 Pyrenees 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](#)
- [Amending a planning scheme – State Government Website](#)

For more information, please contact the Planning Department on (03) 5349 1100 or you can email pyrenees@pyrenees.vic.gov.au Attn: Planning

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Private Sponsored Amendment Fee Schedule

STAGE	AMENDMENTS TO PLANNING SCHEME	FEE
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The fee for Stages 1, 2 and 3 are paid to Council by the person who requested the amendment. The fee for Stage 4 is paid to the Minister by the person who requested the amendment

STAGE	AMENDMENTS TO PLANNING SCHEME	FEE
Change to permit conditions or change what permit allows		
1	a) considering a request to amend a planning scheme; and b) taking action required by Division 1 of Part 3 of the Act; and c) considering any submissions which do not seek a change to the amendment; d) if applicable, abandoning the amendment	\$3,275.40
2	a) considering i. up to and including 10 submissions which seek a change to an amendment and where necessary referring the submissions to a panel; or ii. 11 to (and including) 20 submissions which seek a change to an amendment and where necessary referring the submissions to a panel; or iii. Submissions that exceed 20 submissions which seek a change to an amendment, and where necessary referring the submissions to a panel; and b) providing assistance to a panel in accordance with section 158 of the Act; and c) making a submission to a panel appointed under Part 8 of the Act at a hearing referred to in section 24(b) of the Act; and d) considering the panel's report in accordance with section 27 of the Act; and e) after considering submissions and the panel's report, abandoning the amendment.	\$16,233.90 \$32,436.00 \$43,359.30
3	a) adopting the amendment or part of the amendment in accordance with section 29 of the Act; and b) submitting the amendment for approval by the Minister in accordance with section 31 of the Act; and c) giving the notice of the approval of the amendment required by section 36(2) of the Act.	\$516.80
4	a) consideration by the Minister of a request to approve the amendment in accordance with section 35 of the Act; and b) giving notice of approval of the amendment in accordance with section 36(1) of the Act.	\$516.80

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).


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

STAGE	PROCESS
1	Lodgement Proponent requests an amendment
2	Assessment Council officers assess amendment request
3	Council Meeting Consider requesting authorisation
4	Authorisation Request authorisation from the Minister for Planning
5	Public Exhibition Notification via mail and advertisements in local papers and the Government Gazette
6	Council Meeting Consider changing the amendment in response to submissions – refer unresolved submissions to a Planning Panel
7	Panel Hearing Review of amendment by independent Planning Panel
8	Council Meeting Consider the Panel's report – consider adopting the amendment with or without changes
9	Approval Submit the amendment to the Minister for Planning for final approval and gazettal



MINIMUM 18 MONTHS



Council assesses private sponsored amendments against the objectives of the Planning and Environment Act 1987 and the policies contained in the Pyrenees 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.