



# Strategic Assessment Guidelines

## for preparing and evaluating planning scheme amendments

General Practice Note — revised April 2008

[Minister's Direction No. 11](#) requires a planning authority to evaluate and discuss how an amendment addresses a number of strategic considerations. What should be considered as part of the Direction is explained in this practice note.

The *Strategic Assessment Guidelines* provide a consistent framework for preparing and evaluating a proposed planning scheme amendment and its outcomes.

Under the Minister's Direction, not all amendments require an assessment against the strategic considerations. This practice note also outlines how some minor amendments only require a brief assessment against the strategic considerations.

Amendments that *do* require assessment should use the *Strategic Assessment Guidelines* in all stages of the amendment process and be evaluated against the strategic considerations.

### **Do I need to respond to every consideration?**

A response against each strategic consideration is not always necessary. If any of the strategic considerations are not relevant to your amendment, you should provide a brief reason why.

### **How do I decide how much justification is needed against each consideration?**

The level of justification needed for each consideration and the amendment overall should be proportional to the impact the amendment will have. Minor amendments are not required to provide a detailed analysis against the guidelines and generally not required to be supported by detailed strategic studies.

### **Which practice notes should be considered in preparing and assessing an amendment?**

Some planning issues or particular *Victoria Planning Provisions* (VPP) tools have specific planning practice notes that provide guidance. All relevant planning practice notes should be considered in association with the *Strategic Assessment Guidelines* when preparing an amendment to ensure consistency and best practice.

The *Strategic Assessment Guidelines* checklist on page 6 is a handy tool that can be used as a guide when preparing an assessment of an amendment.

## Amendments that do *not* require an assessment against the strategic considerations

The following types of amendments do *not* require an assessment against the strategic considerations:

- a correction to the planning scheme
- the removal of a planning scheme provision that duplicates another provision
- the removal of a planning control that is no longer required
- a plain English translation of an existing provision where the effect of the provision is unchanged
- a neutral translation of a planning scheme provision to achieve consistency with any relevant planning practice note.

Although an assessment against these guidelines is not required, a planning authority must still have regard to the requirements of section 12 of the *Planning and Environment Act 1987*.

## Amendments that *only* require a brief assessment against the strategic considerations

Types of amendments that may be suitable for a brief assessment include:

- changes in schedules that reduce permit requirements
- minor changes that involve a small number of lots or a minor ordinance change which is consistent with State and local policy
- applying a 'land management overlay' where there is a clear basis for its application, for example, *the application of a Floodway Management Overlay where information is available to show that the land is subject to flooding*
- rezoning of land to reflect its current use or ownership, for example, *the rezoning of land into Public Park and Recreation Zone when the land has been acquired by local government or the rezoning of land from the Comprehensive Development Zone to an appropriate standard zone once the development is completed.*

The strategic assessment should be straightforward and brief and only considerations that are relevant need addressing.

A fast track amendment process is available for amendments that do not require an assessment or for some minor amendments that only require a brief assessment against the strategic assessment guidelines. Information about the fast track amendment process is available in the [Advisory Note A protocol for fast tracking amendments](#).

## Amendments that *do* require a full assessment against the strategic considerations

A full assessment against the strategic considerations should be made for amendments that include:

- major changes in policy
- introduction or extension of a zone or overlay that would produce a different or new land use or development outcome
- major changes to the ordinance or mapping that involve a large number of lots.

Planning authorities can contact the Department's regional planning office for assistance when determining the level of justification required to support the amendment and which strategic considerations need addressing.

## The strategic considerations

The questions under each strategic consideration are prompts to assist the response to the strategic consideration. It may not be necessary to respond to all the questions under each strategic consideration.

The checklist included in this practice note can be used to assist the preparation and assessment of an amendment.

### 1. Why is an amendment required?

- What does the amendment intend to do and what is the desired outcome?
- How does it intend to do it?
- Is it supported by or is it a result of any strategic study or report?
- Is the planning scheme the most appropriate means of controlling the issue or achieving the desired outcome, or can another existing regulatory or administrative process deal with the issue? For example, can the matter be dealt with by a local law or other non-statutory control (such as pre-application meetings, community education, information sheets and council newsletters)?

Guidance to planning scheme users such as 'how to make an application for a residential development' or 'best practice urban design guidelines' should be non-statutory documents rather than a planning scheme control.

- Will the planning policy or provision to be introduced result in a good planning outcome?
- Will the amendment have a net community benefit?

- Will the community benefit outweigh the cost of the new requirements?
- Does the amendment repeat provisions already in the scheme? If so, what additional value will the amendment provide?
- Is the matter already dealt with under other regulations such as the Building Regulations? For example, the energy rating requirement for residential dwellings.

## 2. Does the amendment implement the objectives of planning and any environmental, social and economic effects?

- Does the amendment implement the objectives of planning in Victoria (s4(1) and s12(1)(a) of the Act)?
- Does the amendment adequately address any environmental effects (s12(2)(b) of the Act)?
- Does the amendment adequately address the relevant social and economic effects (s12(2)(c) of the Act)? The normal way of assessing the social and economic effects is to consider whether or not the amendment results in a net community benefit.

An environmental, social and economic assessment should include an evaluation of the costs and benefits to businesses and the community arising from any requirement of the amendment.

The types of environmental, social and economic issues that need to be considered are dependant on the nature and scale of the amendment. Issues may include:

- the likely effect on air, land and water quality of the area
- the likely effect on the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity)
- the likely effect on sites with significant historic, architectural, aesthetic, scientific and cultural values
- the likely effect on natural resources including energy, water, land, flora and minerals
- the likely effect on the economic well-being of the community
- potential changes to the economic and social life of the existing community

- the vitality and viability of existing agriculture, industry, tourism and commercial or retail activity in surrounding areas
- the likely effect on future public and private sector investment in the immediate and surrounding areas
- the likely effect on the range of goods and services in the immediate and surrounding areas
- the likely effect on potential capacity for growth of the immediate and surrounding areas, including the likely effect on the opportunities for expansion, improvement or redevelopment
- the impact on employment in the area
- the impact of likely changes in travel patterns for shopping, employment and social and leisure activities
- the impact on transport movement, services and infrastructure, including public transport
- the likely effect on community infrastructure in the immediate and surrounding areas
- the likely effect on public infrastructure in the immediate and surrounding areas
- potential changes to the attractiveness and physical condition of the immediate and surrounding areas
- the likely effect on the attractiveness, amenity and safety of the public realm
- the achievement of high quality urban design and architecture.

## 3. Does the amendment comply with all the relevant Minister's Directions?

Does the amendment comply with the requirements of the Ministerial Direction on the [Form and Content of Planning Schemes](#) (s7(5) of the Act)?

- Does any other Minister's Direction apply to the amendment under s12(2)(a) of the Act? If so, has it been complied with?
- Is the amendment accompanied by all the information required by a Direction?

#### 4. Does the amendment support or implement the State Planning Policy Framework (SPPF)?

To ensure planning schemes further the objectives of planning in Victoria, planning authorities must take into account and give effect to the general principles and specific policies contained in the SPPF.

- What objectives and strategies of the SPPF are relevant and how are they relevant?
- Does the amendment or proposal support or give effect to the objectives and strategies of the SPPF?
- Are there any competing SPPF objectives? If so, how have they been balanced in favour of net community benefit and sustainable development (Clause 11.01 of the planning scheme)?
- Does the amendment support or give effect to any relevant adopted State policy?

#### 5. How does the amendment support or implement the Local Planning Policy Framework (LPPF) and, specifically, the Municipal Strategic Statement (MSS)?

The LPPF sets a local and regional strategic policy context for a municipality. It comprises the MSS and local planning policies.

##### Municipal Strategic Statement

The MSS contains the strategic planning objectives of the council and the strategies employed to achieve them. There should be a clear link between the objectives and outcomes sought by the MSS and the requirements applied in the scheme. When preparing an amendment to the planning scheme, the planning authority must take the MSS into account (s12(2)(ab) of the Act). Questions that should be addressed include:

- How does the amendment seek to implement or support the MSS?
- Does the amendment seek to change the objectives or strategies of the MSS? If so, what is the change?
- What effect will any change to the MSS have on the rest of the MSS?
  - Is the amendment consistent/inconsistent with strategic directions elsewhere in the MSS?
  - What is the cumulative effect of this amendment on the other objectives in the MSS? For example, how will the introduction of a Heritage Overlay affect the housing or economic development objectives of the municipality?

##### Local Planning Policy

A local planning policy is a tool for day-to-day decision making in relation to a specific discretion in the planning scheme. It helps the responsible authority and other users of the scheme to understand how a particular discretion is likely to be exercised.

If the amendment seeks to introduce or amend a local planning policy:

- Does the local planning policy:
  - respond to a demonstrated need?
  - implement an objective or strategy in the MSS?
  - relate to a specific discretion or group of discretions in the scheme?
  - assist the responsible authority to make a decision?
  - assist any other person to understand whether a proposal is likely to be supported or not?
- Does the amendment affect any other existing local planning policy or tool?
- Is a local planning policy necessary? Or is the issue adequately covered by another planning tool (eg overlay) or decision guideline?

The VPP [Practice Note Writing a Local Planning Policy](#) provides format, content and language guidance for introducing a new or changing an existing local planning policy.

#### 6. Does the amendment make proper use of the Victoria Planning Provisions?

The application of zones, overlays and local provisions must have a readily discernible basis in the SPPF or LPPF.

- Does the amendment use the most appropriate VPP tool to achieve the strategic objective(s) of the scheme? (For example, is an appropriate zone or overlay used?) How does the selected tool give effect to the intended outcome?
- Does the amendment affect, conflict with or duplicate another existing provision in the planning scheme that deals with the same land, use or development? If so, have the provisions been reconciled?
- Does the control capture matters that do not specifically relate to the purpose or objectives of the control or matters that should not be dealt with under planning?

- Does the amendment make any existing provisions in the planning scheme redundant? If so, does the amendment remove the redundant provisions?
- Is the amendment consistent with any relevant planning practice note?

Planning practice notes provide best practice guidance about the use and application of many VPP tools, explanation and guidance about statutory processes and recommended structure and wording of statutory documents.

## 7. How does the amendment address the views of relevant agencies?

### Referral authority comments

The amendment must address all comments from relevant referral or statutory authorities.

- How have the views of any relevant authority been addressed?

### Introducing new referral and notice requirements

New referrals under section 55 of the *Planning and Environment Act 1987* should only be introduced to give an authority access to the decision-making process where the authority's direction is essential to deciding the outcome of the application.

- What are the reasons and purpose for the referral?
- Does the new referral requirement directly relate to the purpose or objective of the control?
- Can the referral be served by other means, for example:
  - a mandatory notice under Section 52(1)(c) of the *Planning and Environment Act 1987*
  - a mandatory condition on every permit under Section 62(1)(a)
  - an agreement between the council and the referral authority to identify standard conditions, requirements or designs for certain uses or development that do not require to be referred?

Section 52(1)(c) of the Act provides a sufficient head of power for notice requirements to be set out in a scheme. Before introducing a section 52(1)(c) notice requirement, the need for such a mandatory requirement should be established. A section 52(1)(c) provision should only be introduced after careful assessment using the test similar to new referrals.

Information about introducing new section 55 referrals or section 52(1)(c) notice requirements is available in the [General Practice Note \*Managing Referrals and Notice Requirements\* \(July 2002\)](#).

## 8. What impact will the new planning provisions have on the administrative costs of the responsible authority?

The introduction of new or amended planning scheme requirements can often have significant resource implications for a council. Quantifying the resource implications of an amendment on the council is a relevant operational consideration.

Councils must be able to document the likely resource cost of implementing and administering a proposed change to the planning scheme.

- What are the cost implications for a responsible authority in implementing and administering the new planning provisions including:
  - the estimated increase in number of planning permit applications
  - planning staff resources
  - other miscellaneous costs including legal or other professional advice, for example, heritage advisers
  - capacity to consider the new application within the prescribed time.

## Strategic Assessment Guidelines Checklist

This checklist is a tool that provides a quick snapshot of the abovementioned information. It may be useful to use while preparing an amendment assessment.

Strategic Consideration	Yes	No	N/A	Comment
<p>Why is an amendment required?</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> </ul>	
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<p>Does the amendment comply with all the relevant Minister's Directions?</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> </ul>	
<p>Does the amendment support or implement the SPPF?</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> </ul>	

Strategic Consideration	Yes	No	N/A	Comment
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<p>Does the amendment make proper use of the VPP?</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> </ul>	

