

Practitioners Guide

Practitioners Guide to the DPA Pro-forma

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Version 3



Government of South Australia

Department of Planning,
Transport and Infrastructure

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Introduction

This *Practitioner's Guide to the DPA Pro-forma* has been written to assist planning policy practitioners to prepare a Development Plan Amendment (DPA).

The guide has been structured to match the format of the new DPA Pro-forma recently introduced by the Department of Planning, Transport and Infrastructure (the Department). This new template has been developed to maintain a consistent approach to DPA preparation and has been designed to simplify and establish a consistent process of preparing the DPA. From the 'Explanatory Statement' and beyond, the headings of this guide generally correlate to those of the DPA Pro-forma.

The guide takes practitioners through the key elements of a DPA and provides an explanation of the information that needs to be included. In order to avoid unnecessary delays in the processing of a DPA, it is strongly recommended that Council, and the consultants engaged by Council, prepare the DPA in consultation with relevant Department staff. Engagement with the Department may not be necessary for every stage of the DPA although it is considered most applicable for DPAs which are addressing or are affected by complex issues.

NB: whilst this DPA Pro-forma can be used for DPAs that intend to incorporate policy modules from the State's Planning Policy Library, it should not be used for Better Development Plan conversion DPAs. Councils should contact the Department for an alternative DPA template, which has been specifically set up to complement this type of DPA.

Structure and Formatting

General DPA Structure

The DPA Pro-forma provides a basic structure for a DPA and has been set up as an example layout aimed at addressing the requirements of the *Development Act 1993* regarding the content of the document. Councils may wish to consider alternative layouts, or include additional information depending on the context of the DPA. Some sections are, however, compulsory and should not be removed (eg assessment of the Planning Strategy, etc). They are included to help Council endeavour to meet the requirements of the *Development Act 1993*. Headings which can be removed are highlighted in this guide as 'optional'. If Council considers that an obligatory section is not relevant to the DPA then the heading should still be retained with some commentary below explaining why it is not considered relevant.

Heading styles

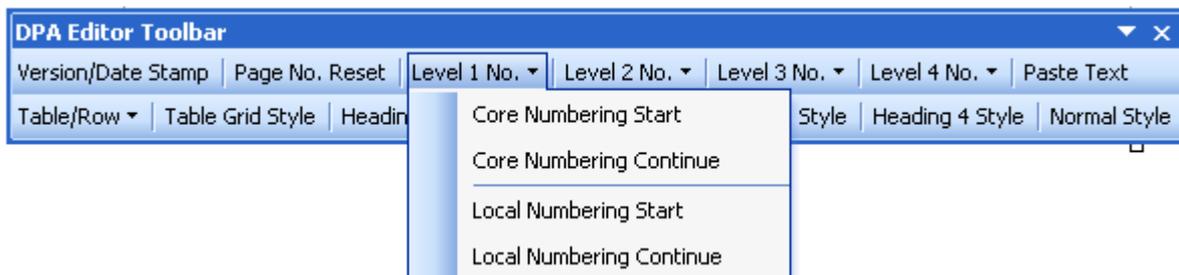
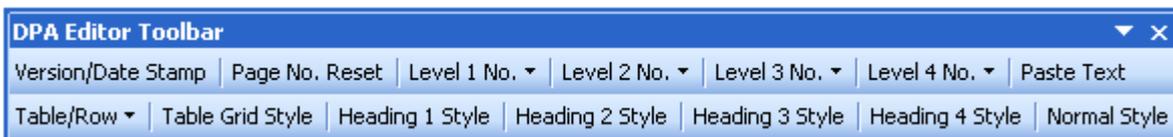
To assist in the preparation of the DPA, heading styles have been preset and the hierarchy is as follows:

Heading number	Heading style guide
Heading 1	Heading 1
Heading 2	Heading 2
Heading 3	Heading 3
Heading 4	Heading 4

It is important to use the preset style format as this determines what appears (and how it appears) in the Table of Contents at the front of the DPA.

Editor Toolbar

A 'DPA Editor Toolbar' has been developed to assist practitioners in editing the DPA pro-forma document. Various repetitive editorial functions have been streamlined through use of macro functions available within this toolbar. The toolbar is available within the toolbar choices once a document is created from the DPA Pro-forma template. If you are in need of assistance in setting up and using this toolbar please contact the Department.



Version Control

The DPA Editor Toolbar has a 'Version/Date Stamp' function that can assist practitioners in managing different versions of the DPA during the process milestones. The versioning stamp can be used any number of times to update or change the status and date of the DPA. Every choice available can be re-selected to reflect the last saved date.

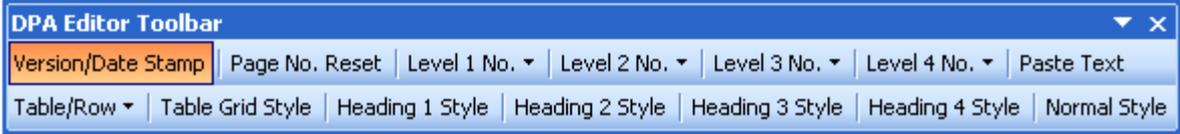
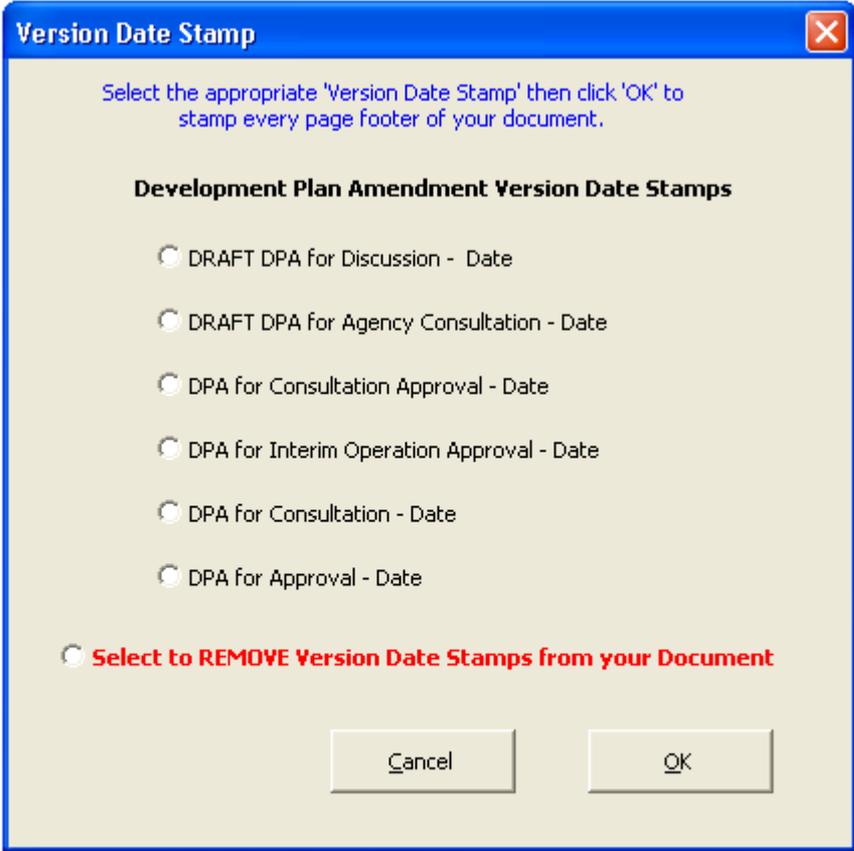


Table of Contents

The Table of Contents has been set up to reflect the preferred structure of a DPA. It picks up the first three preset 'headings' of the Pro-forma. To update the Table of Contents, right click on the table and select 'update field' and then select one of the two options provided.

NB: remember to update the Table of Contents once the DPA has been edited and finalised. This will ensure that all headings are picked up and that the page numbers are correct.

'Click and Type' fields

The DPA Pro-forma has been set up with a range of 'click and type' fields. Most are written in a manner which explains what needs to be inserted by the user, eg Insert Date etc.

As the title suggests, all that needs to be done is click on field and start typing.

Explanatory Statement

The Explanatory Statement section of the DPA provides an overview of the amendment and should generally be no longer than 3-4 pages. As with all of the DPA, it should be written in plain English and in sufficient detail so that anyone who is unfamiliar with planning law and DPA procedures can understand it.

Introduction

This section of the Explanatory Statement explains the legislative framework which governs the DPA process. The structure of a DPA is also set out under this heading.

The text in this section is standard and should generally not require amendment.

Need for the Amendment

This section should contain a brief statement explaining why it has been found necessary to undertake this amendment to the Development Plan. The need for the amendment might stem from Council's Strategic Direction Report or from the Planning Strategy.

This section should include any relevant background information, an overview of the current development controls and rationale as to why it is considered necessary to change the existing policies.

An overview of the constraints and opportunities for the site/region may be included under this heading.

Statement of Intent

This section identifies the date on which the Statement of Intent was agreed to by the Minister responsible for the administration of the *Development Act 1993*.

The text in this section is standard and should not require amendment, other than the insertion of the Statement of Intent agreement date.

Affected Area

The area or areas to be affected by the DPA should be clearly identified under this heading. This is often best done using a map or maps, although it is recognised that mapping an entire Council area or zone which includes a number of discrete areas may be difficult. In cases where a map is not easily sourced, a detailed description of the area(s) to be affected by the proposed DPA should be provided. In the case of a Council-wide DPA, a map of the Council area should suffice.

NB: the Affected Area map and/or description must be the same as that identified in the Statement of Intent. Variations to the affected area may require the approval of an amended Statement of Intent.

Summary of Proposed Policy Change(s)

This section has been established to provide an overview of the policy changes which are proposed as a result of the DPA. It does not have to be a detailed list nor is necessary to explain in this section why the changes are proposed. This is done in the Analysis section of the DPA.

The policy changes should be summarised in dot point format and written so that members of the public can clearly understand what has been amended.

Legal Requirements

A DPA must meet certain requirements in order to comply with the *Development Act 1993* (e.g. section 25). This section of the Explanatory Statement is set up to briefly explain these requirements.

The text in this section is standard and should generally not require amendment.

Interim Operation (Optional)

This section is only required for DPAs which are proposed to go on Interim Operation pursuant to section 28(1) of the *Development Act 1993*. It can otherwise be removed from the Explanatory Statement.

Councils that are considering Interim Operation should undertake early discussions with the Department to discuss any potential issues and/or to coordinate the timing of the DPA for public consultation.

Consultation

This section requires Councils to identify which agencies, State members, interested parties and individuals will formally be consulted on the proposed DPA.

Three different text options have been provided in the Pro-forma. The text selected here will depend on which consultation process has been approved and in respect to Process A consultation, whether or not the DPA has already gone on agency consultation.

Option no.	Application
Option 1	To be selected if the DPA has been approved for Process A consultation and it is being released for agency consultation.
Option 2	To be used for process A DPAs which have already gone on agency consultation. Essentially, this text should replace the option 1 text of the agency consultation version of the DPA being no longer relevant.
Option 3	To be used for Process B DPAs (both single step and two-step) and Process C DPAs.

Refer to section 25(6) of the *Development Act 1993* if you are unclear of the DPA consultation processes.

NB: the approved consultation process is agreed at the Statement of Intent stage. Consultation must be undertaken in accordance with the agreed process. The agencies/key stakeholders listed under this heading must at the minimum include those identified in the Statement of Intent

The Final Stage

This is simply a summary for the public on how the DPA process generally concludes.

The text in this section is standard and should not require amendment.

Analysis

The background and need for the amendment as well as the strategic context of the DPA should be established in the Analysis section of the DPA. This will include consideration of South Australia's Strategic Plan and Planning Strategy and where relevant Council's Strategic Directions Report.

A description of the outcomes of the investigations proposed in the Statement of Intent will also be provided under this heading. There should be a clear and logical link demonstrated between the investigations, the conclusions drawn and the proposed policy amendments.

The investigations may also include a summary of other relevant investigations. Any such reports should be appropriately referenced and made available for inspection along with the DPA.

This section should generally constitute no more than 50 pages for a fairly complex DPA.

1. Background

The content under this heading will vary depending on the scope of the DPA. If it is an issue-based DPA, include an overview of the issue and why it is important to address. If it is a site-specific DPA, include a history of the site and the circumstances that have led to the need to review the policy for the site.

The following information may be presented under this heading:

- description of current land uses
- description of current zoning arrangements
- issues with the current policy framework.

The information in this section should effectively cover what is said in the 'Need for the Amendment' section of the Explanatory Statement but in more detail.

2. The Strategic Context and Policy Directions

Under this heading should be a list of the key documents that have had a bearing on the DPA's policy considerations, namely:

- the most pertinent strategies contained in the Planning Strategy(s)
- structure plans
- other key policy documents, including Council's Strategic Directions Report and other strategic documents or relevant reports (both state and local).

NB: given the imperative to develop policy required to implement key strategic documents (eg the Planning Strategy), the Department has determined to prioritise DPAs on the basis of the extent to which they will deliver the policies and targets expressed in one or more of the following:

- **the relevant volume of the Planning Strategy**
- **Council's Strategic Directions (Section 30) Report**
- **Structure Plan**
- **any other Council document that formally identifies key strategies that Council has agreed to implement**

If the proposed DPA is focused on delivering the policies and targets expressed in the above documents, it will be deemed to be a 'Strategic DPA' and will be prioritised as a result. The Department will endeavour to identify with Council if a DPA is considered to be strategic.

2.1 Consistency with South Australia's Strategic Plan

South Australia's Strategic Plan sets out the State Government's medium to long term vision for South Australia for a wide range of activities. An introduction into South Australia's Strategic Plan is already included under section 2.1 and should not generally require amendment.

Council will need to demonstrate how the DPA supports the Objectives and Targets of the Strategic Plan.

It should be completed in tabular format by highlighting which Objectives and Targets are relevant to the DPA as well as a brief description on how they will be addressed by the DPA.

2.2 Consistency with the Planning Strategy

The Planning Strategy for South Australia is the key strategic document against which a DPA must accord in order to meet the relevant provisions of the *Development Act 1993*.

Section 2.2 of the DPA Pro-forma has been set up to identify which volumes of the Planning Strategy apply to the council and then to provide an assessment of how the DPA supports the policies of these strategies. In most instances, only one Planning Strategy will apply.

For DPAs that involve a range of different issues, this section should be presented as a dot point summary supported by a more detailed assessment of the relevant planning strategies within the Appendices of the DPA.

Relevant Planning Strategy targets should be clearly identified with an explanation on how they are (or will be) met by the DPA.

2.3 Consistency with other key strategic policy documents

This section of the DPA is broken down into four components as follows:

- Council's Strategic Directions and Development Plan Review
- Infrastructure Planning
- Current Ministerial and Council DPAs

- Existing Ministerial policy.

Other strategic documents which support the DPA can be listed as additional components of this section.

2.3.1 Council's Strategic Directions and Development Plan Review

Council's Strategic Directions Report sets the direction for future DPAs and is periodically required to be prepared pursuant to section 30 of the *Development Act 1993*.

Similar to section 2.2, section 2.3.1 has been set up to identify which policies of Council's Strategic Directions Report are relevant to the DPA. It should include an assessment of how the DPA supports or accords with these policies.

For DPAs that involve a range of different issues, this section should be presented as a dot point summary, supported by a more detailed consideration of Council's Strategic Directions Report within the Appendices of the DPA.

2.3.2 Infrastructure Planning

Under this heading should be an assessment of the extent to which the proposed amendment accords with relevant infrastructure planning (both physical and social infrastructure) identified either in council's strategic directions report, by the Minister or by a relevant government agency.

This assessment should be displayed in tabular format identifying any relevant council infrastructure planning and/or government infrastructure planning programmes/strategies along with brief comment on how they will be supported, addressed by the DPA.

Please refer to section 25(3)(d) of the *Development Act 1993* or contact the Department if you are unsure of what to include in this section.

2.3.3 Current Ministerial and Council DPAs

It is important that a proposed DPA does not contradict, repeat or create ambiguity with the policies proposed to be introduced by other active Council and Ministerial DPAs. A list of these DPAs should be identified under this heading. Active Ministerial DPAs can be found through the www.sa.gov.au web site.

A table has been established within the Pro-forma within which a brief comment can be made on the consistency of the proposed DPA with the policies of other Ministerial or Council DPAs. If the identified DPAs are not relevant or do not affect the subject land or area, this should be stated in the table.

Important Note: where a Ministerial DPA is on Interim Operation, any subsequent DPA affecting the same policies should not alter the Ministerial policies until after the Ministerial DPA has been formally approved. Once the Ministerial policies have been finalised, councils can then consider what amendments, if any, may be required to better reflect local circumstances. Refer to section 2.3.4 below. If a DPA comes off Interim Operation (eg where 12 months has lapsed), Council should contact the Department to discuss any potential impact on the amendment instructions.

2.3.4 Existing Ministerial Policy

In some cases, council may seek to amend policy that was originally introduced by a Minister through either section 25(5), 26 or 29 of the *Development Act 1993*. In this instance it is necessary to provide reasonable justification for this to occur, preferably supported by the provisions of the Planning Strategy.

If council is seeking to amend Ministerial policies they should specifically be identified under this heading. An historical list of Ministerial DPAs can be found through the [Planning Practitioners](#) web link.

Proposed changes to Ministerial policy should be displayed in either table format or by highlighting the policies to be amended/deleted using the text strikethrough method.

3. Investigations

This section is intended to identify those investigations:

- that have previously been undertaken (prior to the Statement of Intent agreement) and have been used to inform the DPA (eg guides, planning bulletins, master plans etc).
- which have specifically been identified in the Statement of Intent to address issues exclusively relevant to the DPA.

It is imperative that all investigative work is clearly directed to addressing the scope of the DPA, as set out in the Statement of Intent, including any potential issues with the subject land that are not addressed through the Planning Policy Library Modules envisaged to be deployed in the DPA.

Council should also be mindful of the need to draw a clear and logical link between the investigations undertaken, the conclusions drawn and the resultant policy amendments proposed.

Even where an issue is to be addressed through the Policy Library or is already addressed by existing Development Plan policy, this should clearly be stated in the investigations.

Example:

The investigations of a DPA might reveal that stormwater management policies are necessary to facilitate the development of land. The existing Development Plan already contains the Natural Resources module (of the Policy Library), which accommodates sufficient water sensitive design policies that will address the issue. Council should clearly state in the investigations that no additional policy is necessary as it is already covered by existing the Natural Resources module.

3.1. Investigations undertaken prior to the SOI

Under this heading should be a summary of any relevant research and investigations that have already been undertaken (ie separate to the DPA) but will help to inform the DPA and complement the specific investigations identified in the Statement of Intent (which should be addressed under section 3.2 below).

This could include planning guides, planning bulletins, general reports, research papers, structure plan work, precinct plans, master plans, etc.

NB: specific investigations for a DPA should generally occur after the agreement of the SOI; however it is acknowledged that some investigation is often necessary before an SOI can be prepared. Ultimately it is important that the investigations meet the requirements of Regulation 9 to address the issues of the proposed amendment (as proposed in the SOI). Investigations which have specifically been undertaken to inform the DPA should be placed under section 3.2.

3.2. Investigations undertaken to inform this DPA

Under this heading should be a summary of any investigations that have been undertaken specifically to inform this DPA. These investigations will have been identified in the Statement of Intent. A good way to present this information is to copy the investigation from the Statement of Intent and then provide commentary beneath.

Example:

3.2.1. Water supply

SOI Investigation: Investigate the capacity of the existing mains water supply network to support the proposed rezoning and identify any augmentation works which might be necessary.

Response: Water is currently supplied to X township by SA Water. The proposed residential growth area is not currently serviced by any substantial supply mains and therefore new infrastructure works and mains will be required.

XYZ have undertaken investigations concerning the existing water supply network for X township and have identified that the following augmentation works will be necessary to support the proposed rezoning to residential:

- 150 metre upgrade of pipe X to 200 millimetres diameter high pressure main.
- etc
- etc

Council may choose to undertake additional investigations outside of those listed in the Statement of Intent but they must still fall within the scope of the DPA. Where relevant, these investigations should be summarised under this heading, but clearly identified as an 'additional investigation'.

NB: the investigations must reflect those identified in the Statement of Intent. A DPA may be delayed at the approval stage if the investigations are considered insufficient or do not address all of the investigations identified in the Statement of Intent.

Undertaking investigations that fall outside the scope of the DPA should be avoided as this will also increase the likelihood of the DPA exceeding the agreed timeframes.

4. Recommended Policy Changes

Under this heading should be a list of the recommended policy changes. For most DPAs the list should be presented as a dot point summary supported by a more detailed synopsis within the Appendices of the DPA.

A table has been set up in the Appendices within which a clear and logical link can be made between the issues identified in the investigations and policy changes summarised under this heading.

The use of the Appendices is not necessary if the DPA only seeks to make a small number of changes.

4.1 Planning Policy Library update (optional)

This section is required where Council has resolved in the SOI to update all modules of the Development Plan to the latest version of the State Planning Policy Library. This section is only for Development Plans that have already been converted to State Planning Library format. A separate DPA Pro-forma for Better Development Plan conversions is available from the Department (see note on page 1).

The text under this heading is standard and should not require amendment other than the insertion of the policy library version that is proposed to be adopted as part of the update.

A table has been set up in the Appendices within which brief analysis of the module change can be presented.

5. Consistency with the Residential Code

This section dealing with the DPAs consistency with the Residential Code is optional.

The Residential Development Code (the Code) was introduced in 2009 to make simpler, faster and cheaper planning and building approvals for home construction and renovation. It was established through schedule 4 of the *Development Regulations 2008* and sets a policy benchmark for:

- carport, verandah, pergola, garage, and other minor structures
- single storey dwelling additions
- detached & semi detached dwellings in *designated areas*.

Designated areas have been identified by the Minister and are established by notice in the Government Gazette. The www.sa.gov.au web site contains a link to maps showing *designated areas* refer to—reference the '[Streamlined assessment processes and where they apply](#)' webpage.

It is important that proposed DPAs are compatible with the Code. Generally this section is only needed for DPAs which involve changes to residentially zoned land or residential policy. Expansion of a non-residential zone over an existing residential zone may also require the amendment of a *designated area*.

The following key questions should be considered and addressed under this heading:

- Are the complying development provisions compatible with those listed in schedule 4 of the *Development Regulations 2008*?
- Are the proposed merit policies (those which apply quantitative standards) compatible with the standards listed in schedule 4 of the *Development Regulations 2008*?
- Are any changes to the *designated areas* required as a result of any zone boundary changes?

Example:

The Code allows for a wall of up to eight metres in length to be constructed on a side or rear boundary. If Council wanted to allow a longer wall on say a side boundary then it is appropriate to have the merit policy reflect that difference. However, if Council wanted to include a merit policy that would restrict the length of the wall on the boundary to less than that required by Code, say seven metres, then that would be inappropriate and contradict the code.

6. Statement of Statutory Compliance

Section 25 of the *Development Act 1993* prescribes a range of requirements which must be met in respect to the preparation of a DPA. This section of the Pro-forma has been set up to confirm that the necessary requirements of section 25 have been met.

6.1 Accords with the Planning Strategy

The text in this section is standard and should not require amendment.

6.2 Accords with the Statement of Intent

The text in this section is standard and should not require amendment, other than the insertion of the Statement of Intent agreement date.

6.3 Accords with other parts of the Development Plan

A DPA must include an assessment to the extent that proposed amendment accords with other parts of the Development Plan. To ensure that this requirement is met, Council must, under this heading, insert rationale as to how this is achieved. This might include the consideration of general formatting matters through to the consistency or otherwise between the proposed policies and existing Council-wide policies.

6.4 Complements the policies in the Development Plans for adjoining areas

As with section 6.3, a DPA must also include an assessment to the extent that the proposed amendment accords with other Development Plans. Again, it is necessary to provide some commentary under this heading on how a level of consistency between Development Plans is achieved.

6.5 Accords with relevant infrastructure planning

The text in this section is standard and should not require amendment, other than the insertion of the section number in which infrastructure planning is addressed.

6.6 Satisfies the requirements prescribed by the Regulations

The text in this section is standard and should not require amendment.

References/Bibliography

Include here a list of any resources used during the compilation of the DPA.

These resources should generally be made available to the public.

Certification by Council's Chief Executive Officer

This certificate is required under the *Development Act 1993*. The text in this certificate is standard and does not require amendment, other than the insertion of names and dates where identified.

Schedule 4 A and 4B Certificates

16.10.2008—Development Regulations 2008
Certificate—section 25(10)—Schedule 4A

Schedule 4A—Certificate—section 25(10)
Certificate of chief executive officer that a Development Plan Amendment (DPA) is suitable for purposes of public consultation

I, *(full name)*, as Chief Executive Officer of *(name of council)*, certify that the Statement of Investigations, accompanying this DPA, sets out the extent to which the proposed amendment or amendments—

- (a) accord with the Statement of Intent (as agreed between the council and the Minister under section 25(1) of the Act) and, in particular, all of the items set out in regulation 9 of the *Development Regulations 2008*; and
- (b) accord with the Planning Strategy, on the basis that each relevant provision of the Planning Strategy that relates to the amendment or amendments has been specifically identified and addressed, including by an assessment of the impacts of each policy reflected in the amendment or amendments against the Planning Strategy, and on the basis that any policy which does not fully or in part accord with the Planning Strategy has been specifically identified and an explanation setting out the reason or reasons for the departure from the Planning Strategy has been included in the Statement of Investigation; and
- (c) accord with the other parts of the Development Plan (being those parts not affected by the amendment or amendments); and
- (d) complement the policies in the Development Plans for adjoining areas; and
- (e) satisfy the other matters (if any) prescribed under section 25(10)(c) of the *Development Act 1993*.

The following person or persons have provided advice to the council for the purposes of section 25(4) of the Act:

Date: _____

Chief Executive Officer

[4.1.2011] This version is not published under the *Legislation Revision and*

16.10.2008—Development Regulations 2008
Certificate—section 25(14)(b)—Schedule 4B

Schedule 4B—Certificate—section 25(14)(b)
Certificate of chief executive officer that an amendment to a Development Plan is suitable for approval

I, *(full name)*, as Chief Executive Officer of *(name of council)*, certify, in relation to the proposed amendment or amendments to *(title of Development Plan)*, as last consolidated on _____, referred to in the report accompanying this certificate—

- (a) that the council has complied with the requirements of section 25 of the *Development Act 1993* and that the amendment or amendments are in a correct and appropriate form; and
- (b) in relation to any alteration to the amendment or amendments recommended by the council in its report under section 25(13)(a) of the Act, that the amendment or amendments (as altered)—
 - (i) accord with the Planning Strategy, on the basis that each relevant provision of the Planning Strategy that relates to the amendment or amendments has been specifically identified and addressed, including by an assessment of the impacts of each policy reflected in the amendment or amendments against the Planning Strategy, and on the basis that any policy which does not fully or in part accord with the Planning Strategy has been specifically identified and an explanation setting out the reason or reasons for the departure from the Planning Strategy has been included in the report of the council; and
 - (ii) accord with the other parts of the Development Plan (being those parts not affected by the amendment or amendments); and
 - (iii) complement the policies in the Development Plans for adjoining areas; and
 - (iv) satisfy the other matters (if any) prescribed under section 25(14)(b)(ii) of the *Development Act 1993*; and
- (c) that the report by the council sets out a comprehensive statement of the reasons for any failure to complying with any time set for any relevant step under section 25 of the Act; and
- (d) that the following person or persons have provided professional advice to the council for the purposes of section 25(13)(a) of the Act:

Date: _____

Chief Executive Officer

[4.1.2011] This version is not published under the *Legislation Revision and Publication Act 2002* 1

Appendices

The following Appendices A to D are optional.

Appendix A - Assessment of the Planning Strategy

Appendix A has been established to complement section 2.2 of the DPA. It has been set up in table format and should contain a more detailed assessment on how the proposed DPA compares against the relevant planning strategy or strategies.

Councils should focus on the key strategic reasons for undertaking the DPA as identified in the Statement of Intent and should make clear reference to specific targets and policies expressed in the relevant volume(s) of the Planning Strategy.

Appendix B - Assessment of Council's Strategic Directions Report

Appendix B has been established to complement section 2.3.1 of the DPA. It has been set up in table format and should contain a more detailed assessment on how the proposed DPA supports the recommendations and strategies of Council's Strategic Directions Report.

Appendix C - Summary of Recommended Policy Changes

Appendix C provides a mechanism in which councils can show a clear and logical link between the issues identified in the investigations and the proposed policy response.

It has been set up in tabular format, allowing council to identify the issues, show what the current policy is (if any) and identify what policy change is proposed and why.

Appendix D - Planning Policy Library update

Appendix D is to be used in conjunction with section 4.1 of the DPA. It will provide an analysis between the existing Development Plan modules and the proposed replacement modules from the latest version of the Planning Policy Library. Within the 'Comments / Noted Variations' column, council should provide discussion on the variations between the existing and proposed modules including brief rationale on the removal of any local additions.

The Amendment

Writing amendment instructions is a complex task and must be done with absolute accuracy, particularly where Interim Operation is proposed.

The amendment instructions describe how text, mapping or illustrative material in the existing Development Plan would be changed if the policy changes proposed in the DPA are agreed to.

Amendment instructions must:

- be sufficiently concise, clear and specific regarding proposed amendments, so that the intended final form of the Development Plan can be readily understood
- inform the reader about which text/mapping/illustrative material is to be replaced, deleted or inserted.

Preparing amendment instructions

When preparing amendment instructions it is important to consider two key questions:

- how easy is it for a member of the public to work out the difference between the original Development Plan and the proposed new Development Plan?
- how clear are the changes?

At the end of the DPA process, the Department has to incorporate the changes into the master copy of the relevant Development Plan then reissue the updated version of the Plan. Development Plans are a statutory document and it is for this reason that the proposed changes must be clear and accurate to ensure that the master copy is updated correctly.

Amendment instruction table

A standard tabular format for amendment instructions has been provided for your use in the DPA Pro-forma.

An example amendment instruction table is provided at the end of this guide. The table uses the 'detailed amendment' and 'attachment' methods of amendment and includes a range of example instructions.

Detailed amendment instructions are best used where the amendment involves a lot of small changes (eg to single policies or groups of words) across the Development Plan. Sometimes a large group of policies, such as the introduction of a new zone, will be proposed. In this instance it is best to provide this as an attachment to the amendment instruction table.

The following three types of instructions are to be used in the amendment instruction table:

Instructions	Instruction application
Replace	To be used when Objectives/Principles of Development Control (PDCs)/Maps are being replaced one for one or when a few words are being replaced in the text.
Delete	To be used when removing material from the Development Plan such as text, Objective(s), PDC(s), maps or other illustrative material, etc.
Insert	to be used when inserting new material into the Development Plan such as text, Objective(s), PDC(s), maps or other illustrative material, etc.

When replacing or inserting new Objectives or PDCs, it is not necessary to give them a number, eg Objective 6 or PDC 6, rather it is better to identify them with a bullet point. When the amendments are consolidated, the Department will undertake the renumbering process once all amendments have been implemented into the master copy of the Development Plan.

It is important to consistently use the same terminology and the same approach to amendment instructions, as set out in the example table. Ultimately, this will help make the amendments easier for the Department to implement into the master copy of the relevant Development Plan.

Post consultation

After the DPA has been consulted on, the amendment instructions need to be updated to reflect any changes made as a result of consultation. To assist the Department and the Minister, Council should provide a track changes version of the amendment instructions to show the difference between the DPA that was released for consultation versus the amendment instructions that have been lodged for approval. Comments should be included about why the policy has changed.

Interim Operation

DPAs that have been brought in on Interim Operation will, in most circumstances have already been consolidated into the relevant Development Plan(s) at the consultation stage. This will need to be reflected in the amendment instruction table of the approval version of the DPA as follows:

No changes proposed to the consultation version of the DPA

If no changes are proposed and the Interim Operation DPA has been consolidated into the Development Plan, council will simply need to write the instructions to 'give effect to the amendments that were previously authorised for Interim Operation'. This should include an accompanying note that there are no variations between the approved Interim Operation version of the DPA and the final approval version.

Example:

Amendment Instructions Table
Name of Local Government Area:
Name of Development Plan:
Name of DPA:
<p><i>The following amendment instructions (at the time of drafting) relate to the "Insert Development Plan Name here" Development Plan consolidated on "Insert Date here".</i></p> <p><i>Where amendments to this Development Plan have been authorised after the aforementioned consolidation date, consequential changes to the following amendment instructions will be made as necessary to give effect to this amendment.</i></p>
<p><u>Amendment Instructions</u></p> <p><i>To give effect to the amendments authorised for interim operation on "Insert Date here". Note: there are no variations between the approved interim operation version of the Development Plan Amendment and this final approval version.</i></p>

Changes are proposed to the consultation version of the DPA

If changes are proposed and the Interim Operation DPA has been consolidated into the Development Plan, council will need to write the instructions to 'give effect to the amendments previously authorised for Interim Operation, except where

varied as follows'. This option would include an amendment instruction table setting out the necessary changes to the consolidated and most up-to-date Development Plan.

Example:

Amendment Instructions Table				
Name of Local Government Area:				
Name of Development Plan				
Name of DPA:				
<p><i>The following amendment instructions (at the time of drafting) relate to the Council Development Plan consolidated on "Insert Date here".</i></p> <p><i>Where amendments to this Development Plan have been authorised after the aforementioned consolidation date, consequential changes to the following amendment instructions will be made as necessary to give effect to this amendment.</i></p>				
<u>Amendment Instructions</u>				
<p><i>To give effect to the amendments authorised for interim operation on "Insert Date here", except where varied as follows:</i></p>				
Amendment Instruction Number	Method of Change	Detail what in the Development Plan is to be amended, replaced, deleted or inserted. If applicable, detail what material is to be inserted and where. Use attachments for large bodies of material.	Is Renumbering required (Y/N)	Subsequent Policy cross-references requiring update (Y/N) if yes please specify.
COUNCIL WIDE / GENERAL SECTION PROVISIONS (including figures and illustrations contained in the text)				
Amendments required (Yes/No): Yes				
General Section Section				
17.				
18.				
19.				
20.				
ZONE AND/OR POLICY AREA AND/OR PRECINCT PROVISIONS (including figures and				

Key things to consider

The following is a summary of key things that should be considered when preparing amendment instructions:

Be aware that **minor** errors could have **major** implications in that the process may have to start again.

Amendment instructions can be complicated. Don't underestimate the time it takes.

Ensure that you are basing the amendment instructions on the correct Development Plan and prior to finalising for approval, check whether any additional DPAs have been consolidated into the relevant Development Plan or taken off Interim Operation.

Make sure the correct Development Plan date is displayed in the amendment instructions table.

The inclusion of local additions within a Planning Policy Module **must** be shown in green text.

Colour coding the amendments (with a colour key) is a useful way of showing the changes proposed to the Development Plan and will assist in a faster assessment process. For example:

- existing policy might be shown in **blue**
- changes to existing policy might be shown in **red**
- policies from the Planning Policy library are shown in black
- local additions to the Planning Policy library are shown in **green**.

Include precise instructions for proposed textual and other documentary changes to the Development Plan and ensure that policy amendments are inserted in the correct location.

If you are introducing a new zone/policy area/precinct into the Development Plan make sure you use the same format for the new zone as for existing zones eg is there an 'Introduction' paragraph; are zone maps referenced separately; is the font style the same? This is particularly important when implementing Planning Policy modules into a Development Plan that is still in the old format (ie not in Better Development Plan format).

It is important when preparing policy amendments, that unnecessary repetition is not included within the Development Plan. It is good practice to review the whole Development Plan affected by the DPA and highlight any key policies that may be relevant to the issue to be addressed. This ensures that unnecessary duplication is not added, but also ensures contradictory policy or irrelevant policy can be removed.

The Planning Policy Library has been developed to reflect the aims of the Planning Strategy and **must** be used over and above the creation of new policy. Where a new policy is necessary (ie the issue is not covered by the Planning Policy Library) it is good practice to review a range of Development Plans that may have already addressed similar issues. Look around for good examples of policy that could be adopted. There is no point reinventing the wheel.

Once the policy has been drafted it is useful to have someone else read it and tell you how they would interpret it. This ensures that the policy can be easily interpreted by someone who is not aware of the context. This is extremely important for non-complying and complying policy eg common mistakes include using double negatives that make it difficult for the reader to understand the intent of the policy.

When making zoning amendments, be sure to check the policy content of the current zone (if it is not being deleted altogether) to ensure that it does not contain specific references to the land that is being rezoned.

Check that all references to maps within the Zones, Policy Area and Precinct text are correct. If additional maps are added you need to ensure that you have flagged the need to amend all cross-references to the renumbered maps.

Whilst cross-referencing is being phased out from Development Plans, it is necessary in the interim that the amendment instructions provide detail on any renumbering or any cross-referencing that needs updating. Some PDCs cross-reference other PDCs in the Development Plan eg coastal policies. Inserting new PDCs before these will affect the cross-reference numbering.

Example:

Amendment Instructions Table				
Name of Local Government Area:				
Name of Development Plan				
Name of DPA:				
<p><i>The following amendment instructions (at the time of drafting) relate to the Council Development Plan consolidated on "Insert Date here".</i></p> <p><i>Where amendments to this Development Plan have been authorised after the aforementioned consolidation date, consequential changes to the following amendment instructions will be made as necessary to give effect to this amendment.</i></p>				
Amendment Instruction Number	Method of Change	Detail what in the Development Plan is to be amended, replaced, deleted or inserted. If applicable, detail what material is to be inserted and where. Use attachments for large bodies of material.	Is Renumbering required (Y/N)	Subsequent Policy cross-references requiring update (Y/N) if yes please specify.
COUNCIL WIDE / GENERAL SECTION PROVISIONS (including figures and illustrations contained in the text)				
Amendments required (Yes/No): Yes				
Animal Keeping Module				
1.	Replace	Entire Animal Keeping Module with the contents of Attachment A.	No	No
Siting and Visibility Module				
2.	Insert	The following new Objective after existing Objective 1 in the Siting and Visibility Module: <ul style="list-style-type: none"> Protection of the scenic tourist routes from visually obtrusive development. 	No	No
3.	Amend	PDC 6 by inserting the words 'orderly and' immediately before the word 'efficient'.	No	No
Regulated Trees Module				
4.	Delete	Part (d) of PDC 2.	Yes	No
ZONE AND/OR POLICY AREA AND/OR PRECINCT PROVISIONS (including figures and illustrations contained in the text)				
Amendments required (Yes/No): Yes				
Residential Zone				

5.	Replace	Entire Residential Zone with the Contents of Attachment B	No	No
6.	Delete	All of the 'exceptions' to 'Office' within the Non-complying Development Table	No	No
7.	Insert	In alphabetical order, the following additional 'form of development' and 'exception' within the Non-complying Development Table Form of Development 'Shop or group of shops' Exception 'Except where the gross leasable area is 250 square metres or less'	No	No

Industry Zone

Home Industry Policy Area 12

8.	Insert	New Home Industry Policy Area 12 immediately before the Procedural Matters section of the Industry Zone	No	No
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TABLES

Amendments required (Yes/No): **No**

MAPPING (Structure Plans, Overlays, Enlargements, Zone Maps, Policy Area & Precinct Maps)

Amendments required (Yes/No): **Yes**

Map Reference Table

9.	Replace	Existing Map Reference Table with the Contents of Attachment C	No	No
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Map(s)

10.	Replace	Existing Overlay Map Bam/8 – Transport with new Overlay Map Bam/8 – Transport contained in Attachment D	No	No
11.	Replace	Existing Zone Maps Bam/8, 9, 10, 11, 14 with corresponding maps contained in Attachment E	No	No
12.	Delete	Existing Overlay Map Bam/20 – Heritage	No	No
13.	Insert	New Policy Area Map Bam/13 contained in Attachment F	No	No