

ATTACHMENT 2

COMPARISON BETWEEN A STANDARD PLANNING SCHEME AMENDMENT PROCESS AND AN ADVISORY COMMITTEE PROCESS

| STANDARD PLANNING SCHEME AMENDMENT PROCESS | ADVISORY COMMITTEE PROCESS |
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| Standard planning process. | Extraordinary process used in extenuating circumstances by the Minister only. |
| Council is the Planning Authority and resolves to prepare an amendment for the Esplanade Hotel site. | <p>The Minister for Planning could at any time (ie during any planning process) decide to appoint an Advisory Committee to consider Council and Becton's proposals for the Esplanade Hotel site.</p> <p>The Minister determines the membership and Terms of Reference of the Advisory Committee.</p> <p>The Minister may consult with the Council and Becton in preparing the Terms of Reference.</p> <p>Council and Becton would each propose a planning and/or design and development response for the Esplanade Hotel site to submit to the Advisory Committee for consideration.</p> |

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| <p>Council <i>must</i> undertake public notification and exhibition of the amendment for 1 month in accordance with the Planning and Environment Act 1987.</p> <p>Council directs the extent of community notification on the basis that any person who may be affected by the amendment is notified.</p> | <p>The Advisory Committee <i>may</i> have some public consultation in relation to the two proposals for the site (eg may follow similar procedures to a Panel and have a public hearing).</p> |
| <p>Council <i>must</i> consider all submissions received. In the case of submissions that request a change to the amendment, Council must either change the amendment as requested or refer the submission to a Panel. The Council also has the option to abandon the amendment.</p> <p>Council can request the Minister for Planning to appoint a Panel to hear relevant submissions.</p> | <p>The Advisory Committee <i>should</i> consider all submissions received (extent of consideration is determined by the Terms of Reference).</p> |
| <p>A Panel must give anyone who has made a submission (that has been referred to the Panel) an opportunity to be heard. The broad issues that a Panel will address when considering an amendment are:</p> <ul style="list-style-type: none"> • the merits of the amendment, • the issues raised in submissions, • the strategic context and implications, • any other relevant issues. | <p>The Advisory Committee must address its Terms of Reference only.</p> |

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| <p>The Panel prepares a report and recommendations and submits this to Council for consideration. Council must make the Panel report publicly available. If Council decides not to accept a Panel recommendation, it must give its reasons in a report to the Minister. The Council also has the option to abandon the whole or part of the amendment.</p> | <p>The Advisory Committee prepares a report and recommendations and submits this to the Minister. The Minister decides whether to make the report publicly available and whether to obtain feedback from submitters on the Committee's recommendations.</p> |
| <p>Council adopts the amendment (with or without modifications) and submits it to the Minister for approval.</p> | <p>The Minister considers the Committee's recommendations and directs the Council as to an appropriate planning control framework for the site and the process to achieve it.</p> |
| <p>The Minister may approve the amendment or part of it with or without changes and subject to conditions or may refuse to approve an amendment.</p> <p>The Minister publishes notice of approval of the amendment in the Govt. Gazette.</p> | |
| <p>Estimated cost to Council is approx. \$100K (excluding staff time) ie cost of exhibition and Panel Hearing.</p> | <p>Estimated cost to Council is approx. \$40K (excluding staff time) ie cost of preparing/presenting submission to Advisory Committee. However, additional costs would be incurred if the Minister directs a further planning process.</p> |