

TASMANIAN PLANNING COMMISSION



Annual Report 2021-22

Prepared and published by:
Tasmanian Planning Commission
GPO Box 1691
Hobart Tasmania 7001

The Hon Michael Ferguson MP
Minister for Planning
Level 5, 4 Salamanca Place
Parliament Square Building
HOBART TAS 7000

Dear Minister

I have pleasure in submitting the Annual Report of the Tasmanian Planning Commission for the year ending 30 June 2022, in accordance with section 19 of the *Tasmanian Planning Commission Act 1997*.

Yours sincerely

John Ramsay
Executive Commissioner

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1. Year in Review

In the Year in Review section of the Annual Report for 2020-2021, I made reference to the task faced by planning authorities to produce and have approved a Local Provisions Schedule (LPS) for their municipalities so that the Tasmanian Planning Scheme (TPS) could commence in a municipality.

As at 30 June 2022 a further 8 municipalities have an approved LPS following public hearings, bringing to 14 the municipalities in which the Tasmanian Planning Scheme is in operation.

Of the remaining 15 municipalities, 10 were progressing at different stages of the assessment processes required by the Land Use Planning and Approvals Act 1993 (the Act). Four had submitted documentation for review by the Commission on compliance with the requirements of the Act for approval to publicly exhibit a draft LPS. Only one municipality had not submitted any documentation to the Commission.

While the Commission work program had ongoing assessment of LPSs as a key focus, the Commission resources were also directed to the assessment of amendments to Interim Planning Schemes (IPSs) and LPSs. Planning authorities continued to seek amendments to their planning schemes (be they IPS or LPS) to progress contemporary land use and development initiatives in their municipal area.

The Commission resources were also directed to support the Development Assessment Panel (DAP) that it appointed to undertake the assessment of the New Bridgewater Bridge Major Project. In addition to the support provided by Commission staff, two Commissioners were part of the four person panel that assessed and approved the project. The assessment was the first time that the major project provisions of the Act were applied in practice, which required considerable initiative and diligence on the part of the DAP and Commission staff. The project was approved and a permit issued in May.

While Covid restrictions eased during the year, the restrictions in place didn't affect the work of the Commission as it applied mask requirements in face to face hearings, or enabled community members to participate on line or by phone. While online and phone hearing participation does enable effective assessment hearings, the Commission preference is for face to face hearings, and to conduct those hearings at venues in the municipality which has initiated an amendment.

The work of the Commission is facilitated by the professional approach of local government planners, planning professionals, lawyers who specialise in planning law and practice, and special interest community groups. The Commission benefits from the professionalism and the submissions made to it by these parties.

Importantly however, the Commission has the benefit of the varied views of individual members of the community, who are invited to present their views to the Commission in a non-adversarial hearing process.

While the Commission is an independent statutory body, it has been administratively well supported by key staff in the Department of Justice, and is able to benefit from the diverse services that the Department provides to staff.

Commissioners, Hearing Delegates, Senior Planning Consultants, Planning Advisers, GIS Professionals and specialised administrative staff, all combine to deliver considered planning and development decisions in the best interest of the Tasmanian community. I thank them for their dedication and endeavour.

John Ramsay
EXECUTIVE COMMISSIONER

2. Overview

Tasmanian Planning Commission

The Commission is an independent statutory body established under the *Tasmanian Planning Commission Act 1997* (TPC Act).

Objectives

The Commission is committed to furthering Tasmania's Resource Management and Planning System (RMPS) objectives in Schedule 1 of the TPC Act (see Appendix 1) and to observing the rules of natural justice.

The RMPS objectives promote sustainable use and development of the State's resources and sound strategic planning. The objectives also encourage public involvement in, and shared responsibility for, resource management and planning.

What We Do

The Commission performs a range of independent statutory planning and project assessment, decision-making and advisory functions within the scope of its responsibilities under the TPC Act and other legislation.

Specific assessment and reviews can be referred to the Commission by the Minister for Planning, planning authorities (councils) or other Ministers (see Appendix 2). These include:

- the Tasmanian Planning Scheme (State Planning Provisions and draft Local Provision Schedules);
- draft planning scheme amendments and combined scheme amendments and planning permit applications;
- draft planning directives and interim planning directives;
- Projects of State Significance and major projects;
- draft State Policies and state of the environment reporting;
- draft Tasmanian Planning Policies; and
- draft national park and state reserve management plans and water management plans.

Most assessments and reviews include public hearings.

Services provided by the Commission include:

- online access to statutory assessment and review documentation;
- the authorised version of planning schemes, including the Tasmanian Planning Scheme, as it is progressively implemented with the approval of Local Provisions Schedules (LPSs);
- online access to planning schemes and the Tasmanian Planning Scheme, when operational in municipal areas; and
- online access to general information on the Commission's functions and Tasmania's planning system.

Who We Are

The Commission has a full-time Executive Commissioner and seven part-time Commissioners, each appointed under section 5 of the TPC Act for their particular skills, knowledge and expertise.

During 2021-22, the Commission members were:

- John Ramsay – Chairperson and Executive Commissioner
- Commissioners - Ann Cunningham; Nick Heath; Max Kitchell; Claire Gregg replaced by Pam Allan; Brett Stewart; Roger Howlett; Eamonn Tiernan
- Commissioner Deputies – Claire Hynes, Deputy Executive Commissioner and Paul West, Deputy Member for Commissioner Howlett

Attendance at Monthly Commission Meetings

Commissioner	July 2020	Aug 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Feb 2022	Mar 2022	Apr 2022	May 2022	Jun 2022
John Ramsay (Chair & Executive Commissioner)	P	P	P	P	P	P	P	P	P	P	P
Roger Howlett	P	P	P	P	P	P	P	P	P	P	P
Claire Gregg	P	P	P	P	-	-	-	-	-	-	-
Eamonn Tiernan	A	P	P	A	P	P	P	A	P	A	P
Ann Cunningham	P	P	P	P	P	P	LA ⁱ	P	P	P	P
Nicholas Heath	-	-	-	P	P	P	P	P	P	P	P
Brett Stewart	-	-	-	P	P	P	P	A	A	P	A
Max Kitchell	-	-	-	-	P	P	P	P	P	P	P
Pam Allan	-	-	-	-	P	P	P	P	P	P	P

- Key: - Not a member, **P** Present, **A** Apology, **LA** Leave of Absence

Claire Gregg was appointed until 31 December 2021 or until her position was filled. Her last attendance was the October 2021. Nick Heath and Brett Stewart were appointed on 23 August 2021. Max Kitchell and Pam Allan were appointed on 25 October 2021.

¹¹ Flinders Island LPS Hearing

Ministerial Responsibilities

The Minister for Planning (Minister) has responsibility for the administration of the TPC Act; the *Land Use Planning and Approvals Act 1993* (LUPAA); Part 2 of the *Public Land (Administration and Forests) Act 1991*; and Part 4 and section 46 of the *State Policies and Projects Act 1993*.

The Minister also provides the Commission with a Ministerial Statement of Expectation. The Statement in operation in the reporting period is attached (see Appendix 3).

The Premier is the Minister responsible for the administration of the *State Policies and Projects Act 1993* (except Part 4 and section 46) and referral of Projects of State Significance and draft State Policies to the Commission for independent assessment.

The Commission operates independently within an administrative framework provided by the Department of Justice.

Staffing

As of 30 June 2022, the Commission's staffing comprised of the Executive Commissioner, senior planning consultants, planning advisers, and specialist technical and administrative staff (25.52 FTEs).

In July 2019, the Commission established an employment register for senior planning consultants to assist with the increased workload demand as result of the draft LPS assessment. Three senior planning consultants (casual) were appointed and continued in 2021-22.

Financial Resources

The Commission's 2021-22 budget was \$4,126,352.

Performance

The Commission's key performance areas in its 2021/22 Business Plan were as follows:

1. planning scheme amendment assessments;
2. assessment of LPSs and implementation of the TPS;
3. other review and advisory tasks;
4. assessment and review resources and systems; and

5. reviewing State of the Environment (SOE) reporting obligations;
6. consideration of major project proposals; and
7. publishing and maintaining planning schemes.

3. Report on Performance

Objectives and Priorities

Planning Scheme Amendment Assessments

The Commission receives notification of proposed planning scheme amendments before they are publicly exhibited by the planning authority. After the planning authority has considered any representations received during the exhibition, it submits its report and copy of the representations to the Commission. The Commission's assessment task effectively commences at this point.

The Commission's assessment activity is set out in Table 1.

A number of amendments and combined permits and amendments involve significant planning issues and contested private and public interests, requiring public hearings, comprehensive assessment, drafting modifications and for these reasons can necessitate Ministerial extensions of time to complete an assessment.

Judicial review of the planning scheme amendment decisions by the Commission that are before the Supreme Court but not determined as at 30 June are –

- Glamorgan Spring Bay – AM 2018-07 - SA 2017-04 135 Rheban Road, Orford (Rheban Road Pty Ltd)
- Glamorgan Spring Bay - AM 2021-01 12371 Tasman Hwy, Swansea (Tempus Village Management)

Both matters concern lands in the Municipality of Glamorgan-Spring Bay.

COVID-19 continued to influence the conduct of Commission hearings. Although Commission hearings are held in public, it is necessary for all participants to complete an attendance form and in almost all instances, hearings include parties that are joined by telephone or video conference. This has challenged the Commission to continuously improve its technology and the skills of staff supporting its hearings.

The Commission's amendment decisions can be accessed under Assessments and Hearings on the [Commission's website](#).

The publication of Assessments and hearing processes and decisions on the Commission's website was introduced during 2021-22 in association with a significant review of the website.

Table 1. Draft amendment and combined permit and amendment assessment

	2017-18	2018-19	2019-20	2020-21	2021-22
Draft planning scheme amendment applications received					
Number received under section 35, former provisions of LUPAA, and 40F	53	38	49	28	37
Number received following public exhibition under section 39 (former) LUPAA Commission approves not to exhibit under 40I of (current)LUPAA	42	31	47	43	39
Number received under section 35KB, 40K of LUPAA	n/a	n/a	n/a	4	10
Draft planning scheme amendment applications assessed (section 40 of LUPAA)					
Number approved without modification	17	16	15	9	6
Number approved with modifications	20	21	20	22	27
Number altered to a substantial degree	3	0	0	0	0
Number rejected	9	3	4	2	5
Other e.g. no jurisdiction to assess or withdraw	n/a	1	3	0	0
Total number assessed	49	40	42	33	38
Median number of assessment days	n/a	86	92	79.5	79
Combined permit applications assessed (section 43A of LUPAA)					
Number confirmed without modification	0	2	2	0	1

	2017-18	2018-19	2019-20	2020-21	2021-22
Number approved with modifications	17	8	9	8	0
Number refused	4	0	2	3	1
Other e.g. no jurisdiction to assess or withdraw	n/a	2	2	0	0
Total number	21	10	15	11	2

n/a = data not available

No urgent amendment requests under section 30IA of LUPAA were considered by the Commission during 2021-22. (see Table 2).

Table 2. Urgent amendments to interim planning schemes

Urgent amendments	2017-18*	2018-19*	2019-20	2020-21	2021-22
Number of urgent amendments assessed by the Commission (section 30IA of LUPAA)	n/a	n/a	9	4	0
Number of urgent amendments recommended by the Commission and approved by the Minister	226	96	1	3	0
Number of urgent amendment requests rejected by the Commission	n/a	n/a	8	1	0

* Most of these urgent amendments resulted from assessments into representations on exhibited interim planning schemes

n/a = data not available

Draft Local Provision Schedule (LPS) Assessment - Tasmanian Planning Scheme (TPS) Implementation

Under the Act, the TPS becomes operational in a municipal area when a draft LPS, prepared by the relevant planning authority, is assessed and approved by the Commission with the agreement of the Minister. In total, 29 LPSs will need to be approved before the TPS is fully operational across the State.

As of 1 July 2021, 27 planning authorities had lodged their draft LPS with the Commission for assessment. During 2021-22, the Dorset draft LPS was received by the Commission.

When lodged, LUPAA sets out a two-stage review and assessment process for approving an LPS. The first stage involves compliance assessment against the requirements under LUPAA, which includes the Commission holding a post lodgment conference with the planning authority prior to determining suitability for exhibition. The second stage involves a 60-day public exhibition period where representations may be received by the planning authority, 60 days for the planning authority to provide a response and report to the Commission and 90 days for the Commission to assess the representations, conduct a public hearing and make decisions. The Commission may approve an LPS with modifications or substantial modifications. Subject to the agreement of the Minister, an LPS is gazetted and takes effect. A total statutory period of 7 months applies to this formal exhibition and assessment stage.

If an LPS is approved with substantial modifications, those modifications become amendments to an LPS when it is formally approved, and must be further considered through the LPS amendment public assessment process.

During 2021-22, the Glenorchy, Central Coast, Clarence, Tasman, West Tamar, Glamorgan Spring Bay, Flinders Island, Southern Midlands LPSs were approved, bringing the TPS into effect in those planning areas. The Burnie, Devonport, Meander Valley, Brighton, Circular Head and West Coast LPSs were approved during the previous year 2020-21.

The draft LPS George Town, Dorset, Huon Valley, Waratah-Wynyard and Latrobe were on exhibition in the later part of 2021-22.

As at 30 June 2022, hearings for the draft LPSs of Launceston, Sorell, Northern Midlands, had been held and the Central Highlands hearing was in progress.

The only draft LPS that has not been submitted to the Commission for assessment is the King Island draft LPS.

Table 3. Local Provisions Schedules assessment statistics

Local Provisions Schedules (LPSs)	2018-19	2019-20	2020-21	2021-22
LPSs received ¹	9	14	2	1
Post lodgement conferences (held before approval for exhibition) ²	13	15	7	9
Exhibition commenced	3	6	5	10
Commission directed substantial modifications draft LPS (section 35KB)	0	2	2	19
LPSs approved (section 35L)	0	1	5	8

Other Review and Advisory Tasks Performed

During 2021-22, the Commission provided advice to the Minister and the Department on draft legislation and other planning matters.

Interim Planning Directive No. 5

The Commission supported a request by the Department of Justice that a Bushfire –Prone Areas overlay be included in the interim planning schemes of Central Highlands, Dorset, and Waratah-Wynyard. A recommendation to that effect was made to the Minister. The Minister approved the recommendation and issued interim planning directive No. 5 which became effective of 23 June 2022. The effect of this decision was to complete the application of bushfire-prone areas overlays to all municipal areas of the State.

Minor amendment to State Planning Provision (01-2021)

On 31 January 2022, the Minister for Planning requested advice under LUPAA relating to an amendment to the State Planning Provisions (SPPs). On 16 March 2022, the Commission provided its opinion on the parts of the draft amendment that met the criteria for minor amendment to the SPPs.

The Minister also issued a modified Planning Directive No.8 and a modified Planning Directive No.5.1 to align them with relevant parts of amendment 01-2021 of the SPPs, were to become effective on 20 July 2022.

¹ Two LPSs were received in 2017-2018 financial year that are not represented in the table.

² Note, the data for 2018-19 and 2019-20 has been revised to take into account of more than one post lodgement conference per planning authority.

Housing Land Supply Orders

On 30 June 2022, the Commission received 3 Housing Land Supply Orders made by the Minister on the 26 June 2022 to take effect on 13 July 2022.

Water Management Plan and other reviews

There were no Ministerial directions regarding draft management plans under the *National Parks and Reserves Management Act 2002* or the *Water Management Act 1999*. There were no assessments of draft State Policies, projects of State or regional significance and there were no references to the Commission in relation to the future use of public land during 2021- 2022.

Major project assessments

In the 2021 – 2022 year, the Commission continued its assessment of two major projects:

- the North West Transmission Upgrade Project under the *Major Infrastructure Development Approvals Act 1999* (the MIDA Act)
- the New Bridgewater Bridge Project under *Land Use Planning and Approvals Act 1993*

North West Transmission Upgrades Project

In May 2022 TasNetworks advised that it had revised its timeframes for submitting applications associated with the North West Transmission Upgrade Project.

The Commission expects the applications for a permit for this project to proceed as follows:

- Hampshire to Staverton Transmission Development – application expected 4th quarter 2022
- Remaining North West Transmission Developments – application expected 1st quarter 2023

In November 2020 the Commonwealth Minister responsible for the *Environmental Protection and Biodiversity Act 1999* (EPBC Act) decided that the Hampshire Hills to Staverton action would be assessed by the Commission under the MIDA Act as an accredited assessment process. Following a request from TasNetworks, in April 2022 the Commission resolved to seek one-off accreditation under the EPBC Act for the element of the Project referred to as the Remaining North West Transmission Developments.

New Bridgewater Bridge Major Project

The major project impact statement for the New Bridgewater Bridge Project was received by the Commission in August 2021. The Development Assessment Panel established by the Commission for the project coordinated the assessment of the project including:

- providing a copy of the Major Project Impact Statement (MPIS) to participating regulators
- requesting additional information to be included in the MPIS
- receiving preliminary advice on the MPIS from participating regulators

- preparing a report outlining the Panels' initial assessment of the project
- publically exhibiting the MPIS and its initial assessment report

Seventeen representations were received on the project. The Panel held public hearings into matters raised in the representations across seven days in March 2022. The hearings provided an opportunity for representors, participating regulators and the proponent to discuss and clarify the issues raised.

Following the hearing the Panel received final advice from participating regulators on the project. After considering a range of matters the Panel decided to grant a permit for the project subject to a range of conditions. The Panel also prepared a final assessment report that outlined the reasons for its decision.

The New Bridgewater Bridge Project is the first project to be assessed under the major project provisions of LUPAA Assessment and Review and Resource and Systems.

Planning Schemes Online

The Commission has maintained the operation of the iplan website but continued to pursue options for its decommissioning and replacement.

State of the Environment (SOE) Reporting

The *State Policies and Projects Act 1993* requires the Commission to publish a SOE report every 5 years.

As in previous years, the Commission has had to give priority to its land use planning responsibilities. It maintains its previously expressed view that it is not the appropriate body to undertake State of the Environment Reporting. This view was supported by the Independent review of the Commission by Professor Roberta Ryan and Mr Alex Lawrie dated October 2020 (page 54).

No decision was taken in 2021-22 as to the future responsibility for State of the Environment Reporting.

Appendix 1: Resource Management and Planning System Objectives

The RMPS objectives are:

- to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity;
- to provide for the fair, orderly and sustainable use and development of air, land and water;
- to encourage public involvement in resource management and planning;
- to facilitate economic development in accordance with the objectives set out in the above paragraphs; and
- to promote the sharing of responsibility for resource management and planning between the different spheres of government, the community and industry in the State.

Each of the Acts listed in Appendix 2 include a schedule containing the RMPS objectives. There is a general requirement that undertaking the powers and functions of these Acts will promote the objectives.

Supporting the overarching RMPS objectives are additional objectives, which are specific to the land use planning process. These include:

- to require sound strategic planning and coordinated action by State and local government;
- to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land;
- to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land;
- to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels;
- to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals;

- to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation;
- to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;
- to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and
- to provide a planning framework which fully considers land capability.

Appendix 2: Legislative Framework

The Commission operates as an independent statutory body under the *Tasmanian Planning Commission Act 1997*. The legislative provisions under which the Commission operates are, as follows:

Legislative Instrument	Commission Functions
<i>Housing Land Supply Act 2018</i>	Amend the relevant planning scheme to be in accordance with the housing order or revocation.
<i>Land Use Planning and Approvals Act 1993 (LUPAA)</i>	<p>Assessing:</p> <ul style="list-style-type: none"> • planning schemes • major projects • State Planning Provisions • Tasmanian Planning Policies • draft planning directives <p>Approving:</p> <ul style="list-style-type: none"> • planning schemes and planning scheme amendments <p>Advising:</p> <ul style="list-style-type: none"> • the Minister in relation to land use planning • local government in relation to planning schemes <p>Planning:</p> <ul style="list-style-type: none"> • for the coordinated provision of transport, and infrastructure, for land development
<i>National Parks and Reserves Management Act 2002</i>	Reviewing representations, and the report of the Director of National Parks and Wildlife, relating to draft reserve management plans.
<i>Public Land (Administration and Forests) Act 1991</i>	Inquiring into public land use.
<i>State Policies and Projects Act 1993</i>	<p>Assessing:</p> <ul style="list-style-type: none"> • projects of State significance

	<ul style="list-style-type: none"> • draft State Policies <p>Preparing:</p> <ul style="list-style-type: none"> • the Tasmanian State of the Environment report
<i>Tasmanian Planning Commission Act 1997</i>	Establishes the constitution, functions and powers of the Commission and Commissioners.
<i>Water Management Act 1999</i>	Reviewing representations, and the report of the Secretary of the Department of Primary Industries, Parks, Water and the Environment, relating to draft water management plans.
<i>Wellington Park Act 1993</i>	Reviewing representations, and the report of the Wellington Park Management Trust, relating to draft management plans.

The Commission also has designated roles and functions under the following Acts:

Aboriginal Lands Act 1995

Conveyancing and Law of Property Act 1884

Environmental Management and Pollution Control Act 1994

Local Government (Building and Miscellaneous Provisions) Act 1993

Major Infrastructure Development Approvals Act 1999

Marine Farming Planning Act 1995

Survey Co-ordination Act 1944

Appendix 3: Ministerial Statement of Expectation

MINISTERIAL STATEMENT OF EXPECTATION 2020 TASMANIAN PLANNING COMMISSION

The Tasmanian Planning Commission (the Commission) is an independent statutory body, established under the *Tasmanian Planning Commission Act 1997* (the Act), and is to conduct its business and affairs in a manner consistent with this Ministerial Statement of Expectations and the Act.

This Statement specifies my expectations until otherwise amended pursuant to s7B of the Act, including implementation of the Tasmanian Planning Scheme and other planning reforms.

Functions of the Commission

The Commission performs independent statutory planning and project assessment, hearing and advisory functions under Tasmania's Resource Management and Planning System (RMPS) and other legislation.

The Commission must perform its functions and exercise its powers in a manner that furthers the RMPS objectives in Schedule 1 of the Act.

Relationship with Government

The Commission functions at arm's length from Government but as an instrumentality of the Crown and works within the established administrative framework of the State of Tasmania.

Communication with Minister

To meet my Ministerial obligations to Parliament and the public on the functioning of the planning system, the Commission should provide me with regular information on its operations and performance and bring to my attention in a timely manner, information regarding any significant issues affecting the Commission's work. I expect the Commission to inform me in a timely manner, of any issues affecting its capacity to fulfil its statutory functions under the Act and other relevant legislation.

I also expect the Commission to inform me in a timely manner, of any issues that may require my consideration with regard to the performance of my duties and the exercise of my powers in relation to land use planning under the *Land Use Planning and Approvals Act 1993* (LUPAA) or any other legislation.

Government policies

In performing its functions, the Commission should take into account any relevant published Government policies and any other policies and procedures as advised by me in writing that may be relevant to the Commission's functions.

I also expect the Commission to provide advice on Government policies whether published or unpublished to the extent that it is required to do so by legislation, particularly any issues that may affect the implementation of these policies in the planning system.

Legal advice

Unless the Commission perceives a potential or actual conflict of interest, it must obtain any necessary legal advice from the Office of the Solicitor General. In any legal actions taken by or against the Commission, the Commission must be represented by, or in consultation with, the Solicitor General.

While the Commission and the Department of Justice (the Department) may each seek advice from the Solicitor General on relevant matters, I expect these requests will be coordinated and that the Commission and Department will share advice relating to the operation of the legislation.

Relationship with the Department of Justice

The Department is responsible for delivering the Government's program of legislative and policy development and providing me with advice on these matters. The Department's Planning Policy Unit (PPU) will continue to take over the role of providing public information about the planning system in Tasmania. I expect the Commission to work collaboratively with the PPU and on request, provide expert planning advice on draft legislation in a timely manner.

I expect the Commission to inform the PPU where legal advice is sought on matters relating to the operation of legislation. I also expect the Commission to advise me of issues that may indicate a need to consider amending or reviewing that legislation and to work with the PPU in managing these issues.

The Department also provides the human, financial, physical, information and other resources to support the Commission to perform its functions. I expect the Commission to maintain clear lines of communication with the Department on the administration of the Commission and management of staff, through the Executive Commissioner and the Secretary of the Department.

Relationship with other State Agencies and Authorities

The Commission has statutory functions under a range of legislation administered by other state agencies, authorities and Ministerial portfolios. I expect the Commission to maintain clear lines of communication with these bodies in relation to the administration of these functions.

I expect the Commission to liaise with the PPU to coordinate the provision of advice from state agencies and authorities on the Commission's assessments of State Planning Provisions amendments.

I also expect the Commission to keep me informed of any matters relating to other Government portfolio areas in relation to its statutory functions that may have planning implications.

Relationship with Planning Authorities

One of the Commission's functions under the Act is to provide advice to local government in relation to planning schemes including the Tasmanian Planning Scheme under LUPAA and the functions of local government under that Act.

I expect the Commission to establish clear lines of communication with planning authorities to assist them in fulfilling their statutory planning responsibilities, particularly in relation to the preparation and operation of planning schemes including the Tasmanian Planning Scheme once this becomes operational.

Governance and Operations

Corporate Governance and Values

I expect the Commission to focus on and maintain high standards of corporate governance and accountability and to maintain appropriate administrative arrangements to ensure compliance with its statutory obligations.

Business Plan

I expect the Commission to manage its statutory functions and implement this Statement of Expectation through its Business Plan. The Business Plan forms part of the Department's business planning, reporting and performance review system and may include project plans for major priorities.

Reporting

I expect the Commission to provide the Department and me with quarterly reports on the implementation of the Business Plan.

The Commission's Annual Report should be provided to me by 1 October each year and include an appended copy of the Statement of Expectation in effect during the reporting period.

Statutory functions

I expect the Commission to continue to undertake its statutory assessment, review, approval and advisory functions in a professional and timely manner and to maintain effective administrative procedures to enable this to occur.

Policies and Processes

The Commission should continue to routinely review and develop its operational policies and processes to ensure it performs its statutory functions proficiently, consistently, effectively and transparently. I expect the Commission to focus on ensuring that its processes provide for timely decisions and advice to be provided.

Website, Communications and Information Systems

I expect the Commission to inform the Tasmanian public, planning authorities, state authorities, representors and stakeholders about its functions within the RMPS, particularly the

timely provision of information in relation to its statutory assessment and decision making functions.

I also expect the Commission to provide online access to existing planning schemes.

The Commission is to inform the PPU of its communications plans and work with the PPU to coordinate provision of planning and reform information.

Priorities

Existing Planning Schemes and Planning Directives

I expect the Commission to provide me with recommendations for any urgent amendments it considers may be required to planning schemes or to maintain the effective operation of these schemes, in a timely manner.

In providing advice to me regarding any proposed urgent and other amendments that may be exempt from the public exhibition process, I expect the Commission to give particular attention to whether the public interest may be prejudiced.

When considering scheme amendments or assessing any planning directives, I expect the Commission to have regard to the State Planning Provisions.

Tasmanian Planning Scheme

The Commission is to undertake the statutory public exhibition and assessment of any proposed amendments to the State Planning Provisions.

I expect the Commission to continue to manage and coordinate a program with planning authorities for the timely assessment and approval of draft Local Provisions Schedules (LPSs), in accordance with statutory requirements.

I also expect the Commission to liaise with the PPU to provide consistent advice to planning authorities on interpretation of statutory requirements for LPSs and advise me on any issues that may impact on the timely submission and approval of LPSs.

The Commission is responsible for the maintenance of the Tasmanian Planning Scheme in an online digital format and for providing the authoritative versions in accordance with the requirements of LUPAA.

Regional Land Use Strategies

I expect the Commission to inform the PPU on any strategic issues where modifications to the Regional Land Use Strategies operating in Tasmania may be appropriate, to ensure their continued effective operation and implementation of amendments to existing planning schemes and the Tasmanian Planning Scheme.

I expect the Commission to provide me with advice on any proposed modifications to existing strategies or new strategies, in terms of their compliance with LUPAA.

I also expect the Commission to contribute to any review of the scope, functions, ownership and governance of the regional land use strategies that the PPU carries out.

Planning Advice and Documents

I expect the Commission to collaborate with the PPU to prepare guidelines, practice notes and information on matters that I may determine to assist with the implementation of the Tasmanian Planning Scheme and any other matters that are provided for under relevant legislation.

Date of Statement taking effect

This Statement of Expectation takes effect on 1 February 2020

A handwritten signature in blue ink, appearing to be 'RJ', is written over the text of the statement.

Hon Roger Jaensch MP
Minister for Planning

Date: 27.1.2020

Postal Address
GPO Box 1691, HOBART TAS 7001

Phone: 03 6165 6828

Email: tpc@planning.tas.gov.au

Visit: www.planning.tas.gov.au
