

**Deputy Premier
Treasurer
Minister for Infrastructure and Transport
Minister for Planning**

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Mr John Ramsay
Executive Commissioner
Tasmanian Planning Commission

Email: tpc@planning.tas.gov.au

Dear Mr Ramsay,

Draft Amendment 01/2022 of the State Planning Provisions and Draft Planning Directive 9 – Container Refund Scheme

I recognise the importance of keeping the State Planning Provisions (SPPs) under regular review to ensure the intended planning outcomes are delivered.

The rollout of the States Container Refund Scheme (CRS) is planned to occur during 2023. Various components of the CRS will require planning approvals to enable their implementation. The current SPPs do not clearly or easily recognise the various components of the CRS, which has potential to complicate the implementation of the CRS. Draft SPP amendment 01/2022 and draft Planning Directive 9 is intended to clarify the planning requirements for the CRS implementation.

In accordance with section 30C of the *Land Use Planning and Approvals Act 1993* (the Act), I have prepared Terms of Reference in relation to the preparation of draft SPP amendment 01/2022 which are available for viewing on the Tasmanian Planning Reform website, www.planningreform.tas.gov.au.

I have also prepared and attached draft SPP amendment 01/2022 that is in accordance with the Terms of Reference and prepared the explanatory document, as required under section 16 of the Act. To assist with understanding of the intent of the CRS project for Tasmania, the CRS project team have prepared an infrastructure details document that provides a description of what is happening in other jurisdictions across Australia for their CRS projects, which gives an indication of what might happen in Tasmania.

I have undertaken informal consultation in accordance with section 30D of the Act and the feedback provided has helped shape the draft SPP amendment 01/2022. Due to the timing of the preparation of the amended *Land Use Planning and Approvals Regulation 2014* and the need to consult with local government on those, a revised draft SPP amendment 01/2022 and draft Planning Directive 9 was circulated for a second round of informal consultation under section 30D of the Act. The feedback and the reports in response to both rounds of feedback is attached for your background information.

In accordance with section 30G(3) of the Act, I approve the draft SPP amendment 01/2022 for public exhibition, and therefore ask the Commission to commence the formal assessment of the draft SPP amendment 01/2022.

I am also conscious of the timing of the assessment of the draft amendment 01/2022 and the State's desire to commence the rollout of the CRS during 2023. To assist with progress there, the *Land Use Planning and Approvals Regulation 2014* have been amended to list the Container Refund Scheme as a prescribed circumstance for interim SPP amendment to be made (if appropriate).

In accordance with section 30NB(1) of the Act I request the Commission's advice, within 30 days, as to whether some or all of the draft SPP amendment 01/2022 should become an interim SPP amendment.

I also note that in 2023 there will still be interim planning schemes operating in the state. The current interim planning schemes do not clearly or easily recognise the various components of the CRS, which has potential to complicate the implementation of the CRS. Draft Planning Directive 9 is intended to clarify the planning requirements for the CRS implementation and is based on the draft SPP amendment 01/2022.

I request the Commission to undertake an assessment of the Draft Planning Directive 9 and that the Commission also consider giving a recommendation under section 12A of the former provisions of the Act in relation to issuing an interim planning directive that is in the form of the Draft Planning Directive 9.

If you wish to discuss the amendment, please contact the State Planning Office at on 1300 703 977 or by email StatePlanning@dpac.tas.gov.au.

Yours sincerely



Michael Ferguson MP
Deputy Premier
Minister for Planning

Attachments:

1. Draft Amendment 1/2022 of the SPPs
2. Draft Amendment 1/2022 of the SPPs – SPP Explanatory Document
3. Draft Amendment 1/2022 of the SPPs – summary of consultation – round 1
4. Draft Amendment 1/2022 of the SPPs – summary of consultation – round 2
5. Container Refund Point Infrastructure Details from NRE Tas
6. Letter of support from NRE Tas
7. Draft Planning Directive 9
8. Draft Planning Directive 9 – Supporting Report