

TASMANIAN PLANNING COMMISSION



Annual Report 2017 - 2018

Prepared and published by:
Tasmanian Planning Commission
GPO Box 1691
Hobart Tasmania 7001
29 October 2018

The Hon Roger Jaensch 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 2018, in accordance with section 19 of the *Tasmanian Planning Commission Act 1997*.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'G. A. Alomes'.

Greg Alomes
Executive Commissioner

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1. Year in Review

During 2017/18, the Commission's main priorities were to assess draft amendments to planning schemes and provide advice on the Tasmanian Planning Scheme (TPS) reform and other planning matters, as requested by the Minister.

The Commission had expected a reduction in the number of planning scheme amendments referred by planning authorities (councils) in 2017/18, given their legislative obligations to prepare and lodge draft Local Provisions Schedules (LPS), as the final phase of the TPS reform. However, as a consequence of continued buoyant economic conditions across the State, the number of amendments not only remained high, but an increasing number also involved significant planning issues and often contested private and public interests that required public hearings, comprehensive assessment and drafting modifications.

The Commission also completed hearings and assessments of 2 draft Planning Directives. The first implemented further revisions to bushfire-prone area provisions in interim planning schemes and the second incorporated consistent exemptions and visitor accommodation standards in all planning schemes.

Indications are that planning scheme amendments could remain relatively high in 2018/19 as the State's economy continues to generate growth and development opportunities and the Government and planning authorities update regional and local land use strategies and plans.

In 2017/18, the Commission provided advice to the Minister on a package of draft amendments to largely correct errors and anomalies in the TPS State Planning Provisions, draft planning reform legislation and revisions to regional land use strategies for northern and southern Tasmania.

The Commission, in conjunction with the Department of Justice and the LPS State Steering Committee, also provided a comprehensive package of LPS compliance information and advice to assist planning authorities prepare draft LPSs. In addition, the Commission conducted LPS drafting workshops and briefing sessions with planning authorities.

Three planning authorities lodged draft LPSs in 2017/18. The Commission is working closely with the 3 authorities to complete the first of a 2-stage LPS statutory assessment process.

The TPS becomes operational in each municipal area when their respective LPS is approved. The challenge for 2018/19 will be for the Steering Committee and its members to assist planning authorities lodge draft LPS to enable the timely completion of the reform.

The Commission acknowledges and thanks its staff, planning authorities, representors and the Department of Justice, particularly the Planning Policy Unit, for their assistance during 2017/18.

A handwritten signature in black ink, appearing to read 'G. Alomes'.

Greg Alomes
EXECUTIVE COMMISSIONER

2. Overview

Tasmanian Planning Commission

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

Objectives

The Commission is committed to furthering Tasmania's Resource Management and Planning System (RMPS) objectives in Schedule 1 of the Act (see Attachment 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 RMPS and other legislation.

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

- Draft planning scheme amendments and combined permit and planning scheme amendments to planning schemes
- Urgent amendments to planning schemes
- Draft amendments to State Planning Provisions (SPPs) under the Tasmanian Planning Scheme
- Draft Local Provisions Schedules (LPSs) under the Tasmanian Planning Scheme and, when approved, any draft amendments to an LPS
- Draft planning legislation
- Draft State Policies or draft revisions to State Policies
- Draft Planning Directives and Interim Planning Directives
- Draft Regional Land Use Strategies

- Projects of State or Regional Significance
- Draft management plans for national parks, reserves and the Wellington Park
- Draft water management plans

Some 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 LPSs;
- online access to planning schemes and the Tasmanian Planning Scheme, when operational in municipal areas; and
- online access to general information on 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.

As at 30 June 2018, the Commission members included:

- Greg Alomes – Chair and Executive Commissioner;
- John Ramsay – Commissioner with expertise and management experience in resource conservation;
- Roger Howlett – Commissioner with resource conservation or planning experience representing community interests;
- Ann Cunningham – Commissioner with experience in public administration relating to project implementation;
- Shane Gregory – Commissioner who represents the State Service Agency responsible for the administration of transport and provision of infrastructure;
- Michael Brewster – Commissioner appointed as the Chief Executive Officer of the Regional Corporations and the Common Services Corporation (TasWater);
- Michael Stretton – Commissioner with planning experience nominated by the Local Government Association of Tasmania; and

- Claire Gregg – Commissioner with planning and appropriate experience in industry and commerce.

The following Deputy Commissioners act in the absence of Commissioners:

- Eamonn Tiernan – Representing Commissioner Brewster; and
- Sandra Hogue – Representing the Executive Commissioner.

Ministerial Responsibilities

The Minister for Planning (Minister) has responsibility for the administration of the 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 Attachment 3).

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

The Minister for Environment, Parks and Heritage administers the *National Parks and Reserves Management Act 2002* and the *Wellington Park Act 1993* and referral of representations and reports on draft management plans for review by the Commission.

The Minister for Primary Industries and Water administers the *Water Management Act 1999* and referral of representations and reports on draft water management plans for review by the Commission.

The Commission also has assessment, decision-making and advisory functions as part of the Government's Tasmanian Planning Scheme reform, including draft LPSs, as and when submitted by each of the State's 29 planning authorities, and draft amendments to the SPPs provided by the Minister.

The Department of Justice and Planning Policy Unit (PPU), including the LPS State Steering Committee, coordinate and assist the Minister with the reform program. The Commission is a member of the Steering Committee. The Commission also meets weekly with the PPU to coordinate other reform tasks.

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

Staffing Structure

The Commission's staffing structure comprises a small team of senior planning consultants, planning assessment advisers and specialist technical and administrative staff.

Financial Resources

The Commission's 2017/18 revenue budget was \$3.85m. The Commission's actual expenditure was \$3.64m.

Performance

The Commission's key performance areas in its 2017/18 Business Plan were, as follows:

1. Planning scheme amendment Assessments
2. Other statutory assessments and Reviews
3. Draft LPS assessments - Tasmanian Planning Scheme implementation
4. Resources and systems
5. State of the environment reporting

3. Report on Performance

Objectives and Priorities

1. Planning Scheme Amendment Assessments

Most planning scheme amendment applications submitted to planning authorities (councils) and referred to the Commission relate to new planning and development initiatives that do not comply with zoning and planning provisions.

The Commission's objective for 2017/18 was to ensure assessments of new planning and development initiatives embodied in planning scheme amendments were not unreasonably delayed or impacted by Tasmanian Planning Scheme reform commitments.

This was accomplished as the Commission maintained an average amendment assessment period of 85 days, which is slightly below the 90 day statutory assessment period in LUPAA. However, some of the more complex amendments required Ministerial time extensions.

The Commission had expected the number of amendment applications might decline as planning authorities commenced preparation of draft LPSs as part of the Tasmanian Planning Scheme reform. This had occurred in 2013/14 during the interim planning scheme reform.

However, due to improved economic conditions across the State, the number of applications remained relatively high in 2017/18.

Most amendments were to change land use zoning and/or planning provisions to facilitate new development initiatives while others were to tighten scheme provisions to protect the character and values of local areas.

An increasing number also involved significant planning issues and often contested private and public interests that required public hearings, comprehensive assessment and drafting modifications.

The Commission's amendment decisions can be accessed in the Assessments and Review section at www.iplan.tas.gov.au.

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

Table 1. Draft amendment and combined permit and amendment applications

| Certified Applications | 2013/14 | 2014/15 | 2015/16 | 2016/17 | 2017/18 |
|--|----------------|----------------|----------------|----------------|----------------|
| Total number of applications | 46 | 73 | 77 | 63 | 70 |
| Number of draft planning scheme amendments (s.40 of LUPAA) | 34 | 54 | 58 | 42 | 49 |
| Number of combined permits and draft amendments (s.43A of LUPAA) | 12 | 19 | 19 | 21 | 21 |
| Number approved | 37 | 66 | 75 | 53 | 52 |
| Average number of assessment days | 91 | 94 | 74 | 112 | 85 |

In addition to s.40 and 43A amendments, the Commission also considered 96 urgent amendment requests under s.30IA of LUPAA during 2017/18. This is a marked decline from previous financial years and indicates that while a large number of errors have been corrected, some planning authorities continue to find minor problems with the operation of their schemes (see Table 2).

The number of urgent amendment requests is expected to continue to decline in 2018/19.

Table 2. Urgent amendments to interim planning schemes

| Urgent amendments | 2014/15 | 2015/16 | 2016/17 | 2017/18 |
|--|----------------|----------------|----------------|----------------|
| Number of urgent amendments recommended by the Commission and approved by the Minister (s.30IA of LUPAA) | 23 | 128 | 226 | 96 |

2. Other Statutory Assessments and Reviews

During 2017/18, the Minister directed the Commission to conduct 3 major assessments (see below). The Commission also provided advice to the Minister and the Department on draft legislation, amendments to regional land use strategies for northern and southern Tasmania and other planning matters.

There were no other directions from Ministers regarding draft management plans under either 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 2017/18.

Draft Planning Directive 5.1 – Bushfire-Prone Areas Code

In August 2017, the Commission completed hearings and assessment of a revised Bushfire-Prone Areas Code – Draft Planning Directive 5.1 under the planning directive provisions of LUPAA.

The Commission's assessment report recommended drafting changes to standards, incorporating the concept of 'tolerable risk' and minor modifications submitted by the Tasmanian Fire Service, to reflect updated technical reference documents.

The Minister approved the revised Code and it took effect in all interim planning schemes on 1 September 2017, replacing an interim planning directive, which had been in operation since February 2017.

Draft Planning Directive 6 - Exemption and standards for visitor accommodation in planning schemes

On 1 July 2017, an interim planning directive took effect applying consistent exemption and planning provisions for Visitor accommodation use in all existing planning schemes, replacing previous inconsistent provisions in these schemes. Under LUPAA, the interim directive applied for a 12 month period to 30 June 2018.

Concurrently with the operation of the interim planning directive, the Commission completed an assessment of the same visitor accommodation exemptions and provisions in draft Planning Directive 6 (PD6).

Draft PD6 was publicly exhibited for written representations in August 2017. However, due to a lack of submissions, especially from key housing, tourism, community and real estate stakeholder groups, it was re-exhibited inviting further representations in October 2017. Issues raised in representations were considered at public hearings and further submissions.

In May 2018, the Commission submitted its assessment report and recommendations to the Minister. The report recommended that Visitor accommodation use in a dwelling used by owners/occupiers as their main place of residence continue to be exempt from requiring planning approval. However, further recommendations proposed modifications to tighten planning controls for visitor accommodation in residential investment properties, and a prohibition in Battery Point.

The modified PD6 took effect in all existing planning schemes on 1 July 2018, replacing the interim planning directive.

Draft Amendment of the State Planning Provisions (Tasmanian Planning Scheme)

In September 2017, the Minister sought advice from the Commission on draft amendments to the State Planning Provisions (SPPs). The draft amendments were to:

- align the SPPs with the amended transitional provisions in Schedule 6 of LUPAA, particularly in relation to code-applying provisions;
- align the SPPs with Planning Directive 5.1 and the *Building Act 2016*; and
- correct errors, removing anomalies, improving clarity of interpretation, and improving the structure for LPSs.

The Commission submitted its report to the Minister in January 2018. The report included advice on public exhibition, the public interest and compliance with SPP criteria under LUPAA. It also recommended modifications to the draft amendments.

The draft amendments took effect in February 2018.

3. Draft LPS Assessment - Tasmanian Planning Scheme (TPS) Implementation

Under LUPAA, 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. In total 29 LPSs will need to be approved before the TPS is fully operational across the State.

In April 2017, the Minister established an LPS State Steering Committee of State and local government planning representatives to coordinate the lodgement of draft LPSs by planning authorities.

The Commission, in conjunction with the Department of Justice and the Steering Committee, has provided a comprehensive package of LPS compliance information and advice to assist planning authorities to prepare draft LPSs. In addition, the Commission has conducted LPS drafting workshops and briefing sessions with planning authorities.

Three planning authorities lodged draft LPSs in 2017/18. The Commission received the Meander Valley draft LPS in December 2017 and the Glamorgan Spring Bay and Brighton draft LPSs in May and June 2018 respectively. The Steering Committee expects the remaining draft LPSs to be lodged in 2018/19, however to achieve this, there will need to be a concerted effort to assist planning authorities to prepare compliant draft LPSs.

When lodged, LUPAA sets out a 2-stage review and assessment process.

The first review is for compliance with requirements under LUPAA. The Commission has adopted a collaborative approach with the 3 planning authorities by addressing any matters that may require modifications to a draft LPS, before recommending to the Minister that it is compliant and suitable for approval for public exhibition by the planning authority.

In the second assessment, the Commission considers issues raised in written representations during the exhibition period and responses provided by the planning authority. Public hearings with the parties form part of this process. The Commission may approve an LPS with modifications. Subject to the agreement of the Minister, an LPS is gazetted and takes effect. A total statutory period of 210 days applies to this exhibition and assessment stage.

As the TPS reform process has been underway for approximately 4 years, the challenge will be to complete all 29 LPS assessments and approvals in a timely manner.

4. Resources and Systems

The main initiatives implemented in 2017/18 were updated governance arrangements, WHS systems, the professional and performance development system, the intranet and administrative arrangements for draft LPS assessments.

Other initiatives included a review of the capacity of the iplan website and its software platform to accommodate the TPS.

5. State of the Environment (SOE) Reporting

The *State Policies and Projects Act 1993* requires the Commission to publish a SOE report every 5 years. The last report in 2009 identified a lack of adequate information and data on which to base a comprehensive assessment of the State's environmental performance, as required under the Act.

The Commission prepared a SOE review report in 2013 which identified the need for a policy review of the SOE legislation. At that time, this policy initiative was not supported by the Department of Justice.

In the subsequent years, the Commission was unable to prepare an SOE Report due to the priority given to interim planning scheme reform tasks and the transition to the TPS.

The Commission updated its 2013 SOE review report in May 2018 and committed resources in 2018/19 to commence preparation of the next SOE report.

Attachment 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.

Attachment 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 is, as follows:

| Legislative Instrument | Commission Functions |
|--|---|
| <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i> | <p>Assessing:</p> <ul style="list-style-type: none"> • interim planning schemes and dispensations • projects of regional significance • 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 • draft State Policies <p>Preparing:</p> <ul style="list-style-type: none"> • the Tasmanian State of the Environment report |

| Legislative Instrument | Commission Functions |
|---|---|
| <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*

Attachment 3: Ministerial Statement of Expectation

STATEMENT OF EXPECTATION

January 2016 to December 2017

TASMANIAN PLANNING COMMISSION

The *Tasmanian Planning Commission Act 1993* (the Act) requires that as the Minister administering the Act, I must provide the Tasmanian Planning Commission with a statement of expectation, specifying my objectives in respect of any matters relating to its functions.

This statement of expectation is provided to the Commission and specifies my objectives relating to its functions for the period to 31 December 2017.

Functions of the Commission

The functions and powers of the Commission under section 6 of the Act are:

- a) to provide advice and support to the Minister in relation to the performance of his or her functions, and the exercise of his or her powers, in relation to land use planning under this or any other Act
- b) to provide advice to the Minister in respect of matters related to land use planning
- c) to plan for the coordinated provision of transport, and of infrastructure, for land development
- d) to provide advice to local government in relation to planning schemes under the *Land Use Planning and Approvals Act 1993* and the functions of local government under that Act
- e) to review, and advise the Minister in respect of, State and regional strategic land use planning matters

The Commission has statutory functions under the *Land Use Planning and Approvals Act 1993* (LUPAA) and other legislation, including the *State Policies and Projects Act 1993*, *National Parks and Reserves Management Act 2002*, *Water Management Act 1999*, *Wellington Park Act 1993* and *Public Land (Administration and Forests) Act 1991*.

The Commission may do all things necessary or convenient to be done for or in connection with, or incidental to, the performance of its functions. It must perform its functions and exercise its powers in a manner that furthers the objectives in Schedule 1 of the Act for the Resource Management and Planning System of Tasmania.

Relationship with Government

The Tasmanian Planning Commission is established as an independent statutory body and is responsible for performing its functions and exercising its statutory powers at arm's length from Government. The Commission remains an instrumentality of the Crown and is required to work 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 Commission's activities, 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 achieve its objectives and to fulfil its statutory functions under the Act and other relevant Acts.

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 Act or any other Act.

Government policies

In performing its functions, the Commission should take into account any relevant published Tasmanian 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 in regard to 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 Director of Public Prosecutions.

I expect the Commission to work collaboratively with the Department of Justice where legal advice is to be sought on matters relating to the operation of legislation which provides a statutory role for the Commission, particularly where the issues involved may indicate a need to consider amending or reviewing that legislation.

While the Commission and 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 any relevant advice relating to the operation of the legislation.

Relationship with the Department of Justice

The Department of Justice is responsible for delivering the Government's program of legislative and policy development and providing me with advice on these matters. I expect the Commission to provide the Department with advice on draft legislation, the operation of legislation and any issues that may indicate a need to consider amending or reviewing legislation or policies.

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, as appropriate.

The Commission is also 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 responsibilities under LUPAA, 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 Resource Management and Planning System, particularly the timely provision of information in relation to its statutory assessment and decision making functions.

I also expect the Commission and the Department's Planning Policy Unit to coordinate and facilitate public awareness and understanding of Tasmania's planning system and reform processes.

Priorities to December 2017

Interim Planning Schemes

I expect the Commission to provide me with recommendations for any amendments it considers may be required to the interim schemes or to otherwise 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, 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 once these have been made.

I expect the Commission to liaise with the Department's Planning Policy Unit and planning authorities to ensure the preparation of and submission of draft Local Provisions Schedules (LPSs) is coordinated and complies with statutory requirements.

I also expect the Commission to provide consistent advice to planning authorities on interpretation of statutory requirements for 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.

Draft Tasmanian Planning Policies

The Commission is to support the process for developing proposed Tasmanian Planning Policies by providing expert planning advice, including how they may be implemented in the planning system, to the Department's Planning Policy Unit on request and in a timely manner.

I also expect the Commission to advise me of any issues with Tasmanian Planning Policies which may arise during the course of the Commission's work and to work with the Department's Planning Policy Unit in managing these issues.

Legislative Development and Review

The Commission is to support the process for developing proposed legislation to deliver the Government's planning reforms by providing expert planning advice to the Department's Planning Policy Unit on request and in a timely manner.

I also expect the Commission to advise me of any issues with current legislation, including LUPAA which may arise during the course of the Commission's work and to work with the Department's Planning Policy Unit in managing these issues.

Regional Land Use Strategies

I expect the Commission to continue to provide me with advice 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 the Tasmanian Planning Scheme.

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

Planning Advice and Documents

I expect the Commission to prepare draft guidelines on the matters that I may determine to assist with the implementation of the Tasmanian Planning Scheme.

I expect the Commission to ensure that the Tasmanian Planning Scheme is published on-line.

A handwritten signature in blue ink, appearing to read 'Peter Gutwein', with a long horizontal flourish extending to the right.

Peter Gutwein MP

Minister for Planning and Local Government

Date: Amended version issued on: **01 March 2017**

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