



Tasmanian Planning Commission
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21 June 2023

Dear Sir/Madam

TASMANIAN PLANNING POLICIES REVIEW – KING ISLAND SUBMISSION

Thank you for the opportunity to comment on the draft Tasmanian Planning Policies (draft TPPs) exhibited on the Tasmanian Planning Commission's website. The King Island Council (Council) has reviewed the exhibited document and provides this submission in response to the proposed draft TPPs. Council endorsed this submission at its 20 June 2023 meeting.

TPPs Role

The Council acknowledges that TPPs are necessary and are an important link between the Tasmanian Planning Scheme and the Regional Land Use Strategies (RLUS) as clearly legislated in section 12B of the *Land Use Planning and Approvals Act 1993* (the Act).

Section 12B (1) of the Act defines the contents and purpose of the TPPs. The TPPs aims to provide the 'aims and principles' which will guide the regional strategies and statutory instruments.

The draft TPPs are divided into policies grouped under a broad range of headings such as settlements, environmental values, environmental hazards, and economic activity. Each policy is broken into sub-headings and supported with objective and applicable strategies.

The Council's concern is that each policy does not embrace the 'aims and principles' required by the Act to guide the development of the RLUS or the TPS. There is concern that some of the over prescriptive nature of many of the strategies embedded under each policy will consequently result in repetition with the RLUS, creating a juxtaposition. Additionally, the over prescriptive strategies in the draft TPPs could result in pre-determined outcomes in the RLUS, undermining the purpose and function of these strategic documents.

Clarification is also required to rationalise the draft TPPs that overlap with existing State policies. It is not understood if the draft TPPs are additional or complimentary to these existing State policies. The Council is of the view that the section 'General Application' in the draft TPPs must be revised to improve clarity to the role and function of the TPPs in the context of other planning instruments and policies.



Nuanced Approach

For King Island, land use systems have different spatial relationships and configurations to other regional locations. The island is isolated from mainland Tasmania, and the historical soldier settlements have influenced established land use patterns. The rural area of the island functions broadly to other municipalities as it must contain activities that cannot be reasonably provided within the zoning regime of townships and settlements. Conversely, the limited industrial and commercial zoned land within the townships and settlements often has resulted in non-residential development being accommodated in the residential areas of its main service centre. Protecting the native vegetation cover is paramount to future biodiversity values, sustainable farming activities and economic activity. No established urban growth boundaries apply to any of the settlements for King Island.

Compliance with the policies is mandatory under the Act. However, many of the strategies are written to require compliance with a list of statements rather than a decision based consideration of specified matters. The Council believes multiple strategies in the TPPs will prohibit future rezoning and development on King Island.

For example, one of the Council's concerns is the drafting of strategies associated with the sub-policy heading 'Growth'. The policy is focused on urbanised locations or higher order regional settlements. The strategies do not embed policy that recognises the function and role of settlements in isolated communities or the value of these for the local economy's economic needs.

The absence of any stated policy in the draft TPPs under this sub-heading means a nuanced approach for the island and other isolated communities will be potentially lost in any future assessment of the RLUSs. The absence of such a policy could prohibit the zoning of land if the strategies in the draft TPPs are not modified. Consequently, future use and development in the municipality could be severely constrained. Other regional locations in Tasmania would equally suffer the same constraints if the TPPs are finalised in their current form.

The strategies articulated under the sub-heading of Liveability is another example where an imbalance urbanised locations, higher-order regional settlements and settlements in isolated communities. Again, the strategies are geared towards servicing larger population centers, or higher order regional settlements. It does not in any way provide for sustainable development of isolated communities.

The draft TPPs limit the future growth on King Island through the urban-focused wording of strategies. While the TPPs are high level policy, they disregard the island's different land use relationships and economic experiences recognised in the *Cradle Coast Regional Land Use Strategy 2010-2030*. After consultation with the Tasmanian Planning Commission and the planning authority, the Minister for Planning modified CCRLUS in 2022 to enable the implementation of a nuanced approach for the island. The changes were necessary to achieve land use outcomes for King Island for the community's social, economic, and cultural well-being, consistent with the principles of sustainable development (as defined by the Act).

Section 12B (4) of the Act require that the TPPs must seek to further the objectives set out in Schedule 1. The objectives of Tasmania's resource management and planning system seek to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity. An absence of high-level policy providing for isolated and remote communities is imperative to achieve consistency with the Schedule 1 Objectives and sustainable development principles.

In this context, the draft TPPs must be reviewed through the lens of isolated and remote communities. Without amendments, the TPPs will limit future growth on King Island and other



remote communities through the urban-focused wording of other strategies. Other examples include:

- Livability and social infrastructure strategies that do not reflect the real employment and activity of the rural towns and sectors, particularly in remote areas, by omission from the policy area;
- Settlement Types strategy 1.4.3.5 (f) effectively prohibits any future expansion on King Island through overly restrictive wording and mandated compliance with all other parts of the strategy;
- Waterways, Wetlands and Estuaries strategies are silent concerning agriculture and farming regarding waterways and wetlands. Careful consideration must be given in this context, as clean waterways are just as important for the continuation of agriculture as they are for providing clean, high-quality drinking water;
- Coast strategies mandating application of the legal definition of the coast established under the State Coastal Policy rather than adopting the scientific and hazard based data definitions that were established through the relevant Codes under the TPS;
- Tourism strategy 4.4.3 requires that future and potential projects are known and identified as part of the RLUS or TPS. A strategy of this nature does not allow for the unexpected or unique and highlights the current uncertainties around the ongoing maintenance of the existing RLUS; and

The TPPs must include 'aims and principles' that distinguish between the different land use patterns established in regional locations, such as isolated communities, outside of metropolitan urban areas. The construction of many of the strategies in TPPs combined with mandated compliance is expected to place unreasonable impacts on future growth for King Island or other isolated communities.

The Council requests that the Tasmanian Planning Commission recommend to the Minister for Planning to insert additional strategies for each policy integrating principles of sustainable development for isolated and remote communities

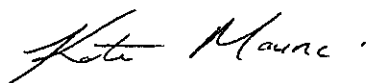
Conclusion

The exclusion of remote and isolated communities from the various strategies in the TPPs does not further the objectives set out in Schedule 1 of the Act. The strategies fail to integrate sustainable development principles for these communities.

Council requests that the Commission recommends to the Minister for Planning to modify the TPPs to:

- Adequately provide for the established and future needs of the King Island and other such remote communities in the State through policy provision of the TPPs; and
- Insert strategies to provide a nuanced approach for the island as well as other isolated communities to overcome the disadvantage created by the policies, particularly the wording of the strategies under each sub-heading, which are focused on higher order settlements and urbanised locations.

Yours sincerely



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