

TASMANIAN PLANNING COMMISSION



Annual Report 2019 - 2020

Prepared and published by:
Tasmanian Planning Commission
GPO Box 1691
Hobart Tasmania 7001
2 October 2020

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 2020, in accordance with section 19 of the *Tasmanian Planning Commission Act 1997*.

Yours sincerely

Sandra Hogue
Acting Executive Commissioner

Table of contents

1.	Year in Review	6
2.	Overview	7
	Tasmanian Planning Commission	7
	Objectives	7
	What We Do	7
	Who We Are	8
	Ministerial Responsibilities	9
	Staffing	10
	Financial Resources	10
	Performance	10
3.	Report on Performance	11
	Objectives and Priorities	11
	3.1 Planning Scheme Amendment Assessments	11
	3.2 Draft LPS Assessment - Tasmanian Planning Scheme (TPS) Implementation	14
	3.3 Other Review and Advisory Tasks Performed	15
	3.4 Draft Amendment 01-2018 of the State Planning Provisions (SPPs)	15
	3.5 Draft Planning Directive No. 7 - Permits for Temporary Housing	15
	3.6 Housing Land Supply Orders	15
	3.7 Assessment and Review Resources and Systems	16
	3.8 State of the Environment (SOE) Reporting	16
4.	COVID-19	17

Appendix 1: Resource Management and Planning System Objectives.....	18
Appendix 2: Legislative Framework	20
Appendix 3: Ministerial Statement of Expectation	22

1. Year in Review

The Commission's workload continued to be high this year given that 27 Local Provisions Schedules (LPSs) have now been received by the Commission and are at various stages of assessment.

The task of assessing draft LPSs has required additional planning advisers, senior planning consultants and administrative staff. A fixed term employment register established during the year successfully provided for this.

At the same time, planning scheme amendments continued to be submitted in similar numbers to previous years.

In addition to the assessment work, the Commission commenced two projects in readiness for retirement of the iplan website with all modules planned to be transferred to either a more contemporary Commission website (Assessments and Hearings module) or the PlanBuild portal (Planning Schemes and Enquiry modules) during 2020-21.

COVID-19 has had a significant impact on the operations of the Commission during the year with hearing functions going on-line from March 2020. This has required review of internal procedures, and issue of revised forms and new Information Sheets. Some delay in LPS exhibitions and planning scheme amendment hearings were experienced due to COVID-19.

The Commission has also taken the opportunity during the year to make further business improvements for its day to day assessment processes.

In October 2019 the Department of Justice announced an independent review of the Commission which Professor Roberta Ryan commenced in January 2020. Commissioners and staff have provided input to the review on a number of occasions.

The significant contribution by Peter Fischer as Acting Executive Commissioner for most of the year is recognised. I would also like to thank staff, planning authorities and the community for their input to the Commission assessment and other tasks, particularly under the challenging COVID-19 circumstances. The support of the Department of Justice, including the Planning Policy Unit, is also acknowledged.

Sandra Hogue
ACTING 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 referred to the Commission by the Minister for Planning, planning authorities (councils) or other Ministers (see Appendix 2) include:

- the Tasmanian Planning Scheme (State Planning Provisions and draft Local Provision Schedules);
- draft planning scheme amendments and combined scheme amendments and planning permits;
- draft planning directives and interim planning directives;
- Projects of State or Regional Significance;
- 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 2019-20, the Commission members were:

- Peter Fischer – Acting Chair and Executive Commissioner until 17 March 2020;
- Sandra Hogue – Acting Chair and Executive Commissioner from 18 March 2020;
- Michael Stretton – Commissioner with planning experience nominated by the Local Government Association of Tasmania;
- Ann Cunningham – Commissioner with experience in public administration relating to project implementation;
- John Ramsay – Commissioner with expertise and management experience in resource conservation;
- Claire Gregg – Commissioner with planning and appropriate experience in industry and commerce.
- Roger Howlett – Commissioner with resource conservation or planning experience representing community interests;
- Shane Gregory – Commissioner representing the State Service Agency responsible for the administration of transport and provision of infrastructure until 31 January 2020 – position currently vacant awaiting the outcome of the review of the Commission; and
- Eamonn Tiernan – Commissioner appointed on the recommendation of the Chairperson of the Corporation within the meaning of the Water and Sewerage Corporation Act 2012 (TasWater).

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

Staffing

As at 30 June 2020, the Commission's staffing comprised senior planning consultants, planning advisers, and specialist technical and administrative staff (24.55 FTEs). This was an increase from 16.38 FTEs in the previous year involving appointment of fixed term and casual staff.

The Commission has an employment register for senior planning consultant and planning adviser positions to assist with the increased demand for staff as result of the draft LPS assessment. The employment register commenced in July 2019 and will expire in 2021. However, the Commission may seek to extend the register to complete the LPS assessment.

Financial Resources

The Commission's 2019-20 revenue budget was \$3.94m.

Performance

The Commission's key performance areas in its 2019/20 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.

3. Report on Performance

Objectives and Priorities

3.1 Planning Scheme Amendment Assessments

The Commission first receives notification of a proposed planning scheme amendment under section 35 of LUPAA. These are then publicly exhibited by the planning authority and submitted to the Commission along with any representations under section 39. The Commission's assessment task effectively commences at this point. The number of amendment applications received during the year under sections 35 and 39 has remained consistent over recent years.

The Commission's assessment performance 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 therefore Ministerial extensions of time. The Buddhist Cultural Park, in the Southern Midlands municipality, and Cambria, in the Glamorgan Spring Bay, assessments conducted over the last two financial years are examples.

The Commission is awaiting the outcomes of judicial reviews of planning scheme amendment decisions for the University of Tasmania (June 2019), Rheban Road Pty Ltd (October 2019) and Cambria Green Agricultural and Tourism Management Pty Ltd.

COVID-19 had an impact on the conduct of Commission assessments. While some hearings were rescheduled due to the introduction of COVID-19 restrictions, hearings have continued to be held in public relying in many instances on telephone and video conferencing to join the parties.

A number of planning authorities have made amendments to their planning schemes to introduce mapping prepared by TasFire to more clearly interpret the application of the Bushfire-prone Areas Code. It is the intention of TasFire that bushfire-prone areas will be mapped in all planning schemes as soon as possible. During 2019-20, 15 planning authorities initiated amendments to include bushfire prone area mapping into their interim planning schemes. The Commission completed assessment of nine of these during 2019-20.

To provide clarity, during the year the Commission introduced a form for owners' consent following the Commission's consideration of a draft amendment, the subject of high public interest, in which the Commission determined that it did not have jurisdiction to consider the matter as owners' consent had not been provided. The Commission's determination is the subject of an appeal to the Supreme Court.

The Commission's amendment decisions can be accessed either in the Assessments and Review section at www.iplan.tas.gov.au or more information can be accessed on the [TPC Website](#).

Table 1. Draft amendment and combined permit and amendment assessment

	2017-18	2018-19	2019-20
Draft planning scheme amendment applications received			
Number received under section 35 of LUPAA	53	38	49
Number received following public exhibition under section 39 of LUPAA	42	31	47
Draft planning scheme amendment applications assessed (section 40 of LUPAA)			
Number approved without modification	17	16	15
Number approved with modifications	20	21	20
Number altered to a substantial degree	3	0	0
Number rejected	9	3	4
Other e.g. no jurisdiction to assess or withdraw	n/a	1	3
Total number assessed	49	40	42
Median number of assessment days	n/a	86	92
Combined permit applications assessed (section 43A of LUPAA)			
Number confirmed without modification	0	2	2
Number approved with modifications	17	8	9
Number refused	4	0	2
Other e.g. no jurisdiction to assess or withdraw	n/a	2	2
Total number	21	10	15

n/a = data not available

In addition to section 40 and 43A amendments, the Commission also considered nine urgent amendment requests under section 30IA of LUPAA during 2019-20. (see Table 2).

The urgent amendment process was a key mechanism for responding to matters raised in representations to interim planning schemes, as these were not publicly exhibited until after becoming effective.

A substantial period of time has now elapsed since the introduction of interim planning schemes and interim planning schemes are now well established. To modify or alter provisions on an 'urgent' basis may not be in the public interest, particularly when other processes are available to consider amendments. Following consideration of public interest a number of applications for urgent amendments were rejected in 2019-20.

Table 2. Urgent amendments to interim planning schemes

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

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

n/a = data not available

3.2 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 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 at 1 July 2019, 12 planning authorities had lodged their draft LPS with the Commission for assessment. During 2019-20, an additional 15 draft LPSs were received by the Commission, bringing the total to 27.

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 and the planning authority provides a response. 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.

During 2019-20, the first, LPS was approved, the Burnie LPS.

Six draft LPSs were placed on public exhibition: Burnie draft LPS, Central Coast draft LPS, Circular Head draft LPS, Clarence draft LPS, Devonport draft LPS, and Glamorgan Spring Bay draft LPS. In addition, the substantially modified part of the Meander Valley draft LPS was placed on public exhibition (second round of exhibition). Two draft LPSs (Circular Head and Devonport) had extended exhibition periods due to the COVID-19 outbreak in the north west of the state.

COVID-19 caused delays in placing a number of draft LPSs on exhibition. While the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020* was introduced to allow for alternative exhibition arrangements, there were some limitations in using this legislation due to the complexity of documentation for draft LPSs, and the need to afford procedural fairness.

Hearings were held into four draft LPSs: Meander Valley (continuation in November and December 2019); Brighton (November 2019), Central Coast (November 2019 and January 2020); and Burnie (March 2020).

The challenge continues to be to complete LPS assessments and approvals in a timely manner, particularly given COVID-19 delays in public exhibition.

Table 3. Local Provisions Schedules assessment statistics

Local Provisions Schedules (LPSs)	2018-19	2019-20
LPSs received	8	15
Post lodgement conferences (held before approval for exhibition)	6	10
Exhibition commenced	3	6
Planning Authority directed to substantially modify draft LPS	0	2
LPSs approved (section 35L)	0	1

3.3 Other Review and Advisory Tasks Performed

During 2019-20, the Commission provided advice to the Minister and the Department on draft legislation and other planning matters.

3.4 Draft Amendment 01-2018 of the State Planning Provisions (SPPs)

In October 2018 and March 2019, the Minister sought advice from the Commission on draft amendment 01-2018. The draft amendments included a number of minor revisions to the SPPs to correct errors, clarify the operation of the provisions, and remove inconsistencies, and also aligned the SPPs with *Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes*.

The Minister, after receiving advice from the Commission, declared under LUPAA that public exhibition was not required.

The Commission finalised its assessment of the draft amendment against the SPP criteria and reported to the Minister on 8 January 2020. The amendment came into effect on 19 February 2020 as part of the TPS.

3.5 Draft Planning Directive No. 7 - Permits for Temporary Housing

The Minister referred draft Planning Directive No. 7 on 2 September 2019 for assessment. The Commission publicly exhibited the draft Planning Directive and received 11 representations from State agencies, planning authorities and housing support providers.

3.6 Housing Land Supply Orders

During 2019-20 the Minister for Housing issued Housing Land Supply Orders under the *Housing Land Supply Act 2018* for Newnham and Huntingfield. The Commission has no review role in the process, however, must make the required amendments to planning schemes.

Similarly, the Commission made amendments to the Sullivans Cove Planning Scheme 1997 to reflect amendments approved by the Minister for State Growth under the *Macquarie Point Development Corporation Act 2012*.

There were no 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 2018/19.

3.7 Assessment and Review Resources and Systems

The task of assessing draft LPSs has required additional planning advisers, senior planning consultants and administrative staff. A fixed term employment register established during the year has provided the Commission with interested applicants to fill vacancies of planning advisers and senior planning consultants. The Commission currently has two senior planning consultants and two planning advisers employed from the register.

A Business Improvement Strategy (BIS) prepared in early 2019 identified opportunities to improve effectiveness and find efficiencies for draft LPSs. Further business improvements have been initiated in this financial year to streamline planning scheme amendment assessments and administration of the Commission.

The Commission website is currently under review and a more contemporary website is being developed and will include Assessment and Hearing information that is currently available on iplan. Work commenced on documenting requirements for planning schemes to be available on the PlanBuild website expected in 2021.

3.8 State of the Environment (SOE) Reporting

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

Over recent years the Commission has conducted internal reviews on meeting the SOE requirement, identifying a need for a policy review of the SOE legislation. During the current financial year, it formally recommended that such a review be undertaken.

A review of the Commission was initiated during the year which included consideration of the SOE function. The terms of reference of the review included consideration of *'The structure of the Commission and its functions and powers under the Act to ensure that Its functions are not undermined by the demands of historically designated roles under other legislation that might be better reallocated to another agency or body, in particular the State of Environment Reporting function'*.

Further information on the Commission Review, including the Terms of Reference, can be found in the Department of Justice Annual Report.

4. COVID-19

Commission staff progressively moved to work from home from the 30 March. By 3 April only skeleton staff remained in the office on a rotational basis. A Business Continuity Plan was developed and Senior Managers met weekly to assess requirements to manage matters arising from the pandemic. Hearings were moved to video/audio conferencing, with parties attending via conference phone or Skype for business. Staff and Managers constantly reviewed procedures to change usual working practices to accommodate the online challenges to ensure hearings could continue. This included close management of published information and internal work procedures.

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 is, as follows:

Legislative Instrument	Commission Functions
<i>Housing Land Supply Act 2018</i>	<p>Amend the relevant planning scheme to be in accordance with the housing order or revocation.</p> <p>Make any minor errors or anomalies when finalising the amendment to the planning scheme.</p>
<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>	<p>Reviewing representations, and the report of the Director of National Parks and Wildlife, relating to draft reserve management plans.</p>
<i>Public Land (Administration and Forests) Act 1991</i>	<p>Inquiring into public land use.</p>
<i>State Policies and Projects Act 1993</i>	<p>Assessing:</p> <ul style="list-style-type: none"> • projects of State significance • draft State Policies

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. Make any minor errors or anomalies when finalising the amendment to the planning scheme.
	Preparing: <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