

Our ref:

Wednesday, 21 June 2023

Tasmanian Planning Commission

By email: tpc@planning.tas.gov.au

Dear Sir or Madam

Representation - Draft Tasmanian Planning Policies

This representation is made by the Northern Tasmanian Council's Chief Executive Officers (CEOs) and General Managers.

As a group of Local Government CEOs and General Managers, we recognise the importance of the Tasmanian Planning Policies (TPPs) in their potential to set a framework for strategic planning and directions on matters of community interest, across a broad range of complex and emerging planning issues.

As such, we are cognisant of the necessity to establish the TPPs in a manner that ensures the current and future work of Tasmanian Councils in preparing and amending the Regional Land Use Strategy (RLUS), and Local Provisions Schedules (LPSS) to enable to delivery of positive and appropriate planning outcomes for our communities.

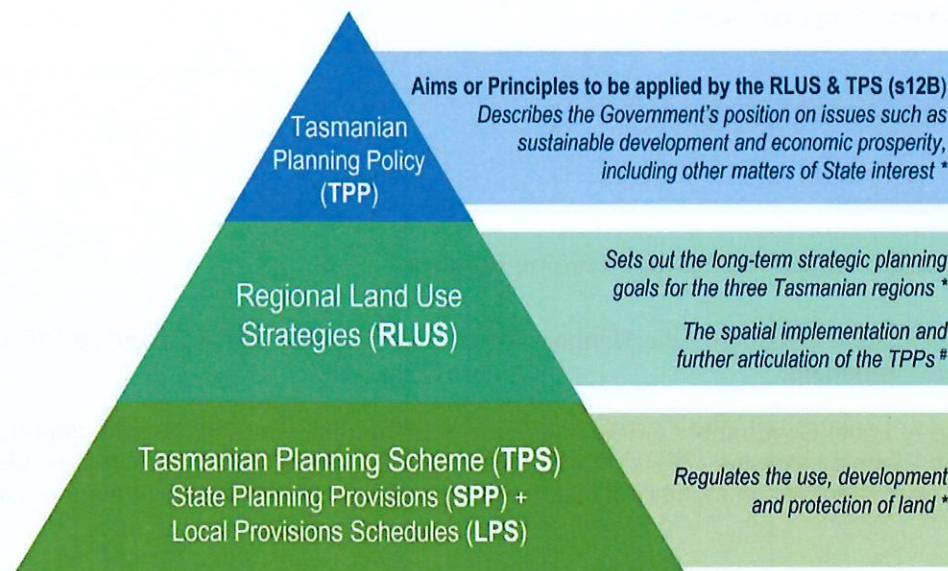
On this basis, we are seeking revision of the TPPs to ensure they are useable, practical and reasonable, particularly through:

Consistent with the objectives of the Act to:

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| <ul style="list-style-type: none">• Restructuring the TPPs to provide state level policy that enables strategic planning to deliver regionally and locally appropriate, evidence-based planning instruments. | → | <i>promote the sharing of responsibility for planning</i> |
| | → | <i>require sound strategic planning and coordinated action by State and local governments</i> |
| | → | <i>provide a planning framework that fully considers land capability</i> |
| <ul style="list-style-type: none">• Amending the settlement policies to ensure all communities are afforded the opportunity to demonstrate sustainability through growth. | → | <i>promote sustainable development</i> |
| | → | <i>Encourage public involvement in planning</i> |
| | → | <i>facilitate economic development</i> |
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Restructuring the TPPs

The TPPs are the highest level of planning instrument established under the *Land Use Planning and Approvals Act 1993* (the Act) and are required to detail the aims or principles that are to be applied by the RLUS and the Tasmanian Planning Scheme (TPS).



* from the [Planning Reform website](#)

[Regional Planning Framework Discussion Paper](#)

At the state level in the planning policy hierarchy, the principles or aims should express the State's interests in planning – the highest-level outcomes - not the prescription of those outcomes at the regional or local level, in effect becoming a regulatory document. TPPs and any guidance document should have a clear line of sight as to how the TPPs may manifest in the local planning policy.

Our view is that the TPPs, as currently drafted, do not provide sufficient and appropriate scope for local strategic planning and the detailed input required to make good planning decisions about land use and settlement patterns that will enable our region and communities to thrive and deliver sustainable development.

It would be more constructive to elevate the TPPs to be high level principles or aims and include the detailed prescription that is currently in many of the strategies, in a guidance document. This approach would be consistent with the statutory construction of section 12 and the remainder of the Act, in consideration of the operation of the implementation tools. This model is used to good effect in Queensland where the State Planning Policy provides a robust framework of the State's interests in planning supported by detailed guidelines to assist local government to respond to those policies in their local planning instruments.

We believe that any concerns in relation to the loss of prescriptive elements and resultant effect in lower order planning instruments, can be strengthened through an articulate guidance document. This fulfils the role of the TPPs and importantly doesn't unintentionally impede the outcomes of robust, local strategic planning, community engagement and consultation guided by the principles of sustainable development.

We recommend that:

- The TPPs be restructured with high level principles and aims reflecting the State's interests in planning; and
- The details about potential strategies or suggested strategic planning methodologies to reflect and implement the principles and aims in the RLUS and TPS be included in supporting guidelines.

Further to our recommendations, for transparency and consistent application, it is critical that the TPPs establish clear direction as to how the Minister, a planning authority or the Tasmanian Planning Commission will be satisfied that a planning instrument is consistent with, or satisfies, the TPPs.

We therefore recommend that the General Application section be revised to clearly state:

- 1 The objectives express the aims or principles that are to be achieved or applied by the TPS and RLUS;
- 2 The RLUS or TPS is consistent with the TPPs if it is consistent with the relevant objectives;
- 3 The strategies (preferably contained in a guidance document) set out ways the objectives can be achieved and that alternative approaches can meet the objectives. The operation of the General Application section needs to properly structure the role of the strategies in consideration of 'compliance with each direction as to the manner of implementation' stipulated by section 34(2A) of the Act;
- 4 That managing competing or conflicting objectives is to be undertaken in a way that is strategic, practical and delivers good planning outcomes; and
- 5 If the relevant RLUS is consistent with the TPPs, and the proposed LPS amendment is consistent with the RLUS, then the LPS amendment is consistent with the TPPs. The TPP's can mandate statements of recognition that a TPP is implemented through RLUS's, SPP's or LPS's (as per the QLD example), alleviating any potential for future confusion about whether the subordinate instrument is compliant or not.

The above recommendations will ensure there is capacity for all three levels of planning instruments to meet the objectives of the Act and provide a practical way for the three levels of policy to work together without unnecessary impediment and wasted resources to develop sustainable, liveable communities.

Settlement policies

The '*Refreshing Tasmania's Population Strategy Consultation Paper*'¹ presents the following benefits and challenges of population growth.

BENEFITS	CHALLENGES
<ul style="list-style-type: none"> • Improved living standards • Vibrant cities and regions • Stimulates employment • Stronger economic growth • Likely improved productivity • Sparks innovation and productivity • Increased investment in job creation • Sustains a broader range of industries • Increased labour workforce participation • Increases in skilled, prime working age people • Improves the viability of services for community members • Social contribution of migrants, bringing new ideas, perspectives and relationships • Increased tax base to invest in government services such as health, education & social housing • Increase in GST funding from the Australian Government due to calculation based on population size 	<ul style="list-style-type: none"> • Congestion • Social cohesion • Housing supply and diversity • Increasing pressures on government services • Maintaining Tasmania's low emissions profile with a growing population • Uneven growth and decline in different areas causing some services to be unsustainable <div data-bbox="855 1675 1233 1906"> <p>Reference</p> <p>Table 1 - Benefits and Challenges of Population Growth</p> <p><i>'Refreshing Tasmania's Population Strategy Consultation Paper</i> (pg.4).</p> <p>State of Tasmania, January 2023</p> <p>www.stategrowth.tas.gov.au</p> </div>

¹ Tasmanian Government (2023) *Refreshing Tasmania's Population Strategy – Consultation Paper January 2023*
https://www.stategrowth.tas.gov.au/policies_and_strategies/populationstrategy/consultation_paper

The Regional Australia Institute (RAI) is calling for greater regionalisation releasing its '*Regionalisation Ambition 2023 – A Framework to Rebalance the Nation*' (2022) which states that for balanced population, growth that does not only focus only on metropolitan growth, but seeks a balanced approach to population growth, will lead to a more prosperous, inclusive Australia.

Further, the RAI in its report *Building the Good Life – Foundations of Regional Housing 2022*, concluded...

"Failure to recognise the distinct regional housing markets in Australia and respond accordingly will see the current pressures continue to escalate, resulting in current residents being priced out of the market in some clusters, regional economic growth constrained, a further tightening of the rental market, and the most vulnerable in our community bearing the brunt of the housing challenge."

All parts of Tasmania should be given the opportunity to demonstrate sustainability through sustainable development and population growth. This is a premise underpinned by the objectives of the Act.

We are deeply concerned that the TPPs do not provide a sustainability approach to planning for appropriate and required growth across Northern Tasmania.

Infill development in Northern Tasmanian settlements should continue to be an important mechanism to provide for growth, noting the diverse housing and services required to support the communities and economies within settlements and rural areas. It cannot however be the driver of settlement policy more broadly, as it will not likely be achievable in meeting housing demand in the short to medium term and combinations of infill and greenfield development will need to be considered. The TPPs as drafted are pre-judging the solutions for our region as there are a range of factors that require consideration to ensure our Northern Tasmania network of settlements is sustainable.

This strategic settlement planning should be informed by evidence at the regional and local scale. The TPPs should be drafted to allow this planning to be undertaken without a pre-conceived outcome at the State level.

Councils are expected to take a lead role in reviewing the Northern Tasmania RLUS. Our understanding, based on the explanatory documentation provided, is that the RLUS will provide the spatial application of the TPPs.

Based on our interpretation of the exhibited TPPs, the strategies will prejudice our ability to provide regional, evidence-based solutions to deliver sustainable communities, as the RLUS will need to provide:

- A defined settlement hierarchy that prioritises higher order settlements over middle to lower order settlements.

Making these policy decisions in the TPPs means we will lose the opportunity to undertake the evidence-based, strategic planning that delivers sustainability, well-being and economic prosperity across the region. This is best undertaken at a regional level rather than being directed in the TPPs towards a specific outcome.

- Spatially distributed growth in the first instance through a clear and defined urban growth boundary.

This will require considerable funding and resources to understand the capacity of infrastructure (which is not readily available) and the suitability and capacity of land to accommodate allocated growth in all of our towns and cities. This is not feasible, justified or warranted at a regional scale, however, to meet the TPP strategies this would be required. This would come at a considerable cost and lengthy timeframe and does not allow the region the flexibility required to respond to change in a timely manner. This opens a question in regard to LPS amendments in the interim...are rezonings unable to be approved until the RLUS is reviewed, due to the mandatory nature and statutory status of the TPP strategies?

- A degree of detail that is not practical or reasonable in order to meet the TPP strategies, at the regional level.

A review of the strategies to consider what would be required to be included in the RLUS to be consistent with the future TPPs, needs to be considered. This raises key questions as to whether the resources required to do this, not just by local government, but state government and infrastructure providers, will lead to better outcomes, or simply extended timeframes, redundant consultation and added uncertainty, all of which result in additional costs. These costs will be borne by government, community and the private sector for an unknown return on investment. A proper appreciation of the resourcing required to meet the TPP's, and the implications for economic development in the interim period, is critical.

This approach does not allow the best planning policy to emerge through providing the opportunity for regional and local strategic planning to demonstrate how sustainable development in Northern Tasmania can be delivered.

Our key concerns are that:

- The draft TPPs are not supported by sufficient evidence to have formed the strategies that direct how settlements should be planned;
- There is a lack of recognition of the contribution regional Tasmania makes by limiting growth in middle and lower tier towns. These regional towns play an important role in the visitor economy, growing entrepreneurship opportunities often associated with the visitor economy and in housing employees of the growing primary industries sector;
- There will be severe limitations on housing choice and lifestyle choice;
- Opportunities for accessible, affordable and climate adaptive housing will reduce; and
- Our local industries, businesses and schools will suffer because growth in our towns will become too difficult or expensive (potentially impossible for a number of towns) to be feasible for private investors and the future workforce.

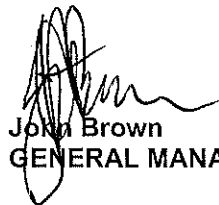
The TPPs approach to settlement needs to be elevated to allow for the regional and local planning to be undertaken to resolve higher order planning principles. High level principles are required that establish a reasonable framework to deliver sustainable growth that is appropriate for our diverse regional communities and will allow us to further the objectives of the Act across Northern Tasmania and the state of Tasmania. These principles need to ensure:

- sustainable growth will be supported and enabled, including in locations outside the higher-order settlements;
- specific recognition of the ability to plan for the future needs of all of the region's communities, including rural and remote communities;
- support for diverse settlement responses and housing options, including infill and rural residential development;
- flexibility to respond to changing population demographics and demand, including resident, weekender, worker and visitor population sectors; and
- acknowledgement that the community vision is a critical input to determining the form and location of future growth, which is specifically recognised in the definition of 'sustainable development' in the Act.

Our commitment to plan for the sustainability of all our communities within Northern Tasmania, and recommendations for how changes to the TPPs can assist in delivering that commitment, will further advance the objectives of the Act and enable a strong vision for Tasmania's future.

Further, we request that public hearings into the representations be held and we recommend that the Commission work with the Local Government sector to understand any matters of a technical nature in relation to the application of the TPPs to the TPS or the RLUS and the merits of the policies.

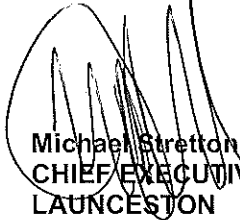
Yours faithfully



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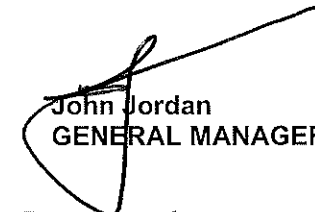
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