TASMANIAN PLANNING COMMISSION

Draft Tasmanian Planning Policies Report

A report by the Tasmanian Planning Commission
as required under section 12F of the
Land Use Planning and Approvals Act 1993

June 2024

Draft Tasmanian Planning Policies Report

Prepared and published by:

Tasmanian Planning Commission
GPO Box 1691
Hobart Tasmania 7001

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

internet address: www.planning.tas.gov.au

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Executive Summary

The Tasmanian Government is seeking to establish Tasmanian Planning Policies (TPPs) as a comprehensive, high-level policy framework for the planning system.

The TPPs will inform strategic land use planning and the planning rules in the Tasmanian Planning Scheme (TPS) and guide the comprehensive review of the three regional land use strategies (RLUSs).

On 14 March 2023, the Minister for Planning gave notice to the Commission to the draft Tasmanian Planning Policies (TPPs) and directed the Commission undertake public exhibition of the draft TPPs under sections 12C and 12D of the *Land Use Planning and Approvals Act 1993* (the Act).

The TPPs are a planning instrument made under Part 2A of the Act. The purposes of the planning policies are to set out the aims or principles to be achieved or applied by the regional land use strategies (RLUSs) and the Tasmanian Planning Scheme (TPS), comprising the State Planning Provisions (SPPs) and Local Provision Schedules (LPSs).

The Act also requires consideration of the TPPs during the declaration and assessment of major projects under Part 4 Division 2A of the Act and the TPPs also to apply to a housing land supply order under the *Housing Land Supply Act 2018*.

The Commission exhibited the draft TPPs for a 60 day period between 28 March 2023 and 26 June 2023, during which representations were invited. During that period, 60 representations were received.

The Commission then held 15 days of public hearings in Burnie, Launceston and Hobart on dates between October 2023 and February 2024 to assist its consideration of the draft TPPs.

The Commission must report to the Minister recommending whether the TPPs meet the TPP criteria under section 12B(4) of the Act.

The Commission concludes in Part 6.0 of this report that having assessed the draft TPPs against whether they further the objectives set out in Schedule 1 of the Act and are consistent with the relevant State Policies, the Commission is of the view that the draft TPPs meet the TPP criteria as required by section 12F(3)(b) of the Act.

The Commission has provided 77 recommendations (including at least 69 specific changes to the draft TPPs) to address various matters of a technical nature which are relevant to and would facilitate their application within the TPS and RLUSs (see Part 7.0 Recommendations of this report).

It is the Commission's view that adoption of the recommended changes would ensure that the draft TPPs will further the objectives set out in Schedule 1 of the Act and be consistent with the State Policies, as outlined within Part 4.0 of this report.

The Commission also recommends that the Minister make this report publicly available.



John Ramsay
Chair

Glossary

FPA	Forest Practices Authority
GA	General Application section of the draft TPPs
LIST	Land Information System Tasmania
LPS	Local Provisions Schedules
the Act	*Land Use Planning and Approvals Act 1993*
NEPMs	National Environmental Protection Measures
NRM	Natural Resource Management
PAs	Planning Authorities
PAL	State Policy on the Protection of Agricultural Land 2009
PESRAC	Premier's Economic and Social Recovery Advisory Council
RLUS	Regional Land Use Strategy
RMPS	Resource Management and Planning System
SCP	*State Coastal Policy 1996*
SoE	State of Environment
SPO	State Planning Office
SPPs	State Planning Provisions
SPWQM	*State Policy on Water Quality Management 1997*
TPC	Tasmanian Planning Commission
TPPs	Tasmanian Planning Policies
TPS	Tasmanian Planning Scheme
UGB	Urban Growth Boundary
WSUD	Water Sensitive Urban Design

1.0 Introduction

1.1 Background

The Tasmanian Government is seeking to establish Tasmanian Planning Policies (TPPs) as a comprehensive, high-level policy framework for the planning system.

The TPPs will inform strategic land use planning and the planning rules in the Tasmanian Planning Scheme (TPS) and guide the comprehensive review of the three regional land use strategies (RLUSs).

The Department of Premier and Cabinet's State Planning Office (SPO) has prepared the draft TPPs.

Under section 12B of the *Land Use Planning and Approvals Act 1993* (the Act), the contents and purposes of the TPPs are:

> (1) The purposes of the TPPs are to set out the aims, or principles, that are to be achieved or applied by –
>
> (a) the Tasmanian Planning Scheme; and
>
> (b) the regional land use strategies.
>
> (2) The TPPs may relate to the following:
>
> (a) the sustainable use, development, protection or conservation of land;
>
> (b) environmental protection;
>
> (c) liveability, health and wellbeing of the community;
>
> (d) any other matter that may be included in a planning scheme or a regional land use strategy.
>
> (3) The TPPs may specify the manner in which the TPPs are to be implemented into the SPPs, LPSs and regional land use strategies.
>
> (4) The TPPs must –
>
> (a) seek to further the objectives set out in Schedule 1; and
>
> (b) be consistent with any relevant State Policy.

1.2 Commission's Role

On 14 March 2023, the Minister for Planning gave notice to the Tasmanian Planning Commission (Commission) of the draft TPPs and directed the Commission to undertake public exhibition of the draft TPPs under the sections 12C and 12D of the Act.

The Commission exhibited the draft TPPs, as required under section 12D of the Act, from 28 March 2023 until 26 June 2023. Representations were invited during this period.

The terms of the Commission's consideration of the draft TPPs are set out under section 12F(1) of the Act which states that:

> The Commission, as soon as practicable, after the end of the exhibition period in relation to a draft of the SPPs –
>
> (a) must consider whether it is satisfied that the draft of the TPPs meets the TPP criteria; and

(b) is to consider whether there are any matters of a technical nature, or that may be relevant, in relation to the application of the TPPs to –

(i) the Tasmanian Planning Scheme; or

(ii) each regional land use strategy –

if the TPPs were made under section 12G(2) in the terms of the draft of the TPPs; and

(c) may, if it thinks fit, hold one or more hearings in relation to the representations received under section 12E.

1.3 This report

The Commission is required under section 12F of the Act to report to the Minister. Section 12F(3) of the Act states the report in relation to the draft of the TPPs is to contain:

(a) a summary of the issues raised in the representations in relation to the draft of the TPPs; and

(b) a statement as to whether the Commission is satisfied that the draft of the TPPs meets the TPP criteria; and

(c) a statement as to whether there are any matters of a technical nature, or that may be relevant, in relation to the application of the TPPs to –

(i) the Tasmanian Planning Scheme; or

(ii) each regional land use strategy –

if the TPPs were made under section 12G(2) in the terms of the draft of the TPPs.

The Commission is required, under section 12F(2) of the Act, to report on the draft TPPs within 90 days or a longer period if allowed by the Minister.

1.4 Minister's Role

Under the Act, the Minister makes the decision on whether or not to make the TPPs.

Under section 12G, the Minister after considering this report may do the following:

(1) The Minister may inform himself or herself, in the manner he or she thinks fit, in relation to a draft of the TPPs.

(2) The Minister may make, or refuse to make, the Tasmanian Planning Policies in the terms of the draft of the TPPs modified, if at all, as the Minister thinks fit.

(3) If the Minister intends to substantially modify the TPPs from the draft of the TPPs, the Minister must direct the Commission to comply with sections 12D and 12F in relation to the substantially modified TPPs as if the draft was a draft of the TPPs provided to the Commission under section 12C(3) .

(4) The Minister may only make, or refuse to make, the Tasmanian Planning Policies under subsection (2) after considering the report provided to him or her under section 12F(2) in relation to a draft of the TPPs or a substantially modified draft of the TPPs under subsection (3) .

(5) The Minister may not make the Tasmanian Planning Policies unless the Minister is satisfied, on advice from the Tasmanian Planning Commission, that they meet the TPP criteria…

2.0 Commission's consideration of the draft TPPs

The Commission notes that the preparation of the draft TPPs and the making of the TPPs is, as a matter of law, the responsibility of the Minister.

The Commission's role is to undertake an independent assessment of the draft TPPs and to provide advice to the Minister. The final decision on making the TPPs is for the Minister.

2.1 Delegation

The Commission has powers and functions under sections 12E(4), 12F(1) and 12F(3) of the Act to consider and report to the Minister on the draft TPPs. The Commission has issued a qualified delegation to a Panel of Delegates. This Panel consisted of the following:

- John Ramsay (Chair)
- Claire Hynes
- Max Kitchell
- Anthony Ferrier

The delegation required the Panel to undertake the hearing and assessment process and to prepare a report to the Commission.

2.2 Representations

During the 60 day exhibition period, 60 representations were received.

A copy of the representations are available under the relevant assessment[1] on the Commission's website.

A summary of representations and the Commission's further consideration of the matters raised by the representations is provided in this report in accordance with the requirements of section 12F(3) of the Act.

After considering the representations received, the Commission decided to hold hearings under section 12(1)(c) of the Act.

2.3 Hearings

Hearings were held in public in accordance with the Part 3 of the *Tasmanian Planning Commission Act 1997*.

10 additional submissions were received by representors during the hearing process and they consisted of a mix of new submissions, additional information and clarification of matters previously raised. They are available under the relevant assessment[2] on the Commission's website.

[1] https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/draft-tasmanian-planning-policies

[2] https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/draft-tasmanian-planning-policies

Officers from the SPO attended each hearing. The SPO provided background information to assist the Commission to better understand the policy intent and implications of implementing the draft TPPs.

Hearings were held on the following dates and a total of approximately 70 representors and observers attended (many at multiple sessions):

- 16-19 October 2023 – Burnie and Launceston
- 30-31 October 2023 – Hobart
- 2 November 2023 – Hobart
- 6-7 November 2023 – Hobart
- 9 November 2023 – Hobart
- 14 November 2023 – Hobart
- 18-19 December 2023 – Hobart
- 24 January 2024 – Hobart
- 8 February 2024 – Hobart (SPO)

Some representors attended several days of hearings due to the hearing schedule being based on issues, rather than individual representations.

The Commission appreciates the time and expense incurred by participants in the hearing process (and in preparing their detailed written submissions), particularly for individuals and community organisations.

3.0 Summary of Issues raised in Representations

The Act requires that the Commission's report in relation to the draft TPPs is to contain a summary of the issues raised in the representations (section 12F(3)(a)). The Act also states that representations must relate to the content or merits of the draft TPPs. Any representation or part that does not relate to the content or merits of the draft TPPs, is not to be taken as part of a representation by the Commission (section 12E(3)).

The Panel took the view that all representations were made in good faith as being relevant to the content or merits of the draft TPPs and none were excluded from its consideration.

The following Appendices are included in this report to outline the more detailed matters included within the representations:

- Appendix A - lists and allocates reference numbers to all the representors.
- Appendix B - lists all the main issues raised by the representors – as described both within their written submission and/or stated at a hearing. The format is based on the hearing topics and the draft TPP policy headings.
- Appendix C - outlines the suggested editorial changes to the draft TPPs as submitted by representors.
- Appendix D - copy of the draft TPPs, as exhibited.

The following subsections provide a summary of the issues that were of most concern to representors and which are most likely to have a significant bearing on any further consideration of the TPPs. This should be read in conjunction with Appendix A (for the representation number) and with Appendix B, as excerpts from that Appendix are included under each issue to show how all matters have been summarised.

It should also be noted that the Commission provides no specific commentary here on the merits or otherwise of the representations, as the Act only requires "a summary of the issues raised in the representations in relation to the draft of the TPPs" (section 12F(3)(a)).

There are 49 generic issues listed and they are placed under 14 broader headings that do not necessarily correspond to the main TPP themes.

3.1 Scope

3.1.1 The TPPs deal with matters that are outside of the planning system

Ten representators raised concerns that the draft TPPs dealt with matters that could not be delivered through the planning system. They submitted that the scope of the draft TPPs was too broad and could be regarded as being beyond the scope of section 12B of the Act. Their view was that the TPPs should only include matters that can be directly implemented by way of such mechanisms as the RLUSs and the TPS. Policies that could not do this should be deleted.

Two representors expressed a contrary view and submitted that the indirect influence or guidance of the TPPs on other government policy should not be underestimated. Although there was some criticism of the broad scope of the TPPs, it was also noted by some that this would match up with the similarly broad scope of matters that must be considered within the RLUSs, and which fall within the broad intent of the Schedule 1 Objectives of the Act.

Issue	Description	Representation number
Non-planning matters	Policies should not address matters that are outside of the planning system and beyond scope of section 12B of the Act.	31, 17, 4, 36, 57
Remove non-planning matters	The TPPs should only include matters that can be directly implemented by way of the planning system, primarily being the RLUSs and the TPS.	23, 31, 59
Restrict to planning matters	Only include matters that can be dealt with in the planning system, noting much is dealt with by other mechanisms or are outside planning system.	26, 27, 23, 45
Clarify non-planning matters	Clarify how non-planning matters will be dealt with – such as matters dealt with in other legislation (e.g. Building Act).	15
Influence beyond planning system	Although the TPPs are to be implemented through the planning system, their indirect influence or guidance of other government policy should not be underestimated.	54, 38
Consider a broad range of issues	A broad scope for the TPPs will better inform RLUSs and meet the broad intent of the RMPS objectives.	28

3.1.2 No overarching vision for the TPPs or a clear justification for proposed policies

There was considerable support expressed in fifteen representors for the role that the TPPs would have in filling a policy void within the RMPS and for the way that they could positively contribute to improved planning and decision making. However, there were four representators that raised concern that the TPPs did not provide a clear or cohesive policy framework to take forward into the planning system.

Two representators submitted that the broad scope of the policies results in a lack of clarity about the government's more specific views on the most critical issues (e.g. climate change, housing supply, biodiversity loss). Four representors suggested that one way of achieving this would be to show how the policies align with the UN Sustainable Development Goals.

Six representors stated that no evidence had been provided to justify the policy positions that had been taken, particularly when there was a high level of prescription adopted within the strategies. They submitted that knowing the background or origin of such policies would help in understanding the desired outcomes and assist in dealing with emerging issues.

Four representors identified the need for the TPPs to be more explicitly coordinated with other relevant government policy (e.g. PESRAC) and that this could help in verifying the planning requirements within the TPPs.

Issue	Description	Representation number
Broad scope of policies	The broad scope of the policies results in a lack of clarity about the government's more specific views on the most	31, 52

	critical issues (e.g. climate change, housing supply, biodiversity loss).	
Justifying the policies and strategies	No evidence is provided to support the aims or origin of the policies or the high level of prescription within strategies – this would help in understanding the desired outcomes and assist in dealing with emerging issues.	26, 27, 28, 45, 57, 54
No clear overall strategic framework	TPPs do not provide a clear or cohesive policy response or strategic framework to take forward into the planning system. This is also impeded by a need to comply with all policies.	52, 26, 27, 45
Policy coordination across government	A need to coordinate various government policy areas that deal with similar considerations and verify planning requirements (e.g. PESCRAC) to eliminate any confusion.	54, 15, 17, 57
Alignment with UN Sustainable Development Goals	The TPPs should be aligned with the UNSDGs to indicate the international context and other policy reports, such as PESRAC.	15, 53, 17, 30
Filling policy void	Support given to the role that the TPPs play in filling the policy void in the planning system, and in a manner that is both ambitious and reflects contemporary best practice.	32, 41, 42, 58, 57, 59, 38
General support for the TPPs	General support for the TPPs and their role in contributing to improved planning and decision making.	50, 49, 37, 1, 7, 40, 4, 59, 60

3.1.3 Need to acknowledge limitations of TPPs and application within planning system

There were a number of specific limitations of the TPPs highlighted by some representors with regard to their application within the planning system. For example, existing land use and development remains largely unaffected, and the system only responds to proposed changes or new development proposals. This often means that there are many instances where land is zoned for a purpose that is contrary to the existing land use.

It was suggested that future reviews of the TPPs will need to align with the periodic reviews of RLUSs and SPPs, involving feedback loops, with each of the reviews informing each other. The planning system will need to evolve to adequately reflect future changes in society, the economy and environmental conditions.

Representors also submitted that the TPPs will need to accommodate a level of flexibility that can deal with unexpected proposals and opportunities that provide acceptable economic benefits. In that regard, there were three representors that highlighted the fact that continuous growth (as apparently assumed within the TPPs) is ultimately unsustainable and alternative paradigms should be considered.

Issue	**Description**	**Representation number**
Planning system limitations	Acknowledge limitations of planning system – responds reactively to proposed changes of use and development.	29

Planning system to accommodate change	The planning system will need to evolve to accommodate changes in society (e.g. population change) and environment (e.g. climate change).	29
Zoning and land use inconsistencies	There is a need to acknowledge the many inconsistencies between the way land is zoned and the existing land use.	22
Focus on new development	Objectives and strategies primarily address issues relating to new development rather than matters of concern within existing developed areas.	52
Managing change sustainably	While population and economic growth will occur this needs to be balanced with appropriate safeguards that ensure changes are sustainable.	53
TPPs to reflect reality as to what they can influence	Limitations of the TPPs should be stated. They need to be drafted in a manner that appreciates economic reality – concern that the bar is set too high, and strategies will not be "agile" enough to deal with unexpected proposals.	54
Unsustainable growth	Continuous growth is ultimately unsustainable and alternative paradigms should be considered.	5, 12, 35

3.2 Structure and Language

3.2.1 The TPPs are too complex and the overall structure is unclear

There were 16 representors that raised a general concern that the TPPs were overly complex and that, as a result the structure or the way they functioned was not clear. This is expanded on within the next few issues, but it was submitted that the overall complexity was largely due to the somewhat vague procedures described within the General Application section of the draft TPPs (GA) and the level of detail included within the strategies. It was recommended that the TPPs be a more concise instrument and reference was made to mainland examples where this had been achieved.

Issue	**Description**	**Representation number**
Too complex	Too many strategies and too much detail within the TPPs (better located within RLUSs). A higher-level perspective is required. Excessive detail reduces clarity and limits effective implementation. Policies should be more concise (reference was made to mainland examples e.g. QLD). Overall structure of TPPs is unnecessarily complicated.	53, 47, 52, 31, 4, 17, 31, 51, 56, 62, 59, 26, 27, 45, 60
Add another layer of complexity	The TPPs add another layer of complexity within the planning system.	58

3.2.2 Strategies are too prescriptive

Following on from the above issue, thirteen representors expressed specific concern that the strategies within the draft TPPs are too prescriptive. It was suggested that a higher-level perspective is required. Some representors submitted that they could be expressed more like principles or high-level policy directions (see next few issues) with the more prescriptive strategies being dealt with by the RLUSs.

Representors described the potential problems created by having too many detailed and prescriptive strategies. This included:

- difficulties when assessing such matters as planning scheme amendments (see 3.3 below);
- there being insufficient flexibility to allow for change (e.g. unexpected circumstances or unique investment opportunities);
- impeding local planning and the capacity to meet local aspirations;
- straying into matters that are unrelated to the planning system;
- duplication occurring across strategies;
- them being better located within the RLUSs; and
- creating a more complex TPP review process when this is required.

Eight representors also noted that interpreting the strategies may also present some problems. While some are quite prescriptive (written as actions), others are somewhat vague in their intent (written as objectives) and the latter might be more difficult to interpret/Implement. It was considered important that the strategies are pitched at an appropriate level and not be "differently configured". Where possible there should be a consolidation of strategies to avoid any unnecessary overlap or duplication.

Issue	**Description**	**Representation number**
Strategies are too prescriptive	Strategies are too prescriptive and don't allow sufficient flexibility to allow for unique investment opportunities, for diversity or for sudden changes. They are pitched at too low a level, and this may discourage their regular review.	36, 31, 26, 27, 4, 51, 54, 15, 45, 59, 60, 11, 48
Interpreting the strategies	Some strategies are quite vague in their intent and would be difficult to interpret/implement, some are written as actions and others as objectives. Will need a common understanding of intent during assessments (PAs and TPC) as the focus will be on how they are precisely written.	42, 26, 27, 45, 29, 11, 60, 4
Duplication across strategies	Similar concepts are repeated in strategies both within and across policy areas. This results in inconsistencies as they are "differently configured". Some overlap across different themes is unavoidable but should be limited and not within themes – consolidate strategies where possible.	28, 19, 4, 23, 54, 60, 17
Local planning impeded	The overly prescriptive nature of the strategies will impede opportunities for local planning. They are not sufficiently flexible for local aspirations to be met.	26, 27, 51, 52, 45, 57, 11

Too prescriptive	Infrastructure strategies are too prescriptive, and many stray into areas that are outside of the planning system (e.g. roads, passenger transport, electricity). Note that LPS amendments must demonstrate compliance with all strategies.	26, 27, 57, 45

3.2.3 Stronger and more absolute language is needed

Many representors called for the language in the strategies to be stronger and "more absolute". There was a desire for a greater level of commitment to be expressed in the way that strategies would be delivered, with less flexibility to opt-out, which then compromises the intent of the policy. This particularly related to the protection of environmental and heritage values.

Eighteen representors stated that the general tone needs to be more affirmative so that there is less scope for different interpretations. Avoiding vague words (like "may" or "discourage") and double negatives were recommended. Some preferred that the strategies be redrafted in a positive or active manner that indicates an approval pathway, rather than a refusal.

The draft TPP strategies often refer to "substantial", "significant" etc. but concerns were expressed that there was little understanding as to what these terms mean within the context of how they are used. Such terms could be interpreted quite differently. There were some concerns about the effect of such words as "prioritise" and "avoid", with some indicating that it would effectively result in a prohibition of any options that could be regarded as being of a lower priority (e.g. strategy 1.1.3 (4)).

Representors also provided various suggestions about existing definitions within the draft TPPs and about other terms that were used that should be included within the Glossary. These are included at the end of Appendix C. In each case, it was submitted that the terms were used without a clear enough meaning or definition and were too open to different interpretations.

Four representors questioned the frequent reference to "values". The TPPs assume a common understanding of values (e.g. landscape, environmental) and yet they are subjective and often competing. It was also suggested that criteria or benchmarks be identified within guidelines (e.g. natural capital accounting) to help define these values.

Issue	**Description**	**Representation number**
Language	General tone needs to be more affirmative so that there is less scope for different interpretations. Avoid vague words (like "may" or "discourage") and double negatives – plus write the strategies in a positive or active manner – indicate an approval pathway, rather than a refusal.	50, 28, 3, 42, 4, 31, 15, 30, 17, 26, 27, 13, 45, 58, 60, 62, 38, 59
Definitions	Definitions need to be credibly sourced and to explain all terms that may be interpreted differently.	58, 17
Strengthen language	Current language ('promote', 'consider') and opt-out clauses reflect a lack of commitment to biodiversity issues. For example, the language is not as strong as for industry, implying a lower priority for environmental values.	39, 33, 62, 28, 4

Compliance with objective	Review precise wording strategies to ensure clear compliance with objectives. Remove opt-out options that compromise the policy intent.	53, 28, 4
Defining 'values'	Policies assume a common understanding of values (e.g. landscape, environmental) and yet they are subjective and often competing. The TPPs or guidelines should identify criteria or benchmarks to help define these values. NRM suggests natural capital accounting to quantify values.	32, 41, 42, 28

3.2.4 Objectives and Strategies used rather than Aims and Principles

Twelve representors identified the need for language used within the TPPs to be consistent with that used in the Act. This particularly related to the reference to "aims or principles" within section 12B(1) of the Act, and for some, was part of a broader concern that the draft TPPs do not meet the Schedule 1 Objectives of the Act.

It was suggested that the TPP objectives should be rewritten as aims and the strategies should be rewritten as principles. Each policy would then have a succinct "aim" that clearly states the intent (or the problem it is seeking to address) and a set of "principles" that describe the desired outcomes or performance measures to be applied as relevant. It was also noted that there are advantages in redrafting the existing TPP strategies as policy statements as this differentiates them from the RLUS strategies.

Issue	**Description**	**Representation number**
Reframe strategies as principles	Strategies could be expressed differently so that they are like principles that describe performance measures or desired outcomes and can be applied where relevant.	26, 27, 45, 31
High level aims needed for each policy area	Each policy should include a succinct "aim" that clearly states its intent or the problem it is seeking to address – a need for high level "problem statements".	31
Consistency with the Act	The policies do not meet Schedule 1 Objectives. Indicate the link to RMPS objectives and be consistent with the Act terminology, such as referring to aims and principles as in the Act with a focus on achieving desired outcomes.	47, 58, 31, 17, 4, 52, 30, 57, 11
Differentiate with RLUSs	The existing strategies within the TPPs should be redrafted as policy statements so they are different to the "strategies" in the RLUSs.	4
Guiding principles	Guiding principles should be efficient, integrated, effective (outcome focused), accountable and positive.	59

3.2.5 It is unclear how priorities are determined between competing policies

Nine representors raised concerned about the directions within the GA that there be "no order or hierarchy associated with the application of the TPPs" and that they should not "be read in isolation

from another" and that the TPPs "must be considered in their entirety to determine those strategies that are relevant to the particular matter". Criteria is provided within the draft TPPs as to how to determine the relevance of strategies, such as the nature of the matter being considered, the purpose of the instrument, each Policy Application statement, scale (regional, local or site-specific) and the social, environmental and economic characteristics of the affected area.

However, representors submitted that this provided little guidance for when policies might be competing and that it would be a very onerous exercise to have to review the relevance of all the strategies for a planning scheme amendment (see section 3.4 below).

One representor suggested that there should be three identified high level issues which could be prioritised over and above other matters, and it was recommended that these were climate change, biodiversity (preventing ecosystem collapse) and housing.

It was submitted that the approach described in the GA gives little guidance on any hierarchy that might apply. It was suggested that clarification should be provided that the strategies are not individually mandatory but are considered together and there may also be other ways of achieving the objective.

Issue	Description	Representation number
Competing policies	It is not clear how the requirements of policies that are advocating different courses of action will be resolved. The proposed approach gives little guidance on any hierarchy that might apply. There should be some underlying priorities (such as for climate change, housing and biodiversity) to enable a filtering process.	36, 58, 52, 26, 27, 15, 45, 31
Clarify mandatory nature of strategies	Clarify (in GA section) that strategies are ways to meet the objective but are not individually mandatory, allowing flexibility for other ways to achieve the objective.	26, 27, 45
General Application principles are contradictory	General Application principles and processes lack clarity, appear to be contradictory and are contrary to TPP criteria. There are no precedents for their implementation and there is less flexibility than is inferred.	52, 26, 27, 45

3.3 Statutory Requirements

3.3.1 Compliance with Section 12B of the Act

Nine representors stated that the draft TPPs would not comply with the requirements of section 12B of the Act. A few of these representations provided further detail with comments listed against each of the objectives within Schedule 1 of the Act, for example outlining why they thought that the draft TPPs would or would not meet the individual RMPS objectives.

Another related concern was that the draft TPPs did not provide a direct link to the other planning instruments (under section 12B(3)), for example indicating which strategies are more strategic (RLUSs) and which ones are more regulatory (SPPs) when considering their implementation.

Three representors submitted that the General Application instructions were contrary to the statutory requirements (section 34(2A)) for a literal application of all policies. Two representors also

expressed concern that some policies are contrary to "sustainable development", as defined in Schedule 1 of the Act.

Issue	Description	Representation number
Consistency with the Act	The policies do not meet Schedule 1 Objectives. Indicate the link to RMPS objectives and be consistent with the Act terminology, such as referring to aims and principles as in the Act with a focus on achieving desired outcomes.	47, 58, 31, 17, 4, 52, 30, 57, 11
General Application contrary to Act	General Application instructions for flexibility are contrary to statutory requirements (S34(2A)) for a literal application of all policies.	26, 27, 45
Defining "sustainable development"	Sustainable growth is not possible in a closed system. The term "sustainable economic development" is problematic, and policies are contrary to "sustainable development" in the Schedule 1 Objectives.	31, 57

3.3.2 Relationship of proposed TPPs with State Policies

Representors raised concerns about how the existing State Policies should (or should not) be dealt with within the TPPs. Nine representors expressed concern that the relationship between the TPPs and the State Policies was not clear. Part 4.2 in this report deals with whether the draft TPPs comply with these current State Policies (as required under section 12B(4)(b)).

The draft TPPs incorporate the relevant requirements of the State Policies within the objectives and strategies and, in so doing, aim to ensure that they are consistent with these State Policies. Six representors submitted that this 'duplication' of requirements and subsequent assessment processes was unnecessary and over-complicates the TPPs. The affected policies should therefore be removed as they provide no added value.

Two representors submitted that for the TPPs to be a standalone instrument, the existing approach was appropriate. Two other representators submitted that an expanded suite of State Policies would be preferable to the TPPs as they would have broader application beyond the planning system.

Issue	Description	Representation number
Consistency with State Policies	Policies must be consistent with and fully address the relevant matters within State Policies.	30, 33
State Policies preferred over TPPs	Expanded suite of State Policies is preferred over TPPs as they have broader application beyond planning system.	58, 62
Avoid duplication with State Policies	All policies that duplicate assessment processes under existing State Policies should be removed as they provide no added value. Clarify relationship with State Policies.	52, 13, 31, 17, 4, 57

Coastal protection	It is not clear how the coastal policy/strategies will operate relative to the State Coastal Policy.	32, 41, 42

3.4 Implementation

3.4.1 Guidelines are needed to assist in translating the TPPs to other planning instruments

Nineteen representors stated that the TPPs needed additional implementation guidelines. They submitted that such guidelines would be useful in translating the TPPs in the RLUSs, and they might also help in allowing the TPPs to not be so prescriptive and to take a higher-level perspective.

Eighteen representors suggested that such guidelines could also identify the instruments (RLUSs, SPPs, LPSs) to which they apply. It was submitted that this translation process is not clear, and it is not clear as to how the planning system will effectively implement the TPP strategies. Representors further questioned the validity of many strategies as a result, stating that the TPPs should clearly comply with section 12B(3). However, it was also suggested that this level of detail could be outlined in accompanying guidelines. Without such accompanying guidelines, it was not clear as to whether the RLUSs will be able to consistently comply with the TPPs.

Three representors made observations that some strategies have established implementation systems in place, while others have none. Ideally, there should be some indication as to the different amount of work the strategies have to do.

Seven representators also suggested that local government is best placed to understand the technical aspects of applying the TPPs to the RLUSs and TPS.

Issue	**Description**	**Representation number**
Need for guidelines	TPPs should have guidelines that form the basis of an implementation plan and to assist the translation of the policies in the RLUSs in particular – will also help in allowing the TPPs to not be so prescriptive and to take a higher-level perspective.	19, 33, 51, 25, 52, 38, 31, 26, 27, 17, 30, 4, 57, 42, 45, 59, 60, 62, 23
Relationship to other planning instruments	Strategies do not identify the instruments (RLUSs, SPPs, LPSs) to which they apply (e.g., strategic matters dealt with by RLUS and regulatory by SPP). The translation process is not clear and so it is also unclear how the planning system will effectively implement the TPP strategies.	17, 53, 51, 28, 36, 25, 52, 42, 31, 26, 27, 15, 30, 45, 59, 62, 58, 38
Clear regulatory pathway	Application principles need to create a clear pathway from TPPs to RLUSs and TPS that ensure planning schemes are inherently compliant with the TPPs.	26, 27, 15, 45
Application within RLUSs	It is not clear how the RLUSs will be able to consistently comply with the TPPs.	52, 31
Implementing strategies	Some strategies have established implementation systems in place, others have none – indicate the different amount of work the strategies must do.	32, 41, 4

Working with local government	Local government sector is best placed to understand technical aspects relating to applying the TPPs to the RLUSs and the TPS. A lot of corporate knowledge exists within local government.	51, 25, 52, 59, 26, 27, 45
Review of RLUSs	Urgent review of RLUSs needed following these TPPs.	13

3.4.2 Measuring performance and achieving intended policy outcomes

Thirteen representors raised concern that the TPPs do not clearly define the desired outcomes or how to achieve the intended outcomes by implementing strategies within the existing planning system and at a local level. They questioned the basis or assumptions for the adopted policy positions within the TPPs and how these outcomes can be monitored over time to gauge whether they have been successfully implemented. These questions also related to whether there is sufficient data to support the effective implementation of the strategies.

Eight representors submitted that resources would need to be allocated to monitor baseline data and/or criteria to assess how well the TPPs are implemented and importantly, as a basis for informing future reviews of RLUSs. Future SoE reports may assist in this regard.

Six representors raised concern that it is assumed that there is sufficient existing information or state-based data to support the effective implementation of policies, noting that there are no policies directed towards obtaining information about the success or otherwise of the TPPs. Six other representors also noted that there is no mention of who or what agency will be responsible for implementing strategies.

Five representors submitted that this information is needed to ascertain the cumulative impact of decisions and requires a close monitoring of outcomes, with a reliance on sound data and credible thresholds. The policies themselves also need to be reviewed as more data is collated, together with such planning tools as overlay mapping.

Representors asked about how this evolving situation is to be accommodated and for the TPPs to function in a manner that helps to create greater certainty and confidence in the planning process.

Issue	**Description**	**Representation number**
Achieving intended outcomes	No clear definition of outcomes or measures as to whether or how intended outcomes will be achieved by implementing strategies in the hierarchical planning system and at a local level.	17, 25, 48, 58, 42, 31, 26, 27, 57, 45, 59, 60, 62
Data to measure performance	Resources should be allocated to monitor baseline data and/or criteria to assess how well TPPs are implemented and, importantly, as a basis for informing future reviews of RLUSs.	31, 53, 38, 17, 4, 58, 60, 62
Availability of information to support policies	There appears to be a false assumption that there is sufficient existing information or state-based data to support the effective implementation of policies (e.g. defining “level of impact”). There are no policies directed towards obtaining necessary data.	26, 27, 45, 57, 17, 60

Cumulative impact	Consider the cumulative impact of decisions – applies across many policy areas and requires close monitoring of outcomes. Reliant on sound data and credible thresholds (a UGB is such a threshold in a spatial sense).	17, 60, 33, 38, 4
Link to SoE	Should make a link to the State's SoE – while only a snapshot it will help to understand ongoing performance.	58, 62, 17
Test as to whether achievable	There should be an assessment made as to whether the strategies within the TPPs are achievable – such as by testing with appropriate and contemporary criteria.	31, 59
Creating greater certainty	The TPPs need to function in a manner that creates greater certainty and confidence for both developers and the broader community.	54
Roles and responsibilities	Not stated as to who or what agency will be responsible for implementing strategies or providing the information needed to facilitate this.	15, 4, 26, 27, 17, 42, 45, 57

3.4.3 Application of TPPs in assessing proposed scheme amendments

Nine representors raised concern about how the TPPs would be used when processing planning scheme amendments, with the specific concern being that all strategies will need to be considered when assessing such amendment applications. Representors highlighted the time/cost issues in having to review the relevance of every policy/strategy for even the smallest amendment.

This also related to concerns about how a decision is made that one strategy takes precedence over another. It was contended that such uncertainty potentially calls into question the purpose of the strategies as a means of implementing the policies/objectives. This issue is part of the more general concern about the operative procedures outlined within the GA.

Issue	**Description**	**Representation number**
Interim process for amendments	Concern about the additional work involved in amending schemes prior to new RLUSs. All TPP strategies need to be assessed for relevance for every amendment.	26, 27, 52, 4, 45, 59
GA requires compliance with all strategies	The GA section requires that scheme amendments comply with all strategies (as for State Policies). This will be too costly, and time consuming and little guidance is provided.	26, 27, 45, 11, 23, 51

3.5 Climate Change

3.5.1 Climate change policies to be given greater weight within the TPPs

Five representors welcomed the prominent place given to climate change within the policies and the approach that was adopted (contextual statements and embedding the issue within relevant strategies). However, 10 other representors questioned the way that climate change is being addressed in the TPPs and that a stronger approach was required. They suggested that the climate

change statements or policies should be operative parts of the TPPs, either by making it more explicit within strategies across all the policy areas and/or by there being a separate climate change policy.

Three representors stated that a single climate change policy would be too vague, and they supported integrating climate change across all policies. Six other representations submitted that the assumptions and parameters by which urgent action on climate change will be taken need to be made clearer within the TPPs, including the relationship that exists with the Climate Change Action Plan (which does deal with some land use planning matters), the need to reduce emissions across the state and ensuring there is a capacity to adapt/respond to future changes.

Three other representors also identified that growth strategies will need to consider climate change impacts more seriously, such as through appropriate design responses, the redesign and provision of upgraded infrastructure and mitigating the impact on the more vulnerable within the community.

Issue	Description	Representation number
Treatment of climate change in the TPPs	Prominent place given to climate change in the policies is welcomed, including its consideration across all policies.	28, 48, 38, 59, 62
Climate change applies to all themes	A single climate change policy will be too vague. The existing approach to integrate climate change across all policies is supported.	26, 27, 45
Climate change action	The assumptions and parameters by which urgent action on climate change will be taken need to be made clearer within the TPPs, including the relationship with the government's Climate Change Action Plan, the need to reduce emissions and ensuring a capacity to adapt/respond to future changes.	36, 48, 38, 17, 59, 30
Operationalise climate change	Climate change statements or policies should be operative parts of the TPPs. A stronger approach is needed, either by making it more explicit within strategies across all the policy areas and/or by there being a separate climate change policy.	17, 30, 31, 15, 57, 59, 62, 33, 38, 4
Climate change impacts	Growth strategies to consider climate change impacts, together with design responses, provision of infrastructure and how the more vulnerable will be affected.	18, 48, 13

3.6 Settlement Planning

3.6.1 Objections to priority given to growth of "higher tiers" of the settlement hierarchy

Representors were concerned that the growth potential of one town or community would be constrained on the basis that the policy is prioritizing growth elsewhere, with reference to strategy 1.1.3(4) which prioritises the growth of "higher tiers" of the settlement hierarchy. 14 representors submitted that this would effectively prohibit growth and innovation in other settlements, such as by zoning refusals.

Representors asked as to how the Commission would consider a rezoning in a mid-sized town when compared with a nearby city, e.g. Westbury compared with Launceston or Sorell compared with

Clarence/Hobart. Five representors sought justification for such a policy as it appeared that there is a lack of evidence for a policy that may limit growth of settlements in rural areas or fail to meet local community expectations.

Five representors sought clarification on the required settlement hierarchy. For example, what does a "higher tier" mean? Their view was that settlement growth criteria should be based on sustainability and levels of service, and that reference be made to a settlement network, with no settlement having a priority over another. Two other representors submitted that they generally support the existing settlement growth strategies and understood their policy intent.

Issue	Description	Representation number
Growth restricted in lower order settlements	Policy prioritises growth in "higher order settlements" and there is significant concern that this will effectively prevent growth and innovation in other settlements (such as by zoning refusals).	52, 51, 15, 26, 27, 36, 46, 18, 45, 57, 61, 11, 20, 23
Justify priority for growth in higher order settlements	A policy to prioritise growth in higher order settlements needs to be justified with appropriate evidence – there is a lack of evidence to support policies that may limit rural growth or fail to meet local community expectations.	26, 27, 45, 51, 23
Settlement hierarchy	The required settlement hierarchy needs to be clarified – what does a "higher tier" mean? Growth should be based on sustainability and levels of service – refer to a network, with no settlement having a priority over another.	53, 26, 27, 18, 45
Support existing growth policies	Generally support the existing growth strategies and understand their policy intent.	38, 7

3.6.2 There needs to be more local autonomy in taking advantage of local growth opportunities

This issue reflected a desire from eight representors for much more local autonomy in how local communities/councils could be freed up to plan for their own individual futures with minimum regional and state-based constraints. It was submitted that the focus should be on sustainable growth regardless of settlement size, and that all communities should be afforded the opportunity to sustainably grow. Further, constraining the growth of some settlements in favour of growth in others is contrary to "sustainable development" as defined within the RMPS Objectives.

Seven representors submitted that the TPPs should incorporate a more nuanced approach that enable communities to meet their needs and aspirations, such as in regional or rural areas. It was also submitted that the Schedule 1 Objectives in the Act "enshrines the right of each settlement to provide for its long-term sustainability". This comment was based on the definition for "sustainable development" which "*means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety".* It was therefore considered that any strategies developed by local communities that encourage "sustainable growth" should be recognized and supported.

Issue	Description	Representation number
Meeting local aspirations	TPPs should incorporate a more nuanced approach that enables communities to meet their needs and aspirations, such as in regional or rural areas, acknowledging their "right" to do so as enshrined within the RMPS objectives.	36, 28, 26, 27, 45, 57, 11
Sustainable growth	Focus should be on sustainable growth regardless of settlement size. All communities should be afforded the opportunity to sustainably grow. Constraining some communities to favour others is contrary to Schedule 1 Objectives. Settlements function at different levels.	23, 36, 51, 26, 27, 15, 45, 59
Acknowledge local growth strategies	Strategies developed by local communities that encourage "sustainable growth" should be recognized and supported.	52, 51, 36
Relate settlement growth to jobs	Ensure future settlement growth is located in proximity to jobs.	2

3.6.3 Concerns about allocating a hierarchy of settlements and activity centres

Five representors objected to the establishment of a hierarchy of urban settlements and submitted this should be limited to the commercial activity centres and be based on the different levels of service that they provide.

Three representors also submitted that the commercial growth of smaller centres should not be discouraged on the basis that certain services (e.g. public transport) are not available.

Four representors considered that the TPPs should provide guidance for RLUSs so that they may determine future growth opportunities, such as for smaller activity centres and how to consider potentially desirable proposals that might be contrary to the regional settlement strategy. One representor submitted that constraining growth for certain types of settlements (e.g. coastal) should be reconsidered.

Issue	Description	Representation number
Hierarchy of activity centres	The "hierarchy" should be for activity centres rather than for settlements, describing different levels of service.	26, 27, 45, 23, 51
Identify growth opportunities	Provide guidance for RLUSs to determine future growth opportunities – such as for smaller activity centres and how to consider potentially desirable proposals that are contrary to settlement strategy.	38, 32, 41, 42
Commercial growth of smaller centres	Commercial growth in smaller centres should not be discouraged on the basis that certain services (e.g. public transport) are not available.	26, 27, 45
Settlement types are confusing	Allocating settlement types is confusing and duplicates what is contained in other settlement strategies.	26, 27, 45

Constraints on growth	Reconsider growth constraints for certain types of settlement (e.g. coastal).	8

3.7 Urban Planning

3.7.1 An adequate future supply of zoned residential land

Four representors were concerned about the implied constraint within strategy 1.1.3(1) which called for "at least a 15-year supply of land" to meet the forecasted demand for residential, commercial, industrial, recreational etc purposes. They submitted that this should be increased to be at least 20 years and that mention be made of the further need for longer term planning. Their concern was that current zoning is not keeping pace with housing demand, and this also encourages land banking. It should also be clarified that this supply of land be appropriately zoned and serviced, so that it is ready for actual development.

Three representors also highlighted the need to review current population projections and link these to land supply needs. This review should also anticipate future migration increases (e.g. due to climate change) and for it to not be too conservative.

Issue	**Description**	**Representation number**
Plan for long term needs	Settlement planning should cater for longer horizons than a 15 year minimum – say, 20 years for zoned land within UGB, plus earmarking other suitable land by way of long term planning. Current zoning is not keeping pace with housing demand, and this also encourages land banking.	32, 41, 42, 38
Clarify 15 year target	Clarify the 15 year planning horizon – needs to be at least a 15 year supply of suitably zoned and serviced land.	60
Population projections	Review population projections and link to land supply needs – anticipate future migration increases (eg due to climate change) and don't be too conservative.	32, 41, 42
Identify future industrial land	Need to identify future suitable land for industrial and commercial purposes in order to cater for future demand and as part of broader settlement planning.	38
Land banking	Prevent land banking of prime development land that forces out-of-sequence development to occur.	26, 27, 45

3.7.2 Requirement for urban growth boundaries

Four representors sought further guidance on when and how urban growth boundaries (UGB) should be applied plus, in some instances, how infill can occur within their confines. Five representors submitted that they would not be necessary in all cases, would impose an inflexible constraint on urban growth and that they would be difficult to determine because of a lack of information about infrastructure capacity.

One representor noted that UGBs are mainly used to optimize the existing infrastructure within major urban centres, compared to rural centres where they are mainly used to protect surrounding agricultural/environmental values. Another commented that UGBs should only be determined as part of a regional settlement strategy.

Issue	Description	Representation number
Urban growth boundaries	Applying UGBs in all cases is not necessary, they will impose an inflexible constraint on growth and information on infrastructure capacity is often not available.	51, 26, 27, 45, 57
Applying urban growth boundaries	Further guidance is required as to what UGBs are and when they will be necessary – plus, in some instances, how infill can occur within their confines.	8, 46, 60, 38
Need for urban growth boundaries	Noting the different reasons for UGBs – aim to optimise existing infrastructure in major urban centres and aim to protect agricultural/environmental values in rural centres.	38
Changes to urban growth boundaries	No changes to the UGBs should be made outside of a regional review of the RLUS.	4
Peri-urban areas	Peri-urban areas represent future opportunities for outward urban growth.	42

3.7.3 Address impediments to infill development

There were 16 representors that supported urban densification policies on the basis that they are the most sustainable and desirable way forward. Such policies will need to address existing infill impediments, reduce outward expansion (urban sprawl), improve public spaces, encourage reduced private car use, reduce the need for long commutes and improve access to active/public transport. They also provide benefits from a climate change perspective. An increase in living densities will also need to be managed sensitively with the affected local communities and to mitigate any potential adverse impacts.

Five representors submitted that infill should be prioritized over outward growth. Any such outward urban growth of settlements should be strategically justified, and the TPPs could include planning principles to support this.

Three representors submitted an alternative view that considered this outward growth should not be impeded if infill is not commercially viable, and they identified that it is difficult for the planning system to address impediments to infill. Some other specific comments by individual representors were that infill development should not be at the expense of such values as heritage, amenity and liveability, and that higher density housing is supported where it is close to good transport, services and jobs.

Issue	Description	Representation number

Urban densification	Support urban densification policies that address infill impediments, reduce outward expansion, improve public spaces, encourages reduced private car use, reduces long commutes and improves access to active/public transport – also consider benefits from climate change perspective.	35, 5, 28, 48, 8, 42, 60, 32, 41, 17, 7, 4
Managing higher density impacts	Further urban densification is the most sustainable and desirable strategy, but the associated impacts will need to be managed sensitively with local communities. Develop solutions that mitigate impacts and manage trade-offs.	35, 32, 41, 42, 26, 27, 45, 4
Prioritise infill within settlements	Prioritise infill over outward growth – with outward growth of settlements needing to be strategically justified – TPPs to include planning principles to support this.	4, 36, 60, 62, 7
Infill versus outward urban growth	Outward settlement growth should not be impeded if infill is not commercially viable. Difficult to address impediments to infill within planning system.	26, 27, 45
Infill concerns	Infill development should not be at the expense of such values as heritage, amenity and liveability.	58
Higher density housing	Support location of higher density housing close to good transport, services and jobs.	1

3.7.4 Housing affordability

Five representors provided support for the strategies that recognize the importance of and need for social and affordable housing in locations accessible to services and employment opportunities. They submitted that it was important to cater for such housing within the planning system, to generally increase the potential for future housing supply and be consistent with the Tasmanian Housing Strategy.

Two other representors submitted that the need for social and affordable housing was not sufficiently addressed in the TPPs and that more proactive measures (e.g. inclusionary zoning) are required to incentivize this more.

It was noted by one representor that the planning system can only partly address housing affordability issues, as other measures in managing demand, reducing building costs and discouraging land banking are required. Innovative models of housing delivery should be explored to increase supply. Three representors also noted the impact of visitor accommodation in some areas on the rental market and housing affordability, and that long term rental housing should be protected from being lost to short term visitor accommodation.

Issue	**Description**	**Representation number**
Social and affordable housing	Support strategies that recognise the importance of and need for social and affordable housing in locations accessible to services and employment opportunities. Innovative planning solutions to be part of broader government policy.	49, 37, 4

Social and affordable housing	General support for the existing strategy – important to cater for such housing within the planning system, to generally increase potential for future housing supply and be consistent with the Tasmanian Housing Strategy.	10, 37
Social and affordable housing	Not sufficiently addressed in the TPPs – proactive measures (eg inclusionary zoning) required to incentivize provision of more social and affordable housing.	8, 30
Limits on planning to address affordable housing needs	Planning can only partly address housing affordability issues – requires other measures in managing demand, reducing building costs and discouraging land banking.	59
Visitor accommodation	Managing visitor accommodation is a housing issue as it affects the rental market and housing affordability. Long term rental housing should be protected.	56, 8, 37
Innovative housing delivery models	Innovative models of housing delivery should be explored to increase supply.	60

3.7.5 Facilitating sustainable urban design and liveability

There were many representors who commented on a wide range of quite specific matters to do with urban design and liveability. Sixteen representors provided general support for policies that improve liveability, though this included various perspectives, and some submitted that additional strategies could be included. Support was provided for integrated transport solutions, improved social infrastructure, enhanced urban design, opportunities to work remotely, reduced noise etc.

Four representors submitted that additional liveability strategies might encourage more urban vegetation, retaining stormwater and the multi-use of public spaces.

Strategies were supported by two representors that highlight a need for urban vegetation, green spaces, energy efficiency etc. It was thought by four other representors that it is important to be open to adaptive processes and to acknowledge that there is a current need to make significant changes to many urban areas to improve amenity, resilience, equity etc.

Four representors noted that many liveability and housing matters (e.g. housing diversity) are beyond the scope of the planning system to control. Similarly, it was also noted by five representors that many of the design strategies would not be able to be implemented or enforced within the planning system. It was suggested by four representors that some of these design strategies are too specific and should be set at a higher level (e.g. as principles).

Two representors submitted that access to suitable and affordable housing was regarded as being integral to liveability, and the value of housing being a “human right” should be emphasised, together with opportunities to “age in place”. Two representors also advocated for more sustainable forms of housing as alternatives to traditional forms, such as ecovillages, tiny homes, off-grid lifestyles and co-housing estates. They submitted that the TPPs should promote these types of opportunities. The need to consider the impact of technological change on residential preference and work patterns was considered important by three representors, plus two other representors

considered that good access to local vocational training (including by public transport) would improve local liveability.

The need for a diverse range of inclusive social infrastructure was also highlighted by five representors as an essential liveability objective. The difference with other public infrastructure should be clarified. Five representors submitted that the TPPs should allow for more spontaneity and imaginative solutions (e.g. placemaking) to create more vibrant settlements and enhance design outcomes.

Four representors submitted that urban design needs to define/respond to local character (including that of the surrounding landscape) and only consider the need for change where necessary or appropriate. Uniformity should be resisted.

Six representors provided support for the TPP design strategies (with some changes) that dealt with public spaces, building and subdivision design, climate change responses, stormwater reuse, ageing in place, built quality etc. Two representors considered that implementing these design strategies would need to be achieved by having guidelines that outline opportunities both within and outside of the planning system (including a "designing with country" suggestion).

Issue	**Description**	**Representation number**
Liveability	Support policies that improve liveability – acknowledging different perspectives on this – includes integrated transport solutions, social infrastructure, enhanced urban design, opportunities to work remotely, reduced noise etc.	28, 13, 35, 1, 9, 24, 38, 29
Need for urban changes	Be open to adaptive processes and acknowledge a need to make significant changes to many urban areas to improve amenity, resilience, equity etc.	32, 41, 42, 28
Greening of urban spaces	Include additional liveability strategies that encourage more urban vegetation, retaining stormwater and multi-use of public spaces.	48, 33, 13, 62
Upgrade existing services	Liveability can be most efficiently improved by upgrading existing transport networks, infrastructure and services.	53
Scope within planning system	Many liveability and housing matters (eg housing diversity) are beyond the scope of the planning system to control.	26, 27, 45, 29
Access to housing	Access to suitable and affordable housing is integral to liveability, the value of housing being a "human right" should be emphasized and there should be opportunities to "age in place".	38, 47
Landscape and scenic values	Settlements are closely connected to their surrounding landscape – maintain this connection to protect their distinctive character.	48, 18
Social infrastructure	Provide a diverse range of inclusive social infrastructure as an essential liveability objective – clarify difference with other public infrastructure.	38, 53, 48, 2, 62

Active living	Social infrastructure and liveability strategies to incorporate active living components.	13
Ecovillages and co-housing projects	Specific attention should be given to alternative and more sustainable forms of housing such as ecovillages, tiny homes, off-grid lifestyles and co-housing estates – additional strategies and definitions were suggested.	44, 47
Urban vegetation and green spaces	Supports strategies that highlight need for urban vegetation, green spaces, energy efficiency, etc.	5, 13
Technological change	Consider the impact of technological change on residential preference and work patterns.	26, 27, 45
Vocational training	Access to local vocational training (including by public transport) is important in enabling local growth/liveability.	13, 2
Allow innovative design	Allow for more spontaneity and imaginative solutions (e.g. placemaking) to create more vibrant settlements and enhance design outcomes.	35, 48, 26, 27, 45
Capacity to enforce design standards	Many of the design strategies are outside of planning control and are not able to be enforced.	26, 27, 5, 18, 45
Design principles	Some design strategies are too specific and should be set at a higher level (principles rather than scheme criteria).	26, 27, 23, 45
Support design strategies	Support design strategies (with some changes) re public spaces, building and subdivision design, climate change response, stormwater reuse, ageing in place, quality etc.	1, 25, 48, 33, 60, 38
Design guidelines	Implementing design strategies need to be achieved by guidelines that outline opportunities both within and outside of the planning system (e.g. “designing with country” suggestion).	25, 48
Protecting local character	Design needs to define/respond to local character and consider the need for change where necessary or appropriate. Resist a need for uniformity.	48, 41, 32, 20
Urban renewal	Support for public infrastructure renewal programs and tactical urbanism to improve public realm.	38

3.7.6 Structure Planning

There were a few comments about how the TPPs dealt with urban structure planning. Five representors sought further clarity on when structure planning will be necessary and how the TPPs will guide their application, bearing in mind that they are not statutory instruments. There was a concern that they may be required for most planning scheme amendments. These representors

considered that their content should not be dictated and that they be developed in a manner that is responsive to local expectations.

There were three other representors that submitted that such local structure plans will facilitate more inclusive community engagement that can meet local needs and are more likely to address what might be outside of the planning system, such as active transport. From their perspective, such structure plans should ideally be enforceable, rather than just advisory.

Issue	Description	Representation number
Structure plans supported	Local structure plans will facilitate inclusive community engagement that will meet local needs and address such aspects as active transport. Should ideally be enforceable.	28, 1, 62
Unnecessary structure plans	Policies may require structure plans to be prepared for almost every scheme amendment, plus their content should not be dictated and be flexible to local needs.	26, 27, 45
Role of structure plans is unclear	Further clarity is needed on when structure planning will be necessary and how TPPs will guide their development, bearing in mind they are not statutory instruments. Concern they may be required for most amendments.	13, 48, 26, 27, 45

3.8 Rural Communities

3.8.1 Allowing more rural residential development

There were concerns raised by eleven representors that the TPPs are too dismissive of this form of development. There were calls for it to be encouraged where it can help to sustain nearby rural settlements and meet lifestyle aspirations. One related concern was that the proposed rural residential strategy is overly prescriptive, and a more nuanced regional approach is needed that constrains new estates while still accommodating local needs and circumstances.

Five representors submitted that existing rural residential areas should be reviewed, and any constraints (e.g. bushfire risk, environmental and agricultural values) be considered in assessing further development potential. Opportunities for infill subdivision of existing areas should be identified.

Other representors were more cautious and considered that new rural residential development increases bushfire risks and should only be countenanced if there is good access and it is not within a bushfire prone area. There are also greater costs incurred in providing new infrastructure and services to such rural living developments, plus they are also much more likely to have natural and landscape values that need to be protected.

Issue	Description	Representation number
Rural residential development growth	Enable opportunities for further rural residential subdivision (if not prime agriculture), rather than it being discouraged (strategy is written in the negative) – helps to sustain rural settlements and meet lifestyle aspirations.	25, 51, 47, 26, 27, 32, 41, 42, 45, 61, 60
Bushfire risk	New rural residential development increases bushfire risks – should only be located if there is good access and not within bushfire prone area.	40
Costs of rural growth	Greater costs are incurred in providing new infrastructure and services to growth within rural areas and urban fringes.	7

Natural values as a constraint	Rural living areas often have natural and landscape values to be protected from further development.	8
Existing rural residential areas	Review existing rural residential areas and deal with problems (e.g. bushfire risk) – potentially allow further internal subdivision that won't encroach onto agriculture and native vegetation.	32, 41, 42, 26, 27
New rural living areas	Rural residential strategy is overly prescriptive, and a more nuanced regional approach is needed that constrains new estates while accommodating local circumstances.	60

3.8.2 Facilitating the growth of rural towns and villages

This issue is similar to the objections raised about priority given to the growth of "higher tiers" of the settlement hierarchy. Ten representors stated that there should be no growth impediments placed on rural towns beyond the gravitational pull of the major cities. Further, growth is driven by local factors, and there is no evidence to support a need to impose constraints on this. Further development of rural towns is to be encouraged as service centres for their local rural communities.

Seven representors also considered that the TPPs are too "urban centric" and do not sufficiently address rural settlement, transport and livability issues. More specifically, it was submitted by two representors that insufficient attention is given to the unique needs of remote communities (e.g. King Island) so that they may best overcome their existing and somewhat unique disadvantages.

Issue	**Description**	**Representation number**
Rural growth driven by local factors	There should be no growth impediments placed on rural towns beyond the gravitational pull of the major cities – growth is driven by local factors and no evidence to support a need for constraints.	32, 41, 42, 26, 27, 36, 18, 45, 57, 20
Overly focused on urban issues	The TPPs are "urban centric" and do not sufficiently address rural settlement, transport and livability issues.	47, 18, 57, 11, 26, 27, 45
Remote communities disadvantaged	Insufficient attention is given to the unique needs of remote communities (e.g. King Island) so that they may best overcome their existing disadvantages.	11, 52
Rural liveability	Rural liveability issues need to be addressed rather than just focusing on urban liveability matters.	47

3.8.3 Housing for farm and rural industry workers

Support was given to the need to accommodate workers that support rural industries (agriculture, energy, mining etc). Three representors considered that housing for farm workers is preferably provided within the nearby towns rather than on-farm (see strategies 4.1.3(9) and 4.3.3(7)).

There was also a suggestion made that all such policies be located under the Settlement theme as they are a housing issue rather than a farming matter. Any temporary housing erected to support industry should be fully recyclable.

Issue	Description	Representation number
Accommodating workers in rural areas	Support provided to strategy that deals with the need to accommodate workers that support rural industries (agriculture, energy, mining etc).	54
Housing for rural workers	Seasonal workers accommodation should be provided, but all housing related policies should be located within Settlement policies to ensure no interpretation conflict – also to focus housing to be in towns rather than on farm.	26, 27, 45
Reusable housing	All temporary housing required to support industry should be designed to be reused.	46

3.9 Environmental Values

3.9.1 Stronger commitment needed to protection of environmental values

Representors wanted the environmental policies to be strengthened (see language comments above), without so many opt out clauses. They submitted that the existing strategies lacked sufficient commitment to the protection of important environmental values. Two representors submitted that all environmental values should be protected and not just those that are considered "significant", as this would otherwise be contrary to the RMPS objectives.

Ten representors highlighted the need for better waterway protection within the TPPs, such as by stronger language or an additional strategy. It was submitted that while there is some waterway protection already provided within planning schemes, it is not applied consistently. Concerns were expressed by six representors that the TPPs need to take a broader catchment-based view (accounting for increased cumulative risks of more impermeable surfaces, stormwater infrastructure, reduced natural areas, groundwater impact etc), as waterways will be impacted by development beyond the immediate vicinity.

There was support from three represntors for the inclusion of policies that protect environmental values and seek to minimize and mitigate impacts by application of the precautionary principle (including offsets). The importance of a healthy environment and the need to protect all environmental values within the planning system was stressed by three others, and it was noted that this also underpins a sustainable economy, local identity, and community wellbeing.

One representor considered that there are no provisions in the policies to protect fauna during site development. Another comment was that, as well as minimizing environmental impacts, it is also necessary to mitigate them as well and that this would require changes to principles and strategies, e.g. strategy 2.1.3(5).

Issue	Description	Representation number
Critical role of natural resources	Important to acknowledge the need to care for the State's natural resources – in that they underpin a sustainable economy, local identity and community wellbeing.	28

Support for policies	Support inclusion of policies that protect environmental values and seek to minimize and mitigate impacts by application of precautionary principle (including offsets).	28, 38, 62
Protect all environmental values	All environmental values should be protected and not just those that are "significant". It is otherwise contrary to RMPS objective.	8, 30
Role of planning system	Stress importance of a healthy environment and the need to protect all environmental values within the planning system (noted that there are no provisions to protect fauna during site development).	30, 39, 4
Mitigation of impacts	As well as minimizing environmental impacts it is also necessary to mitigate them as well – requires changes to principles and strategies (eg 2.1.3(5)).	38
More robust protection	Strengthen waterways strategies to provide more robust protection across all aspects.	39
Cumulative impacts	Consider cumulative and compounding impact of small decisions that reduce/fragment natural areas and have impacts beyond immediately affected area.	4, 62
Catchment impact on waterways	Waterways will be impacted by development beyond the "in and around" vicinity – consider the cumulative risks of more impermeable surfaces, stormwater infrastructure, groundwater impact etc within the broader catchment.	25, 33, 19, 26, 27, 45
Stronger action on waterway protection	Some waterway protection is already provided within planning schemes, but there is inconsistent application. TPPs to include additional strategy and/or stronger language to ensure better waterway protection.	32, 41, 42, 19, 25, 26, 27, 45, 33, 39
Clean up waterways	Government should be much more proactive in cleaning up waterways and mitigating flooding	18

3.9.2 Utilise sound data and methodologies to best protect environmental values

Two representors stated that the identification of significant values should be based on accurate data and that there is a need to continually improve these data sources. It was noted by four representors that the existing mapping for Code overlays is sometimes unreliable and that it is necessary to incorporate the most up to date information (e.g. biodiversity), identify the additional work needed and priority be given to ground-truthing.

Three representors raised a concern that the existing or proposed systems to determine and map the significance of geodiversity values are not clear. One comment was that soil formation and carbon storage (e.g. peat, salt marsh) are also important geodiversity values.

Four representors supported the establishment of a state-wide system of biodiversity offsets that enables the accumulation of larger, more manageable and viable conservation areas. Similarly, it was submitted by three representors that a consistent and well-established methodology is needed

for landscape mapping and protection, and that the results of which should then be embedded within the planning system as an overlay.

Four representors considered that expectations for landscape protection are not clear, such as in further mapping, inclusion in RLUSs and as part of the SPP review, plus how it might incorporate such matters as heritage, aesthetics and gardens.

There were also concerns about some specific strategies. Guidance was sought from four representors on the methodology for the proposed ranking of significance of biodiversity values. Data does exist within the Natural Values Atlas to determine biodiversity and geodiversity values and to assist in future systems for ranking. One related suggestion was that local government should have available to it the tools to assist in identifying habitat values (consistent with FPA processes).

It was also thought to be too difficult to identify coastal areas suitable for future development – better to adopt principles to guide such decisions. Another specific concern was that open drains in rural areas used for water spreading are classified as "waterways" and would be subject to inappropriate constraints from TPP policies.

Issue	**Description**	**Representation number**
Up to date data sources	Identification of significant values should be based on accurate data (consider NRM links) – there is a need to continually improve data sources, noting that changes are always occurring and mapping is often unreliable.	28, 38
Mapping of environmental values	Mapping for Code overlays has progressed to a varying extent. Need to acknowledge the work done to date (e.g. for biodiversity) and identify the additional work needed and that priority be given to on-ground truthing.	32, 41, 42, 38
Ecosystems services	Mention importance of ecosystem services across a broad range of environment protection roles.	39
Identify at strategic level	Focus identification and protection of environmental values at the strategic level (RLUS and LPS).	38
Biodiversity offsets	Establish a state-wide system of biodiversity offsets that enables the accumulation of larger and more manageable and viable conservation areas.	32, 41, 42, 62
Coastal development	Identifying coastal areas suitable for future development will be too difficult – adopt principles to guide decisions.	60
Ranking biodiversity significance	Guidance is required on the methodology for proposed ranking of significance of biodiversity values.	26, 27, 45, 38
Biodiversity data	Data exists within the Natural Values Atlas (on the LIST) to determine biodiversity and geodiversity values and to assist in future systems for ranking.	64

Identifying biodiversity values	There should be suitable tools available to local government to assist in identifying habitat values (consistent with FPA).	38
Definition of waterways	Open drains in rural areas used for water spreading are classified as "waterways" and would be subject to inappropriate constraints from TPP policies.	11
Geodiversity values	The existing or proposed systems to determine and map significance of geodiversity values are not clear.	26, 27, 45
Carbon storage	Soil formation and carbon storage (e.g. peat, salt marsh) are important geodiversity values.	39
Methodology for assessing landscapes	Consistent and well-established methodology needed for landscape mapping and protection – and then embed this within the planning system as an overlay.	32, 41, 42
Lack of clarity re landscape	Expectations for landscape protection are not clear re further mapping, inclusion in RLUS, SPP review etc – also relationship to heritage, aesthetics, gardens etc.	26, 27, 45, 48

3.9.3 TPPs to acknowledge and complement other environmental planning regimes

Three representors identified that the TPPs are likely to influence the protection of environmental values within other planning regimes outside of the planning system. This should be acknowledged, and for example, closer links should be developed between regional NRM strategies and land use planning instruments. These NRM strategies should be considered when reviewing RLUSs and making land use decisions, such as when critical habitat corridors need to be identified.

Another comment made was that there are different local, regional and state perspectives on the need for protecting certain environmental values and that the TPPs could be encouraging more consistency by all regulators.

Issue	**Description**	**Representation number**
Connect NRM and planning strategies	Closer links should be developed between regional NRM strategies and land use planning instruments.	28
NRM strategies	Regional NRM strategies are relevant to planning system – consider them when developing RLUSs and making land use decisions, eg identification of critical habitat corridors.	28
Matters outside of planning system	Note the role that TPP policies have in influencing protection of environmental values within other planning regimes outside of the planning system.	38, 30, 28
Links to NRM strategies	Support waterways policy and note relevance of regional NRM strategies to preparing the RLUSs.	28

Local, regional and state perspectives	Acknowledge the different local, regional and state perspectives needed in protecting biodiversity and the need for more consistency by all regulators.	38

3.9.4 Ensure land use planning decisions promote the protection of environmental values

Representors identified several specific matters to do with the more effective protection of environmental values within the planning system. For example, four representors considered that it was important to understand that restricting urban sprawl and encouraging infill within settlements is a means of protecting biodiversity and limiting adverse impacts on environmental values. It will also be necessary in future to identify retreat pathways for settlements for situations when protection against coastal inundation is not possible.

A greater emphasis should also be placed on the need to improve, restore or rehabilitate land and waterways that have been damaged by development. It was also noted that the fragmentation of coherent landscapes is associated with ecosystem failure and that some landscapes should be designated as no-development zones without opt-out provisions.

Three representors submitted that the biggest threat to biodiversity in rural areas has been the over-allocation of the Agriculture Zone, as in such cases, the Natural Assets Code does not apply and clearing of native vegetation can occur. They also stated it important to recognize that biodiversity protection no longer needs to be considered once land is zoned for urban purposes.

Issue	**Description**	**Representation number**
Coastal retreat	Identify retreat pathways for settlements for situations when protection against coastal inundation is not possible.	46
Densify urban settlements	Restrict urban sprawl and encourage infill within settlements as a means of protecting biodiversity and limiting impacts on environmental values.	35, 32, 41, 42
Rehabilitation of damaged sites	Give greater emphasis to the need to improve, restore or rehabilitate land and waterways that have been damaged by development.	30, 39
Biodiversity not protected in Agriculture Zone	The biggest threat to biodiversity has been the over-allocation of the Agriculture Zone – Code does not apply.	32, 41, 42
Biodiversity within urban centres	Recognise that biodiversity no longer needs to be considered once land is zoned for urban purposes.	32, 41, 42
Landscape fragmentation	Fragmentation of coherent landscapes is associated with ecosystem failure.	28
Landscape protection	Identify special landscapes that are no-development zones without opt-out provisions.	53

3.10 Environmental Hazards

3.10.1 TPPs need to address the issue of "tolerable risk" more clearly

It was suggested that the language dealing with how risk is applied within the TPPs be reviewed. This is particularly applicable to bushfire risk, and it is suggested that a "tolerable risk" approach will be necessary where bushfire hazards cannot be avoided, and activities warrant a higher degree of protection.

In contrast, three representors considered that rural residential development proposals should be assessed against "tolerable and manageable" bushfire risk, and three others stated that a strong precautionary approach should apply if more land for residential development is to be rezoned in rural areas as bushfire risks are already high in most areas. A "tolerable risk" approach will be necessary where bushfire hazards cannot be avoided, and activities warrant a higher degree of protection.

Three representors submitted that an absolute avoidance of hazards (as indicated by "avoid" in the strategies) should not be prescribed other than for the most extreme scenarios. In such cases, an alternative "where practicable" test should be applied. They also stated that the policies should not prescribe avoidance and then apply a proviso (opt out) as this confuses the intent of the policy (noting that most landslide mapped land is regarded as a tolerable risk for development).

As well as this, policies dealing with flooding risks should account for uses that are not sensitive nor hazardous as it is not clear what uses or development could occur on flood prone land. Another representor noted that further clarity on tolerable risk of coastal erosion or inundation is needed and questioned as to who determines this, noting that the opt out clause in the draft TPP strategy potentially allows development to exceed this tolerable risk.

Issue	Description	Representation number
Tolerable risk	A "tolerable risk" approach will be necessary where bushfire hazards cannot be avoided, and activities warrant a higher degree of protection.	40
Absolute avoidance	An absolute avoidance of hazards (as indicated by "avoid") should not be prescribed other than for the most extreme scenarios – apply a "where practicable" test.	26, 27, 45
Risks to rural residential use	Apply a strong precautionary approach if considering rezoning more land for residential development in rural areas as bushfire risks are already high in most areas.	40, 8, 38
Risks to rural residential use	Potential rural residential development should be assessed against "tolerable and manageable" bushfire risk.	26, 27, 45
Risk language	Review how language dealing with risk is applied, such as what is meant by "tolerable risk".	55
Tolerable landslide risk	Policies should not prescribe avoidance and then apply a proviso (opt out) as this confuses intent of policy. Most landslide mapped land is a tolerable risk for development.	26, 27, 45

Tolerable risk from coastal hazards	Need further clarity on tolerable risk of coastal erosion or inundation and who determines this, noting that opt out clause allows development that exceeds this tolerable risk.	4
Flooding risk	Policies for flooding and tolerable risk should account for uses that are not sensitive nor hazardous. It is not clear what uses or development could occur on flood prone land.	26, 27, 45

3.10.2 TPPs to acknowledge and complement other regulatory regimes for environmental hazards

Representors identified the fact that there are other regulatory regimes outside of the planning system that also deal with environmental hazards. Six representors submitted that the TPPs should acknowledge that there are existing systems in place for attenuating uses and to regulate impacts from bushfire, landslip, flooding, coastal hazards and contaminated land and state whether anything more needs to be done to improve these processes.

It was noted by five representors that most consideration of bushfire risk is at the building approval stage of the development process. Clarification is therefore sought on the reference in strategy 3.1.3(2) to a consideration of bushfire risk "at every planning stage". It is suggested that a more consolidated or integrated policy approach to bushfire risk and mitigation across government is needed.

Three representors stated that there needs to be a balance between the need to protect human life and property and biodiversity values. The latter is given due consideration when permissible land uses are allocated (zoning) and the former is the primary consideration at the development approval stage. The design of the built environment should consider the safety and efficiency of emergency intervention and evacuation and avoid relying on adjoining land for bushfire mitigation.

Three representors stated that the mapping of hazards should be done at a State level and updated on an ongoing basis (targeting information gaps and taking into account more detailed local mapping).

Six representors also noted the relevance of local risk-based climate change studies to planning decisions and the need to identify climate change decision making parameters (such as for coastal hazards) as the current 1% AEP for flooding is no longer adequate. Clear protocols are needed to guide early decisions as to whether coastal protection or retreat is necessary because of sea level rise and/or coastal inundation.

Issue	**Description**	**Representation number**
Overlap with Building Act	Building Act also considers environment hazards and a more integrated policy response across RMPS is required.	55
Coordinate bushfire policies	A more consolidated/integrated policy approach to bushfire risk and mitigation across government is needed.	55
TFS support	Support contextual statements and risk avoidance objectives as they align with existing State Policies and those of the Australian Institute for Disaster Resilience.	40

Mapping of hazards	Hazard mapping to be done at a state level and updated on an ongoing basis – note current limitations because of errors and information gaps (eg flooding), need to update Code overlays and to include detailed local mapping.	54, 40, 60
Balancing bushfire priorities	Balance bushfire management between need to protect human life/buildings and biodiversity values. Biodiversity considered at a strategic level (allocating land use) and human life is primary consideration at development stage.	38, 39, 40
Improved bushfire management	While climate change will increase bushfire risk, there have also been significant advances made in bushfire risk mitigation.	55
Building approval considers bushfire	Most consideration of bushfire is at the building approval stage of the development process – clarify what is meant by consideration occurring “at every planning stage”.	46, 26, 27, 55, 45
Design of built environment	The design of the built environment should consider safety and efficiency of emergency intervention and evacuation.	40
Adjoining land	Avoid relying on adjoining land for bushfire mitigation.	40
Existing systems to manage hazards	Acknowledge that there are existing systems to regulate impacts from bushfire, landslip, flooding, coastal hazards and contaminated land and state whether anything more needs to be done to improve these systems.	38, 41, 42
Impact of climate change on flooding	Identify climate change decision making parameters (as done for coastal hazards) – current 1% AEP not adequate – consider local risk-based flood studies.	36, 38, 26, 27, 50, 45
Climate change impact on coasts	Clear protocols are needed to guide early decisions as to whether coastal protection or retreat is necessary because of sea level rise and/or coastal inundation.	38, 41, 42
Changes to existing processes	There are existing processes in place for attenuating uses and any changes to these should be clearly stated.	26, 27, 45

3.10.3 Other more specific issues relating to proposed environmental hazard policies

There were many other more specific hazard related issues raised by representors. One comment) was that these strategies are implemented by a mix of strategic and regulatory measures, and it is not clear what work they have to do in the RLUSs and SPPs.

Another suggestion was that they are better referred to as “natural hazards” (as in “natural resources”). The question was also raised by three representors as to whether other hazards may need to be considered, such as acid sulphate or dispersive soils, drought, heat waves, or soil erosion.

Two representors considered that the planning system should consider whether development or land use change might exacerbate hazards and then impact on existing natural values. Land that is being used to mitigate hazards (e.g. detention basins) can also have other uses such as public

recreation. One comment was that no further intensification of use should be allowed within existing flood prone areas.

Four representors submitted that any consideration of coastal hazards should be based on actual risk mapping rather than relying on the State Coastal Policy zone definition. Another concern was that dam safety assessments should not be required for every proposed development downstream from a dam (as per strategy 3.3.3(9)).

Representors also submitted that there was a need for standards and protocols by which contamination levels or impacts can be defined and mitigated. Only air and land contamination policies are included, and three representors considered that water contamination should also be considered (such as land and water contaminated by many diffuse sources (e.g. septic tanks). Three representors noted that it is not tenable to map all land that has been potentially contaminated.

Another comment was that 'contaminated air and land' is better dealt with under the Settlement section of the TPPs as a land use conflict issue. Another representor stated that it was important to acknowledge that such land use conflict can be addressed by design and mitigation measures, rather than only resorting to separation.

Issue	**Description**	**Representation number**
Support risk responses	Support strategies that respond to environmental risk (flooding, coastal inundation, landslip, bushfire).	50
Natural hazards	Adopt the term "natural hazards" as it is more consistent with contemporary usage (eg 'natural resources').	23
Similar strategies	Many of the strategies for different hazards are similar.	23
A mix of strategic and regulatory	The strategies are a mix of strategic and regulatory in how they are to be implemented and it is not clear what work they have to do in the RLUSs and SPPs.	4, 62
Other hazards	Other hazards need to be considered – eg acid sulphate or dispersive soils, drought, heat waves, tunnel erosion.	47, 48, 39
Multi-use of land	Opportunities to combine recreational use of land that is being also designed for flood mitigation or storm surge.	13
Cumulative impacts	Consider cumulative impacts and impacts external to the proposed development site.	4, 60
Impact on natural values	Consider whether development or land use change might exacerbate hazards and then impact on natural values.	39, 33
Landslip controls for minor development	The landslip regulation controls are too onerous for minor developments or a change of use for existing structures.	48
Support flooding strategies	Flooding strategies are supported as written.	39

Land acquisition	Consider need to acquire land that is susceptible to unavoidable flooding.	48
Environmental harm by flooding	Acknowledge the environmental harm caused by flooding – not just impact to property.	33
Intensification of use	Intensification of use shouldn't occur in flood prone areas.	50
Downstream of dam	Dam safety assessments should not be required for every proposed development downstream from a dam.	26, 27, 45
Definition of coastal zone	Consideration of coastal hazards should be based on actual risk mapping rather than relying on the Coastal Policy zone definition.	50, 26, 27, 45
Relocate to Settlement section	'Contaminated air and land' is better dealt with under the Settlement section of the TPPs as a land use conflict issue.	23
Contamination protocols	Need for standards and protocols by which contamination levels or impacts can be defined and mitigated.	48
Water contamination	Contamination of water should also be dealt with alongside air and land.	39, 4, 33
Diffuse sources of contamination	Address the contamination of land and water from many diffuse residential sources (eg septic tanks) at their source.	39
Mapping contaminated land	It is not tenable to map all land that has been potentially contaminated.	26, 27, 45
Mitigating impact of contamination	Acknowledge the ability to address land use conflict by design and mitigation measures – not just by separation.	4

3.11 Economic Development

3.11.1 The "sustainability" of economic development

Ten representors questioned the inherent sustainability of the current forms of economic development. Three representors specifically submitted the need for economic growth was over-emphasised and that the policies should stress economic resilience, transformation and sustainability, and then link such matters to community wellbeing and liveability objectives.

It was also submitted that unchecked growth is ultimately unsustainable. Another representor was concerned about an "addiction to growth" and how the TPP policies should focus more on "community scenario planning" that can develop local solutions to currently unsustainable lifestyles. Other representors also supported more sustainable forms of economic development that involved ongoing engagement with community and industry sectors.

Two representors also considered that sustainable growth is not possible in a closed system. As such, the term "sustainable economic development" is problematic, and policies are contrary to "sustainable development" in Schedule 1 of the Act.

Another suggestion was that circular economy principles should be incorporated, and another was that a more balanced approach is needed that acknowledges the potential conflicts between economic growth and the protection of ecological diversity and natural landscapes. One representor further submitted that the planning system facilitates an inefficient use of land that requires costly infrastructure and results in personal isolation.

Issue	Description	Representation number
Overemphasis on promoting growth	Concerned about an "addiction to growth" that underlies the policies and "community scenario planning" should be applied in response.	12
Heading is inappropriate	Align with legislation definition and acknowledge that "economic development" is inherently unsustainable.	30
Economic growth is over-emphasised	Policies should also stress economic resilience, transformation and sustainability – link to wellbeing and liveability objectives. Unchecked growth is unsustainable.	25, 5, 12
Policies supported	Support for sustainable forms of economic development and ongoing engagement with community and industry sectors.	54, 28
Circular economy	Circular economy principles should be integrated more within the policies.	25
Balanced approach	Present a more balanced approach that acknowledges the potential conflicts between economic growth and the protection of ecological diversity and natural landscapes.	38
Inefficient use of land	Planning system facilitates an inefficient use of land that requires costly infrastructure and personal isolation.	35
Defining "sustainable development"	Sustainable growth is not possible in a closed system – the term "sustainable economic development" is problematic, and policies are contrary to "sustainable development" in Schedule 1 of the Act.	31, 57

3.11.2 Selection of industry categories for the TPPs

Some representors were concerned about the choice that was made for the industry categories within the TPPs. There was a concern from some that only some industry sectors were identified and that it is not the role of the planning system to "pick winners" in this way (e.g. there are other farming products besides timber production, such as aquaculture or tertiary industries like healthcare could be included).

Fout representors (4) submitted that there was a lack of recognition of the importance of rural areas to the state's economy. Similarly, seven representors stated that the existing Industry strategies have an urban focus, rather than acknowledging the importance of industry in regional or rural areas

and the need to often be remote from settlements (though of the 8 categories, 4 are rural, 2 are urban and 2 could be either).

More specific comments included:

- support for growing trees on farms to improve primary production and carbon balance and grow timber products;
- further consider the potential for future irrigation schemes;
- support the existing timber production policies;
- agricultural land should be identified, based on up-to-date capability assessments, inclusive of native vegetation and habitat;
- windfarms can have adverse impacts on landscape and there is still much to be done in defining landscapes values;
- not all forms of bioenergy are carbon neutral or environmentally friendly;
- the language associated with protecting tourism assets is not as strong as for other economic assets (e.g. mining, timber); and
- representors (5) stated that identifying tourism sites in a free market is impractical as such businesses will emerge in places that are unexpected.

Six representors agreed that the TPPs are consistent with the PAL Policy but should not go further than PAL. The Agriculture Zone should be limited to prime agricultural land. A lot of land is now zoned Agriculture that should be in the Rural Zone, and this is more likely if the TPPs prioritises prime agricultural land. A related comment was that defining agricultural land needs to be based on up-to-date capability assessments and be inclusive of native vegetation and habitat.

Policy guidance was sought on managing interface issues between residential and agricultural uses. Residential use should be allowed where it will also encourage the increased agricultural use of land. It was also suggested that land with lower agricultural capability be used to buffer prime land from conflicting land uses.

Other specific comments included the need to acknowledge the variety of land uses (residential, quarries, tourism, forestry, energy etc) that need to exist in rural areas to meet local needs and that agricultural land should be able to be converted to other uses (e.g. residential) if, on balance that other use is of greater benefit.

Five representors presented that a more balanced approach is required for extractive industry that allows for greater economic diversification within remote communities, while also protecting protect social/environmental values. The importance of extractive industry should be stressed more. It is barely mentioned in the policy context and the existing objective and strategies are less positive than for other industries. Requiring a mineral exploration process prior to any alternative allocation of land by zoning is impractical.

Two representors submitted that it will be necessary to regularly undertake regional assessments of the industrial land supply and potential areas beyond the UGB will need to be considered. A long time horizon is needed as identifying future industrial land is always difficult. It was also stated by four others that a more flexible approach to development opportunities is needed as actual market competition and diversity comes from removing some locational constraints on businesses.

Three representors submitted that intensifying commercial or industrial growth around activity centres is not always possible and local planning input is necessary. Further, policies should not allow for a loss of residential amenity when locating businesses or industry close to living areas.

Issue	Description	Representation number
Picking winners	Only some industry sectors are identified. It is not the role of the planning system to "pick winners" in this way (eg other farming products besides timber production, or aquaculture or tertiary industries like healthcare).	4, 57
Mining in policy context	Contextual statements need to be expanded to include information about importance of mining sector.	21
Value of rural areas to economy	Lack of recognition of importance of rural areas – need for a more flexible approach to development opportunities.	11, 26, 27, 45
Urban agriculture interface	Policy guidance should be provided on managing interface issues between residential and agricultural uses.	60
Residential use and agriculture	Allow for a residential use where it will also encourage the increased agricultural use of land.	46
Trees on farms	Support growing more trees on farms to improve primary production and carbon balance and grow timber products.	43
Irrigation	Consider potential for future irrigation schemes.	36
Land use buffers	Utilise land with lower agricultural capability to buffer prime land from conflicting land uses.	36
Protect agricultural land	Protect agricultural land, based on up-to-date capability assessments, inclusive of native vegetation and habitat.	28
Innovation in agriculture	Promote the further evolution of innovative farming systems – technology, diversification, value adding etc.	60
PAL Policy and prime agricultural land	TPP policy is consistent with PAL policy but should not go further than PAL. Agriculture Zone should be limited to prime agricultural land. A lot of land is now zoned Agriculture that should be Rural Zone, and this is more likely if the TPPs prioritises prime agricultural land.	32, 41, 42, 26, 27, 45
Reduce restrictions on agricultural land	Acknowledge variety of land uses (residential, quarries, tourism, forestry, energy etc) that need to exist in rural areas to meet local needs.	11, 32, 41, 42
Conversion of agricultural land	Agricultural land should be able to be converted to other uses (eg residential) if, on balance, that other use is of greater benefit.	26, 27, 45
Timber production	Support inclusion of this policy	43, 32, 41

Timber production	Restrict timber production to plantation forestry.	12
Balanced approach for extractive industries	More balanced approach required for extractive industry that allows greater economic diversification within remote communities, plus protect social/environmental values.	2, 12, 26, 27, 45
More positive tone for extractive industries	Acknowledge importance of extractive industry – barely mentioned in policy context and existing objective and strategies are less positive than for other industries.	21, 7
Prior mineral exploration	Requiring a mineral exploration process prior to any alternative allocation of land by zoning is impractical.	41, 42
Protect tourism assets	Language associated with protecting tourism assets is not as strong as for other economic assets (mining, timber).	48
Identifying tourism sites	Identifying tourism sites in a free market is impractical – tourism businesses emerge in places that are unexpected.	26, 27, 45, 11, 38
Unsustainable bioenergy	Not all forms of bioenergy are carbon neutral or environmentally friendly.	25, 5
Windfarms impact on landscapes	Windfarms can have adverse impacts on landscape and much to be done in assessing/defining landscapes values.	41, 42
Urban focus for industry	Existing Industry strategies have an urban focus, rather than acknowledging importance of industry in regional or rural areas – often need to be remote from settlements.	57, 41, 42, 26, 27, 46, 45
Future supply of industrial land	Regional assessments of industrial land supply need to be regularly undertaken and potential areas beyond the UGB will need to be considered. A long time horizon is needed as identifying future industrial land is always difficult.	38, 60
Greater market freedom	Actual market competition and diversity comes from removing some locational constraints on businesses.	35, 26, 27, 45
Local planning of activity centres	Intensifying commercial growth around activity centres is not always possible and local planning input is necessary.	26, 27, 45
Loss of residential amenity	Policy should not allow for loss of residential amenity when locating businesses or industry close to living areas.	36

3.11.3 Relevance of some economic development TPPs to the planning system

Seven representors were concerned that some of the economic development strategies would not be able to be implemented through the planning system. This was primarily an issue for the tourism

strategies as they may relate to market conditions and business viability. Strategies 4.4.3 (1) and (4) promote an advertised brand which is inappropriate as a planning policy.

Similarly renewable energy was supported by four representors but such investment strategies as are implied within the TPPs are not relevant to the planning system. Five representors had a similar concern with the draft TPP's proposed innovation and research strategies.

Issue	Description	Representation number
Tourism promotion outside of planning process	Most tourism strategies are inappropriate as planning policies – they promote an advertised brand and seek information about project viability. Delete reference to Tasmanian Brand.	23, 53, 4, 26, 27, 45, 60
Relevance to planning system	Renewable energy supported but such investment strategies are not relevant to the planning system.	23, 26, 27, 45
Relevance to planning system	Innovation and research supported but such investment strategies are not relevant to the planning system.	23, 26, 27, 57, 45

3.11.4 Visitor versus rental accommodation

Tourism strategy 4.4.3(3) relates to managing visitor accommodation "so it does not significantly impact the supply of housing for the local community". Three representors sought the removal of the word "significantly" so that there was a clearer priority given for local housing supply. Three other representors noted that the TPP strategy may be contrary to the government's prior directive to reduce restrictions on visitor accommodation within planning schemes. It was also suggested that a reference to visitor accommodation should be more specific, i.e. distinguish between hotel and AirBnB types.

Issue	Description	Representation number
Rental versus visitor accommodation	Manage visitor accommodation so that it does not impact on the supply of long-term rental accommodation (remove reference to a "significant" impact).	56, 58, 42
Define visitor accommodation	Reference to visitor accommodation should be more specific – distinguish between hotel and AirBnB types.	53
Contrary to govt's prior directive	Policy on visitor accommodation is contrary to govt's prior directive to reduce restrictions in planning schemes.	26, 27, 45

3.12 Infrastructure Policies

3.12.1 Coordination of land use and infrastructure planning

Four representors raised this issue in the context of how the planning system can influence matters that are related to but not normally regarded as being part of the planning system, such as might relate to transport planning, public transport, reticulated services etc. This was partly addressed in

the earlier discussed issue about the scope of the TPPs (see Part 3.1 above) and how they can facilitate a more integrated and comprehensive land use planning system.

These representors stated that coordinating settlement and infrastructure is a critical role of the TPPs and the RLUSs. The latter will determine where growth should occur and what additional infrastructure is required to support this growth. Priority is given to land uses that utilise existing capacity within existing infrastructure.

Eleven representors noted that such coordination would require the active engagement of other government agencies in the implementation of the TPPs. This would need to include the release of data that informs land use and settlement planning (as depicted within the RLUSs) and to revise their own infrastructure planning to match up with future land use proposals. Four representors made the more specific point that infrastructure investment programs (e.g. roads, public transport) should align with land use strategies, rather than the other way round.

Issue	**Description**	**Representation number**
Coordinate land use and infrastructure planning.	Coordinate land use and infrastructure planning – each informs the other (eg Greater Hobart Plan) – settlement growth plans will drive infrastructure provision, plus priority given to utilizing existing infrastructure capacity.	7, 38, 23, 51
Implementing other government policies	Other government policies and strategies should be more effectively implemented to support TPPs (eg water quality, stormwater), plus TPPs should also be consistent with and support their implementation (eg PESRAC).	19, 26, 27, 45
Stakeholder agency engagement	Implementation of many strategies will require the full engagement of agencies that are not normally associated with the planning system – suggest they be named up in implementation guidelines.	42
Complex interaction	Interaction with planning system is complex and clarity required as to agencies and information sources.	23
Sustainability	Stress the need for sustainable infrastructure within the heading – be adaptive and resilient to rapidly changing climate.	30
Agencies engaged in implementation	Infrastructure agencies need to be fully engaged in the implementation of the TPPs (eg RLUS development) and to release more up to date information – also revise their future planning accordingly in order to better coordinate land use planning with infrastructure provision.	32, 41, 42, 57, 60, 23, 51
Forward planning	Servicing agencies need to have done long-term forward planning to enable land to be set aside to meet future needs and/or increased intensity of development.	26, 27, 45, 60, 38
Reticulated services	Promote reticulated sewer and stormwater and limit unserviced development on the urban fringe.	3

Road investment to meet land use needs	Road investment programs should align with land use strategies, rather than the other way round.	26, 27, 45
Poor services should not prohibit growth	Inadequate public transport services should not be seen to be a barrier to settlement expansion in regional areas.	57, 26, 27, 45

3.12.2 Developer contributions, "first mover" disadvantages and infrastructure capacity

Following on from the issue above, ten representors highlighted the need for a state-wide developer contribution scheme that properly attributes costs and meets the increased demand for improved public infrastructure. Such a scheme could also be used to direct development to areas where it is most suitable (e.g. reduced charges where there is existing infrastructure capacity).

It was also suggested by three representors that the current policy was too narrow in scope and that such a developer contribution scheme should be more widely applied to cover a range of public and social infrastructure needs (beyond just roads, water, sewerage, stormwater). One representor provided an alternative view in stating that developer contributions increase the cost of development and make it more difficult for home buyers.

The problems associated with "first mover" disadvantage was raised by four representors. This is where public infrastructure costs are highest for the first developer in a new area and subsequent developers benefit. This acts as a barrier to development and so a scheme should be in place that attributes the costs more fairly. Three representors suggested the specific need to prepare legislated 'infrastructure plans' that align with land use planning and provide the legal capacity for infrastructure charges or developer contributions. Such plans could utilise the capacity of existing infrastructure (e.g. the road network) and identify how its most cost-efficient upgrading can align with projected population growth.

Issue	**Description**	**Representation number**
Support developer contributions	Developer contribution scheme to be applied consistently across the state to properly attribute costs (eg address 'first mover' inequities) and meet increased demand for improved public infrastructure.	13, 48, 59, 61
Developer contributions	State-wide policy on developer contributions is required with power for councils to charge for public infrastructure – consider cumulative impact of small developments (eg car parking) and not charging in areas with existing capacity (to attract development to these areas) – incentivize development in the preferred locations.	4, 26, 27, 45, 59, 60, 38
Expand scope of developer contributions	Developer contributions should be applied to cover a broader range of public and social infrastructure needs (beyond just roads, water, sewerage, stormwater) – an enabler of growth and better located within the Settlement theme – current policy is too narrow in scope.	48, 2, 59

Exclude developer contributions	Developer contributions should be excluded as they will increase the cost of development and make it more difficult for home buyers.	6
First mover	First mover scenario (infrastructure costs highest for first developer) acts as a barrier to development. Headworks charges should not be based on first mover basis.	54, 32, 41, 42
Legislate infrastructure plans	Legislate the need to prepare infrastructure plans that align with land use planning and provide the capacity for infrastructure charges or developer contributions.	48, 46, 38
Utilise existing capacity	Utilise existing capacity of existing infrastructure (eg road network) and identify how its most cost-efficient upgrading can align with projected population growth.	53, 7, 38

3.12.3 Traffic, road transport and modal choice

Representors also raised other specific transport related issues. For example, it was suggested by six that active transport should be stressed more within the TPPs, such as by enhancing active transport infrastructure alongside main roads and within rural areas or providing storage and charging facilities for e-bikes. More sustainable lifestyles require different paradigms to be adopted for infrastructure design and more efficient and less costly transport modal alternatives.

There was an expressed desire to reduce car dependency and to support other modes of transport, with connections made between future land development and the provision of public transport services and infrastructure. Three representors stated that infrastructure should be provided to support low emissions transport modes. The availability of public car parking can also influence choices on whether to use alternative transport modes.

Concerns were expressed by three representors about transport policies that encourage industrial development within urban areas as this will increase land use conflict. It was noted that the location of future distribution facilities cannot necessarily be predicted as freight networks are a response to the market.

Issue	**Description**	**Representation number**
Traffic congestion and public safety	Traffic congestion issues need to be addressed in order to cater for public safety and emergency services.	50
Travel plans	Major residential developments be supported by travel plans that provide evidence of future liveability, affordability and active transport.	13
Reduce car dependency	Provide viable alternative to private car use, especially in low density residential areas and rural settlements, including active transport.	13
Public transport	The provision of public transport services is not within the remit of the planning system but is a critical factor in guiding	48, 13

	future land development and associated infrastructure should be enabled.	
Influence of parking on modal choice	Clarify how provision of public car parking will influence choices made to shift to alternative modes of transport.	53
Transport needs of major industry	Transport policies that support industrial development within the UGB will create greater land use conflict.	26, 27, 45
Cannot predict market response	The location of future distribution facilities and freight networks are a response to the market.	26, 27, 45
Active transport	Active transport should be stressed more – enhance active transport infrastructure alongside main roads and in rural areas. Provide storage and charging facilities for e-bikes.	5, 53, 3, 4, 25, 35
Public transport	Public transport planning requires a holistic approach as even small changes/extensions can degrade the quality of the network and discourage patrons.	7
Low emissions transport	Infrastructure to be provided that supports low emissions transport modes – noting inclusion of improved passenger transport and enhancing active travel within list in 5.0.2.	1, 28, 13
Reduce car dependency	Support strategies to reduce car dependency and promote active/public transport and use car parking to influence modal choice.	1, 35
The way we plan must change	More sustainable lifestyles require different paradigms to be adopted for infrastructure design and more efficient and less costly transport modal alternatives.	35

3.12.4 Other infrastructure concerns

In addition to transport related issues within the TPPs, representors also identified a range of other infrastructure related concerns. Three representors submitted that a stronger position should be taken within the TPPs on stormwater issues, particularly in relation to climate change impacts, considering the future capacity of infrastructure, protecting overland flow paths and the need for a standard approach to be adopted by all councils when assessing development proposals.

Two suggestions were made to consider the future role of 'smart' infrastructure that utilises advantages provided by digital technology. There was little mention of waste management, and it was suggested by two representors that the TPPs promote the provision of infrastructure to encourage a circular economy. Three representors suggested that the provision of telecommunication or digital infrastructure should be mandatory within all new subdivisions and developments.

Airports should be better protected from inappropriate nearby development by meeting the agreed national guidelines that provide for appropriate airport buffers (i.e. the 'National Airports Safeguarding Framework'). Three representors also sought more clarity about the future of existing non-operational rail corridors.

Issue	Description	Representation number
'Smart' infrastructure	Policies to consider future role of 'smart' infrastructure that utilises advantages provided by digital technology.	25, 62
Protect airports from inappropriate development	Highlight the need to meet agreed national guidelines that provide for appropriate airport buffers (i.e. the 'National Airports Safeguarding Framework').	34
Rail corridors	The "strategic value of non-operational rail corridors" is not clear.	26, 27, 45
Stormwater	Adopt a stronger position on stormwater issues – climate change impacts, future capacity of infrastructure and a standard approach adopted by all councils.	36, 48, 33
Overland flow paths	Consider the protection of overland flow paths and associated infrastructure, plus the mitigation of flooding from impervious surfaces by WSUD.	33
Choice of infrastructure policies	Suggest policies for communications infrastructure and waste management. There are three policies for transport and stormwater, water and sewer are lumped together, yet energy has its own policy.	4
Waste management	Almost no mention of this and should be infrastructure available to encourage circular economy (eg recycling).	5, 35,
Good access to telecommunication	Support the need to ensure early connection of newly developed properties to telecommunication services.	24, 9, 37
Digital infrastructure requirement	Telecommunication or digital infrastructure should be mandatory within new subdivisions and developments.	9, 24, 37
Energy related infrastructure	General support for existing policies, though safeguard provisions could be strengthened, and greater strategic planning integration encouraged.	16

3.13 Heritage

3.13.1 Capacity of planning system to protect Aboriginal heritage

Two representors stated that the current Aboriginal heritage protection is inadequate and new legislation (providing for ownership of cultural heritage and final decision-making power), plus a State Policy, is required to inform a whole of government approach. They stated that the TPPs do not go far enough in this regard and better recognition is required of Aboriginal cultural heritage values so that the policy is consistent with the UN Declaration on Rights of Indigenous Peoples.

Further, there is nothing in the strategies to ensure the active involvement of the Aboriginal community or the need for its consent when considering development that may potentially damage Aboriginal cultural heritage.

It was also noted that an Aboriginal cultural heritage 'place' is not defined in the TPPs and there is nothing in the RMPS to protect such 'places' or cultural landscapes. It was submitted by two representors that the language within the Aboriginal cultural heritage strategies was weak and unclear, compared with the much more affirmative language used in the Historic cultural heritage strategies.

There was a call from four representors to further consult with and identify how Aboriginal peoples' connection to country can be integrated within the planning system, together with the development of supporting guidelines to enable implementation. One related comment was that Aboriginal heritage should be considered early in the planning process.

Another three representors stated that the Aboriginal cultural heritage strategies deal with matters that are outside of the planning system and that they were concerned that strategy 6.1.3(3) could effectively prohibit development unless it is acceptable to the Aboriginal community.

Issue	**Description**	**Representation number**
Aboriginal heritage	Aboriginal culture should be considered across all policy areas rather than just being dealt with under Cultural Heritage.	53
New legislation for Aboriginal heritage protection	Current Aboriginal heritage protection is inadequate and new legislation (providing for ownership of heritage and final decision-making power), plus a State Policy, is required to inform a whole of government approach.	14, 30
Definition and protection of 'place'	An Aboriginal cultural heritage 'place' is not defined in the TPPs and there is nothing in the RMPS to protect such 'places' or cultural landscapes (as referred to in other management frameworks).	14
Stronger language	The language within the Aboriginal cultural heritage strategies is weak and unclear, particularly in comparison with that used in the Historic cultural heritage strategies.	14, 30
Compliance with UN Declaration	Better recognition is required of Aboriginal cultural heritage values so that the policy is consistent with UN Declaration on Rights of Indigenous Peoples.	30
Involvement of Aboriginal community	There is nothing in the strategies to ensure the active involvement of the Aboriginal community or the need for its consent when considering development that may potentially damage Aboriginal cultural heritage.	14
Integrate values into planning system	Consult and identify how Aboriginal peoples' connection to country can be integrated within the planning system – with supporting guidelines for implementation processes.	23, 31, 28, 57

Outside of planning system	Aboriginal cultural heritage strategies deal with matters that are outside of the planning system.	26, 27, 45
Prohibiting development	Strategy 6.1.3(3) could effectively prohibit development unless it is acceptable to the Aboriginal community.	26, 27, 45
Early consideration of heritage	Aboriginal heritage should be considered early in the planning process.	8

3.13.2 Omission of State heritage significance listed places from TPPs

Concerns were expressed by three representors that the TPPs only dealt with local heritage values and excluded consideration of places that would be listed on the State heritage list. They submitted that a more holistic heritage policy should be included that deals with all Historic heritage values. It was noted that even State listed places will often also have local heritage values.

There were also some concerns from three representors about whether the current strategy mandates that each planning authority must prepare a local heritage list and then incur significant costs in doing this.

Another representor was concerned that there is no obligation for a LPS to include all types of significant local historic heritage recognized in the SPPs and that, as a result, some councils are choosing to exclude some types, primarily landscapes and areas of archaeological potential. This means that such heritage values are not protected through planning as evidently intended.

Issue	**Description**	**Representation number**
Local heritage significance	The need to consider local heritage values should not prevent the local consideration of THR listed places.	36, 4
More holistic historic heritage policy	Policy should be consistent for all historic cultural heritage places and include both places of state (THR) and local significance – don't separate them as many places have both state and local values. There is a disconnect between the objective and strategies.	48, 4
Local heritage listed within LPS	Concerns about whether policy requires the preparation of a local heritage list and the costs involved.	26, 27, 45
Local heritage listed within LPS	Each LPS should be obligated to include all types of local historic heritage recognized by the SPPs.	63

3.13.3 Implementing historic heritage strategies

Two representors stated that the language within historic heritage policies should be consistent with the SPPs, and that normal heritage terminology should be used (e.g. preserve should be retain and restore should be conserve). The policies should also accommodate the Burra Charter and ensure building interiors and 'significant trees' are included.

Other individual representors submitted that the policies should ensure that local heritage surveys are conducted (ideally by an independent organisation), that there is more consistency between Aboriginal and historic heritage (e.g. to protect unknown archaeological heritage) and that the TPP policies should align with work being done by heritage specialists and agencies.

The importance of heritage landscapes was highlighted, plus the need to protect less obvious archaeological values and that the embodied energy and resources within the reuse of old buildings is inherently more sustainable. There was support from two for the early consideration of heritage in the planning process. Four representors also noted that the requirements of some strategies cannot be dealt with by the planning system and that heritage 'significance' is not defined.

Issue	**Description**	**Representation number**
Historic heritage language	Language within policies should be consistent with that used in the SPPs and normal heritage terminology (eg preserve should be retain and restore should be conserve). Accommodate Burra Charter and ensure building interiors and 'significant trees' are included.	48, 4, 63
Protecting heritage while allowing for change	Important heritage values and a sense of place can still be protected while allowing significant landscape changes to occur (eg infill).	35
Outside of planning system	Aboriginal Heritage strategies deal with matters that are outside of the planning system.	26, 27, 45
Prohibiting development	Strategy 6.1.3(3) could effectively prohibit development unless it is acceptable to the Aboriginal community.	26, 27, 45
Early consideration of heritage	Both Aboriginal and Historic cultural heritage should be considered early in the planning process.	8, 63
Landscape heritage	Greater recognition of Aboriginal and Historic landscapes is needed – they help define the identity and character of local areas and communities.	63
Historic heritage significance	Requirements of some strategies cannot be dealt with by the planning system. Heritage 'significance' is not defined.	57, 26, 27, 45
Heritage alignment	Align Historic cultural heritage policies with work being done by heritage specialists and agencies.	53
Archaeological values	Less obvious cultural heritage values (eg archaeological) should also be protected and managed.	58, 63
Stronger protection of heritage values	Stronger language required to ensure local heritage surveys are conducted – ideally by an independent organization.	58
Heritage and sustainability	The embodied energy and resources within the reuse of old buildings is inherently more sustainable.	63

3.14 Planning Processes

3.14.1 Whether the Planning Processes section is necessary or should be included

Ten representors submitted this part of the TPPs should be deleted as it was regarded as duplicating existing legislated processes (including Schedule 1 Objectives) and is contrary to section 12B. One representor stated that they seek to unlawfully 'deregulate' the planning system.

Five representors considered the Engagement strategies might be outside of the jurisdiction of the planning system, and in any case, no distinction is made between the very different public engagement practices for strategic or statutory matters. These strategies tend to just describe what constitutes good public engagement rather than set a distinct policy. It was suggested by eight representors that the content within this Planning Process section should be contained within guidelines that accompany the TPPs.

Issue	Description	Representation number
Delete Planning Processes policies	These policies should be deleted as outside of scope of section 12B of Act, conflict with each other and duplicate other legislated processes – include content in TPP guidelines.	23, 31, 4, 57
Delete Planning Processes policies	Delete policies as they contrary to democratic governance and seek to unlawfully 'deregulate' the planning system.	58
Outside of planning system	It is not clear if the consultation strategies relate to non-statutory public engagement – they appear to relate to matters outside of the jurisdiction of the planning system. No distinction is made between the very different public engagement practices for strategic and statutory matters.	26, 27, 45, 17, 60
Redundant information	Too much detail in Engagement policy – should be within guidelines – confusing to just repeat Schedule 1 requirements. They tend to just describe what constitutes good public engagement rather than set a distinct policy.	4, 17, 38

3.14.2 Concerns about reference to "over-regulation"

There was a particular concern expressed by four representors about the references made to "over-regulation" in the Policy Context and Objective within this part of the TPPs. It was submitted that this reference lacks balance and implies that the planning system is in fact over-regulated and that this is a problem that must be addressed.

There was no mention of the positives about regulating land use or counter claims that planning is not doing enough to control inappropriate development. It was questioned as to how any such "over-regulation" might be determined and who could objectively do this, bearing in mind that regulating land use needs to be consistent, proportional, accountable and targeted. One representor considered it would also be necessary for any desire to avoid over-regulation to show that it would not be contrary to the need for genuine public engagement in Schedule 1 Objective 1(c) of the Act.

Issue	Description	Representation number
More balanced statements	Reference to 'over-regulation and red tape' lack balance and imply that they are current problems that need to be addressed – eg no mention is made of the positives about regulating land use and counter claims that planning not doing enough to control inappropriate development.	48, 58, 38
Defining over-regulation	How would "over-regulation" be determined and who would do this? Ultimately, it should just be an assessment as to whether an unacceptable impact is likely to occur.	58, 17
Over-regulation	Not a question of there being over-regulation as this is very subjective – regulation needs to be consistent, proportional, accountable and targeted.	60
Meeting Schedule 1 objective for public engagement	Policies need to show how a desire to avoid over-regulation is not contrary to public engagement in Schedule 1 Objective 1(c).	15

3.14.3 Issues with the proposed public engagement processes

Five representors (5) noted that current statutory advertising processes are outdated, and that new technology or more contemporary practices should be adopted to ensure information reaches people who might be most interested or affected. Four others stated that there is a poor understanding of the planning system within the community and so information on planning matters should be more publicly accessible and able to be understood/visualized. There should also be early consultation to inform design.

Another comment was that public engagement and shared decision-making processes are integral to the effective implementation of most successful growth or liveability strategies. Opportunities for other innovative forms of public engagement should also be pursued, plus it was noted that appeal and civil enforcement rights are also important in ensuring public engagement in the planning system. Some representors also stated that the proposed public engagement policies would be difficult to implement, and consultation protocols are better located within guidelines.

Issue	Description	Representation number
Public engagement	Effective public engagement and shared decision-making processes are integral to implementation of most growth or liveability strategies.	38
Cross sector engagement	Encourage cross-sector engagement when translating principles into regulation (eg with industry, Uni).	59
Increased public engagement	Poor understanding of planning system within community. Information on planning matters should be more publicly	53, 59, 29, 17

	accessible and able to be understood/visualized, plus early consultation to inform design and proponent involvement.	
Outdated statutory advertising process	Statutory advertising processes are outdated – adopt new technology or more contemporary practices to ensure information reaches right people (maybe a two-tier system with one that only notifies immediate neighbours).	32, 41, 42, 38, 17
Appeal rights	Appeal and civil enforcement rights are also important in ensuring public engagement in the planning system.	30
Other forms of public engagement	There should be opportunities for other innovative forms of public engagement (eg People's Forum).	12
Delete Public Engagement policies	These policies will be difficult to implement, and consultation protocols are better located within guidelines.	57, 30

3.14.4 Issues with the proposed strategic planning processes

Three representors supported strategies that encourage further local planning and consultation, and one stated that it was good to see population projections and land use planning aligned. Some submitted that these strategies are better read as principles for the implementation of TPPs and subordinate instruments.

One representor considered that they should emphasise the strategic coordination of infrastructure and land use planning. Another representor submitted that strategic planning strategies should include the involvement of Aboriginal communities in decision making.

Issue	**Description**	**Representation number**
Strategic planning principles	Strategic planning strategies are better read as principles for implementation of TPPs and subordinate instruments.	23, 38
Indigenous involvement	Strategic planning strategies should mention involvement of Aboriginal communities in decision making.	38
Population planning	Good to see population and land use planning aligned.	37
Coordinate land use and infrastructure	Emphasise the strategic coordination of infrastructure and land use planning, indicating connections with other TPP policies.	48
Local planning	Support strategies that encourage further local planning and consultation	26, 27, 45

3.14.5 Issues with the proposed regulation processes

Two representors submitted that these strategies should be deleted as they will create implementation problems (cost, time, agency cooperation, practicalities) and they go beyond the section 12B requirements. Another suggestion was that it is important that opportunities be taken to enhance the coordination of planning with other related regulatory regimes.

Some representors support improved planning efficiency based on regulation being proportionate to the impact caused by use/development. There was support from three representors for regulation policies to enable local aspirations to be expressed.

Another representor considered they would not support regulatory consistency that compromises the need to meet diverse local circumstances. Three representors highlighted the need for standard procedures to be adopted in treating 'No Permit Required' uses and developments, as there is no consistency in the different practices adopted by planning authorities.

Issue	Description	Representation number
Delete Regulation policies	There are implementation problems with the Regulation strategies re cost, time, agency cooperation, practicalities and they are beyond the section 12B requirements.	57, 58
NPR procedures	There should be standard procedures adopted in treating 'No Permit Required' uses and developments – PAs adopt different practices.	32, 41, 42
Local aspiration	Regulation policies should enable local aspiration.	26, 27, 45
Coordinate regulatory regimes	Opportunities should be taken to enhance coordination of planning with other related regulatory regimes.	38
Regulatory efficiency	Support planning efficiency based on regulation being proportionate to the impact caused by use/development.	59, 60
Regulatory consistency	Do not support regulatory consistency at the expense of needing to meet diverse local circumstances.	59

4.0 Tasmanian Planning Policy (TPP) Criteria

The Act requires that a statement be provided as to whether the Commission is satisfied that the draft of the TPPs meets the TPP criteria (section 12F(3)(b)). The TPP criteria are as set out in section 12B(4), and are as follows:

> The TPPs must –
>
> (a) seek to further the objectives set out in Schedule 1 ; and
>
> (b) be consistent with any relevant State Policy.

The following assessment has led the Commission to conclude that the draft TPPs meet the TPP criteria.

4.1 Further Schedule 1 Objectives of the Act

The requirement to "further the objectives" is taken to mean that all the objectives must be addressed and promoted by way of the application of the TPPs. The objectives set out in Schedule 1 of the Act are in two parts, and are as follows, together with the Commission's response for each objective:

4.1.1 Part 1 - Objectives of the Resource Management and Planning System of Tasmania

The objectives of the resource management and planning system of Tasmania are:

(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity;

Response

It is firstly noted that under clause 2, "sustainable development" means

'…managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety while –

(a) sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil and ecosystems; and

(c) avoiding, remedying or mitigating any adverse effects of activities on the environment.

This objective focuses on ensuring that the planning system has sufficient controls and safeguards that only allow the sustainable development of natural resources in ways that also promote the continued functioning of ecological processes and genetic diversity. The Environmental Values policies within the draft TPP aim to fulfill this objective and the strategies within the draft TPP address the specific matters within the objective.

The PIA representation provided some examples to demonstrate where the draft TPPs fell short in this regard. One such example was an allowance for urban expansion to occur beyond an urban growth boundary (strategy 1.1.3.8) and another was where a lower priority was given to biodiversity than to social and economic benefits (strategies 2.1.3.2 and 2.1.3.5).

In the first example, such development would have to have an adverse impact on environmental values, but this cannot be assumed to always be the case just because it is occurring beyond a predetermined urban growth boundary. In fact, the strategy does require that such an expansion only occur if it can be strategically justified, based on site suitability, having regard to identified values (amongst other criteria).

In the second example, each strategy cannot be considered in isolation. This is the case throughout the TPPs, and the point is clearly made in the GA section. There are sufficient safeguards within the other strategies under this Biodiversity theme to ensure that the perceived social and economic benefits do not have a higher priority than the need to protect high biodiversity values.

Some representors highlighted the phrase within this definition that states that sustainable development is achieved by enabling "*people and communities to provide for their social, economic and cultural well-being and for their health and safety".* They contended that this phrase means that local communities should have the autonomy to determine what constitutes sustainable development without the constraints of any contrary regional or state-based policy. However, it is the Commission's view that this objective is referring to all levels of the Tasmanian community and that it is necessary to balance state, regional and local interests.

It is the Commission's view that the draft TPPs will further this objective.

(b) to provide for the fair, orderly and sustainable use and development of air, land and water;

Response

Fair, orderly and sustainable use and development is more likely to occur if there is a cohesive policy framework that guides the implementation of the planning system. The TPPs provide policies at a state-based level that can be further interpreted strategically (within the RLUSs) and through regulation, both at a state level (within the SPPs) and at a local level (within LPSs).

It is the Commission's view that the draft TPPs will further this objective.

(c) to encourage public involvement in resource management and planning;

Response

This objective focuses on ensuring that the process in preparing the TPPs provides for an appropriate level of public engagement and that the implementation of the TPPs will facilitate further public involvement in resource management and planning. An early draft of the TPPs was released for public comment by the SPO. The draft TPPS were subsequently reviewed and supplied to the Commission for exhibition in accordance with section 12D of the Act.

Public hearings were held by the Commission to further inform its assessment of the comments and suggestions that were made as a result. The draft TPPs themselves also include specific strategies within the Planning Processes TPP that provide the necessary policy guidance for public engagement in the planning system.

It is the Commission's view that the draft TPPs will further this objective.

(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a) , (b) and (c) ; and

Response

This objective focuses on ensuring that the planning system facilitates economic development while also meeting the earlier objectives. The system relies upon an appropriate balance being achieved that allows for economic development to occur, but not at the undue expense of environmental values for example. The TPPs achieve this through their inclusion of a Sustainable Economic Development TPP and the GA that stipulates how the potentially conflicting strategies are to be applied.

It is noted in this regard that any such broad-based policy instrument will include strategies that, if implemented in isolation, will conflict with others. This is why the TPPs must be read and implemented as a whole. The "application principles" within the draft TPPs include a list of matters that must be considered (see principle 7 on page 4 of the draft TPPs) when applying "balanced consideration and judgement derived from evidence". This is the correct approach.

It is the Commission's view that the draft TPPs will further this objective.

(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.

Response

This objective focuses on ensuring that the different types and levels of interest are properly represented within the planning system and that the responsibility for implementation is similarly allocated. While the draft TPPs represent the state-based policy direction that is needed for a planning system that is primarily implemented by local government, input into their preparation was also provided from community, industry and specialist government agencies. The draft TPPs reflect this broad scope. They are a necessary component in the development of a cohesive and integrated policy framework that can facilitate a shared responsibility for resource management and planning.

It is the Commission's view that the draft TPPs will further this objective.

4.1.2 Part 2 - Objectives of the Planning Process Established by this Act

The objectives of the planning process established by this Act are, in support of the objectives set out in Part 1 of this Schedule:

(a) to require sound strategic planning and co-ordinated action by State and local government;

Response

This objective focuses on the implementation of the planning system by State and local government. The TPPs provide the necessary high level planning policies that can be delivered by the RLUSs and the TPS, in both a strategic and regulatory sense.

Some representors highlighted the important role that the TPPs play in filling a strategic policy void in the planning system in a manner that reflects contemporary best practice. This is also promoted by the inclusion of the Planning Processes (Strategic Planning) TPP and the strategies therein that aim to further deliver on this objective.

It is the Commission's view that the draft TPPs will further this objective.

(b) 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;

Response

This objective relates to the establishment of the planning system, of which an over-arching set of planning policies would be expected to be an integral component. The legislated TPPs are to perform this function and the draft TPPs have been prepared in a manner to do this. No such system is static, and much is learned from its ongoing implementation.

It is expected that the same will occur following the application of the TPPs and they will need to be reviewed and revised in the future, in conjunction with the complementary RLUSs and SPPs. This is also promoted by the inclusion of the Planning Processes (Regulation) TPP and its strategies that aim to further deliver on this objective.

It is the Commission's view that the draft TPPs will further this objective.

(c) 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;

Response

The draft TPPs include various policies that explicitly deal with the broad range of environmental, social and economic issues that relate to the implementation of the Tasmanian planning system. All of the relevant matters are dealt with, including for example due consideration of climate change is integrated within all of the main policy areas.

It is the Commission's view that the draft TPPs will further this objective.

(d) 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;

Response

The draft TPPs include a broad suite of policies that are required by legislation to be implemented by the RLUSs and the TPS (the SPPs at a state level and the LPSs at a local level). These draft TPPs have been developed following input from state, regional and municipal government levels. The final form of the draft TPPs reflects this input as they have been informed by and are considered consistent with other existing government policies.

The directions for their implementation within the GA, also provide appropriate guidance to deal with the conflicting priorities that are an inevitable part of any planning framework such as the Tasmanian RMPS.

It is the Commission's view that the draft TPPs will further this objective.

(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals;

Response

The draft TPPs play their part in meeting this objective by providing a state-based or over-arching policy setting for the planning system. They do this satisfactorily by balancing the need for certainty in the manner of their prescription and a need for flexibility in their application to the other associated planning instruments.

The TPPs themselves will be primarily used in the regular review of the RLUSs and SPPs, while also being applied as part of the assessment of Major Projects and planning scheme amendments (up until the time that the RLUSs and SPPs have been reviewed).

It is the Commission's view that the draft TPPs will further this objective.

(f) 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;

Response

This objective is primarily addressed by the Liveability and Design policies within the Settlement TPP. The Liveability policy is "to improve the liveability of settlements by promoting a pattern of development that improves access to housing, education, employment, recreation, nature, health and other services that support the wellbeing of the community", and the Design policy is "to create functional, connected and safe urban spaces that positively contribute to the amenity, sense of place and enjoyment experienced by the community". These policies are supported by strategies that seek to deliver the respective objectives.

It is the Commission's view that the draft TPPs will further this objective.

(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;

Response

The draft TPPs have included policies relevant to this objective under the Cultural Heritage TPP and the Environmental Values TPP (the latter about protecting places of scientific and landscape values). The Cultural Heritage policies address the need to conserve those buildings, areas or other places consistent with this objective.

It is the Commission's view that the draft TPPs will further this objective.

(h) 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

Response

The draft TPPs have included relevant policies under the Physical Infrastructure TPP with strategies addressing the provision of services, energy infrastructure, roads, passenger transport modes, ports and strategic transport networks. These policies provide for the orderly provision and coordinated delivery of public infrastructure and utilities for the benefit of the community.

It is the Commission's view that the draft TPPs will further this objective.

(i) to provide a planning framework which fully considers land capability.

Response

This objective focuses on ensuring that the planning system provides for land use and development that does not exceed the capability of the land to accept those uses or developments. It is important for the planning framework to be based on accurate and relevant information on which to base planning decisions. The draft TPPS contains various strategies within the Settlement, Environmental Values, Environmental Hazards and Sustainable Economic Development TPPs that address this need.

It is the Commission's view that the draft TPPs will further this objective.

4.2 Consistent with any relevant State Policy

The current State Policies are:

- *State Coastal Policy 1996*
- *State Policy on Water Quality Management 1997*
- *State Policy on the Protection of Agricultural Land 2009*
- The *National Environmental Protection Measures* are also taken to be State Policies in Tasmania. The current NEPMs are:
  - Air Toxics NEPM
  - Ambient Air Quality NEPM
  - Assessment of Site Contamination NEPM
  - Diesel Vehicle Emissions NEPM
  - Movement of Controlled Waste between States and Territories NEPM
  - National Pollutant Inventory (NPI) NEPM
  - Used Packaging Materials NEPM

The requirement to "be consistent with any relevant State Policy" is taken to mean that the TPPs are to support or be compatible with the State Policies and not be contrary to them. They do not have to necessarily promote or further every aspect of the State Policies. The draft TPPs have embedded within them those aspects of the State Policies that are relevant.

The State Policies are not drafted in a consistent manner or format and vary in relation to their relevance to the planning system. In some cases, the strategies within the draft TPPs need to go further than the State Policies and in some cases the State Policies include a lot more detail. A response to each of these State Policies is provided below.

4.2.1 State Coastal Policy 1996 (SCP)

The SCP is delivered by way of many "outcomes" as listed under the following three Principles.

Natural and cultural values of the coast shall be protected.

The coast shall be used and developed in a sustainable manner.

Integrated management and protection of the coastal zone is a shared responsibility.

1.0 Protection of natural and cultural values of the coastal zone

1.1 Natural resources and ecosystems

1.1.1 The coastal zone will be managed to ensure sustainability of major ecosystems and natural processes.

Response

The Environmental Values TPP is consistent with and will support the delivery of this outcome.

1.1.2 The coastal zone will be managed to protect ecological, geomorphological and geological coastal features and aquatic environments of conservation value.

Response

The Environmental Values TPP is consistent with and will support the delivery of this outcome.

1.1.3 The coastal zone will be managed to conserve the diversity of all native flora and fauna and their habitats, including seagrass and seaweed beds, spawning and breeding areas. Appropriate conservation measures will be adopted for the protection of migratory species and the protection and recovery of rare, vulnerable and endangered species in accordance with this Policy and other relevant Acts and policies.

Response

The Environmental Values TPP is consistent with and will support the delivery of this outcome.

1.1.4 Exotic weeds within the coastal zone will be managed and controlled, where possible, and the use of native flora encouraged.

Response

The Environmental Values TPP is consistent with and will support the delivery of this outcome.

1.1.5 Water quality in the coastal zone will be improved, protected and enhanced to maintain coastal and marine ecosystems, and to support other values and uses, such as contact recreation, fishing and aquaculture in designated areas.

Response

The Environmental Values TPP is consistent with and will support the delivery of this outcome.

1.1.6 Appropriate monitoring programs and environmental studies will be conducted to improve knowledge, ensure guidelines and standards are met, deal with contaminants or introduced species and generally ensure sustainability of coastal ecosystems and processes and ensure that human health is not threatened.

Response

The delivery of this outcome is outside the scope of the TPPs.

1.1.7 Representative ecosystems and areas of special conservation value or special aesthetic quality will be identified and protected as appropriate.

Response

The Environmental Values TPP is consistent with and will support the delivery of this outcome.

1.1.8 An effective system of marine reserves will continue to be established to protect marine ecosystems and fish nursery areas.

Response

The delivery of this outcome is outside the scope of the TPPs.

1.1.9 Important coastal wetlands will be identified, protected, repaired and managed so that their full potential for nature conservation and public benefit is realised. Some wetlands will be managed for multiple use, such as recreation and aquaculture, provided conservation values are not compromised.

Response

The Environmental Values TPP is consistent with and will support the delivery of this outcome.

1.1.10 The design and siting of buildings, engineering works and other infrastructure, including access routes in the coastal zone, will be subject to planning controls to ensure compatibility with natural landscapes.

Response

The Settlement, Environmental Values and Physical Infrastructure TPPs are consistent with and will support the delivery of this outcome.

1.1.11 Fire management, for whatever purpose, shall be carried out in a manner which will maintain ecological processes, geomorphological processes and genetic diversity of the natural resources located within the coastal zone.

Response

The Environmental Values and Environmental Hazards (Bushfire) TPPs are consistent with and will support the delivery of this outcome.

1.2 Cultural Historic Resources

1.2.1 Areas within which Aboriginal sites and relics are identified will be legally protected and conserved where appropriate.

Response

The Cultural Heritage (Aboriginal Cultural Heritage) TPP is consistent with and will support the delivery of this outcome.

1.2.2 All Aboriginal sites and relics in the coastal zone are protected and will be identified and managed in consultation with Tasmanian Aboriginal people in accordance with relevant State and Commonwealth legislation.

Response

The Cultural Heritage (Aboriginal Cultural Heritage) TPP is consistent with and will support the delivery of this outcome.

1.3 Cultural Heritage

1.3.1 Places and items of cultural heritage will be identified, legally protected, managed and conserved where appropriate.

Response

The Cultural Heritage TPP is consistent with and will support the delivery of this outcome.

1.4 Coastal Hazards

1.4.1 Areas subject to significant risk from natural coastal processes and hazards such as flooding, storms, erosion, landslip, littoral drift, dune mobility and sea-level rise will be identified and managed to minimise the need for engineering or remediation works to protect land, property and human life.

Response

The Environmental Values (Coasts) and Environmental Hazards TPPs are consistent with and will support the delivery of this outcome.

1.4.2 Development on actively mobile landforms such as frontal dunes will not be permitted except for works consistent with Outcome 1.4.1.

Response

The Environmental Values (Coasts) and Environmental Hazards TPPs are consistent with and will support the delivery of this outcome.

1.4.3 Policies will be developed to respond to the potential effects of climate change (including sea-level rise) on use and development in the coastal zone.

Response

The Environmental Values (Coasts) and Environmental Hazards TPPs are consistent with and will support the delivery of this outcome.

2.0 Sustainable development of coastal areas and resources

2.1 Coastal uses and development

2.1.1 The coastal zone shall be used and developed in a sustainable manner subject to the objectives, principles and outcomes of this Policy. It is acknowledged that there are conservation reserves and other areas within the coastal zone which will not be available for development.

Response

The Settlement and Environmental Values TPPs are consistent with and will support the delivery of this outcome.

2.1.2 Development proposals will be subject to environmental impact assessment as and where required by State legislation including the Environmental Management and Pollution Control Act 1994.

Response

The delivery of this outcome is outside the scope of the TPPs.

2.1.3 Siting, design, construction and maintenance of buildings, engineering works and other infrastructure, including access routes within the coastal zone will be sensitive to the natural and aesthetic qualities of the coastal environment.

Response

The Settlement, Environmental Values and Physical Infrastructure TPPs are consistent with and will support the delivery of this outcome.

2.1.4 Competing demands for use and development in the coastal zone will be resolved by relevant statutory bodies and processes, in particular the Land Use Planning Review Panel, the Resource Management and Planning Appeal Tribunal and the Marine Farming Planning Review Panel. Planning schemes, marine farming development plans and other statutory plans will provide guidance for resource allocation and development in accordance with this Policy.

Response

The delivery of this outcome is outside the scope of the TPPs.

2.1.5 The precautionary principle will be applied to development which may pose serious or irreversible environmental damage to ensure that environmental degradation can be avoided, remedied or mitigated. Development proposals shall include strategies to avoid or mitigate potential adverse environmental effects.

Response

The application of the precautionary principle is supported within strategy 7.2.3(1). As well as this, the Settlement, Environmental Values and Environmental Hazards TPPs are aligned with the objectives of the precautionary principle and are consistent with and will support the delivery of this outcome.

2.1.6 In determining decisions on use and development in the coastal zone, priority will be given to those which are dependent on a coastal location for spatial, social, economic, cultural or environmental reasons.

Response

The Settlement and Environmental Values TPPs are consistent with and will support the delivery of this outcome.

2.1.7 New industrial developments will be encouraged to locate in specified industrial zones.

Response

The Settlement and Sustainable Economic Development (Industry) TPPs are consistent with and will support the delivery of this outcome.

2.1.8 Extraction of construction materials, mineral, oil, and natural gas deposits in the coastal zone will be allowed provided access to areas is allowed under the provisions of the Mining Act 1929.

Response

The Sustainable Economic Development (Extractive Industry) TPP is consistent with and will support the delivery of this outcome.

2.1.9 Exploration will be conducted in accordance with environmental standards under relevant legislation and the Mineral Exploration Code of Practice. Adequate rehabilitation shall be carried out.

Response

The delivery of this outcome is outside the scope of the TPPs.

2.1.10 Extraction will be subject to the Quarry Code of Practice and environmental assessment as required by State legislation including the Environmental Management and Pollution Control Act 1994. Adequate rehabilitation shall be carried out.

Response

The delivery of this outcome is outside the scope of the TPPs.

2.1.11 Extraction of sand will be provided for by zoning of appropriate areas in planning schemes.

Response

The Sustainable Economic Development (Extractive Industry) TPP is consistent with and will support the delivery of this outcome.

2.1.12 Timber harvesting and reforestation in the coastal zone will be conducted in accordance with the Forest Practices Code and have regard to this Policy.

Response

The delivery of this outcome is outside the scope of the TPPs.

2.1.13 Whole farm planning and sustainable farming activities will be encouraged on agricultural land in the coastal zone and in coastal catchments in order to minimise problems such as erosion, sedimentation and pollution of coastal waters including surface and ground waters.

Response

The Environmental Values (Coasts) and Sustainable Economic Development (Agriculture) are consistent with and will support the delivery of this outcome.

2.1.14 Management arrangements for commercial and recreational fisheries will be further developed in accordance with the objectives, principles and outcomes of this Policy, through a management planning framework designed to maintain sustainability and diversity of fish resources and their habitats and 11 promote economic efficiency under the Living Marine Resources Management Act 1995.

Response

The delivery of this outcome is outside the scope of the TPPs.

2.1.15 Harvesting of marine plants shall be conducted in a sustainable manner in accordance with relevant State legislation and this Policy.

Response

The delivery of this outcome is outside the scope of the TPPs.

2.1.16 Water quality in the coastal zone and in ground water aquifers will accord with the requirements and guidelines established by the Environmental Management and Pollution Control Act 1994 or the Environment Protection (Sea Dumping) Act 1987 (as appropriate) and any other relevant State and Commonwealth Policies and statutes.

Response

The delivery of this outcome is outside the scope of the TPPs.

2.1.17 Waste discharge into the coastal zone, including offshore waters, or likely to affect groundwater aquifers, must comply with provisions of the Environmental Management and Pollution Control Act 1994 or the Environment Protection (Sea Dumping) Act 1987 (as appropriate) and any relevant State and Commonwealth Policies.

Response

The delivery of this outcome is outside the scope of the TPPs.

2.1.18 Where oil pollution occurs in the coastal zone, and, or, offshore areas, the National Plan to combat Pollution of the Sea by Oil, Tasmanian Supplement, will apply. Efforts to prevent or

mitigate maritime accidents and pollution shall be based upon relevant ANZECC and other guidelines.

Response

The delivery of this outcome is outside the scope of the TPPs.

2.1.19 Every effort will be made to prevent the introduction of foreign marine organisms and species. Relevant Commonwealth provisions for quarantine and ballast water or other ship discharges shall apply.

Response

The delivery of this outcome is outside the scope of the TPPs.

2.2 Marine farming

Response

The delivery of these outcomes is outside the scope of the TPPs.

2.3 Tourism

2.3.1 Tourism use and development in the coastal zone, including visitor accommodation and other facilities, will be directed to suitable locations based on the objectives, principles and outcomes of this Policy and subject to planning controls.

Response

The Settlement, Environmental Values and Sustainable Economic Development (Tourism) TPPs are consistent with and will support the delivery of this outcome.

2.3.2 Tourism development proposals in the coastal zone will be subject to environmental impact assessment as required by State legislation including a water safety assessment to indicate the level and type of lifesaving facilities and personnel required to protect people.

Response

The delivery of this outcome is outside the scope of the TPPs.

2.3.3 Opportunities for tourism development will be identified wherever strategic planning occurs for the coastal zone or any part of it.

Response

The Sustainable Economic Development (Tourism) TPP is consistent with and will support the delivery of this outcome.

2.3.4 Tourism development will be located where there is environmental capacity and where it does not significantly conflict with the natural and aesthetic qualities of the coastal zone.

Response

The Environmental Values and Sustainable Economic Development (Tourism) TPPs are consistent with and will support the delivery of this outcome.

2.4 Urban and residential development

2.4.1 Care will be taken to minimise, or where possible totally avoid, any impact on environmentally sensitive areas from the expansion of urban and residential areas, including the provision of infrastructure for urban and residential areas.

Response

The Environmental Values and Settlement (Growth) TPPs are consistent with and will support the delivery of this outcome.

2.4.2 Urban and residential development in the coastal zone will be based on existing towns and townships. Compact and contained planned urban and residential development will be encouraged in order to avoid ribbon development and unrelated cluster developments along the coast.

Response

The Settlement (Growth) and Environmental Values (Coasts) TPPs are consistent with and will support the delivery of this outcome.

2.4.3 Any urban and residential development in the coastal zone, future and existing, will be identified through designation of areas in planning schemes consistent with the objectives, principles and outcomes of this Policy.

Response

The Settlement (Growth) TPP is consistent with and will support the delivery of this outcome.

2.5 Transport

2.5.1 All transport infrastructure and associated services will be planned, developed and maintained consistent with the State Coastal Policy.

Response

The Physical Infrastructure TPP is consistent with and will support the delivery of this outcome.

2.5.2 Significant scenic coastal transport routes and associated facilities will be identified, planned and managed to ensure sustainable benefits for tourism and recreation value and amenity.

Response

The Environmental Values and Sustainable Economic Development TPPs are consistent with and will support the delivery of this outcome.

2.5.3 New coast hugging roads will be avoided where possible with vehicular access to the coast being provided by spur roads planned, developed and maintained consistent with the State Coastal Policy.

Response

The delivery of this outcome is outside the scope of the TPPs.

2.5.4 Marine structures will be designed, sited, constructed and managed in accordance with best practice environmental management and subject to environmental impact assessment having regard to statutory requirements.

Response

The delivery of this outcome is outside the scope of the TPPs.

2.5.5 The multiple use of port areas will be encouraged but priority will be given to efficient port operations and safety requirements subject to cultural, natural and aesthetic values not being compromised.

Response

The Physical Infrastructure (Ports and Strategic Transport Networks) TPP is consistent with and will support the delivery of this outcome.

2.6 Public access and safety

2.6.1 The public's common right of access to and along the coast, from both land and water, will be maintained and enhanced where it does not conflict with the protection of natural and cultural coastal values, health and safety and security requirements.

Response

The delivery of this outcome is outside the scope of the TPPs.

2.6.2 Public access to and along the coast will be directed to identified access points. Uncontrolled access which has the potential to cause significant damage to the fragile coastal environment and is inconsistent with this Policy will be prevented.

Response

The delivery of this outcome is outside the scope of the TPPs.

2.6.3 Agreements between landowners, landholders and councils or State Government to grant public access to the coast, and Aborigines access to Aboriginal sites and relics in the coastal zone over private and public land will be encouraged and shall be considered when preparing plans or approving development proposals.

Response

The delivery of this outcome is outside the scope of the TPPs.

2.6.4 Public facilities such as life-saving facilities and essential emergency services, parking facilities, toilet blocks, picnic sites, rubbish disposal containers, boat ramps and jetties will be provided at appropriate locations consistent with the objectives, principles and outcomes of this Policy to facilitate access to and enjoyment of the recreational amenity of the coast and estuarine foreshores.

Response

The delivery of this outcome is outside the scope of the TPPs.

2.6.5 Councils will ensure that there will be a coastal safety assessment for any new coastal development likely to attract people to the coast to indicate the level and type of lifesaving facilities and personnel required.

Response

The delivery of this outcome is outside the scope of the TPPs.

2.6.6 Developer contributions will be encouraged in respect to the costs of providing public access and safety services for the community.

Response

The Physical Infrastructure (provision of Services) and Settlement (Growth) TPPs are consistent with and will support the delivery of this outcome.

2.7 Public land

2.7.1 All future use and development of public land in the coastal zone will be consistent with this Policy, and subject to planning controls unless otherwise provided by statute.

Response

The delivery of this outcome is outside the scope of the TPPs.

2.7.2 Future development of camping areas on public land in the coastal zone will only be permitted where such development does not conflict with the protection of natural features and cultural values, but not within 30 metres above high water mark.

Response

The Environmental Values (Coasts) TPP is consistent with and will support the delivery of this outcome.

2.7.3 Expansion of shack sites on public land in the coastal zone will not be permitted.

Response

The delivery of this outcome is outside the scope of the TPPs.

2.7.4 Shacks currently located on public land in the coastal zone will continue to be subject to review under the Shack Site Categorisation Program of the Tasmanian Property Services Group.

Response

The delivery of this outcome is outside the scope of the TPPs.

2.8 Recreation

2.8.1 Recreational use of the coastal zone will be encouraged where activities can be conducted in a safe and environmentally responsible manner.

Response

The Settlement and Environmental Values (Coasts) TPPs are consistent with and will support the delivery of this outcome.

2.8.2 Suitable recreation opportunities will be identified through strategic planning and may be provided in appropriate locations where they do not adversely affect sensitive coastal ecosystems and landforms or in designated areas where such effects can be remedied or mitigated.

Response

The Settlement and Environmental Values TPPs are consistent with and will support the delivery of this outcome.

2.8.3 Special recreational vehicle areas may be established as an environmental protection measure and as a means of limiting unauthorised motor vehicle activity in environmentally sensitive areas.

Response

The delivery of this outcome is outside the scope of the TPPs.

3.0 Shared responsibility for integrated management of coastal areas and resources

3.1 Shared responsibility for management

3.1.1 Provision will be made for consistency in policy interpretation and implementation by all spheres of government throughout Tasmania, including consistency in changes to planning schemes affected by this Policy.

Response

The TPPs in their entirety are consistent with and will support the delivery of this outcome.

3.1.2 Coastal management should be considered as an integral component of regional planning undertaken in the State.

Response

The Environmental Values (Coasts) TPP is consistent with and will support the delivery of this outcome.

3.1.3 Provision shall be made for effective coordination of the activities of governments, industry and local communities in interpreting and implementing the State Coastal Policy.

Response

The delivery of this outcome is outside the scope of the TPPs.

3.1.4 Provision for effective and greater involvement of Aboriginal people in areas of particular interest to Aboriginal people will be made as part of community participation processes.

Response

The Cultural Heritage (Aboriginal Cultural Heritage) and Planning Processes (Public Engagement) TPPs are consistent with and will support the delivery of this outcome.

3.1.5 Planning authorities, the Land Use Planning Review Panel and the Marine Farming Planning Review Panel will use their best endeavours to function in a coordinated and collaborative manner to effectively and efficiently implement the State Coastal Policy.

Response

The delivery of this outcome is outside the scope of the TPPs.

3.1.6 Councils will prepare strategic and operational plans for their municipal areas having regard to the principles, objectives and outcomes of this Policy and will be encouraged to function in a coordinated and collaborative manner with adjacent councils and other planning authorities.

Response

The delivery of this outcome is outside the scope of the TPPs.

3.1.7 State government agencies and planning authorities will participate with other State, Territory and Commonwealth agencies in relevant forums to foster a national approach to coastal zone management.

Response

The delivery of this outcome is outside the scope of the TPPs.

3.2 Institutional arrangements

Response

The delivery of this outcome is outside the scope of the TPPs.

3.3 Public participation and information

3.3.1 Public awareness of coastal issues and community participation in managing the coastal zone will be encouraged and facilitated, including networking between community groups working in the coastal zone.

Response

The Planning Processes (Public Engagement) TPP is consistent with and will support the delivery of this outcome.

3.3.2 Advice and information will be provided to coastal community groups through councils and State Government agencies responsible for coastal planning and management on the Implementation and interpretation of the State Coastal Policy, on government assistance programs or other matters relevant to the coastal zone.

Response

The delivery of this outcome is outside the scope of the TPPs.

3.3.3 Community projects and action which benefit the coastal zone and are consistent with this Policy will be encouraged and assisted through the Coastal and Marine Program of the Department of Environment and Land Management or other relevant government programs.

Response

The delivery of this outcome is outside the scope of the TPPs.

3.3.4 Communities will be given the opportunity to make submissions to all plans or policies affecting the coastal zone. Consultative meetings with relevant and interested community groups and individuals in local or regional areas will be held in conjunction with the release of policies and plans wherever possible.

Response

The delivery of this outcome is outside the scope of the TPPs.

3.3.5 Research into coastal processes and matters related to coastal zone planning and management by government or research institutions will be encouraged and assisted where possible.

Response

The delivery of this outcome is outside the scope of the TPPs.

4.0 Implementation, evaluation and review

Response

The delivery of this outcome is outside the scope of the TPPs.

Accordingly, the Commission's assessment is that the draft TPPs are consistent with the SCP.

4.2.2 State Policy on Water Quality Management 1997 (SPWQM)

The SPWQM describes a framework to develop water quality guidelines and water quality objectives. Part 4 of the SPWQM includes Actions to achieve the Water Quality Objectives and Division 3 within that Part includes those Actions that address the Management of Diffuse Sources of Pollution.

A preliminary assessment conducted by the SPO considered that these were the Actions that would be relevant to land use planning and the TPPs.

The Commission agrees with that conclusion and, acknowledging that the SPWQM addresses matters in considerably more detail than the TPPs, the most relevant provisions relate to:

- *Control of erosion and stormwater runoff from land disturbance.*
- *Agricultural runoff.*
- *Urban runoff.*
- *Road construction, maintenance and drainage.*
- *Acid drainage – soils.*

31. Control of erosion and stormwater runoff from land disturbance.

31.1 Planning schemes should require that development proposals with the potential to give rise to off-site polluted stormwater runoff which could cause environmental nuisance or material

or serious environmental harm should include, or be required to develop as a condition of approval, stormwater management strategies including appropriate safeguards to reduce the transport of pollutants off-site.

31.2 Stormwater management strategies required pursuant to clause 31.1 should address both the construction phase and operational phase of the development and use of land and have the maintenance of water quality objectives (where these have been defined) as a performance objective.

31.3 To assist with the preparation of stormwater management strategies, the Board should facilitate the development or adoption of a code of practice or guidelines describing best practice environmental management for the control of erosion and stormwater runoff from construction activities, including roadworks.

31.4 Codes of practice or guidelines required by this Policy in respect of specific activities with the potential to impact on stream-side land should pay specific attention to defining appropriate stream-side buffer strips and acceptable management practices within these strips. Strategies and incentives, including economic instruments, to encourage the retention and/or improved management of streamside vegetation should be investigated.

31.5 Planning schemes must require that land use and development is consistent with the physical capability of the land so that the potential for erosion and subsequent water quality degradation is minimised.

Response

These SPWQM Actions are supported by the Environmental Values (Waterways, Wetlands and Estuaries) and Physical Infrastructure (Provision of Services) TPPs.

32. Agricultural runoff.

32.1 The State Government will facilitate and encourage the development of a code of practice or guidelines to describe best practice environmental management to minimise the impact of stormwater runoff from agricultural land on water quality and ensure that the farming community has the opportunity to play a key role in the development of such guidelines or codes.

32.2 Governments and agri-businesses should promote the implementation of best practice environmental management for agricultural activities to minimise impacts on water quality.

32.3 The managers of agricultural enterprises shall implement the code of practice or guidelines referred to in 32.1 as a means of complying with the Environmental Management and Pollution Control Act 1994. Regulatory authorities should take account of the application of the code when considering enforcement action under that legislation.

Response

These SPWQM Actions are supported by the Environmental Values (Waterways, Wetlands and Estuaries) TPPs.

33. Urban runoff.

33.1 Regulatory authorities must require that erosion and stormwater controls are specifically addressed at the design phase of proposals for new developments and ensure that best practice environmental management is implemented at development sites in accordance with clause 31 of this Policy.

33.2 State and Local Governments should develop and maintain strategies to encourage the community to reduce stormwater pollution at source.

33.3 Where urban stormwater runoff is prejudicing, or has significant potential to prejudice, the achievement of water quality objectives, councils should prepare and implement a stormwater management plan consistent with the principles and methodology set out in "Guidelines for Urban Stormwater Management", publication 10 of the National Water Quality Management Strategy.

33.4 Councils should carry out an assessment of the need for stormwater management plans in respect of stormwater discharges within their jurisdiction and provide a report on this assessment to the Board within 3 years of the making of this Policy. The assessment should also be reported in the council's annual report.

Response

These SPWQM Actions are supported by the Environmental Values (Waterways, Wetlands and Estuaries) and Physical Infrastructure (Provision of Services) TPPs.

35. Road construction, maintenance and drainage.

35.1 Road construction and maintenance operations will be carried out in accordance with the guidelines or code of practice developed pursuant to clause 31.3 of this Policy or employ other measures consistent with best practice environmental management, to prevent erosion and the pollution of streams and waterways by runoff from sites of road construction and maintenance.

Response

These SPWQM Actions are supported by the Environmental Values (Waterways, Wetlands and Estuaries) and Physical Infrastructure (Provision of Services) TPPs.

36. Acid drainage – soils.

36.1 The State Government should ensure that a survey is carried out to identify Tasmanian soils and surface geology with the potential to give rise to highly acidic drainage if disturbed or developed.

36.2 Any such areas will be subject to appropriate development controls to prevent acid drainage developing to the extent that it may become a threat to water quality objectives in the short or long term.

36.3 If the survey described in clause 36.1 identifies areas where acid drainage from soils is preventing the achievement of water quality objectives, the appropriate authorities should develop a remediation strategy with the objective of achieving the water quality objectives.

Response

These SPWQM Actions are supported by the Environmental Values (Geodiversity) and Environmental Hazards (Contaminated Air and Land) TPPs. There is no specific reference to acid drainage in the draft TPPs.

Accordingly, the Commission's assessment is that the draft TPPs are consistent with the SPWQM.

4.2.3 State Policy on the Protection of Agricultural Land 2009 (PAL)

The Principles within the PAL Policy are listed below, together with individual responses that relate to how well the TPPs meet these Principles. The State Policy states that these Principles "will be implemented through planning schemes and other relevant planning instruments. No one Principle should be read in isolation from the others to imply a particular action or consequence".

1. Agricultural land is a valuable resource and its use for the sustainable development of agriculture should not be unreasonably confined or restrained by non-agricultural use or development.

Response

The draft TPPs support this principle through such strategies as 4.1.3 (3), (4), (5), (6) and (7). These strategies require that the potential impact of non-agricultural use and development be considered in order that the sustainable development of agricultural land is not unreasonably confined or restrained.

2. Use or development of prime agricultural land should not result in unnecessary conversion to non-agricultural use or agricultural use not dependent on the soil as the growth medium.

Response

Within the draft TPPs, reference is made to land within the "higher classes of agricultural capability" (TPPs 4.1.3(2)) and land with "significant agricultural capabilities" (TPPs 4.1.3(4)) and "agricultural land" more generally (TPPs 4.1.2 and 4.1.3(1), (3), (5), (6), (7)). The only definition within the Policy is that:

> "Agricultural land" means all land that is in agricultural use or has the potential for agricultural use, that has not been zoned or developed for another use or would not be unduly restricted for agricultural use by its size, shape and proximity to adjoining non-agricultural uses.

The SPPs contain a definition of "prime agricultural land" as referred to in this Principle and this is:

> "Prime agricultural land" means agricultural land classified as Class 1, 2 or 3 land based on the class definitions and methodology from the Land Capability Handbook, Second Edition, C J Grose, 1999, Department of Primary Industries, Water and Environment, Tasmania.

The reference to "higher classes of agricultural capability" within strategy 4.1.3(2) is taken to be equivalent to "prime agricultural land" and that strategy specifically addresses this Principle, by preventing "the permanent loss or conversion of the land's agricultural potential". This is supported by strategy 4.1.3(1) which provides for the application of "contemporary land capability classification mapping systems".

3. Use or development, other than residential, of prime agricultural land that is directly associated with, and a subservient part of, an agricultural use of that land is consistent with this Policy.

Response

The draft TPPs support this principle through such strategies as 4.1.3 (3) and (7). Strategy (3) allows for compatible uses to operate on agricultural land. Strategy (7) prevents the permanent conversion of agricultural land to non-agricultural land with a few exceptions, one being if "the conversion contributes to the viability of the agricultural use on the site, local area or region".

These strategies must be read in conjunction with strategies (2) and (4) which stress the importance of protecting land "within the higher classes of agricultural capability". Together, they are consistent with and support this Principle.

4. The development of utilities, extractive industries and controlled environment agriculture on prime agricultural land may be allowed, having regard to criteria, including the following:

(a) minimising the amount of land alienated;

(b) minimising negative impacts on the surrounding environment; and

(c) ensuring the particular location is reasonably required for operational efficiency.

Response

The draft TPPs support this principle through such strategies as 4.1.3 (3) and (7). Strategy (3) allows for "compatible uses to operate on agricultural land where they do not cause unreasonable fettering or fragmentation and minimises the sterilisation of agricultural land".

Strategy (7) prevents the permanent conversion of agricultural land to non-agricultural land with a few exceptions, one being if "the scale of the conversion or sterilisation is minor ….", this being relevant to (a) above. Other aspects of this Principle (e.g. minimising environmental impact) are dealt with by other strategies within the TPPs.

5. Residential use of agricultural land is consistent with this Policy where it is required as part of an agricultural use or where it does not unreasonably convert agricultural land and does not confine or restrain agricultural use on or in the vicinity of that land.

Response

The draft TPPs support this principle through strategy 4.1.3 (9). It allows for a "residential use where it is part of, or supports, an agricultural use, such as workers' accommodation, where it does not unreasonably fetter, fragment or convert agricultural land uses".

6. Proposals of significant benefit to a region that may cause prime agricultural land to be converted to non-agricultural use or agricultural use not dependent on the soil as a growth medium, and which are not covered by Principles 3, 4 or 5, will need to demonstrate significant benefits to the region based on an assessment of the social, environmental and economic costs and benefits.

Response

The draft TPPs do not have any one strategy that specifically targets this Principle. They do however, within the Sustainable Economic Development TPP (of which Agriculture is a part), have strategies that accommodate other development opportunities that may need to be considered on a case-by-case basis at a regional level.

The GA is clear that the TPPs are to be read in their entirety. In so doing, any deviation from the Agriculture strategies would "need to demonstrate significant benefits to the region based on an assessment of the social, environmental and economic costs and benefits" as per this Principle. The draft TPPs are consistent with this Principle.

7. The protection of non-prime agricultural land from conversion to non-agricultural use will be determined through consideration of the local and regional significance of that land for agricultural use.

Response

The draft TPPs support this principle through the policy considerations within a number of the Agriculture TPP strategies and the need to balance competing priorities in accordance with the guidance provided within the General Application section. Consideration of the local and regional significance of the land in question will take place at those more specific planning levels.

8. Provision must be made for the appropriate protection of agricultural land within irrigation districts proclaimed under Part 9 of the Water Management Act 1999 and may be made for the protection of other areas that may benefit from broad-scale irrigation development.

Response

The draft TPPs support this principle through strategy 4.1.3 (4) which specifically protects agricultural land within irrigation districts, "by affording them the highest level of protection from fettering, fragmentation or conversion to non-agricultural uses".

9. Planning schemes must not prohibit or require a discretionary permit for an agricultural use on land zoned for rural purposes where that use depends on the soil as the growth medium, except as prescribed in Principles 10 and 11.

Response

The draft TPPs do not have any one strategy that specifically targets this Principle, but there is nothing in the TPPs that would suggest an agricultural use would be prohibited or require a discretionary permit on land that is zoned for a rural purpose.

10. New plantation forestry must not be established on prime agricultural land unless a planning scheme reviewed in accordance with this Policy provides otherwise. Planning scheme provisions must take into account the operational practicalities of plantation management, the size of the areas of prime agricultural land, their location in relation to areas of non-prime agricultural land and existing plantation forestry, and any comprehensive management plans for the land.

Response

There is nothing in the draft TPPs that is contrary to this Principle. It is essentially self-executing and would be delivered through planning schemes as described – noting that the SPPs have been drafted so that they are consistent with the PAL Policy.

11. Planning schemes may require a discretionary permit for plantation forestry where it is necessary to protect, maintain and develop existing agricultural uses that are the recognised fundamental and critical components of the economy of the entire municipal area, and are essential to maintaining the sustainability of that economy.

Response

There is nothing in the draft TPPs that is contrary to this Principle. It is essentially self-executing and would be delivered through planning schemes as described, noting that the SPPs have been drafted so that they are consistent with the PAL Policy.

Accordingly, the Commission's assessment is that the draft TPPs are consistent with the PAL Policy.

4.2.4 National Environmental Protection Measures (NEPMs)

The Commonwealth *National Environment Protection Council Act 1994*, and complementary State and Territory legislation, allows the National Environment Protection Council to make NEPMs. By function of the *State Policies and Projects Act 1993* (SPPA) within Tasmania, NEPMs are taken to be State Policies. The goals of each of the NEPMs are as follows and a separate response is provided for each NEPM.

Air Toxics NEPM

The Goal of this NEPM is "to improve the information base regarding ambient air toxics with the Australian environment in order to facilitate the development of standards". The Desired Environmental Outcomes are "to facilitate management of air toxics in ambient air that will allow for the equivalent protection of human health and wellbeing by:

(1) Providing for the generation of comparable, reliable information on the levels of toxic air pollutants at sites where significant elevated concentration of one or more of these air toxics are likely to occur (Stage 1 sites) and where the potential for significant population exposure to air toxics exists (Stage 2 sites);

(2) Establishing a consistent approach to the identification of such sites for use by jurisdictions;

(3) Establishing a consistent frame of reference ('monitoring investigation levels'-MILs) for use by jurisdictions in assessing the likely significance of levels of air toxics measured at Stage 2 sites; and

(4) Adopting a nationally consistent approach to monitoring air toxics at a range of locations (e.g.: near major industrial sites, major roads, areas affected by wood smoke)."

Response

This NEPM deals with matters that are too specific or detailed for the TPPs, as it focuses on the collection of information about air toxics. There is nothing in the draft TPPs that would impede or be contrary to the goal of this NEPM.

Ambient Air Quality NEPM

The Goal of this NEPM is "to achieve National Environment Protection Standards as assessed in accordance with (set) monitoring protocol". The Desired Environmental Outcome is for "ambient air quality that allows for the adequate protection of human health and wellbeing".

Response

This NEPM deals with matters that are too specific or detailed for the TPPs, as it focuses on monitoring protocols for ambient air quality. Nevertheless, the Environmental Hazards (Contaminated Air and Land) TPP (including the strategies at 3.5.3) broadly supports this NEPM and there is nothing else in the draft TPPs that would impede or be contrary to the goal of this NEPM.

Assessment of Site Contamination NEPM

The Goal of this NEPM is "to establish a nationally consistent approach to the assessment of site contamination to ensure sound environmental management practices by the community which includes regulators, site assessors, environmental auditors, landowners, developers and industry". The Desired Environmental Outcome is "to provide adequate protection of human health and the environment, where site contamination has occurred, through the development of an efficient and effective national approach to the assessment of site contamination".

Response

The draft TPPs support this NEPM through the Contaminated Air and Land TPP and, in particular strategy 3.5.3(1) that seeks to identify land that has been affected by potentially contaminating activities. Otherwise, the NEPM deals with matters that are too specific for the TPPs, as it focuses on establishing a nationally consistent approach to assessing contaminated sites. There is nothing in the draft TPPs that would impede or be contrary to the goal of this NEPM.

Diesel Vehicle Emissions NEPM

The Goal of this NEPM is "to reduce exhaust emissions from diesel vehicles, by facilitating compliance with in-service emissions standards from diesel vehicles". The Desired Environmental Outcome is "to reduce pollution from in-service diesel vehicles".

Response

This NEPM deals with matters that are not relevant to the TPPs, as it focuses on the reduction exhaust emissions from diesel vehicles. There is nothing in the draft TPPs that would impede or be contrary to the goal of this NEPM.

Movement of Controlled Waste between States and Territories NEPM

The Goal of this NEPM is "to assist in achieving the desired environmental outcomes by providing a basis for ensuring that controlled wastes which are to be moved between States and Territories are

properly identified, transported, and otherwise handled in ways which are consistent with environmentally-sound practices for the management of these wastes". The Desired Environmental Outcome is "to minimise the potential for adverse impacts associated with the movement of controlled waste on the environment and human health".

Response

This NEPM deals with matters that are not relevant to the TPPs, as it focuses on the movement of controlled wastes. There is nothing in the draft TPPs that would impede or be contrary to the goal of this NEPM.

National Pollutant Inventory (NPI) NEPM

The Goal of this NEPM is "(1) to collect a broad base of information on emissions and transfers of substances on the reporting list, and (2) to disseminate the information collected to all sectors of the community in a useful, accessible and understandable form". This NEPM does not include greenhouse gas emissions – greenhouse gas and energy reporting requirements are covered by the *National Greenhouse and Energy Reporting Act 2007*. The Desired Environmental Outcomes are "(1) the maintenance and improvement of ambient air quality; and ambient marine, estuarine and freshwater quality; (2) the minimisation of environmental impacts associated with hazardous wastes; and (3) an improvement in the sustainable use of resources".

Response

This NEPM deals with matters that are too specific or detailed for the TPPs, as it focuses on the development of a National Pollutant Inventory. There is nothing in the draft TPPs that would impede or be contrary to the goal of this NEPM.

Used Packaging Materials NEPM

The Goal of this NEPM is "to reduce environmental degradation arising from the disposal of used packaging and conserve virgin materials through the encouragement of re-use and recycling of used packaging materials by supporting and complementing the voluntary strategies in the Australian Packaging Covenant".

The Desired Environmental Outcome is "to minimise the overall environmental impacts of packaging by pursuing the Covenant performance goals (1) Design: optimise packaging to use resources efficiently and reduce environmental impact without compromising product quality and safety; (2) Recycling: efficiently collect and recycle packaging; and (3) Product Stewardship: demonstrate commitment by all signatories."

Response

This NEPM deals with matters that are not relevant to the TPPs, as it focuses on the disposal of used packaging materials. There is nothing in the draft TPPs that would impede or be contrary to the goal of this NEPM.

Accordingly, the Commission considers that the draft TPPs are consistent with the relevant NEPMs.

5.0 Technical Matters relating to Implementation of TPPs

Section 12F(3)(c) of the Act states that this report must contain:

> *(c) a statement as to whether there are any matters of a technical nature, or that may be relevant, in relation to the application of the TPPs to –*
>
> *(i) the Tasmanian Planning Scheme; or*
>
> *(ii) each regional land use strategy –*
>
> *if the TPPs were made under section 12G(2) in the terms of the draft of the TPPs.*

The Commission has considered what constitutes 'matters of a technical nature'. These have been taken to refer to matters that might affect policy delivery or implementation – as meant by "the application of the TPPs" in the Act. In considering this, the following questions formed the basis for considering any matters of a technical nature that are relevant to the application of the TPPs to both the TPS and the RLUSs:

- Is the intent of policies clear?
- Are there any structural, administrative or legal impediments to implementation?
- Is the terminology understood and aligned to other documentation and processes in the planning system?
- Are there structural or administrative processes that might need support or development to ensure timely and efficient implementation of the TPPs?

The assessment conducted by the Commission was informed by the matters that were raised by the representors (as listed in Part 3 of this report).

The following outlines what the Commission considers are the main implementation issues for the draft TPPs.

5.1 General Application of TPPs and relationship with other Planning Instruments

Whether the broad scope of the draft TPPs is appropriate – do they deal with matters outside of the planning system and so cannot be implemented as required?

Some representors took a quite narrow view as to what matters could be addressed by way of the planning system while others submitted that the planning system's influence extended well beyond its strict statutory confines. The Commission recognizes the broad scope of the Schedule 1 Objectives and the criteria within section 12B(2), which states that the TPPs may relate to the sustainable use, development, protection or conservation of land; environmental protection; liveability, health and wellbeing of the community; or any other matter that may be included in a planning scheme or a RLUS. The similarly broad scope of the draft TPPs is therefore considered appropriate.

While there may be certain land use and development constraints within what planning schemes may address (often due to legislated exemptions), the RLUSs must take a much broader perspective, as reflected in the Schedule 1 Objectives of the Act.

It is also to be expected that the TPP strategies would need to be expressed in a level of detail that provides the necessary policy direction for such relatively complex planning instruments as the SPPs and the various LPSs. The draft TPPs appear to provide the necessary guidance for both the RLUSs (in a broad policy sense) and the TPS (to a sufficient level of detail and prescription).

It is the Commission's view that the broad scope adopted by the draft TPPs is appropriate for their effective implementation.

Whether the General Application section of the draft TPPs (GA) can be clearly understood and specifically how priorities are to be dealt with between competing policies.

The GA is included as a means of meeting the requirements of section 12B(3) of the Act. It describes what the operative parts of the TPPs are and provides directions as to how the TPPs are to be applied to the other planning instruments (they being the RLUSs, SPPs and LPSs). These directions are listed as seven "application principles".

Some representors submitted that these principles within the GA were too vague and that it was not clear as to how competing priorities across the draft TPPs could be resolved. Regarding the latter, each of the individual TPPs focus on particular issues and so it is inevitable that planning decisions will need to prioritise one or the other. For example, it is not to be expected that pursuing settlement growth or economic development strategies will necessarily be in accordance with that of pursuing strategies that protect environmental values or cultural heritage. General Application principle number 7 specifically deals with this issue and sets out the various criteria which would need to be considered.

One representor contended that this would be assisted if higher priority is given to the three most important high-level issues, these being climate change, biodiversity (preventing ecosystem collapse) and housing. It is not clear how this prioritisation might be given effect or what adverse implications there may be if they are prioritised over all other matters, and in fact they might, on some occasions, conflict with each other. In fact, each of these issues already feature very prominently within the draft TPPs.

A more flexible approach is the only realistic option and is no different to when any reasonably complex planning matter is considered or how the existing RLUSs are applied. There will always be multiple priorities that need to be assessed against each other. As circumstances will always vary, it is not possible to pre-empt a weighting of the policies which indicates that some are more important than others.

The TPPs must be able to work as a whole. There are so many inter-relationships between policy areas, it is futile to try to compartmentalize or prioritise in a way that simplifies the complex reality of land use planning. It is also acknowledged that the strategies are arranged in sequence in the form of a process of implementation that is to be followed. Changing one strategy may affect the next one. One strategy should not be implemented on its own but only while also considering the others under that same objective.

It is the Commission's view that the General Application principles are reasonable and do reflect an approach that is normally taken when implementing other planning instruments such as a planning scheme. Land use planning is never totally absolute, and the respective merits of competing priorities and policies must always be assessed as objectively as possible. Bearing this in mind, sufficient guidance has been provided within the draft TPPs to resolve the potential conflicting priorities between strategies and to enable an optimal form of implementation. The Commission is not recommending any changes to the existing application principles within the draft TPPs.

Whether the use of objectives and strategies within the draft TPPs is appropriate – noting that the Act refers to aims or principles.

Section 12B(1) states that "the purposes of the TPPs are to set out the aims, or principles, that are to be achieved or applied by the Tasmanian Planning Scheme and the regional land use strategies". The Act does not stipulate that a format of aims and principles must be used, but there is an argument that the TPPs would be more compliant with the Act if they were. As a general principle, the TPPs should be using the same language that is used within the Act.

Within the draft TPPs, the "aims or principles" are equivalent to the objectives and the manner by which they are to be implemented is indicated by the strategies. These strategies are written as action statements, but they also have policy principles embedded within them. The application of these strategies is supported by a set of principles contained within the operative General Application section.

The use of "strategies" within the TPPs however does deviate from the terminology used within section 12B of the Act. The objectives are synonymous with the "aims", but there is no equivalent for the strategies. They have been introduced as a means of addressing section 12B(3) which states that "the TPPs may specify the manner in which the TPPs are to be implemented into the SPPs, LPSs and regional land use strategies".

It is the Commission's view that this is a somewhat tenuous justification (while also noting the "may" in this provision), plus some additional difficulties arise from the strategies being written in a variety of formats. Some strategies are pitched at a high level, while others are detailed enough to be almost like planning scheme standards. Some strategies are like principles, while others describe very specific tasks or instructions on how to go about things. This variety may cause some potential for argument when an assessment must be made as to whether another planning instrument (LPS, SPP, RLUS) is consistent with all the TPPs, as required in sections 5A, 15 and 34 of the Act and the assessment criteria for Major Projects (see below).

The potential for complicating future implementation of the TPPs is an issue that must be considered. Greater clarity and scope for implementation may be derived from redrafting the TPPs so that the strategies are re-written as principles or more like desired outcomes to be achieved rather than tasks to be carried out. The TPPs would then be pitched at a higher policy level.

In many cases, this conversion might be quite straightforward. For example, an existing strategy that commenced with "Promote the protection of significant ….", would be simply replaced by "Protect significant ….". A conversion like this that simplifies the draft TPPs would have implementation advantages, bearing in mind the existing complexities of the Tasmanian planning system. Implementation of the TPPs might be facilitated by the establishment of guidelines that could include some of the detail within existing draft strategies, and which provide the more prescriptive guidance for implementation of the TPPs in the TPS and the RLUSs (see further discussion on the need for guidelines below).

However, it is also acknowledged that there are many strategies that are not so easily converted to principles. They are tasks that need to be completed and on which other strategies within each TPP rely. For example, this can be easily identified by noting any strategy that starts with the word "identify" – there are 30 such strategies in total. These are tasks that need to be completed to inform the implementation of subsequent strategies within each TPP. Many TPPs have a hierarchy of strategies that build on the work done by the preceding ones. This then forms an integrated policy framework within each TPP.

While the Commission is of the view that it would have been preferable to draft the TPPs as 'aims' and 'principles', there are several considerations that it has considered in not recommending that there be a change to the format of the initial version of the TPPs. Those considerations are:

- The Commission is not persuaded that the TPPs in their current format will be unworkable.
- A conversion from strategies to principles would be a complex drafting exercise which may result in the need to re-exhibit the redrafted TPPs.
- The longstanding absence of any Government or Ministerial direction on comprehensive statewide planning polices has been a major shortcoming of the State's planning system.

- The TPPs are the foundational document for the review of the State's land use planning system reforms and a key to future ongoing progress of long overdue updating of the three RLUSs that must be applied at the present time.
- Acknowledging that it is a matter for the Minister to finally determine, given the longstanding absence of comprehensive statewide planning policies, establishing foundational policy and directional change may be best achieved by the prescriptive content of some of the policies.

Assuming that the existing TPP format of objectives and strategies is to remain, then further work needs be done to clarify who is responsible for undertaking the many tasks described within the strategies which are essential to their application and the practicalities of those tasks being completed. There are unanswered questions in this regard. This is an issue that will need to be proactively addressed as it will be critical for the implementation of the strategies in the way that they are written.

The Commission is therefore recommending that a specific response be prepared that outlines how such tasks within the TPP strategies will be carried out. It is expected that there will be a hierarchy of roles with much more work to be done at a state government level in collecting, coordinating and disseminating data – while also accommodating information provided by individual proponents at a site-specific level (e.g. LPS amendment applications). An example is the information needed to support the Environmental Values TPPs (e.g. draft strategy 2.1.3(1) "*Identify biodiversity values, appropriately rank the significance of those values and map their location"*).

These are tasks that are often fundamental to the subsequent implementation of other strategies. Processes will need to be developed that ensure such tasks are carried out and they might be further expanded upon within any guidelines produced for the TPPs (see below). This will mean also that the necessary work is resourced to ensure the ongoing and efficient functioning of the Tasmanian planning system.

Whether the draft TPPS overly increase the difficulty and complexity of assessing proposed planning scheme amendments.

Concerns were expressed by some representors that the complexity of the draft TPPs would result in an overly onerous task for when a proposed amendment to a planning scheme is to be assessed by the planning authorities. This was based on a concern that it would need to be shown that all strategies within the TPPs had been complied with – that is, 34 objectives and 240 strategies. Application principle number 6 within the draft TPPs does provide guidance in this regard. Although the TPPs are to be considered in their entirety, it is only those relevant strategies that need to be referred to in any planning scheme amendment assessment. Nevertheless, all the strategies would need to be scanned for relevance.

The planning system already contains numerous policy instruments that are sometimes open to a range of interpretations and difficult to apply. This is most evident when it is necessary to prepare a new LPS and when (even a relatively minor) amendment to an LPS is to be assessed. In such cases, a proposed change to a planning scheme must be assessed against the State Policies, the Council's strategic plan, the RLUS, the RMPS Objectives, the SPPs and now the TPPs. The Commission understands these concerns and notes that the extent of overlap between the State Policies, RLUSs and the TPPs is not particularly clear and may result in a duplication of effort when assessing LPS amendments.

Section 34(2A) of the Act is relevant, in that it specifies how the TPPs are to be applied to LPSs and amendments to LPSs. To meet the LPS criteria as required by section 34(2)(da) of the Act (one of the requirements for the approval of a planning instrument), an LPS or amendment to an LPS must be shown to be consistent with the TPPs where the RLUS and the SPPs have not been reviewed. That will be the situation for probably a year, perhaps longer should the TPPs be approved.

Whether or not the RLUS has been reviewed, section 34(2A) requires an LPS or an LPS amendment to comply with any Direction in the TPPs as to how the TPPs are to be implemented into an LPS. The implementation Direction in the TPPs is set out in the GA. It essentially leaves to a relevant decision maker (likely a council or the Commission), the decision on whether a relevant strategy has been applied in a regional strategy or the SPPs, and whether that application satisfies the local application of the relevant strategy. If that is the case, then the LPS or amendment is deemed to comply with the TPPs.

There is no escaping the existing legislative requirements that the LPS assessments must consider all aspects of the TPPs. This is despite the provision within section 12B(3) that states that "the TPPs may specify the manner in which the TPPs are to be implemented into the SPPs, LPSs and regional land use strategies". Ideally, this provision would allow for a statement to be included within the TPPs that states that an LPS or LPS amendment is deemed to be consistent with the TPPs if it is also consistent with the RLUS and SPPs which have been previously reviewed and approved as being consistent with the TPPs. However, section 34(2A) does not allow this.

It is recommended that this current requirement be reviewed, and legislative change be considered to ensure a more efficient planning process for LPS reviews and amendments, such as they only need to be consistent with the TPS and relevant RLUS (on the basis of their prior conformity with the TPPs). In the meantime, the statutory requirements are fixed and all LPS reviews and amendments will need to be assessed against the TPPs in their entirety.

Whether the draft TPPs provide sufficient guidance for the TPS and RLUSs – should the strategies be specifically targeted to one or the other?

Section 12B(3) states that "the TPPs may specify the manner in which the TPPs are to be implemented into the SPPs, LPSs and regional land use strategies". The "may" within this section is again acknowledged. There is only an implied reference in the Act that the TPP strategies should be individually identified as to how they would each be implemented by way of the SPPs, LPSs or the RLUSs.

This was attempted, but the reality is that most strategies would be implemented by two or more of these planning instruments and so there is little to be gained by specifying this additional implementation guidance within the TPPs themselves. The strategies are generally neither entirely strategic or regulatory in their nature or intent. The relatively detailed nature of most strategies will assist in identifying application in the other planning instruments, and it does appear that this will be sufficient.

It is the Commission's view that the draft TPPs, in their current form, have addressed section 12B(3) to the optimum extent necessary to enable their effective implementation.

Whether the draft TPPS are suitable in meeting the statutory requirements when assessing proposed Major Projects and Housing orders.

The Commission has also considered whether there may be issues that arise as a result to the TPPs applying to the to the assessment processes for Major Projects and Housing Land Supply Orders.

The relationship between the TPPs and the assessment of a Major Project is referred to on at least four occasions within the Act:

- Section 60N(1) – a project is not eligible to be declared a Major Project if it "would be in contravention of the TPPs";
- Section 60ZI(4) – a "no reasonable prospect notice" may be issued if a Major Project "would be in contravention of the TPPs";

- Section 60ZM(7)(c) – in determining the assessment criteria, the relevant land use planning matters for a Major Project must "be consistent with each applicable provision of the TPPs"; and
- Section 60ZZX(4)(c) – a minor amendment to a permit for a Major Project can only be made if it "would not be in contravention of the TPPs".

The TPPs are applied to different aspects of a major project at different stages of that process. The consequence for decision making, be it the 'contravention' or 'consistency with' tests, will depend on the nature and effect of the major project.

There does not appear to be any aspect of the draft TPPs that would prevent them from being relevantly applied as part of a major assessment. However, the extent to which the application of the TPPs will positively or negatively affect the effective assessment of a major project is not a matter for examination in this process.

For a Housing Land Supply Order, the following requirement within the *Housing Land Supply Act 2018* applies:

- Section 6(1)(a)(iii) – the Minister is satisfied, that to assign the intended zone to the area of land, it would satisfy the relevant criteria in relation to the TPPs within the meaning of LUPAA.

There does not appear to any aspect of the draft TPPs that would prevent them from being applied as part of such an assessment.

Whether guidelines are required to assist in the implementation of the draft TPPs.

Representors suggested that the implementation of the TPPs would be facilitated if they were accompanied by a set of guidelines. The reasons for these suggestions were mixed, but some suggested a more detailed set of guidelines could replace the current GA within the draft TPPs and/or could be much more specific about how the TPPs would be applied within the TPS and the RLUSs.

Changes to an earlier draft of the TPPs were made to enable them to be a standalone document and to incorporate as much implementation guidance as possible. Some strategies partly achieve what would be required of guidelines and the GA was specifically inserted to meet this need. This still does not necessarily preclude the production of guidelines. As mentioned above, the TPPs require many tasks to be undertaken to enable their effective application.

It would be of assistance if on the release of a final version of the TPPs guidelines were issued, that identified where the responsibility resides to undertake the required 'identification' tasks referred to in the TPPs. This would no doubt facilitate the application of the TPPs to the regional strategies, assist with the drafting of the regional strategies and determine who is responsible for the generation of data that is to inform and be applied in the SPPs.

While the Commission is of the view that the draft TPPs have considerable guidance for their implementation embedded within them, a set of accompanying guidelines which provide advice on the responsibilities to establish the necessary information and data to enable their effective implementation would be of benefit.

Whether stronger or more absolute language is needed within the policies to facilitate their implementation.

Some representors contended that the use of terms such as "promote", "support", "facilitate", "discourage", "avoid" etc indicated a lack of commitment and allowed for too many opt-out options. It was expressed that this would frustrate a more proactive implementation of strategies that were clearly desirable.

The existing language within these strategies was evidently deliberately chosen as being appropriate for the higher-level policy positions of the TPPs. A more absolute form of language is more likely to occur within the RLUSs and the way that the SPPs are expressed. Adopting a much more prescriptive form of language within the TPPs would preclude the ability to consider unique local or regional circumstances, to apply mitigating measures or to deal with unexpected proposals of merit.

The Commission appreciates why the general tone of the language used in the TPPs has been adopted and that, where necessary, the higher-level directions would be firmed up within the TPS and RLUSs. It is also acknowledged that as much certainty as possible should be introduced into the planning system.

It is ultimately a regulatory system that must meet community and industry expectations and if it is too flexible, then there will be too much room for alternative interpretations and legal challenges. However, the language used is appropriate for higher level strategies (not desired outcomes which would be much more definitive) and which are to be implemented and interpreted by other planning instruments in a more precise manner.

It is therefore the Commission's view that an appropriate balance has been achieved in the language within the draft TPPs that enables sufficient guidance for more absolute policy outcomes to be delivered within the TPS and RLUSs.

5.2 Climate Change

Whether the climate change policies should be given greater weight – how might this be made clearer or the existing climate change statements "operationalized"?

Representors have questioned the way that climate change is being addressed in the draft TPPs. Some representors submitted that there should be a single climate change policy, others suggested that the strategies be further strengthened to reinforce climate change commitments, while others were not clear whether the existing Climate Change Statements themselves have any operative effect, or that there should be stronger links between them and the strategies.

The Commission understands that the policy approach for climate change is for the seven broad areas covered by the TPPs to include contextual information within a Climate Change Statement. The strategies within the seven areas are intended to deliver the main priority actions espoused within that contextual Statement, some doing it more explicitly than others. For example, a strategy to consolidate settlements (promote infill over outward urban expansion) is partly in response to climate change concerns but is not referred to directly.

There are many strategies that directly reference the need to consider climate change impacts, plus others that allude to it with references to sea level rise, emissions reduction, energy efficiency, renewable energy and carbon storage.

The Climate Change Statements for each TPP have a series of final dot points that summarise the main opportunities to address climate change impacts. The exceptions to this are the Settlement and Planning Processes TPPs. The Commission is of the view that for consistency this same approach should be included within the Settlement TPP. A suggestion on how this might be achieved is included as a final paragraph in the Climate Change Statement:

The Settlement TPP addresses these climate change issues by:

- *supporting infill development and urban consolidation that most efficiently utilises existing infrastructure;*
- *promoting public and active transport that reduces carbon emissions and a reliance on private motor vehicles;*

- *mitigating the impacts of climate change within urban areas by encouraging the provision of green spaces, street plantings, shade and water sensitive urban design;*
- *supporting the most vulnerable within the community by encouraging the provision of accessible services and protecting health and emergency facilities;*
- *supporting urban design practices that are energy and resource efficient, address temperature extremes and reduce carbon emissions; and*
- *encouraging subdivision and building design to be climatically responsive and energy efficient.*

The Commission also acknowledges that there are inherent constraints in the capacity of the planning system to address climate change and that the government's Climate Change Action Plan is being delivered across a much broader policy spectrum than by land use planning. The planning system as administered by the TPS and RLUSs is essentially reactive, responding to land use and development proposals. Nevertheless, the TPPs should be taking every opportunity to both sustainably mitigate and adapt to climate change impacts.

To clarify the fact that the Climate Change Statements are not operative parts of the TPPs, the SPO has suggested that in the second paragraph of the General Application section, the following sentence is modified as follows:

> *The Foreword, Table of Contents, headings, footnotes and the Policy Context section of each TPP, including the Climate Change Statement, are not intended to have operative effect. These parts or sections….*

As this change reflects the intent of how climate change policy is to operate throughout the TPPs and is to be reflected in the RLUSs and the TPS, as a technical matter, the Commission agrees with the change.

5.3 Settlement

Whether there are any implementation impediments within the growth strategies – specifically in regard to priority being given to the growth of "higher tiers" of the settlement hierarchy and potentially impeding the growth of rural settlements.

Some representors were particularly concerned about the implementation of growth strategies that explicitly favoured the "higher tiers" of the settlement hierarchy (as described within strategy 1.1.3(4)). It was submitted that this could ultimately result in sustainable growth being prevented from occurring in mid to lower tiered rural-based settlements that were well suited for further growth.

It is anticipated that the RLUSs will determine regional settlement growth hierarchies and the priorities for growth should be determined at that regional level. The TPPs set down the policy framework within which those priorities will be determined. Growth scenarios would need to be allocated to the various settlements within the region and this would form the basis for a regional hierarchy of urban settlements.

Accordingly, the SPO has suggested that the first sentence within strategy 1.1.3(3) be replaced with:

> *3. Identify regional settlement hierarchies and allocate growth scenarios to settlements based on:*

A consequential complementary change is to also change strategy 1.1.3(4) so that it is replaced with:

4. *Support the growth of settlements that is in accordance with their allocated growth scenario.*

It is acknowledged that the strategies work together and should not be considered in isolation. The Commission supports the need to steer growth within a framework that facilitates positive sustainable outcomes, as adopted within strategy 1.1.3(2) which describes how the RLUSs should plan for growth within their respective regions.

The Northern Councils have reviewed the SPO proposal and have submitted an alternative change to the draft TPPs. They recommend that strategy (4) be deleted and strategy 3 be replaced by:

3. *Identify and implement a regional settlement strategy that enables sustainable growth and liveable communities having regard to:*

   (a) population projections, forecasts and demographic change, including unanticipated demand;

   (b) the social, environmental, economic and cultural characteristics of the settlement;

   (c) the aspirations of the community, as expressed through local strategic planning;

   (d) the current and future practical ability to provide services including physical infrastructure, public and social infrastructure and the level at which those services should be provided;

   (e) reasonable access to employment, education and training; and

   (f) access to transport networks.

The justification for this change is that:

> *"the proposed revisions provide a statement that clarifies the outcome to be achieved – sustainable growth and liveable communities – rather than simply a task to be completed. The revisions continue to include the matters that should be considered in planning our settlements and contribute to sustainability and liveability. While a hierarchy or growth scenario is not referenced, these tasks or solutions may be the way in which a settlement strategy is developed, however it is not considered necessary to mandate this approach at the State policy level. In expressing the strategy as an outcome, the appropriate method to achieve it can be determined based on the regional characteristics and planning needs, initially through the review of each of the regional land use strategies. We reiterate our view that strategy 4 should be deleted as it is unnecessarily restrictive. Our suggested alternative for Strategy 3 appropriately addresses settlement planning for the future through the implementation of a regional settlement strategy."*

The main differences between what is proposed by the SPO and Northern Councils are that:

- the Northern Councils do not support the identification of regional settlement hierarchies or for future settlement growth to be guided by a pre-determined or "allocated growth scenario";
- the Northern Councils are advocating the need to have regard to "the aspirations of the community, as expressed through local strategic planning"; and
- there are other detailed differences between the two in the list of matters within strategy 3 that should be considered when developing a regional settlement strategy.

The Commission's view on the first point is that the development of a regional settlement hierarchy (together with growth scenarios) is desirable and that the three regions should adopt a consistent approach in this regard. The TPPs need to provide such guidance. The existing RLUSs have previously applied a mix of settlement hierarchies and/or growth scenarios. The allocation of

growth scenarios for individual settlements is also commonly applied within similar mainland regional strategies (e.g. Victoria's Regional Growth Plans).

The proposed inclusion in the second point is not supported as it is necessary that a coordinated regional approach to settlement planning be adopted within each of the RLUS, rather than sound planning outcomes being compromised by local ad hoc proposals.

In regard to the third point, it does appear that there is merit in the items listed in both versions and so a recommended combination is:

> *3. Identify regional settlement hierarchies and allocate growth scenarios to settlements based on:*
>
> *(a) population trends and projections;*
>
> *(b) social, environmental and economic characteristics of the settlement and any specific role it plays in the region or state;*
>
> *(c) current and future availability of social infrastructure and services to support community needs;*
>
> *(d) existing capacity and potential for cost efficient upgrading of physical infrastructure;*
>
> *(e) access to employment, education and training opportunities; and*
>
> *(f) access to efficient and accessible transport systems.*

Another concern from representors was strategy 1.4.3(5) which was seen to be discouraging rural residential development and portraying that this type of development is to be avoided unless certain circumstances apply. Some representors wanted this form of development to be specifically encouraged and for opportunities for infill subdivision in rural areas to be identified. It is also noted that the Tasmanian Fire Service had strong reservations about further rural residential development and that further intensification can generate increased land use conflict.

The SPO responded to such concerns by recommending an amendment to the Growth Application statement and to the definition of 'Rural residential settlement', so that they would respectively be:

> *1.1.1 Applies to existing settlements and land that has been proposed, allocated or identified for future settlement growth, with the exception of rural residential settlements not included within an urban or settlement growth boundary where that land has been identified for growth at urban densities.*
>
> *Rural residential settlement – means a settlement on an area of land that is characterised by a pattern of development involving residential use on larger lots in a rural or non-urban setting.*

The Commission agrees with these amendments and is not recommending any change to the existing strategy 1.4.3(5).

It is therefore the Commission's view that the settlement hierarchy related strategies within the draft Settlement TPP are appropriate for implementation within the TPS and RLUSs, subject to the changes described above.

Whether the more specific urban growth-related strategies (encouraging infill, densification, urban growth boundaries, coordinated infrastructure, sufficient land for

future development, structure planning etc) provide an appropriate policy basis for the RLUSs.

There are a broad range of growth-related policy statements that attracted considerable comment from representors. Most comments related to differing views on policy though many also related to the effective implementation of the draft strategies. The Commission acknowledges the general support from representors for the strategies that deliver policies relating to encouraging infill development within urban areas, densification and ensuring there is sufficient land for future development.

In regard to the latter, concerns were raised about the direction which called for "at least a 15-year supply of land" and whether it was sufficient to meet the forecasted demand for residential, commercial, industrial, recreational purposes etc. At least a 20 year supply was suggested. However, the strategy confirms a minimum and it is up to the RLUSs to gauge how much more than this is necessary to keep pace with demand and to accommodate any lag due to potential delays in reviewing or updating that RLUS.

Only minor changes are being recommended to these growth strategies. Strategy 1.1.3(8)(c) should be amended to emphasise that it is "regional" land supply and demand analysis that should be conducted. Strategy 1.1.3(11) deals with ensuring the orderly and sequential development of land and it is necessary to include an additional statement that addresses problems like land banking. Accordingly, these words would be added to the existing strategy – "… including addressing impediments to the development of suitably zoned land (e.g. land banking)".

It would also assist a more consistent application of the TPP strategies within the RLUSs if standard definitions were adopted for some terms used within the draft TPPs, such as "greenfield sites", "urban growth boundary" and "settlement growth boundary". These would be:

> *Greenfield sites – means former agricultural or undeveloped natural land on the periphery of towns and cities that has been identified for urban development.*
>
> *Urban growth boundary – means the spatial extent of growth, as identified on a map, for a metropolitan area or a city and its greater urban area.*
>
> *Settlement growth boundary – means the spatial extent of growth, as identified on a map, for a settlement.*

Like other growth-related issues, the draft TPPs set the policy setting for urban growth boundaries (UGB), so that what is necessary can be determined within the RLUSs. Regular reviews of these RLUSs would also include a coordinated regional review of the existing UGBs – rather than ad hoc changes to the UGB. As indicated within the TPPs, this review of the UGB would also coincide with an assessment of infrastructure capacity, the need for more detailed structure planning, ensuring there is sufficient land for future development and implementing measures to address impediments to infill. The draft TPPs provide the policy guidance required for the implementation of such matters within such planning instruments as the RLUSs.

It is the Commission's view that the existing growth-related strategies within the draft Settlement TPP are appropriate for implementation within the TPS and RLUSs, subject to the changes described above.

Whether the draft TPPs will provide the necessary guidance for the TPS and RLUSs in relation to liveability, design, housing and social infrastructure.

There were many representors that commented on the strategies for the liveability, design, housing and social infrastructure TPPs. They included indications of support for the existing strategies, plus suggestions for modifications (that often called for increased commitments from government) or

additional matters (such as strategies to address matters in more detail). In most cases, these suggestions are best considered further by government (re policy) and within the reviews of the TPS and the RLUSs. The higher-level policy perspective adopted by the draft TPPs appears appropriate and the constructive suggestions that have been made by representors about more detailed aspects should be heeded as part of these future reviews.

From an implementation perspective, there were concerns raised about the capacity of the planning system to address some of the more specific matters, such as housing affordability, housing diversity, provision of social infrastructure, diverse employment opportunities, energy efficient design, social interaction etc. It is acknowledged that the planning system cannot on its own provide for or resolve these, but it must be designed in a way that ensures that it can make a positive contribution. The TPPs provide the high-level policy guidance so that the TPS and RLUSs can play their part to the most appropriate and relevant extent possible.

Further guidance in this regard may at some later stage be compiled within guidelines that accompany the TPPs. This would be best done after there is some experience in reviewing the various planning instruments and considering the opportunities across more nuanced and critical policy areas associated with liveability, urban design, structure planning, housing and social infrastructure. Further policy development will inevitably be needed across such broad areas of land use planning.

In reviewing these draft TPPs, only minor changes are being recommended. The last part of 1.3.1 Application should be deleted as there is no reason why social infrastructure might be located within rural residential settlements (e.g. rural fire services), so that 1.3.1 is replaced by:

> *Applies to existing settlements and land that is proposed, allocated or identified for future settlement growth.*

It is also necessary to insert "inclusive" within 1.3.2 Objective so that it becomes:

> *To support the provision of adequate, accessible and inclusive social infrastructure ….*

It is the Commission's view that the strategies that extend across these policy areas within the draft Settlement TPP are appropriate for implementation within the TPS and RLUSs (subject to the minor changes as mentioned above).

5.4 Environmental Values

Whether the draft TPPs sufficiently promote the protection of environmental values or is a stronger commitment required?

While there was general support for the Environmental Values TPP, some representors wanted strategies to be strengthened without so many opt out clauses (see language comments above). They submitted there was insufficient commitment to the protection of important environmental values, such as in relation to waterway and catchment protection.

Another comment made was that the biggest threat to biodiversity in rural areas has been the over-allocation of the Agriculture Zone, as in such cases, the Natural Assets Code does not apply. Another was that a consistent state approach is required in managing environmental offsets as part of the development approval process.

These are mainly policy related suggestions and there were many others raised by representors. The Commission's role is to consider the application of the draft TPPs in the TPS and the RLUSs and the existing draft TPPs do appear to be satisfactory from an implementation perspective. As previously mentioned, the language adopted by the strategies is generally appropriate as it sets a definite policy direction without being totally absolute. The constructive suggestions from representors

warrant further policy consideration during future policy reviews and as part of the upcoming reviews of the SPPs and RLUSs.

Bearing this in mind, the only concern for the Commission is that Strategy 2.1.3(2) prioritises social and economic values over environmental values when there should be a more equal balance as articulated within the Schedule 1 objectives. It is therefore necessary to delete the first part of the strategy, so that it reads as follows:

> *Avoid designating land for purposes that will require land clearance in areas identified as having high biodiversity values.*

The Commission also considered issues raised by representors that related to the cumulative impact of land use change and development on critical biodiversity values. This could be accommodated within the existing draft strategy 2.1.3(5) though there seems little point in requiring that cumulative impacts be considered when there does not appear to be any clear methodology as to how this can be done.

This aspect is worth further investigation (possibly in conjunction with regular State of Environment reporting), as is also the need for a statewide standardised approach in dealing with offsets for the unavoidable loss of biodiversity values. The mention of "offsets" within strategy 2.1.3(5) should be further clarified (as recommended by a representor) by adding the additional words as underlined as follows:

> *5. Promote use and development to be located, designed and sited to avoid impacts on biodiversity values, and where avoidance cannot be achieved, or is not practicable, the impacts to biodiversity values will be minimised, or offset <u>with measures that will provide a net gain in the resilience and viability of the impacted biodiversity values</u>.*

Representors also provided other specific suggestions to amend the existing draft strategies that would help in clarifying how environmental values might be best protected. These changes are also included within the Commission's recommendations.

It is the Commission's view that, subject to the above changes, the draft Environmental Values TPP sufficiently promotes the protection of environmental values to further their implementation within the TPS and RLUSs.

Whether the necessary data and associated methodologies are available to support the implementation of the TPPs and does this complement the work being done by other environmental planning regimes?

Some representors raised concerns about the availability of accurate data and associated methodologies to support the draft TPPs and their subsequent implementation within the TPS and the RLUSs. These concerns related to inaccurate or unreliable Code overlays, that priority be given to ground truthing, the need for consistently applied methodologies to interpret and map the data (e.g. mapping geodiversity, determining offsets, landscape mapping, ranking biodiversity), and access to information held by other authorities.

It is acknowledged that the provision of sound data and credible methodologies are essential to the effective implementation of the TPPs, both within the TPS (as a basis for the Code overlays and setting consistent standards) and the RLUSs (as the basis for assessing spatial land use priorities). The draft TPPs do accommodate these needs.

However, as noted earlier, there is a need to follow this up with an implementation strategy or guidelines that outline how the many tasks described within the TPPs will be carried out – allocating roles and responsibilities to the appropriate agencies. This is a particular issue when ensuring that the data/methodologies on which planning decisions are based is accurate and up to date. There

are many current shortcomings in this regard that require immediate attention – as implied by the frequent mention in the TPP strategies that begin with the word "identify" and may be identified within future SoE reports.

There were also doubts expressed about the practicalities or complexities associated with implementation of these types of strategies (e.g. mapping landscape values or coastal areas suitable for development). Ongoing work will need to be resourced that maintains an information base on which the planning system relies.

For example, the successful implementation of various strategies within the Environmental Values TPP will rely on the active support of the Department of Natural Resources and Environment (NRE) in regard to four specific aspects – these being, completing the next stage of an upgraded TASVEG, developing a methodology for ranking biodiversity significance, mapping groundwater recharge areas and further developing the Tasmanian Geoconservation Database. In fact, most of the Biodiversity TPP strategies rely on scientific background studies to be done and the subsequent information to be in a form suitable for planning authorities and policy makers.

It is therefore the Commission's view that, subject to this further ongoing support from agencies like NRE, the draft Environmental Values TPP sufficiently promotes the use of sound data and credible methodologies as part of their implementation within the TPS and RLUSs.

5.5 Environmental Hazards

Whether the draft TPPs have sufficiently acknowledged and complemented other regulatory or advisory regimes for environmental hazards.

This implementation concern relates to the relationship that the planning system has with other regulatory and advisory regimes that deal with environmental hazards – such as for bushfire protection (as provided by building regulation), water management, environmental regulation, emergency services and NRM.

The strategies within the draft TPPs focus on the role of the planning system in a manner that complements and supports the activities carried out by these other agencies. As noted within the Policy Context, planning "is one component of an integrated system that operates in conjunction with others to reduce the risks from natural disasters". Importantly the draft TPP "seeks to consider hazards early in the planning system".

The SPO has identified some changes that are required within the 3.0.1 Policy Context section for the Environmental Hazards TPP and has recommended replacing the fifth paragraph with:

> *Planning is one component of an integrated system that operates, in conjunction with others, to reduce the likelihood of impacts arising from natural disasters and reduce the risk of harm caused by these events. For example, the regulation of landslip hazard involves a number of Acts. Landslip hazard areas are defined by hazard overlays in the Tasmanian Planning Scheme made under the Land Use Planning and Approvals Act 1993, and by Proclaimed Landslip A and B zones under the Mineral Resources Development Act 1995. Controls on development and building in these identified landslip areas are then imposed under the Building Act 2016, the Building Regulations 2016 and the associated Determinations issued by the Director of Building Control. The Land Use Planning and Approvals Act 1993 also more broadly provides guidance on addressing issues relating to natural and environmental hazards including public health, public safety or other prescribed circumstances. The Environmental Management and Pollution Control Act 1994 includes provisions to protect and enhance the quality of the environment to prevent any adverse impact and maintain environmental quality.*

As for the Environmental Values TPP, a sound planning regime for the Environmental Hazards TPP is also reliant on accurate and up-to-date data. Representors noted the need for this to be state based and communicated across agencies, plus that additional hazards may also need to be considered, allowances made for climate change, and that more detailed local mapping of hazards is often necessary (e.g. coastal hazards).

All of these matters have potential implementation implications. The draft TPPs include the high-level policy framework that accommodates them, and the Commission adds that, consistent with earlier comments, follow-up action will be required to ensure that accurate data is available to support the implementation of the planning system.

It is therefore the Commission's view that the draft Environmental Hazards TPP can be implemented within the TPS and RLUSs in a manner that complements and supports other regulatory and advisory regimes that deal with environmental hazards.

Whether the draft TPPs have adequately dealt with the issue of "tolerable risk"?

Representors raised concerns about how "tolerable risk" is applied to all the hazards versus the need for absolute avoidance in some cases. There were also related concerns in relation to how the hazards are mapped (see above), how cumulative impacts are dealt with and how varied interpretations of a tolerable risk would be made when assessing proposed development within bushfire prone areas. There was a range of views expressed by representors – from having a strong precautionary approach to others advocating one based on manageable risks.

This need to avoid risk was further reviewed by the SPO and they have responded by recommending that the existing strategies 3 and 4 be combined within TPP 3.1.3 (and that subsequent renumbering be done). The Commission agrees with this proposed change. The new strategy would be:

> 3. *Avoid designating land for purposes that expose people, property and supporting infrastructure to risk arising from bushfire hazards, especially significant risks. Where it is not practical to avoid bushfire hazards, use and development is to:*
>
> *(a) identify the risk of harm to human life, property and infrastructure caused by bushfire;*
>
> *(b) incorporate bushfire protection measures that manage the identified risk and reduce it to within a tolerable level; and*
>
> *(c) provide a higher level of risk mitigation for uses deemed particularly vulnerable or hazardous.*

Consistent with the approaches used by other strategies, the proposed modification sets the policy to firstly avoid, but then gives an option where that avoidance cannot be achieved to suitably manage the risk. If the risk cannot be suitably managed, then the land use change or development should not take place.

It is the Commission's view that the draft Environmental Hazards TPP can be implemented within the TPS and RLUSs in a manner that accommodates the related risk management issues (subject to the above change being made).

5.6 Sustainable Economic Development

Whether the draft TPPs provide the necessary guidance for the TPS and RLUSs in relation to a broad range of economic development matters and whether some of the matters are relevant to the planning system?

Tourism

From an implementation perspective, there were concerns raised about the capacity or appropriateness of the planning system to, in some cases, promote the selected industries within the draft TPPs. This was primarily an issue for the tourism strategies as they may relate to market conditions, investment decisions and business viability (noting that this same concern was also expressed in relation to some of the proposed renewable energy and innovation and research strategies).

It appears that it will be difficult for some of the tourism strategies to be applied within the RLUSs or the SPPs and it would be worth exploring how they might be revised from that perspective. For example, representors suggested that identifying tourism sites in a free market is impractical as such businesses will emerge in places that are unexpected. Particularly concerning were strategies 4.4.3 (1) and (4) that promote an advertised brand which was regarded as being inappropriate as a planning policy.

The Commission generally agrees with these concerns about the Tasmanian Brand. A marketing brand should not form the basis for development control as it is too open to different interpretations.

Articulating what the Tasmanian Brand actually is from a planning perspective is difficult. The objectives of the Brand Tasmania authority may provide a lead in this regard, in that the Brand "differentiates and enhances Tasmania's appeal and national and international competitiveness", and ensures "that Tasmania's image and reputation locally, nationally and internationally are strengthened". It is evidently an idea characterised by the pursuit of excellence, quality and respect for the environment. Accordingly, it is recommended that strategy 4.4.3(4) should be replaced by:

> *Support diverse and innovative tourism experiences that are of a high quality, respect the environment and reflect the uniqueness of Tasmania.*

Strategy 4.4.3(1)(f) requires an "alignment with and promotion of the Tasmanian brand" when identifying key tourism sites. This requirement should be deleted as the other matters for consideration within 4.4.3(1) already deal with matters that would appear to be relevant to or consistent with the Tasmanian Brand, such as visitor demand, appropriateness of tourism use, the nature of the tourism use, environmental impact, aligning with regional destination plans, economic contribution and integrating with the local community.

Agriculture

There was some confusion amongst representors over the references to agricultural land within the Agriculture strategies. The focus was on identifying land in the "higher classes of agricultural capability" and protecting land with "significant agricultural capabilities". Representors submitted that the TPPs should prioritise prime agricultural land and acknowledge that this may result in a lot of land that is now zoned Agriculture to be rezoned as Rural.

It is understood that choice of language here is deliberate in that valuable agricultural land may not necessarily be "prime" agricultural land (e.g. orchards, vineyards) and that a balance is being attempted in ensuring that such land is protected without necessarily compromising other values (e.g. biodiversity).

Ultimately a more nuanced and detailed approach will be required that doesn't simply rely on land being zoned for Agriculture – in that land zoned as Rural is also being used for agricultural purposes. It does appear that the existing strategies attempt to do this, though it is acknowledged that the language can create some confusion.

Further to this, the Agriculture strategies within 4.1.3 do focus on economic aspects but this is an industry that also has major environmental implications and it is important to acknowledge how the policies within the Agriculture TPP interact with those within the Biodiversity TPP (plus Waterways, Wetlands and Estuaries, Geodiversity and Landscape Values). The PAL Policy emphasises the need to protect "prime agricultural land". While it notes that all agricultural land is a valuable resource, reasonable constraints may exist on an agricultural activity, such as the need to protect environmental values.

It is therefore recommended that further background investigations be carried out in reconciling the existing policy statements within the Biodiversity and Agriculture TPPs. This would need to be part of the SPP review and would reconsider the zoning guidelines that determine the Agriculture Zone and the need to apply the Natural Assets Code to land containing biodiversity values (as per strategy 2.1.3(1)).

One other suggestion provided by a representor was that an additional strategy could be to "*support the integration of trees on farms through shelterbelt and small woodlot plantings to improve primary production outcomes while simultaneously improving the carbon balance and growing timber products*". This seems to be a reasonable proposal that is worth considering further – acknowledging that it is beyond the Commission's brief to recommend new policy.

Extractive Industry

There were also representors that submitted that the importance of extractive industry should be stressed more as it is barely mentioned in the policy context and existing objective and strategies are less positive than for other industries. The SPO has provided some alternative text to replace the second paragraph in 4.0.1 and this is:

> *Tasmania's natural resources underpin our economic prosperity. Our fertile soils, mild climate and reliable rainfall provide opportunities in the agricultural sector while our pristine air quality unique landscapes and ecological diversity attract visitors from around the world. Our geological diversity provides significant opportunities both for the discovery and development of world class mines and for the extraction of materials for development. The minerals sector is a key sector for employment, exports and the supply of primary inputs for the construction and development sectors.*
>
> *Our proximity to Antarctica and the Southern Ocean provides advantages to attract research, accessing and servicing opportunities . . .*

Renewable Energy

The SPO has also recommended that Renewable Energy strategy 4.5.3(1) be replaced with:

> *Identify renewable resource areas for ~~to prioritise~~ the preferred location of renewable energy use and development within areas that have been strategically identified for future renewable energy use and development taking into consideration:*

Industrial Land Supply

Some representors also identified the need for more regular regional assessments (as part of RLUS reviews) of the industrial land supply and that potential areas beyond the UGB will need to be considered. A long time horizon is needed as identifying future industrial land is always difficult and land may need to be identified well in advance of its likely development. The SPO has responded to

this and suggests the inclusion of an additional strategy under section 4.6.3, shown below by underline, and swapping the order of original strategies 1 and 2, as follows:

4.6.3 Strategies

1. *Strategically identify and protect land that is suitable for industrial use and development to meet the needs of future generations.*
2. *Provide for at least a 15 year supply of industrial land, that is located within urban or settlement growth boundaries, that is based on projected demand to meet the economic needs of Tasmania.*
3. *Identify and allocate land within urban or settlement growth boundaries that is suitable for industrial use and development, considering:*
   - *(a) analysis of industrial activities and land supply at a regional or metropolitan level, including existing available land, potential for growth within, or adjacent to, existing centres, and the nature of current and future industrial activities;*
   - *(b) topography and physical site constraints;*
   - *(c) compatibility of surrounding land use;*
   - *(d) provision of adequate buffer areas to separate incompatible uses;*
   - *(e) access to workforce;*
   - *(f) supply chain relationships, including freight patterns, and proximity to existing freight networks, including high productivity and key local freight roads;*
   - *(g) the ability to and cost of, servicing with physical infrastructure; and*
   - *(h) avoidance of environmental hazards and environmental values.*
4. *Enable industrial use and development, outside urban or settlement growth boundaries, where……..*

The Commission agrees with the above proposed changes recommended by the SPO.

Circular Economy

Representors also questioned the inherent sustainability of current forms of economic development and the over-emphasis placed on economic growth, rather than on sustainability and resilience, such as would be incorporated within circular economy principles. While such policy concerns are worthy of further review, they do not necessarily intrude on the practical implementation of the draft TPPs.

Housing

Some representors stated that the housing strategies within the TPPs for agriculture (4.1.3(9)), extractive industries (4.3.3(7)), tourism (4.4.3(5)) and renewable industry (4.5.3(6)) would be more appropriately considered as part of the Settlement (Housing) TPP. This was on the basis that there are common housing issues to be dealt with across these different industries and that they can't be considered in isolation. The Commission recommends that this suggestion be reviewed to determine if such changes are warranted.

Subject to the changes described above, it is the Commission's view that the draft Sustainable Economic Development TPP can be implemented within the TPS and RLUSs.

5.7 Physical Infrastructure

Whether there is adequate provision for the effective coordination of land use and infrastructure planning.

Infrastructure Provision

Representors questioned how much the planning system can influence the provision of such physical infrastructure as might relate to transport planning, public transport, reticulated services etc. It is the Commission's view that the efficient and orderly coordination of settlement and infrastructure is a critical role of the RLUSs and so it is appropriate that the TPPs provide the necessary policy direction. The RLUSs will determine where growth should occur and what additional infrastructure is required to support this growth, with priority given to land uses that utilise existing capacity within existing infrastructure. The existing draft TPPs accommodate this.

Developer Contributions

To further facilitate this coordination, representors highlighted the need for a state-wide developer contribution scheme that properly and fairly attributes costs and meets the increased demand for improved public infrastructure. It was also suggested that the current policy was too narrow in scope and that such a developer contribution scheme should be more widely applied to cover a range of public and social infrastructure needs.

The SPO has responded to this by recommending that strategy 5.1.3(5) be deleted and that the following additional policy be inserted after 1.6 Design within the Settlement TPP:

1.7 Development Contributions

1.7.1 Application

Applies to existing settlements and new areas of settlement growth.

1.7.2 Objective

To support the equitable sharing of costs, associated with the provision of new, or upgraded, infrastructure to service growth, between developers and the wider community.

1.7.3 Strategy

1. Facilitate development contributions that are fair, reasonable and transparent that apply to new use and development to support the effective provision of public infrastructure including, but not limited to, stormwater, roads, footpaths, public amenities, reticulated services and public open space.

The Commission agrees with this inclusion. Therefore, subject to the change described above, it is the Commission's view that the draft Physical Infrastructure TPP can be implemented within the TPS and RLUSs in a manner that accommodates the coordination of land use and infrastructure planning.

Whether the draft TPPs adequately deal with the broad range of physical infrastructure needs that can be addressed within the planning system.

Representors provided many suggestions that related to a broad range of physical infrastructure needs – such as might relate to active transport, stormwater, road, rail or air transport, waste management, telecommunications, water and sewerage etc. For example, there was strong support for an increased choice of low emission transport modes, to reduce car dependency and to give a greater emphasis on active transport within the TPPs.

Others called for stronger positions to be taken on stormwater issues and the provision of telecommunication or digital infrastructure. Such policy positions can be further considered at an appropriate stage, including as part of the development/review of the RLUSs or the review of the SPPs. There were no apparent impediments to the effective implementation of the existing strategies within the draft TPP.

One example of this was the representation made to better protect airport buffers through the application of the 'National Airports Safeguarding Framework'. This in itself is a worthy suggestion but is of a level of detail that is better addressed as part of the SPP review. It is too specific a matter for the TPPs in that they are pitched at a higher policy level. Other suggestions of merit within the representations that are better considered as part of the SPP review should be noted for future reference.

Therefore, it is the Commission's view that the draft Physical Infrastructure TPP can be implemented within the TPS and RLUSs in a manner that accommodates the broad range of infrastructure needs.

5.8 Cultural Heritage

Whether the draft TPPs sufficiently utilise the capacity of the planning system to protect Aboriginal cultural heritage so that sufficient guidance is provided to the TPS and RLUSs.

Some representors called for the draft TPPs to take a stronger position on Aboriginal cultural heritage so that they ensure the active involvement of the Aboriginal community or the need for its consent when considering development that may potentially damage Aboriginal cultural heritage. It was submitted that the language within the Aboriginal cultural heritage strategies was much less affirmative than that used in the historic cultural heritage strategies.

The extent to which matters of Aboriginal cultural heritage are addressed through the planning system or specific Aboriginal cultural heritage legislation is a matter for policy determination. It was reported during the Commission hearing that new legislation is being considered which may address the concerns of the representors.

Notwithstanding this, it is the Commission's view that the draft Cultural Heritage TPP, with respect to Aboriginal Cultural Heritage, provides sufficient policy direction to enable Aboriginal cultural heritage issues to be implemented within the TPS and RLUSs.

Whether the draft TPPs sufficiently utilise the capacity of the planning system to protect historic cultural heritage so that sufficient guidance is provided to the TPS and RLUSs.

Despite the exclusion of places on the Tasmanian Heritage Register from the TPS, representors called for a more holistic approach to be adopted within the TPPs for Historic Cultural Heritage. It was also identified that the language within the Historic heritage policies should be more consistent with more commonly used heritage terminology and should accommodate the Burra Charter. There were other historic cultural heritage issues raised but these were the two that were considered to have implementation implications.

Accordingly, the SPO has suggested three complementary changes to the existing draft TPP. The first of these is that, after the paragraph in 6.0.1 Policy Context ending in "… cultural heritage story." – insert a new paragraph, this being:

> *While the development of places listed on the State, National or world heritage registers are dealt with outside of the TPS, there is a role for the RLUSs to consider these places of heritage significance when designating land uses and developing regional policies.*

The second is that the 6.2.2 Objective be replaced with:

> *To support the strategic consideration of places listed on State, National and world heritage registers and identification and conservation of significant local historic cultural heritage buildings, part of buildings, infrastructure (for example bridges), places/features, precincts and landscapes and promote sympathetic design solutions and responses that preserve or complement those cultural heritage values and facilitate appropriate adaptive reuse.*

The third is to insert a new strategy between existing draft strategies 6.2.3 (1) and (2), this being (with subsequent renumbering of strategies):

> *Identify sites that have State, National or world heritage significance and consider the impacts on the heritage values of those sites when designating land for a particular purpose.*

The Commission agrees with these proposed recommendations.

Some representors commented on the language used within the Historic Cultural Heritage TPP in that it was not necessarily consistent with the Burra Charter or with that used currently within heritage planning contexts. Examples given were that "preserve" should be "retain" and "restore" should be "conserve".

It is recommended that this should be amended within the TPP where appropriate and further considered as part of the SPP review (refer to such representations made by Cultural Heritage Practitioners Tasmania, Glenorchy City Council and City of Hobart).

More specifically, representor 63 provided alternative text that corrected some of the information within the 6.0.1 Policy Context and the Commission is recommending that this be included (see later recommendation).

Therefore, subject to the changes described above, it is the Commission's view that the draft Cultural Heritage TPP, with respect to Historic Cultural Heritage, can be implemented within the TPS and RLUSs.

5.9 Planning Processes

Whether the Planning Processes section should be included to facilitate the implementation of the draft TPPs.

Representors (particularly from local government sector) submitted that this part of the TPPs should be deleted as it duplicated existing legislated processes (including Schedule 1 objectives) and, in their opinion, is contrary to section 12B of the Act. It was seen to be quite different from all the other TPPs and doesn't fit easily within the general format of the draft TPP planning instrument. This might also create some difficulties when assessing LPS amendments. Representors suggested that they generally describe "best practice" and that strategies would be better placed within formal guidelines that accompany the TPPs.

There was a particular concern expressed by some representors about the references made to "over-regulation" within the Objective of the Regulation TPP. It was submitted that this reference lacks balance and implies that the planning system is in fact over-regulated and that this is a problem that must be addressed. The SPO has addressed this concern by recommending that the 7.3.2 Objective be replaced with:

> *To set planning regulation at a level that is proportionate to address or manage the likelihood and severity of the impacts caused by use and development.*

Representors raised other implementation concerns about the strategies within this Planning Processes TPP in relation to current statutory advertising practices, that public understanding of the planning system is poor, public engagement may need to be more innovative, inconsistencies that

exist between the processes adopted by planning authorities, and the need to be flexible in meeting local circumstances. Some of the concerns that were expressed are beyond the scope of the draft TPPs, while others are not impeded by the Planning Processes TPP.

The Commission appreciates why this Planning Processes TPP has been included. The TPPs are required to "further the objectives set out in Schedule 1" and hence there are policies within the draft TPPs for public engagement (to further objective Part 1(c)), strategic planning (to further objective Part 2(a)) and regulation (to further objective Part 2(b)).

Strategies are included that are not articulated elsewhere and their inclusion raises the profile of some important principles – more so than might be the case than if they were included in some guidelines. Examples in this regard are the use of scientific-based evidence to make informed decisions and the application of the precautionary principle. The need "to further the objectives set out in Schedule 1" provides the broad authority for the TPPs to include the matters addressed in the Planning Processes TPP.

However, the Commission also understands why concerns have been raised and would add that the TPPs should not be an instrument that introduces process changes to the planning system. The TPPs fit within an existing legislated planning system and if process improvements are necessary or are to be recommended, then they should be delivered through a separate review of legislation.

The Regulation TPP does not directly facilitate the implementation of the TPPs more generally but calls for regulatory change or process improvements that are essentially beyond the scope of the TPPs. It is for this reason that the Commission is recommending that the draft Regulation TPP be deleted, together with the final paragraph of the 7.0.1 Policy Context. Legislative change should be considered where it is considered necessary to address the matters raised in the existing draft Regulation TPP.

There is merit in retaining the Public Engagement and Strategic Planning TPPs. The Strategic Planning TPP includes important principles that are worth including – particularly when it is borne in mind that there is little direction provided within the Act on the preparation of RLUSs. This will be of immediate benefit once the TPPs are approved and the existing RLUSs are to be reviewed and will help to facilitate the implementation of the TPPs more broadly.

Similarly, the Public Engagement TPP should be retained as it will also facilitate the implementation of the TPPs by emphasising the need for much greater community understanding of the planning system and how optimum planning outcomes often involve "compromise and trade-offs" to be made.

The public engagement and strategic planning policies help define and deliver a range of matters addressed within the TPS and RLUS. While there are statutory requirements for public consultation during the preparation of the SPP's and LPS's, there are no equivalent requirements for the RLUSs and those plans or strategies that might be incorporated in an RLUS. Similarly, there is no policy framework for how strategic planning should occur, such as might meet expectations around collaboration and coordination between different levels of government and service providers to help deliver efficient and effective planning outcomes.

Therefore, subject to the deletion of the draft Regulation TPP, it is the Commission's view that the draft Planning Processes TPP (containing the existing Public Engagement and Strategic Planning TPPs) should be included and can be implemented within the TPS and RLUSs.

5.10 Definitions

Whether there are any necessary additions or changes to the existing definitions so that implementation of the draft TPPs is further enabled.

The Commission is not proposing any changes to the existing definitions other than those recommended by the SPO.

The SPO has recommended that the existing definition of 'housing stress' be deleted. The Tasmanian Housing Strategy combines the two definitions for 'affordable housing' and 'housing stress' within a single definition for 'affordable housing', which is:

Affordable housing *– means housing for purchase and rental, including social housing, that is appropriate for the needs of very low-, low- and moderate-income households. This is generally understood to mean housing that costs no more than 30 per cent of a household's gross income*.

To further support this, Shelter Tasmania has also recommended that the TPPs include a clear definition of 'very low-, low-, and moderate-income households', which would be:

Very low-, low-, and moderate-income households *- means households that are in the three lower quintiles of the Tasmanian income distribution.*

This then warrants a definition of 'income quintiles', which would be:

Income quintiles *– means a comparison measurement approach whereby a household's income is ranked against the distribution of all household income in Australia. The approach divides Australia's households (i.e. not population) into five equal groups or quintiles, each comprising 20 per cent of the number of all households, based on their income. The income quintiles assessment leads to the recognition of the following categories:*

- *very low income households – 0% to 20% of income earners*
- *low income households – 20% to 40% of income earners*
- *moderate income households – 40% to 60% of income earners*
- *high income households – 60% to 80% of income earners*
- *very high income households – highest 20% of income earners.*

Because the definition of 'income quintiles' references Australian households, Shelter Tasmania also suggested including an additional specification that the income quintiles for Tasmania are indexed to Tasmanian household incomes which are lower than national incomes. The SPO supports including this information in a footnote to the definition of 'Income quintiles'.

The Commission's view on this is that this set of definitions is overly complex. Accessing and interpreting the ABS information on which it relies is not straightforward and will create unnecessary difficulties for planning authorities. Definitions for the purposes of the TPPs, should only need to be:

> ***Affordable housing*** *– means housing for very low-, low- and moderate-income households in Tasmania.*
>
> ***Very low-, low-, and moderate-income households*** *- means households that are in the three lower quintiles of the Tasmanian income distribution.*
>
> The SPO also recommended that the definition of 'rural residential settlement' be modified for clarification purposes, as follows:

> ***Rural residential settlement***– *means a settlement on an area of land that is characterised by a pattern of development involving residential use on larger lots in a rural or non-urban setting.*

The Commission agrees with this proposed change.

The SPO also proposed that the TPPs include the following definitions for 'urban growth boundary' and 'settlement growth boundary' which will allow the RLUS to adopt the terms and apply them in the appropriate context.

Urban growth boundary *– means the spatial extent of growth, as identified on a map, for a metropolitan area or a city and its greater urban area.*

Settlement growth boundary *– means the spatial extent of growth, as identified on a map, for a settlement.*

The Commission agrees with these proposed changes.

6.0 Conclusion

The Commission has complied with its statutory responsibility to review the draft TPPs in accordance with sections 12D, 12E and 12F of the *Land Use Planning and Approvals Act 1993* (the Act).

This report is to contain those matters within section 12F(3) of the Act. Accordingly:

- Part 3 of the report contains "a summary of the issues raised in the representations in relation to the draft of the TPPs".
- Part 4 of the report contains "a statement as to whether the Commission is satisfied that the draft of the TPPs meets the TPP criteria" (being that the TPPs must "(a) seek to further the objectives set out in Schedule 1 and (b) be consistent with any relevant State Policy").
- Part 5 of the report contains "a statement as to whether there are any matters of a technical nature, or that may be relevant, in relation to the application of the TPPs to (i) the Tasmanian Planning Scheme; or (ii) each regional land use strategy".

Having assessed the draft TPPs against the provisions of Schedule 1 and all relevant State Policies, the Commission is of the view that the draft TPPs meet the TPP criteria as required by section 12F(3)(b) of the Act.

It is also the Commission's view that a number of changes could be made to the draft TPPs in order to address various matters of a technical nature which are relevant to and would facilitate their application within the TPS and RLUSs. These changes and other actions that should be taken are listed as recommendations within the next part of this report (see Part 7).

It is the Commission's view that adoption of the recommended changes would ensure that the draft TPPs will further the Schedule 1 Objectives in the Act and be consistent with the State Policies, as outlined within Part 4 of this report.

Broadly speaking, the Commission is also of the view that the scope of the matters addressed within the draft TPPs is appropriate and that they have adequately met the requirements of section 12B of the Act (regarding contents and purposes of TPPs). It is also the Commission's view that the existing General Application principles within the draft TPPs are satisfactory and provide the means of satisfying section 12B(3) of the Act (specifying how the TPPs are to implemented into the SPPs, LPS, and RLUSs). This is while also acknowledging that the application principles may not provide a level of certainty that is desired by some, but they do reflect the realities of land use planning and managing the competing interests and priorities that will always be present.

Although many changes are being advocated, they are in the Commission's opinion, not considered sufficient for the draft TPPs to be publicly readvertised. The Commission is conscious of its statutory role in identifying areas where the implementation of the draft TPPs might be improved and the fact that there is no scope for the Commission to amend or set new policy. It is also important that the TPPs be completed as efficiently as possible, so that the subsequent reviews of the SPPs and RLUSs can also be completed within a reasonable time.

It is essential that these high-level planning instruments are kept current and their regular review is important in meeting community and industry needs and expectations as they change over time. It is anticipated that much will be learnt about the TPPs following their application as part of the upcoming reviews of the SPPs and the RLUSs.

The planning system should be allowed to evolve with land use policies being responsive to new information and changing environmental, social and economic conditions. Such changes should of course not be made in an ad hoc manner (other than clear errors being rectified) but be part of a publicly coordinated process as provided for in the legislation.

The background to the recommended changes to the draft TPPs and any other recommended actions is contained within Part 5 of this report. These are all "technical matters" which the Commission considers need to be addressed to facilitate the efficient and effective implementation of the TPPs.

Those matters that are related to the implementation of the TPPs by government (but do not require changes to the draft TPPs) include a recommended need to:

- Consider legislative change to provide more efficient processes when assessing future LPS reviews and amendments where they currently require a full assessment against all TPPs. Section 34(2A) is the relevant part of the Act.
- Develop guidelines for the implementation of the TPPs after they have been approved to assist in their application within the subsequent reviews of the RLUSs and SPPs.
- Review processes to implement the specific tasks described within the TPP strategies. This particularly relates to ongoing data management and its use to support regional planning, code overlays and LPS zoning – also acknowledging that adopting such TPP policies creates an obligation to resource their implementation. As an example, the Department of Natural Resources and Environment should complete the next stage of an upgraded TASVEG, develop a methodology for ranking biodiversity significance, map groundwater recharge areas and further develop the Tasmanian Geoconservation Database.
- Investigate the development of a methodology that considers the cumulative impact of land use change and development on critical biodiversity values, possibly in conjunction with regular State of Environment reporting, plus the development of a statewide standardised approach in dealing with offsets for the unavoidable loss of biodiversity values.
- Reconcile the policy statements within the Biodiversity and Agriculture TPPs as part of the SPP review – potentially requiring new zoning guidelines for the Agriculture Zone and ensuring the Natural Assets Code does effectively protect biodiversity values.
- Review the existing housing strategies within the TPPs for agriculture (4.1.3(9)), extractive industries (4.3.3(7)), tourism (4.4.3(5)) and renewable industry (4.5.3(6)) and consider whether they would be more appropriately included within the Settlement (Housing) TPP.
- Investigate the future implications for Major Projects having to "be consistent with each applicable provision of the TPPs", compared to a Major Project not being "in contravention of the TPPs".

The main recommended changes (not all) to the draft TPPs are to:

- Add to the existing 1.02 Climate Change Statement for the Settlement TPP so that a summary of matters dealt with by the strategies is included.
- Change existing Growth TPP strategies 1.1.3(3) and (4) that deal with settlement hierarchies, so that growth scenarios are allocated to settlements that facilitate their most positive sustainable outcomes within a regional context.
- Consider whether infill targets have been met and available greenfield sites have been developed within existing urban or settlement growth boundaries before allowing for significant growth to occur beyond those boundaries.

- Emphasise the need within existing Growth TPP strategies for a regional land supply and demand analysis (1.1.3(8)) and the need for impediments to the orderly and sequential development of land (e.g. land banking) to be addressed (1.1.3(11)).
- Change existing Biodiversity TPP strategy 2.1.3(2) so an appropriate balance is applied to environmental, social and economic values consistent with the Schedule 1 objectives.
- Make a number of relatively minor changes to existing biodiversity strategies that clarify and strengthen (in some cases) the need to protect biodiversity values.
- Change existing Bushfire TPP strategies 3.1.3(3) and (4) so that it is clearer that the policy is to firstly avoid any exposure to risk other than where that risk can be suitably managed. If the risk cannot be suitably managed, then the land use change or development should not take place.
- Remove any direct reference to the Tasmanian tourism "Brand" within Tourism TPP strategies 4.4.3(1) and (4) and replace the latter strategy with one that expresses support for tourism experiences consistent with the language used in the Brand Tasmania statutory objectives.
- Include an additional strategy within the Industry TPP 4.6.3 that identifies land suitable for future industrial use and development for at least the next 15 years – in a similar way that is required for residential purposes.
- Delete strategy 5.1.3(5) and include a new Developer Contributions TPP (within the Settlement TPP) that has a broad scope and may apply to a broad range of public infrastructure.
- Change the Historic Cultural Heritage TPP to enable places on the Tasmanian Heritage Register to be considered when developing the RLUSs or designating land for particular purposes.
- Review the language used within the Historic Cultural Heritage TPP so that it is consistent with the Burra Charter terminology and with that used currently by professional heritage officers – and that this be further considered as part of the SPP review.
- Delete the Regulation TPP within the Planning Processes TPP as it does not directly facilitate the implementation of the TPPs but indicates regulatory change or process improvements that are essentially beyond the scope of the TPPs.
- Combine the two definitions for 'Affordable housing' and 'Housing stress' within a new single definition for 'Affordable housing'.

The TPPs are fundamental to establishing an integrated and consistent set of Tasmanian planning instruments, and it is important that they set the basis of a sound policy framework for sustainable land use and development.

7.0 Recommendations

The following recommendations are in two parts. Firstly, there are several general matters for Ministerial consideration and secondly, a list of specific changes that are being recommended to be made to the draft TPPs that were publicly released for comment. Many such changes reflect suggestions made by representors. All recommendations are individually numbered for reference.

General Recommendations

7.1 Legislative change be considered that allows for more efficient processes when assessing LPS reviews and amendments (refer to section 34(2A)) – such that once the RLUSs and SPPs have been reviewed (so that they are in conformity with the TPPs) then if the LPS is consistent with them then it is also deemed to be consistent with the TPPs.

7.2 Guidelines should be developed after the TPPs have been approved to assist in their application within the subsequent reviews of the RLUSs and SPPs.

7.3 Develop processes to implement the specific tasks required by many TPP strategies and which may be carried out at state, regional or local levels. This particularly relates to ongoing data management and its use to support regional planning, code overlays and LPS zoning – also acknowledging that adopting such TPP strategies creates an obligation to resource their implementation. As an example of this, the Department of Natural Resources and Environment should complete the next stage of an upgraded TASVEG, develop a methodology for ranking biodiversity significance, map groundwater recharge areas and further develop the Tasmanian Geoconservation Database.

7.4 Further investigations should be carried out into the development of a methodology to effectively consider the cumulative impact of land use change and development on critical biodiversity values, possibly in conjunction with regular State of Environment reporting, plus the development of a statewide standardised approach in dealing with offsets for the unavoidable loss of biodiversity values.

7.5 Further investigations should be carried out in reconciling the existing policy statements within the Biodiversity and Agriculture TPPs. In the review of the SPPs, the intent of the Biodiversity and Agriculture Policies will need to be reconciled as the current SPPs exclude the Natural Assets Code from application to the Agriculture Zone.

7.6 Review the existing housing strategies within the TPPs for agriculture (4.1.3(9)), extractive industries (4.3.3(7)), tourism (4.4.3(5)) and renewable industry (4.5.3(6)) and consider whether they would be more appropriately included within the Settlement (Housing) TPP. This would on the basis that there are common housing issues to be dealt with across these different industries and that they are best not considered in isolation.

7.7 The language used within the Historic Cultural Heritage TPP should be reviewed to ensure that it is consistent with the terminology in the Burra Charter and with that used currently within heritage planning contexts (examples given were that “preserve” should be “retain” and “restore” should be “conserve”). It is recommended that any necessary changes be made within the TPP and be considered as part of the SPP review (refer to relevant representations for further detail).

7.8 Investigate any implications of the application of TPPs to decision making for Major Projects as currently required by the Act.

Recommended Changes to the draft Tasmanian Planning Policies

General Application

7.9 In the second paragraph of the General Application section, modify the following sentence to clarify that the Climate Change Statements are not operative parts of the TPPs, as follows:

The Foreword, Table of Contents, headings, footnotes and the Policy Context section of each TPP , including the Climate Change Statement, are not intended to have operative effect. These parts or sections….

Settlement

7.10 The strategies within the Settlement TPP that directly reference climate change are strategies 1.2.3(7) and 1.6.3(1) and (3). There are also others that allude to it with references to urban consolidation, emissions reduction, energy efficiency, renewable energy and carbon storage. Based on these and the references in the existing Statement, it is recommended that the following be included at the conclusion of the Climate Change Statement for the Settlement TPP. This addition ensures consistency with the other TPP Climate Change Statements.

The Settlement TPP addresses these issues by:

- *supporting infill development and urban consolidation that most efficiently utilises existing infrastructure;*
- *promoting public and active transport that reduces carbon emissions and a reliance on private motor vehicles;*
- *mitigating the impacts of climate change within urban areas by encouraging the provision of green spaces, street plantings, shade and water sensitive urban design;*
- *supporting the most vulnerable within the community by encouraging the provision of accessible services and protecting health and emergency facilities;*
- *supporting urban design practices that are energy and resource efficient, address temperature extremes and reduce carbon emissions; and*
- *encouraging subdivision and building design to be climatically responsive and energy efficient.*

7.11 Replace the paragraph under 1.1.1 Application with:

Applies to existing settlements and land that has been proposed, allocated or identified for future settlement growth, with the exception of rural residential settlements not included within an urban or settlement growth boundary where that land has been identified for growth at urban densities.

7.12 In order that future settlement growth accords with future planned transport systems, replace strategy 1.1.3(2)(c) with (change underlined):

(c) "integrate with existing or planned transport systems".

7.13 Replace strategy 1.1.3(2)(d)(iii) with (change underlined):

iii. has high environmental or landscape values;

7.14 Replace the "and" with an "or" at the end of strategy 1.1.3(2)(d)(iv). This appears to be a typo.

7.15 Replace strategy (3) within 1.1.3 with:

3. Identify regional settlement hierarchies and allocate growth scenarios to settlements based on:

(a) population projections and forecast demographic change;

(b) the functional characteristics of the settlement and any specific role it plays in the State or region;

(c) the social, environmental and economic characteristics of the settlement;

(d) the availability of goods and services, including social infrastructure, to support the needs of the community;

(e) access to employment and training opportunities;

(f) efficient and accessible transport systems; and

(g) capacity and cost-efficient upgrading of physical infrastructure.

7.16 Replace strategy (4) within 1.1.3 with:

Support the growth of settlements that is in accordance with their allocated growth scenario.

7.17 Insert an additional factor to be considered within strategy 1.1.3(8) which states:

whether infill targets have been met and available greenfield sites have been developed within the existing urban or settlement growth boundary;

7.18 Replace strategy 1.1.3(8)(c) with:

regional land supply and demand analysis (including infill and greenfield);

7.19 Include the following at the end of strategy 1.1.3(11):

including addressing impediments to the development of suitably zoned land (e.g. land banking).

7.20 Replace strategy 1.2.3(5) with (single change underlined):

5. Provide for connectivity within settlements, especially between residential areas, activity centres and open space networks, through a network of legible, <u>safe</u> and accessible infrastructure dedicated to active transport modes, including end of trip facilities.

7.21 Review strategy 1.2.3(8) from the perspective that it refers to very broad planning concepts that are open to interpretation and whether it can be made more relevant within the context of the other liveability strategies.

7.22 Delete the last part of 1.3.1 Application as there is no reason to preclude the location of social infrastructure within rural residential settlements (e.g. rural fire services), so that 1.3.1 is replaced by:

Applies to existing settlements and land that is proposed, allocated or identified for future settlement growth.

7.23 Insert "inclusive" within 1.3.2 Objective so that it becomes:

To support the provision of adequate, accessible and inclusive social infrastructure ….

7.24 Objective 1.4.2 under Settlement Types is too narrow in that different "types" of settlements are not limited by their environmental characteristics – they may be characterised by other features such as their history, culture, infrastructure, architecture, industry, civic role etc and the subsequent strategies deal with matters that go well beyond the environmental values of settlements. Delete the word "environmental" so that the objective is:

To plan for the sustainable use and development of settlements that have particular characteristics or values.

7.25 Correct typos within 1.4.3(2) so that it reads as follows:

Establish urban or settlement growth boundaries around coastal settlements to ensure that growth in coastal areas is directed to existing settlement areas and prevents linear development along the coast.

7.26 Insert "locally" within strategy 1.6.3(3)(a) so that it reads as follows:

…. preferably locally native species where appropriate.

7.27 Insert the following additional policy after 1.6 Design, of the Settlement TPP (noting that strategy 5.1.3(5) is to be deleted):

1.7 Development Contributions

1.7.1 Application

Applies to existing settlements and new areas of settlement growth.

1.7.2 Objective

To support the equitable sharing of costs between developers and the wider community associated with the provision of new, or upgraded, infrastructure to service growth.

1.7.3 Strategy

Facilitate development contributions that are fair, reasonable and transparent that apply to new use and development to support the effective provision of public infrastructure including, but not limited to, stormwater, roads, footpaths, public amenities, reticulated services and public open space.

Environmental Values

7.28 Strategy 2.1.3(2) prioritises social and economic values over environmental values when there should be a more equal balance as articulated within the RMPS objectives. It is therefore necessary to delete the first part of the strategy, so that it reads as follows:

Avoid designating land for purposes that will require land clearance in areas identified as having high biodiversity values.

7.29 The mention of "offsets" within strategy 2.1.3(5) should be further clarified by adding the additional words as follows (as underlined):

5. Promote use and development to be located, designed and sited to avoid impacts on biodiversity values, and where avoidance cannot be achieved, or is not practicable, the impacts to biodiversity values will be minimised, or offset <u>with measures that will provide a net gain in the resilience and viability of the impacted biodiversity values</u>.

7.30 Strategy 2.2.3(2) appears to have a typo with an "and" that should be an "or" as shown as follows (with the change as underlined):

2. Avoid designating land in, or around, waterways, wetlands and estuaries for use and development that has the potential to cause point source or diffuse pollution <u>or</u> would require considerable disturbance of riparian or foreshore vegetation and soil, unless the use and development:

7.31 Subclause (b) within Strategy 2.2.3(2) needs to be qualified to relate to flood mitigation measures that protect existing settlements or communities, as distinct from a proposed

development located adjacent to a waterway, so that it reads as follows (with the change as underlined):

(b) is for flood mitigation measures to protect existing settlements or communities;

7.32 Subclause (a) in strategy 2.2.3(4) should be amended so that the clearance of native vegetation in and around waterways, wetlands and estuaries should be avoided in the first instance. As it is currently written, some use or development will take place regardless of the native vegetation. It should read as follows (with the change as underlined):

(a) avoid the clearance of native vegetation;

7.33 Subclause (d) in strategy 2.2.3(4) is not sufficiently robust in that "managing" soil erosion might include very minor works that have little effect and that measures should be taken to effectively prevent soil erosion from occurring so that this should read as follows (with the change as underlined):

(d) avoid land disturbance and prevent soil erosion and changes in sediment loads entering the water caused by land disturbance;

7.34 Amend subclause (e) in strategy 2.2.3(4) so it that provides some additional clarification as follows (change underlined):

(e) not significantly change the rate and quantity of stormwater (such as by utilising water sensitive urban design techniques) or increase pollutants entering the water; and

7.35 Strategy 2.3.3(1) uses the word "discourage" when it is more appropriate to state that development that would impact on high conservation value geodiversity should be avoided, so that this strategy should read as follows (with the change as underlined):

1. Identify and map land containing high conservation value geodiversity and avoid designating land for use and development that will impact those values, including through the modification of natural processes and functions that prevents geological, geomorphological or soil features from evolving naturally, unless the impacts can be managed to support the values.

7.36 Replace strategy 2.3.3(3) with (change underlined):

3. Encourage integrated management of geodiversity and biodiversity to maintain or enhance ecological processes.

7.37 Replace 2.4.3(3) with (changes underlined):

3. Avoid land use and development that causes the fragmentation of significant landscapes, scenic areas and scenic corridors, unless the use and development:

(a) relies specifically on being located within a significant landscape; and

(b) has overriding social, economic or environmental benefits;

and includes specific measures to minimise the impact on the significant landscape.

Environmental Hazards

7.38 In response to a submission from Mineral Resources Tasmania (MRT), the SPO has recommended that paragraph 5 of the Policy Context section for the Environmental Hazards TPP be deleted and replacing it with:

Planning is one component of an integrated system that operates, in conjunction with others, to reduce the likelihood of impacts arising from natural disasters and reduce the risk of harm caused by these events. For example, the regulation of landslip hazard involves a number of

Acts. Landslip hazard areas are defined by hazard overlays in the TPS made under the Act, and by Proclaimed Landslip A and B zones under the *Mineral Resources Development Act 1995*. Controls on development and building in these identified landslip areas are then imposed under the *Building Act 2016*, the Building Regulations 2016 and the associated Determinations issued by the Director of Building Control.

The Act also more broadly provides guidance on addressing issues relating to natural and environmental hazards including public health, public safety or other prescribed circumstances. The *Environmental Management and Pollution Control Act 1994* includes provisions to protect and enhance the quality of the environment to prevent any adverse impact and maintain environmental quality.

7.39 Combine strategies 3 and 4 of clause 3.1.3 as follows and renumber the subsequent strategies. This is consistent with the approach adopted by other strategies, in that the policy is to firstly avoid, but then if avoidance cannot be achieved use or development may still be possible if the risk can be managed.

Avoid designating land for purposes that expose people, property and supporting infrastructure to risk arising from bushfire hazards, especially significant risks. Where it is not practical to avoid bushfire hazards, use and development is to:

(a) identify the risk of harm to human life, property and infrastructure caused by bushfire;

(b) incorporate bushfire protection measures that manage the identified risk and reduce it to within a tolerable level; and

(c) provide a higher level of risk mitigation for uses deemed to be vulnerable or hazardous.

7.40 Replace strategy 3.3.3(1) with (minor changes to improve phrasing):

Identify and map land that is vulnerable to flooding based, as a minimum, on a 1% Annual Exceedance Probability (AEP) flood event, or an alternative as determined by State Government for the management of flood risks associated with climate change and other matters.

7.41 Amend sub-clause (a) in strategy 3.4.3(3) so that it is (change underlined):

(a) dependent on a coastal location <u>and the risk can be managed</u>;

7.42 Amend sub-clause (b) in strategy 3.4.3(3) so that it is (change underlined):

(b) temporary, readily <u>relocatable</u> or able to be abandoned;

Sustainable Economic Development

7.43 The following additional text at clause 4.0.1 of the draft TPPs, be included as shown by underline below:

Tasmania's natural resources underpin our economic prosperity. Our fertile soils, mild climate and reliable rainfall provide opportunities in the agricultural sector while our pristine air quality unique landscapes and ecological diversity attract visitors from around the world. <u>Our geological diversity provides significant opportunities both for the discovery and development of world class mines and for the extraction of materials for development. The minerals sector is a key sector for employment, exports and the supply of primary inputs for the construction and development sectors.</u>

Our proximity to Antarctica and the Southern Ocean provides advantages to attract research, accessing and servicing opportunities . . .

7.44 Correct the typo in the 4.1.2 Objective by replacing "agriculture" with "agricultural" as follows:

To promote a diverse and highly productive agricultural sector by protecting agricultural land and the resources on which agriculture depends …..

7.45 In order to reflect current best practice more accurately, replace strategy 4.1.3(1) with (also changes to improve phrasing):

Identify agricultural land and potential agricultural land by utilising contemporary land and enterprise suitability modelling, land capability data and other contemporary spatial information systems, including consideration of availability of irrigation water, proximity to markets, long term agricultural land use trends and future climate scenarios.

7.46 Replace strategy 4.1.3(10) with (change underlined – to refer to a defined term and to not be limited only to "farm gate markets"):

Support the retention of small farms close to urban areas and acknowledge the contribution, or potential contribution, that they make in supplying produce to local markets or stores and support agritourism.

7.47 Delete the second part of strategy 4.3.3(3) as it implies that there is to be unfettered access to future mineral resources and is not subject to the qualifications within strategy 4.3.3(5) – so that 4.3.3(3) is:

Support the long-term viability of existing extractive operations.

7.48 Amend strategy 4.3.3(5) so that it is (change underlined):

Support future mineral extraction on land available for mineral exploration by, prior to designating the land for a purpose that removes the ability of that land to be used and developed for mineral extraction, considering the following:

7.49 Replace strategy 4.4.3(4) with:

Support diverse and innovative tourism experiences that are of a high quality, respect the environment and reflect the uniqueness of Tasmania.

7.50 In order to be consistent with the changes made to strategy 4.4.3(4), delete subclause (f) within strategy 4.4.3(1).

7.51 Replace the beginning of the initial statement of strategy 1 within 4.5.3 with:

Identify renewable resource areas for the preferred location of renewable energy ….

7.52 As "investor interest" is of no relevance to a planning decision, delete sub-clause (c) within strategy 4.5.3(1).

7.53 Correct the typos within 4.5.3(3) so that it is:

3. Recognise the quality and diversity of Tasmania's renewable energy resources and the role they can play in limiting greenhouse gas emissions and supporting the transition to a national low carbon economy through existing and future interconnection to Tasmania.

7.54 Include an additional strategy under section 4.6.3, shown below by underline, and swap the order of original strategies 1 and 2, as follows:

4.6.3 Strategies.

1. Strategically identify and protect land that is suitable for industrial use and development to meet the needs of future generations.

2. Provide for at least a 15 year supply of industrial land, that is located within urban or settlement growth boundaries, that is based on projected demand to meet the economic needs of Tasmania.

3. *Identify and allocate land within urban or settlement growth boundaries that is suitable for industrial use and development, considering:*

   (a) *analysis of industrial activities and land supply at a regional or metropolitan level, including existing available land, potential for growth within, or adjacent to, existing centres, and the nature of current and future industrial activities;*

   (b) *topography and physical site constraints;*

   (c) *compatibility of surrounding land use;*

   (d) *provision of adequate buffer areas to separate incompatible uses;*

   (e) *access to workforce;*

   (f) *supply chain relationships, including freight patterns, and proximity to existing freight networks, including high productivity and key local freight roads;*

   (g) *the ability to and cost of, servicing with physical infrastructure; and*

   (h) *avoidance of environmental hazards and environmental values.*

4. *Enable industrial use and development, outside urban or settlement growth boundaries, where……..*

Physical Infrastructure

7.55 Amend strategy 5.1.3(3) to replace the words "growth areas" with "existing settlements" (as shown below by underline). This is because it would be inappropriate to have designated growth areas "where there is no infrastructure, no available infrastructure capacity or no infrastructure solution". However, there may be existing settlements where this is the situation.

3. *Where there is no infrastructure, no available infrastructure capacity or no infrastructure solution, promote the most logical and effective solution to deliver services to existing settlements while minimising environmental impacts.*

7.56 Delete strategy 5.1.3(5) – noting that an additional strategy has been inserted after 1.6 Design within the Settlement TPP.

7.57 Correct the typo within 5.1.3(7) so that it is:

Provide for reticulated sewerage at the time of subdivision or require lots, created by the subdivision, to be capable of adequately treating and retaining all domestic wastewater within the boundaries of each lot.

Cultural Heritage

7.58 In order that the information within the third paragraph of 6.01 Policy Context is more consistent with the Australia ICOMOS (2013) Burra Charter approach it should be replaced with:

Much historic cultural heritage is visible, known, accepted and valued, and easily identifiable for protection. However much Aboriginal cultural heritage and some historic heritage, primarily archaeological heritage and heritage with social value, is not formally identified until rediscovered, commonly in the course of development preparation. While the significance of visible tangible assets tends to be recognised and valued, lesser-known archaeological values,

social values and intangible values associated with cultural heritage also need to be recognised, protected and managed.

7.59 After the paragraph in Policy Context for 6.01 ending in "… cultural heritage story." – insert a new paragraph, this being:

While the development of places listed on the State, National or world heritage registers are dealt with outside of the TPS, there is a role for the RLUSs to consider these places of heritage significance when designating land uses and developing regional policies.

7.60 The second last paragraph within 6.01 Policy Context does not refer to the fact that cultural heritage is of fundamental importance in promoting community well-being, particularly when such heritage values are well-recognised and attract people to visit or live in an area. It is therefore recommended that the final sentence in this paragraph be as follows:

This justifies supporting the protection of these values for community well-being and the benefit of present and future generations.

7.61 There is a typo in the numbering for the Climate Change Statement. It should be:

6.0.2 Climate Change Statement

7.62 The 6.1.2 Objective for Aboriginal Cultural Heritage should also refer to the need to protect cultural landscapes as follows:

Support the protection and Aboriginal custodianship of Aboriginal cultural heritage values including places, objects, areas, landscapes and practices.

7.63 Replace the 6.2.2 Objective with:

To support the strategic consideration of places listed on State, National and world heritage registers and identification and conservation of significant local historic cultural heritage buildings, part of buildings, infrastructure (for example bridges), places/features, precincts and landscapes and promote sympathetic design solutions and responses that preserve or complement those cultural heritage values and facilitate appropriate adaptive reuse.

7.64 Insert the following new Strategy 2 in 6.2.3 (so that the existing 2 becomes 3 etc):

Identify sites that have State, National or world heritage significance and consider the impacts on the heritage values of those sites when designating land for a particular purpose.

7.65 Replace strategy 6.2.3(6) with the following, promote it to strategy (2) in the hierarchy and renumber the subsequent strategies within 6.2.3. Changes were made to reflect all categories of Places in a heritage planning context and because "significance" and "value" have the same meaning.

Encourage the initiation and implementation of heritage surveys to proactively identify and manage historic heritage places and to clearly articulate the heritage of places and precincts listed as having historic cultural heritage significance.

7.66 Replace strategy 6.2.3(7) with the following (for clarity and simplification).

Encourage the preparation and publishing of conservation policies for heritage precincts, as well as development, in-fill, and pre-development assessment guidelines, that will foster understanding and awareness of the importance of historic cultural heritage and provide greater clarity and consistency in the management of significant heritage values.

Planning Processes

7.67 Delete the final paragraph of 7.0.1 Policy Context.

7.68 Delete 7.3 Regulation TPP entirely (see discussion in section 5.9 of this report).

Glossary

7.69 In the definition of 'Agricultural use' in the Glossary, add an 's' after 'animal'.

7.70 The Tasmanian Housing Strategy combines the two definitions for 'affordable housing' and 'housing stress' within a single definition for 'affordable housing'. Delete the existing definition of 'Housing stress' and replace the existing definition of 'Affordable housing' with the following:

Affordable housing *– means housing for purchase and rental, including social housing, that is appropriate for the needs of very low-, low- and moderate-income households.*

Delete definition of 'Housing stress'.

7.71 Modify the definition of 'rural residential settlement', as follows:

Rural residential settlement *– means a settlement on an area of land that is characterised by a pattern of development involving residential use on larger lots in a rural or non-urban setting.*

7.72 Include a definition of 'greenfield sites' (as used in strategy 1.5.3(2)), consistent with that used in the Southern Tasmania Regional Land Use Strategy, which is:

Greenfield sites *– means former agricultural or undeveloped natural land on the periphery of towns and cities that has been identified for urban development.*

7.73 Include the following definitions for 'urban growth boundary' and 'settlement growth boundary' which will allow the RLUS to adopt the terms and apply them in the appropriate context:

Urban growth boundary *– means the spatial extent of growth, as identified on a map, for a metropolitan area or a city and its greater urban area.*

Settlement growth boundary *– means the spatial extent of growth, as identified on a map, for a settlement.*

7.74 Include the following definition for 'very low-, low-, and moderate-income households' (as referred to in the definition for affordable housing):

Very low-, low-, and moderate-income households *- means households that are in the three lower quintiles of the Tasmanian income distribution.*

7.75 Delete definitions for "assisted housing" (term not used within the TPPs), "communal residence" (term not used within the TPPs) and "sensitive use" (already defined within the SPPs).

7.76 Include a definition for "urban forest" (used within strategy 1.2.3(7)) as it may be a contested term if subsequently referred to in other planning instruments.

7.77 Review the existing definition for "circular economy" (used within strategy 4.8.3(5)) as there are other preferred higher-level definitions, such as that applied within the United Nations Sustainable Development Goals (e.g. "a regenerative system in which resource input and waste, emissions, and energy leakages are minimized through long-lasting design, maintenance, repair, reuse, sharing, remanufacturing, refurbishing, and recycling activities").

Appendix A – List of Representors

1) Eric Van Bemmel
2) West Coast Council
3) Bicycle Network
4) Glenorchy City Council
5) Jenny Chambers-Smith
6) Housing Industry Association
7) Department of State Growth
8) Brighton Council
9) NBN Co.
10) Colony 47
11) King Island Council
12) Paul Smith
13) Tasmanian Active Living Coalition
14) Aboriginal Land Council of Tasmania
15) Central Coast Council
16) TasNetworks
17) Clarence City Council
18) Anonymous
19) Michelle Foale
20) Poatina Village Body Corporate
21) Tasmanian Minerals, Manufacturing and Energy Co.
22) Annabelle Black
23) West Tamar Council
24) TasCOSS
25) Huon Valley Council
26) Latrobe Council
27) Kentish Council
28) Cradle Coast Authority NRM
29) Cradle Coast Authority
30) Environmental Defenders Authority
31) Planning Institute Australia (Tas)
32) Central Highlands Council
33) Derwent Estuary Program
34) Launceston Airport

35) Circe Alditheral
36) Northern Midlands Council
37) Shelter Tas
38) Kingborough Council
39) Simon Roberts
40) Tasmanian Fire Service
41) Southern Midlands Council
42) Tasman Council
43) Private Forests Tas
44) Yvette Mendoza
45) Meander Valley Council
46) Waratah-Wynyard Council
47) Huon Valley Zoning Association
48) Hobart City Council
49) Mission Australia
50) State Emergency Service
51) Northern Tasmanian Councils
52) Flinders Council
53) Aust. Institute of Architects (Tas)
54) Office of Coordinator General
55) Castellan Consulting
56) Tenants Union of Tasmania
57) Glamorgan Spring Bay Council
58) Planning Matters Alliance Tasmania
59) Local Government Association Tasmania
60) Sorell Council
61) Circular Head Council
62) Tasmanian Planning Information Network
63) Cultural Heritage Practitioners Tasmania
64) Department of Natural Resources and Environment

Number 61 to 64 above were submissions lodged outside of the formal advertising period. They are listed as “further submissions” on the Commission’s website. They have been considered in a similar manner to all other representors.

Appendix B – Issues raised by representors

The following table lists all the key issues that were raised in the representations, both in writing and during the hearings that were held from October 2023 to February 2024. The organisation or individual who raised each issue is also noted – see Appendix A for the numbers assigned to each representor.

The Commission acknowledges that most of these matters are 'by exception' in that representors tended to focus on issues that they disagreed with and where they wanted changes made to the draft TPPs.

Issue	Description	Representors
General Drafting		
Language	General tone needs to be more affirmative so that there is less scope for different interpretations. Avoid vague words (like "may" or "discourage") and double negatives – plus write the strategies in a positive or active manner – indicate an approval pathway, rather than a refusal.	50, 28, 3, 42, 4, 31, 15, 30, 17, 26, 27, 13, 45, 58, 60, 62, 38, 59
Too complex	Too many strategies and too much detail within the TPPs (better located within RLUSs). A higher-level perspective is required. Excessive detail reduces clarity and limits effective implementation. Policies should be more concise (reference was made to mainland examples e.g. QLD). Overall structure of TPPs is unnecessarily complicated.	53, 47, 52, 31, 4, 17, 31, 51, 56, 62, 59, 26, 27, 45, 60
General Application principles are contradictory	General Application principles and processes lack clarity, appear to be contradictory and are contrary to TPP criteria. There are no precedents for their implementation and there is less flexibility than is inferred.	52, 26, 27, 45
GA section is helpful	The GA section is helpful, and it is acknowledged that good land use planning requires a sensitive balancing of competing policy objectives.	40
GA requires compliance with all strategies	The GA section requires that scheme amendments comply with all strategies (as for State Policies) – this will be too costly and time consuming and little guidance is provided.	26, 27, 45, 11, 23, 51
Strategies are too prescriptive	Strategies are too prescriptive and don't allow sufficient flexibility to allow for unique investment opportunities, for diversity or for sudden changes. They are pitched at too low a level, and this may discourage their regular review.	36, 31, 26, 27, 4, 51, 54, 15, 45, 59, 60, 11, 48

Issue	Description	Representors
Interpreting the strategies	Some strategies are quite vague in their intent and would be difficult to interpret/implement – some are written as actions and others as objectives. Will need a common understanding of intent during assessments (PAs and TPC) as the focus will be on how they are precisely written.	42, 26, 27, 45, 29, 11, 60, 4
Duplication across strategies	Similar concepts are repeated in strategies both within and across policy areas. This results in inconsistencies as they are "differently configured". Some overlap across different themes is unavoidable but should be limited and not within themes – consolidate strategies where possible.	28, 19, 4, 23, 54, 60, 17
Complete redraft	A major redraft of the TPPs is necessary, which will require their readvertisement. If not, then detailed responses to concerns are required.	58, 23, 51, 52, 26, 27, 45
Future review	Allowance should be made for a future review of the TPPs, including any need for updating or specific amendments.	15
Definitions	Definitions need to be credibly sourced and to explain all terms that may be interpreted differently.	58, 17
Specific drafting suggestions	Various specific editorial suggestions were provided by many representors, and these are collated within Appendix C.	2, 3, 4, 13, 23, 26, 27, 31, 33, 36, 38, 39, 43, 44, 45, 46, 47, 48, 50, 53, 55, 57, 59, 60, 61, 62
General – Policy Content		
Broad scope of policies	The broad scope of the policies results in a lack of clarity about the government's more specific views on the most critical issues (e.g. climate change, housing supply, biodiversity loss).	31, 52
TPPs to reflect reality as to what they can influence	Limitations of the TPPs should be stated. They need to be drafted in a manner that appreciates economic reality – concerned that the bar is set too high and strategies will not be "agile" enough to deal with unexpected proposals.	54
Filling policy void	Support given to the role that the TPPs play in filling the policy void in the planning system – and in a	32, 41, 42, 58, 57, 59, 38

Issue	Description	Representors
	manner that is both ambitious and reflects contemporary best practice.	
Competing policies	It is not clear how the requirements of policies that are advocating different courses of action will be resolved. The proposed approach gives little guidance on any hierarchy that might apply. There should be some underlying priorities (such as for climate change, housing and biodiversity) to enable a filtering process.	36, 58, 52, 26, 27, 15, 45, 31
Guiding principles	Guiding principles should be efficient, integrated, effective (outcome focused), accountable and positive.	59
Defining 'values'	Policies assume a common understanding of values (e.g. landscape, environmental) and yet they are subjective and often competing – the TPPs or guidelines should identify criteria or benchmarks to help define these values. NRM suggests natural capital accounting to quantify values.	32, 41, 42, 28
Add another layer of complexity	The TPPs add another layer of complexity within the planning system.	58
Non-planning matters	Policies should not address matters that are outside of the planning system and beyond scope of section 12B of the Act.	31, 17, 4, 36, 57
Consistency with the Act	The policies do not meet Schedule 1 Objectives of the Act. Indicate the link to RMPS objectives and be consistent with the Act terminology, such as referring to aims and principles as in the Act with a focus on achieving desired outcomes.	47, 58, 31, 17, 4, 52, 30, 57, 11
Reframe strategies as principles	Strategies could be expressed differently so that they are like principles that describe performance measures or desired outcomes and can be applied where relevant.	26, 27, 45, 31
General Application contrary to Act	General Application instructions for flexibility are contrary to statutory requirements (section 34(2A)) for a literal application of all policies.	26, 27, 45
Avoid duplication with State Policies	All policies that duplicate assessment processes under existing State Policies should be removed as they provide no added value. Clarify relationship with State Policies.	52, 13, 31, 17, 4, 57
Consistency with State Policies	Policies must be consistent with and fully address the relevant matters within State Policies.	30, 33

Issue	Description	Representors
State Policies preferred over TPPs	Expanded suite of State Policies is preferred over TPPs as they have broader application beyond planning system.	58, 62
Differentiate with RLUSs	The existing strategies within the TPPs should be redrafted as policy statements so they are different to the "strategies" in the RLUSs.	4
Policy coordination across government	A need to coordinate various government policy areas that deal with similar considerations and verify planning requirements (e.g., PESCRAC) to eliminate any confusion.	54, 15, 17, 57
Creating greater certainty	The TPPs need to function in a manner that creates greater certainty and confidence for both developers and the broader community.	54
Defining "sustainable development"	Sustainable growth is not possible in a closed system – the term "sustainable economic development" is problematic, and policies are contrary to "sustainable development" in Schedule 1 of the Act.	31, 57
Justifying the policies and strategies	No evidence is provided to support the aims or origin of the policies or the high level of prescription within strategies – this would help in understanding the desired outcomes and assist in dealing with emerging issues.	26, 27, 28, 45, 57, 54
Clarify mandatory nature of strategies	Clarify (in GA section) that strategies are ways to meet the objective but not individually mandatory, allowing flexibility for other ways to achieve the objective.	26, 27, 45
Managing change sustainably	While population and economic growth will occur this needs to be balanced with appropriate safeguards that ensure changes are sustainable.	53
Meeting local aspirations	TPPs should incorporate a more nuanced approach that enables communities to meet their particular needs and aspirations, such as in regional or rural areas – acknowledging their "right" to do so as enshrined within the RMPS objectives.	36, 28, 26, 27, 45, 57, 11
Alignment with UN Sustainable Development Goals	The TPPs should be aligned with the UNSDGs to indicate the international context and other policy reports, such as PESRAC.	15, 53, 17, 30
Aboriginal heritage	Aboriginal culture should be considered across all policy areas rather than just being dealt with under Cultural Heritage.	53

Issue	Description	Representors
Treatment of climate change in the TPPs	Prominent place given to climate change in the policies is welcomed – including its consideration across all policies.	28, 48, 38, 59, 62
Climate change action	The assumptions and parameters by which urgent action on climate change will be taken need to be made clearer within the TPPs, including the relationship with the govt's Action Plan, the need to reduce emissions and a capacity to respond to future changes.	36, 48, 38, 17, 59, 30
Operationalise climate change	Climate change statements or policies should be operative parts of the TPPs – a stronger approach is needed – either by making it more explicit within strategies across all the policy areas and/or by there being a separate climate change policy.	17, 30, 31, 15, 57, 59, 62, 33, 38, 4
Climate change applies to all themes	A single climate change policy will be too vague – existing statements are supported across all themes.	26, 27, 45
Connect NRM and planning strategies	Closer links should be developed between regional NRM strategies and land use planning instruments.	28
Critical role of natural resources	Important to acknowledge the need to care for the state's natural resources – in that they underpin a sustainable economy, local identity and community wellbeing.	28
Consider a broad range of issues	A broad scope for the TPPs will better inform RLUSs and meet the broad intent of the RMPS objectives.	28
Focus on new development	Objectives and strategies primarily address issues relating to new development rather than matters of concern within existing developed areas.	52
Zoning and land use inconsistencies	There is a need to acknowledge the many inconsistencies between the way land is zoned and the existing land use.	22
General - Implementation		
General support for the TPPs	General support for the TPPs and their role in contributing to improved planning and decision making.	50, 49, 37, 1, 7, 40, 4, 59, 60
Planning system limitations	Acknowledge limitations of planning system – responds reactively to proposed changes of use and development.	29

Issue	Description	Representors
Planning system to accommodate change	The planning system will need to evolve to accommodate changes in society (e.g. population change) and environment (e.g. climate change).	29
No clear overall strategic framework	TPPs do not provide a clear or cohesive policy response or strategic framework to take forward into the planning system – this is also impeded by a need to comply with all policies.	52, 26, 27, 45
High level aims needed for each policy area	Each policy should include a succinct "aim" that clearly states its intent or the problem it is seeking to address – a need for high level "problem statements".	31
Test as to whether achievable	There should be an assessment made as to whether the strategies within the TPPs are actually achievable – such as by testing with appropriate and contemporary criteria.	31, 59
Availability of information to support policies	There appears to be a false assumption that there is sufficient existing information or state-based data to support the effective implementation of policies (e.g. defining "level of impact") – there are no policies directed towards obtaining necessary data.	26, 27, 45, 57, 17, 60
Data to measure performance	Resources should be allocated to monitor baseline data and/or criteria to assess how well TPPs are implemented and, importantly, as a basis for informing future reviews of RLUSs.	31, 53, 38, 17, 4, 58, 60, 62
Cumulative impact	Consider the cumulative impact of decisions – applies across many policy areas and requires close monitoring of outcomes. Reliant on sound data and credible thresholds (a UGB is such a threshold in a spatial sense).	17, 60, 33, 38, 4
Link to SoE	Should make a link to state's SoE – while only a snapshot it will help to understand ongoing performance.	58, 62, 17
Need for guidelines	TPPs should have guidelines that form the basis of an implementation plan and to assist the translation of the policies in the RLUSs in particular – will also help in allowing the TPPs to not be so prescriptive and to take a higher-level perspective.	19, 33, 51, 25, 52, 38, 31, 26, 27, 17, 30, 4, 57, 42, 45, 59, 60, 62, 23
Achieving intended outcomes	No clear definition of outcomes or measures as to whether or how intended outcomes will be achieved by implementing strategies in the hierarchical planning system and at a local level.	17, 25, 48, 58, 42, 31, 26, 27, 57, 45, 59, 60, 62

Issue	Description	Representors
Roles and responsibilities	Not stated as to who or what agency will be responsible for implementing strategies or providing the information needed to facilitate this.	15, 4, 26, 27, 17, 42, 45, 57
Relationship to other planning instruments	Strategies do not identify the instruments (RLUSs, SPPs, LPSs) to which they apply (eg Strategic matters dealt with by RLUS and regulatory by SPP). The translation process is not clear and so it is also unclear how the planning system will effectively implement the TPP strategies.	17, 53, 51, 28, 36, 25, 52, 42, 31, 26, 27, 15, 30, 45, 59, 62, 58, 38
Clear regulatory pathway	Application principles need to create a clear pathway from TPPs to RLUSs and TPS that ensure planning schemes are inherently compliant with the TPPs.	26, 27, 15, 45
Application within RLUSs	It is not clear how the RLUSs will be able to consistently comply with the TPPs.	52, 31
Remove non-planning matters	The TPPs should only include matters that can be directly implemented by way of the planning system – primarily being the RLUSs and the TPS.	23, 31, 59
Clarify non-planning matters	Clarify how non-planning matters will be dealt with – such as matters dealt with in other legislation (e.g. Building Act).	15
Influence beyond planning system	Although the TPPs are to be implemented through the planning system, their indirect influence or guidance of other government policy should not be underestimated.	54, 38
Local planning impeded	The overly prescriptive nature of the strategies will impede opportunities for local planning – they are not sufficiently flexible for local aspirations to be met.	26, 27, 51, 52, 45, 57, 11
Working with local government	Local govt sector is best placed to understand technical aspects relating to applying the TPPs to the RLUSs and the TPS – a lot of corporate knowledge within local govt.	51, 25, 52, 59, 26, 27, 45
Overemphasis on promoting growth	Concerned about an “addiction to growth” that underlies the policies and “community scenario planning” should be applied in response.	12
Role of structure plans is unclear	Further clarity is needed on when structure planning will be necessary and how TPPs will guide their development, bearing in mind they are not statutory instruments. Concern they may be required for most amendments.	13, 48, 26, 27, 45

Issue	Description	Representors
Implementing other government policies	Other government policies and strategies should be more effectively implemented to support TPPs (e.g. water quality, stormwater), plus TPPs should also be consistent with and support their implementation (e.g. PESRAC).	19, 26, 27, 45
Time delays for planning reform	Concerns about the time taken to complete TPPs, review SPPs, prepare new RLUSs and update planning schemes.	54, 25, 31
Interim process for amendments	Particular concerns about the additional work involved in amending schemes prior to new RLUSs – all TPP strategies need to be assessed for relevance for every amendment.	26, 27, 52, 4, 45, 59
Resource constraints	Concerns expressed about existing inadequate statutory and strategic planning resources and that there is a need to properly resource and align the regular reviews of TPPs, State Policies, SSPs and RLUSs.	15, 51, 25, 58, 31, 57, 59
1.0 Settlement		
Plan for long term needs	Settlement planning should cater for longer horizons than a 15 year minimum – say, 20 years for zoned land within UGB, plus earmarking other suitable land by way of long term planning. Current zoning is not keeping pace with housing demand, and this also encourages land banking.	32, 41, 42, 38
Clarify 15 year target	Clarify the 15 year planning horizon – needs to be at least a 15 year supply of suitably zoned and serviced land.	60
Population projections	Review population projections and link to land supply needs – anticipate future migration increases (eg due to climate change) and don't be too conservative.	32, 41, 42
Support existing growth policies	Generally support the existing growth strategies and understand their policy intent.	38, 7
Sustainable growth	Focus should be on sustainable growth regardless of settlement size. All communities should be afforded the opportunity to sustainably grow. Constraining some communities in order to favour others is contrary to Schedule 1 Objectives. Settlements function at different levels.	23, 36, 51, 26, 27, 15, 45, 59

Issue	Description	Representors
Growth restricted in lower order settlements	Policy prioritises growth in "higher order settlements" and there is significant concern that this will effectively prevent growth and innovation in other settlements (such as by zoning refusals).	52, 51, 15, 26, 27, 36, 46, 18, 45, 57, 61, 11, 20, 23
Justify priority for growth in higher order settlements	A policy to prioritise growth in higher order settlements needs to be justified with appropriate evidence – there is a lack of evidence to support policies that may limit rural growth or fail to meet local community expectations.	26, 27, 45, 51, 23
Rural growth driven by local factors	There should be no growth impediments placed on rural towns beyond the gravitational pull of the major cities – growth is driven by local factors and no evidence to support a need for constraints.	32, 41, 42, 26, 27, 36, 18, 45, 57, 20
Costs of rural growth	Greater costs incurred in providing new infrastructure and services to growth within rural areas and urban fringes.	7
Rural residential development growth	Enable opportunities for further rural residential subd'n (if not prime agriculture), rather than it being discouraged (strategy is written in the negative) – helps to sustain rural settlements and meet lifestyle aspirations.	25, 51, 47, 26, 27, 32, 41, 42, 45, 61, 60
Bushfire risk	New rural residential development increases bushfire risks – should only be located if there is good access and not within bushfire prone area.	40
Acknowledge local growth strategies	Strategies developed by local communities that encourage "sustainable growth" should be recognized and supported.	52, 51, 36
Settlement hierarchy	The required settlement hierarchy needs to be clarified – what does a "higher tier" mean? Growth should be based on sustainability and levels of service – refer to a network, with no settlement having a priority over another.	53, 26, 27, 18, 45
Hierarchy of activity centres	The "hierarchy" should be for activity centres rather than for settlements – describing different levels of service.	26, 27, 45, 23, 51
Identify growth opportunities	Provide guidance for RLUSs to determine future growth opportunities – such as for smaller activity centres and how to consider potentially desirable proposals that are contrary to settlement strategy.	38, 32, 41, 42

Issue	Description	Representors
Coordinate land use and infrastructure planning.	Coordinate land use and infrastructure planning – each informs the other (e.g. Greater Hobart Plan) – settlement growth plans will drive infrastructure provision, plus priority given to utilizing existing infrastructure capacity.	7, 38, 23, 51
Commercial growth of smaller centres	Commercial growth in smaller centres should not be discouraged on the basis that certain services (eg public transport) is not available.	26, 27, 45
Identify future industrial land	Need to identify future suitable land for industrial and commercial purposes in order to cater for future demand and as part of broader settlement planning.	38
Land banking	Prevent land banking of prime development land that forces out-of-sequence development to occur.	26, 27, 45
Accommodating workers in rural areas	Support provided to strategy that deals with the need to accommodate workers that support rural industries (agriculture, energy, mining etc).	54
Overly focused on urban issues	The TPPs are “urban centric” and do not sufficiently address rural settlement, transport and livability issues.	47, 18, 57, 11, 26, 27, 45
Remote communities disadvantaged	Insufficient attention is given to the unique needs of remote communities (e.g. King Island) so that they may best overcome their existing disadvantages.	11, 52
Urban densification	Support urban densification policies that address infill impediments, reduce outward expansion, improve public spaces, encourages reduced private car use, reduces long commutes and improves access to active/public transport – also consider benefits from climate change perspective.	35, 5, 28, 48, 8, 42, 60, 32, 41, 17, 7, 4
Managing higher density impacts	Further urban densification is the most sustainable and desirable strategy, but the associated impacts will need to be managed sensitively with local communities. Develop solutions that mitigate impacts and manage trade-offs.	35, 32, 41, 42, 26, 27, 45, 4
Prioritise infill within settlements	Prioritise infill over outward growth – with outward growth of settlements needing to be strategically justified – TPPs to include planning principles to support this.	4, 36, 60, 62, 7

Issue	Description	Representors
Infill versus outward urban growth	Outward settlement growth should not be impeded if infill is not commercially viable. Difficult to address impediments to infill within planning system.	26, 27, 45
Infill concerns	Infill development should not be at the expense of such values as heritage, amenity and liveability.	58
Higher density housing	Support location of higher density housing close to good transport, services and jobs.	1
Structure plans supported	Local structure plans will facilitate inclusive community engagement that will meet local needs and address such aspects as active transport. Should ideally be enforceable.	28, 1, 62
Unnecessary structure plans	Policies may require structure plans to be prepared for almost every scheme amendment, plus their content should not be dictated and be flexible to local needs.	26, 27, 45
Urban growth boundaries	Applying UGBs in all cases is not necessary, they will impose an inflexible constraint on growth and information on infrastructure capacity is often not available.	51, 26, 27, 45, 57
Applying urban growth boundaries	Further guidance is required as to what UGBs are and when they will be necessary – plus, in some instances, how infill can occur within their confines.	8, 46, 60, 38
Need for urban growth boundaries	Noting the different reasons for UGBs – aim to optimise existing infrastructure in major urban centres and aim to protect agricultural/environmental values in rural centres.	38
Changes to urban growth boundaries	No changes to the UGBs should be made outside of a regional review of the RLUS.	4
Need for urban changes	Be open to adaptive processes and acknowledge a need to make significant changes to many urban areas to improve amenity, resilience, equity etc.	32, 41, 42, 28
Liveability	Support policies that improve liveability – acknowledging different perspectives on this – includes integrated transport solutions, social infrastructure, enhanced urban design, opportunities to work remotely, reduced noise etc.	28, 13, 35, 1, 9, 24, 38, 29

Issue	Description	Representors
Greening of urban spaces	Include additional liveability strategies that encourage more urban vegetation, retaining stormwater and multi-use of public spaces.	48, 33, 13, 62
Rural liveability	Rural liveability issues need to be addressed rather than just focusing on urban liveability matters.	47
Upgrade existing services	Liveability can be most efficiently improved by upgrading existing transport networks, infrastructure and services.	53
Scope within planning system	Many liveability and housing matters (e.g., diversity) are beyond the scope of the planning system to control.	26, 27, 45, 29
Access to housing	Access to suitable and affordable housing is integral to liveability, the value of housing being a “human right” should be emphasized and there should be opportunities to “age in place”.	38, 47
Traffic congestion and public safety	Traffic congestion issues need to be addressed in order to cater for public safety and emergency services.	50
Travel plans	Major residential developments be supported by travel plans that provide evidence of future liveability, affordability and active transport.	13
Reduce car dependency	Provide viable alternative to private car use, especially in low density residential areas and rural settlements, including active transport.	13
Public transport	The provision of public transport services is not within the remit of the planning system but is a critical factor in guiding future land development and associated infrastructure should be enabled.	48, 13
Stakeholder agency engagement	Implementation of many strategies will require the full engagement of agencies that are not normally associated with the planning system – suggest they be named up in implementation guidelines.	42
Exclude developer contributions	Developer contributions should be excluded as they will increase the cost of development and make it more difficult for home buyers.	6
Support developer contributions	Developer contribution scheme to be applied consistently across the state to properly attribute	13, 48, 59, 61

Issue	Description	Representors
	costs (e.g. address 'first mover' inequities) and meet increased demand for improved public infrastructure.	
Expand scope of developer contributions	Developer contributions should be applied to cover a broader range of public and social infrastructure needs (beyond just roads, water, sewerage, stormwater) – an enabler of growth and better located within the Settlement theme – current policy is too narrow in scope.	48, 2, 59
Support risk responses	Support strategies that respond to environmental risk (flooding, coastal inundation, landslip, bushfire).	50
Landscape and scenic values	Settlements are closely connected to their surrounding landscape – maintain this connection to protect their distinctive character.	48, 18
Social and affordable housing	Support strategies that recognise importance of and need for social and affordable housing in locations accessible to services and employment opportunities. Innovative planning solutions to be part of broader govt policy.	49, 37, 4
Social and affordable housing	General support for the existing strategy – important to cater for such housing within the planning system, to generally increase potential for future housing supply and be consistent with the Tasmanian Housing Strategy.	10, 37
Social and affordable housing	Not sufficiently addressed in the TPPs – proactive measures (eg inclusionary zoning) required to incentivize provision of more social and affordable housing.	8, 30
Limits on planning to address affordable housing needs	Planning can only partly address housing affordability issues – requires other measures in managing demand, reducing building costs and discouraging land banking.	59
Visitor accommodation	Managing visitor accommodation is a housing issue as it affects the rental market and housing affordability. Long term rental housing should be protected.	56, 8, 37
Innovative housing delivery models	Innovative models of housing delivery should be explored in order to increase supply.	60
Social infrastructure	Provide a diverse range of inclusive social infrastructure as an essential liveability objective – clarify difference with other public infrastructure.	38, 53, 48, 2, 62

Issue	Description	Representors
Active living	Social infrastructure and liveability strategies to incorporate active living components.	13
Ecovillages and co-housing projects	Specific attention should be given to alternative and more sustainable forms of housing such as ecovillages, tiny homes, off-grid lifestyles and co-housing estates – additional strategies and definitions were suggested.	44, 47
Urban vegetation and green spaces	Supports strategies that highlight need for urban vegetation, green spaces, energy efficiency, etc.	5, 13
Climate change impacts	Growth strategies to consider climate change impacts, together with design responses, provision of infrastructure and how the more vulnerable will be affected.	18, 48, 13
Technological change	Consider the impact of technological change on residential preference and work patterns.	26, 27, 45
Vocational training	Access to local vocational training (including by public transport) is important in enabling local growth/liveability.	13, 2
Public engagement	Effective public engagement and shared decision-making processes are integral to implementation of most growth or liveability strategies.	38
Settlement types are confusing	Allocating settlement types is confusing and duplicates what is contained in other settlement strategies.	26, 27, 45
Constraints on growth	Reconsider growth constraints for certain types of settlement (e.g. coastal).	8
Peri-urban areas	Peri-urban areas represent future opportunities for outward urban growth.	42
Natural values as a constraint	Rural living areas often have natural and landscape values to be protected from further development.	8
Existing rural residential areas	Review existing rural residential areas and deal with problems (e.g. bushfire risk) – potentially allow further internal subdivision that won't encroach onto agriculture and native vegetation.	32, 41, 42, 26, 27
New rural living areas	Rural residential strategy is overly prescriptive, and a more nuanced regional approach is needed that constrains new estates while accommodating local circumstances.	60

Issue	Description	Representors
Relate settlement growth to jobs	Ensure future settlement growth is located in proximity with jobs.	2
Unsustainable growth	Continuous growth is ultimately unsustainable and alternative paradigms should be considered.	5, 12, 35
Allow innovative design	Allow for more spontaneity and imaginative solutions (e.g. placemaking) to create more vibrant settlements and enhance design outcomes.	35, 48, 26, 27, 45
Capacity to enforce design standards	Many of the design strategies are outside of planning control and are not able to be enforced.	26, 27, 5, 18, 45
Design principles	Some design strategies are too specific and should be set at a higher level (principles rather than scheme criteria).	26, 27, 23, 45
Support design strategies	Support design strategies (with some changes) re public spaces, building and subdivision design, climate change response, stormwater reuse, ageing in place, quality etc.	1, 25, 48, 33, 60, 38
Design guidelines	Implementing design strategies need to be achieved by guidelines that outline opportunities both within and outside of the planning system (e.g. “designing with country” suggestion).	25, 48
Protecting local character	Design needs to define/respond to local character and consider the need for change where necessary or appropriate. Resist a need for uniformity.	48, 41, 32, 20
2.0 Environmental Values		
Support for policies	Support inclusion of policies that protect environmental values and seek to minimize and mitigate impacts by application of precautionary principle (including offsets).	28, 38, 62
Protect all environmental values	All environmental values should be protected and not just those that are “significant” – it is otherwise contrary to RMPS objective.	8, 30
Role of planning system	Stress importance of a healthy environment and the need to protect all environmental values within the planning system (noted that there are no provisions to protect fauna during site development).	30, 39, 4
Strengthen language	Current language (‘promote’, ‘consider’) and opt-out clauses reflect a lack of commitment to biodiversity issues. For example, the language is not as strong as	39, 33, 62, 28, 4

Issue	Description	Representors
	for industry, implying a lower priority for environmental values.	
Compliance with objective	Review precise wording strategies to ensure clear compliance with objectives – remove opt-out options that compromise the policy intent.	53, 28, 4
Mitigation of impacts	As well as minimizing environmental impacts it is also necessary to mitigate them as well – requires changes to principles and strategies (e.g. 2.1.3(5)).	38
Ecosystems services	Mention importance of ecosystem services across a broad range of environment protection roles.	39
Identify at strategic level	Focus identification and protection of environmental values at the strategic level (RLUS and LPS).	38
Up to date data sources	Identification of significant values should be based on accurate data (consider NRM links) – there is a need to continually improve data sources, noting that changes are always occurring and mapping is often unreliable.	28, 38
NRM strategies	Regional NRM strategies are relevant to planning system – consider them when developing RLUSs and making land use decisions, e.g. identification of critical habitat corridors.	28
Implementing strategies	Some strategies have established implementation systems in place, others have none – indicate the different amount of work the strategies must do.	32, 41, 4
Restrict to planning matters	Only include matters that can be dealt with in the planning system – noting much is dealt with by other mechanisms or are outside planning system.	26, 27, 23, 45
Coastal development	Identifying coastal areas suitable for future development will be too difficult – adopt principles to guide decisions.	60
Coastal retreat	Identify retreat pathways for settlements for situations when protection against coastal inundation is not possible.	46
Matters outside of planning system	Note the role that TPP policies have in influencing protection of environmental values within other planning regimes outside of the planning system.	38, 30, 28

Issue	Description	Representors
Densify urban settlements	Restrict urban sprawl and encourage infill within settlements as a means of protecting biodiversity and limiting impacts on environmental values.	35, 32, 41, 42
Cumulative impacts	Consider cumulative and compounding impact of small decisions that reduce/fragment natural areas and have impacts beyond immediately affected area.	4, 62
Rehabilitation of damaged sites	Give greater emphasis to the need to improve, restore or rehabilitate land and waterways that have been damaged by development.	30, 39
Clean up waterways	Government should be much more proactive in cleaning up waterways and mitigating flooding	18
Mapping of environmental values	Mapping for Code overlays has progressed to a varying extent – need to acknowledge the work done to date (eg for biodiversity) and identify the additional work needed and that priority be given to on-ground truthing.	32, 41, 42, 38
Biodiversity not protected in Agriculture Zone	The biggest threat to biodiversity has been the over-allocation of the Agriculture Zone – Code does not apply.	32, 41, 42
Biodiversity within urban centres	Recognise that biodiversity no longer needs to be considered once land is zoned for urban purposes.	32, 41, 42
Biodiversity offsets	Establish a state-wide system of biodiversity offsets that enables the accumulation of larger and more manageable and viable conservation areas.	32, 41, 42, 62
Local, regional and state perspectives	Acknowledge the different local, regional and state perspectives needed in protecting biodiversity and the need for more consistency by all regulators.	38
Ranking biodiversity significance	Guidance is required on the methodology for proposed ranking of significance of biodiversity values.	26, 27, 45, 38
Biodiversity data	Data exists within the Natural Values Atlas (on LIST) to determine biodiversity and geodiversity values and to assist in future systems for ranking.	64
Identifying biodiversity values	There should be suitable tools available to local govt to assist in identifying habitat values (consistent with FPA).	38

Issue	Description	Representors
Links to NRM strategies	Support waterways policy and note relevance of regional NRM strategies to preparing the RLUSs.	28
More robust protection	Strengthen waterways strategies to provide more robust protection across all aspects.	39
Catchment impact on waterways	Waterways will be impacted by development beyond the "in and around" vicinity – consider the cumulative risks of more impermeable surfaces, stormwater infrastructure, groundwater impact etc within the broader catchment.	25, 33, 19, 26, 27, 45
Stronger action on waterway protection	Some waterway protection is already provided within planning schemes, but there is inconsistent application. TPPs to include additional strategy and/or stronger language to ensure better waterway protection.	32, 41, 42, 19, 25, 26, 27, 45, 33, 39
Definition of waterways	Open drains in rural areas used for water spreading are classified as "waterways" and would be subject to inappropriate constraints from TPP policies.	11
Geodiversity values	The existing or proposed systems to determine and map significance of geodiversity values are not clear.	26, 27, 45
Carbon storage	Soil formation and carbon storage (e.g. peat, salt marsh) are important geodiversty values.	39
Landscape protection	Identify special landscapes that are no-development zones without opt-out provisions.	53
Methodology for assessing landscapes	Consistent and well-established methodology needed for landscape mapping and protection – and then embed this within the planning system as an overlay.	32, 41, 42
Lack of clarity re landscape	Expectations for landscape protection are not clear re further mapping, inclusion in RLUS, SPP review etc – also relationship to heritage, aesthetics, gardens etc.	26, 27, 45, 48
Landscape fragmentation	Fragmentation of coherent landscapes is associated with ecosystem failure.	28
Coastal protection	It is not clear how the coastal policy/strategies will operate relative to the State Coastal Policy.	32, 41, 42
3.0 Environmental Hazards		

Issue	Description	Representors
Overlap with Building Act	Building Act also considers environment hazards and a more integrated policy response across RMPS is required.	55
Natural hazards	Adopt the term “natural hazards” as it is more consistent with contemporary usage (e.g. ‘natural resources’).	23
Similar strategies	Many of the strategies for different hazards are similar.	23
A mix of strategic and regulatory	The strategies are a mix of strategic and regulatory in how they are to be implemented and it is not clear what work they have to do in the RLUSs and SPPs.	4, 62
Coordinate bushfire policies	A more consolidated/integrated policy approach to bushfire risk and mitigation across government is needed.	55
Absolute avoidance	An absolute avoidance of hazards (as indicated by “avoid”) should not be prescribed other than for the most extreme scenarios – apply a “where practicable” test.	26, 27, 45
TFS support	Support contextual statements and risk avoidance objectives as they align with existing state policies and those of Aust Institute for Disaster Resilience.	40
Tolerable risk	A “tolerable risk” approach will be necessary where bushfire hazards cannot be avoided, and activities warrant a higher degree of protection.	40
Mapping of hazards	Hazard mapping to be done at a state level and updated on an ongoing basis – note current limitations because of errors and information gaps (e.g. flooding), need to update Code overlays and to include detailed local mapping.	54, 40, 60
Other hazards	Other hazards need to be considered – e.g. acid sulphate or dispersive soils, drought, heat waves, tunnel erosion.	47, 48, 39
Multi-use of land	Opportunities to combine recreational use of land that is being also designed for flood mitigation or storm surge.	13
Cumulative impacts	Consider cumulative impacts and impacts external to the proposed development site.	4, 60

Issue	Description	Representors
Impact on natural values	Consider whether development or land use change might exacerbate hazards and then impact on natural values.	39, 33
Balancing bushfire priorities	Balance bushfire management between need to protect human life/buildings and biodiversity values. Biodiversity considered at a strategic level (allocating land use) and human life is primary consideration at development stage.	38, 39, 40
Improved bushfire management	While climate change will increase bushfire risk, there have also been significant advances made in bushfire risk mitigation.	55
Building approval considers bushfire	Most consideration of bushfire is at the building approval stage of the development process – clarify what is meant by consideration occurring “at every planning stage”.	46, 26, 27, 55, 45
Risks to rural residential use	Apply a strong precautionary approach if considering rezoning more land for residential development in rural areas as bushfire risks are already high in most areas.	40, 8, 38
Risks to rural residential use	Potential rural residential development should be assessed against “tolerable and manageable” bushfire risk.	26, 27, 45
Risk language	Review how language dealing with risk is applied – such as what is meant by “tolerable risk”.	55
Design of built environment	The design of the built environment should consider safety and efficiency of emergency intervention and evacuation.	40
Adjoining land	Avoid relying on adjoining land for bushfire mitigation.	40
Existing systems to manage hazards	Acknowledge that there are existing systems to regulate impacts from bushfire, landslip, flooding, coastal hazards and contaminated land and state whether anything more needs to be done to improve these systems.	38, 41, 42
Landslip controls for minor development	The landslip regulation controls are too onerous for minor developments or a change of use for existing structures.	48
Tolerable landslide risk	Policies should not prescribe avoidance and then apply a proviso (opt out) as this confuses intent of	26, 27, 45

Issue	Description	Representors
	policy. Most landslide mapped land is a tolerable risk for development.	
Support flooding strategies	Flooding strategies are supported as written.	39
Flooding risk	Policies for flooding and tolerable risk should account for uses that are not sensitive nor hazardous – not clear what uses or development could occur on flood prone land.	26, 27, 45
Impact of climate change on flooding	Identify climate change decision making parameters (as done for coastal hazards) – current 1% AEP not adequate – consider local risk-based flood studies.	36, 38, 26, 27, 50, 45
Land acquisition	Consider need to acquire land that is susceptible to unavoidable flooding.	48
Environmental harm by flooding	Acknowledge the environmental harm caused by flooding – not just impact to property.	33
Intensification of use	Intensification of use shouldn't occur in flood prone areas.	50
Downstream of dam	Dam safety assessments should not be required for every proposed development downstream from a dam.	26, 27, 45
Definition of coastal zone	Consideration of coastal hazards should be based on actual risk mapping rather than relying on the Coastal Policy zone definition.	50, 26, 27, 45
Tolerable risk from coastal hazards	Need further clarity on tolerable risk of coastal erosion or inundation and who determines this – noting that opt out clause allows development that exceeds this tolerable risk.	4
Climate change impact on coasts	Clear protocols are needed to guide early decisions as to whether coastal protection or retreat is necessary because of sea level rise and/or coastal inundation.	38, 41, 42
Relocate to Settlement section	'Contaminated air and land' is better dealt with under the Settlement section of the TPPs as a land use conflict issue.	23
Contamination protocols	Need for standards and protocols by which contamination levels or impacts can be defined and mitigated.	48

Issue	Description	Representors
Water contamination	Contamination of water should also be dealt with alongside air and land.	39, 4, 33
Changes to existing processes	There are existing processes in place for attenuating uses and any changes to these should be clearly stated.	26, 27, 45
Diffuse sources of contamination	Address the contamination of land and water from many diffuse residential sources (e.g. septic tanks) at their source.	39
Mapping contaminated land	It is not tenable to map all land that has been potentially contaminated.	26, 27, 45
Mitigating impact of contamination	Acknowledge the ability to address land use conflict by design and mitigation measures – not just by separation.	4
4.0 Sustainable Economic Development		
Heading is inappropriate	Align with legislation definition and acknowledge that "economic development" is inherently unsustainable.	30
Mining in policy context	Contextual statements need to be expanded to include information about importance of mining sector.	21
Economic growth is over-emphasised	Policies should also stress economic resilience, transformation and sustainability – link to wellbeing and liveability objectives. Unchecked growth is unsustainable.	25, 5, 12
Picking winners	Only some industry sectors are identified. It is not the role of the planning system to "pick winners" in this way (e.g. other farming products besides timber production, or aquaculture or tertiary industries like healthcare).	4, 57
Policies supported	Support for sustainable forms of economic development and ongoing engagement with community and industry sectors.	54, 28
Circular economy	Circular economy principles should be integrated more within the policies.	25
Balanced approach	Present a more balanced approach that acknowledges the potential conflicts between economic growth and the protection of ecological diversity and natural landscapes.	38

Issue	Description	Representors
Inefficient use of land	Planning system facilitates an inefficient use of land that requires costly infrastructure and personal isolation.	35
Value of rural areas to economy	Lack of recognition of importance of rural areas – need for a more flexible approach to development opportunities.	11, 26, 27, 45
Urban agriculture interface	Policy guidance should be provided on managing interface issues between residential and agricultural uses.	60
Residential use and agriculture	Allow for a residential use where it will also encourage the increased agricultural use of land.	46
Trees on farms	Support growing more trees on farms to improve primary production and carbon balance and grow timber products.	43
Irrigation	Consider potential for future irrigation schemes.	36
Land use buffers	Utilise land with lower agricultural capability to buffer prime land from conflicting land uses.	36
Protect agricultural land	Protect agricultural land, based on up-to-date capability assessments, inclusive of native vegetation and habitat.	28
Innovation in agriculture	Promote the further evolution of innovative farming systems – technology, diversification, value adding etc.	60
PAL Policy and prime agricultural land	TPP policy is consistent with PAL policy but should not go further than PAL. Agriculture Zone should be limited to prime agricultural land. A lot of land is now zoned Agriculture that should be Rural Zone, and this is more likely if the TPPs prioritises prime agricultural land.	32, 41, 42, 26, 27, 45
Reduce restrictions on agricultural land	Acknowledge variety of land uses (residential, quarries, tourism, forestry, energy etc) that need to exist in rural areas in order to meet local needs.	11, 32, 41, 42
Conversion of agricultural land	Agricultural land should be able to be converted to other uses (e.g. residential) if, on balance, that other use is of greater benefit.	26, 27, 45
Housing for rural workers	Seasonal workers accommodation should be provided, but all housing related policies should be located within Settlement policies to ensure no	26, 27, 45

Issue	Description	Representors
	interpretation conflict – also to focus housing to be in towns rather than on farm.	
Timber production	Support inclusion of this policy	43, 32, 41
Timber production	Restrict timber production to plantation forestry.	12
Balanced approach for extractive industries	More balanced approach required for extractive industry that allows greater economic diversification within remote communities, plus protect social/environmental values.	2, 12, 26, 27, 45
More positive tone for extractive industries	Acknowledge importance of extractive industry – barely mentioned in policy context and existing objective and strategies are less positive than for other industries.	21, 7
Prior mineral exploration	Requiring a mineral exploration process prior to any alternative allocation of land by zoning is impractical.	41, 42
Reusable housing	All temporary housing required to support industry should be designed to be reused.	46
Tourism promotion outside of planning process	Most tourism strategies are inappropriate as planning policies – they promote an advertised brand and seek information about project viability. Delete reference to Tasmanian Brand.	23, 53, 4, 26, 27, 45, 60
Rental versus visitor accommodation	Manage visitor accommodation so that it does not impact on the supply of long-term rental accommodation (remove reference to a “significant” impact).	56, 58, 42
Define visitor accommodation	Reference to visitor accommodation should be more specific – distinguish between hotel and Airbnb types.	53
Contrary to govt’s prior directive	Policy on visitor accommodation is contrary to govt’s prior directive to reduce restrictions in planning schemes.	26, 27, 45
Protect tourism assets	Language associated with protecting tourism assets is not as strong as for other economic assets (mining, timber).	48
Identifying tourism sites	Identifying tourism sites in a free market is impractical – tourism businesses emerge in places that are unexpected.	26, 27, 45, 11, 38
Relevance to planning system	Renewable energy supported but such investment strategies are not relevant to the planning system.	23, 26, 27, 45

Issue	Description	Representors
Unsustainable bioenergy	Not all forms of bioenergy are carbon neutral or environmentally friendly.	25, 5
Windfarms impact on landscapes	Windfarms can have adverse impacts on landscape and much to be done in assessing/defining landscapes values.	41, 42
Urban focus for industry	Existing Industry strategies have an urban focus, rather than acknowledging importance of industry in regional or rural areas – often need to be remote from settlements.	57, 41, 42, 26, 27, 46, 45
Future supply of industrial land	Regional assessments of industrial land supply need to be regularly undertaken and potential areas beyond the UGB will need to be considered. A long time horizon is needed as identifying future industrial land is always difficult.	38, 60
Greater market freedom	Actual market competition and diversity comes from removing some locational constraints on businesses.	35, 26, 27, 45
Local planning of activity centres	Intensifying commercial growth around activity centres is not always possible and local planning input is necessary.	26, 27, 45
Loss of residential amenity	Policy should not allow for loss of residential amenity when locating businesses or industry close to living areas.	36
Relevance to planning system	Innovation and research supported but such investment strategies are not relevant to the planning system.	23, 26, 27, 57, 45
5.0 Physical Infrastructure		
Complex interaction	Interaction with planning system is complex and clarity required as to agencies and information sources.	23
Sustainability	Stress need for sustainable infrastructure (within heading) – adaptive and resilient to rapidly changing climate.	30
First mover	First mover scenario (infrastructure costs highest for first developer) acts as a barrier to development. Headworks charges should not be based on first mover basis.	54, 32, 41, 42
Stormwater	Adopt a stronger position on stormwater issues – climate change impacts, future capacity of	36, 48, 33

Issue	Description	Representors
	infrastructure and a standard approach adopted by all councils.	
Active transport	Active transport should be stressed more – enhance active transport infrastructure alongside main roads and in rural areas. Provide storage and charging facilities for e-bikes.	5, 53, 3, 4, 25, 35
Public transport	Public transport planning requires a holistic approach as even small changes/extensions can degrade the quality of the network and discourage patrons.	7
'Smart' infrastructure	Policies to consider future role of 'smart' infrastructure that utilises advantages provided by digital technology.	25, 62
Low emissions transport	Infrastructure to be provided that supports low emissions transport modes – noting inclusion of improved passenger transport and enhancing active travel within list in 5.0.2.	1, 28, 13
Digital infrastructure requirement	Telecommunication or digital infrastructure should be mandatory within new subdivisions and developments.	9, 24, 37
Energy related infrastructure	General support for existing policies, though safeguard provisions could be strengthened, and greater strategic planning integration encouraged.	16
Overland flow paths	Consider the protection of overland flow paths and associated infrastructure, plus the mitigation of flooding from impervious surfaces by WSUD.	33
Agencies engaged in implementation	Infrastructure agencies need to be fully engaged in the implementation of the TPPs (e.g. RLUS development) and to release more up to date information – also revise their future planning accordingly in order to better coordinate land use planning with infrastructure provision.	32, 41, 42, 57, 60, 23, 51
Forward planning	Servicing agencies need to have done long-term forward planning to enable land to be set aside to meet future needs and/or increased intensity of development.	26, 27, 45, 60, 38
The way we plan must change	More sustainable lifestyles require different paradigms to be adopted for infrastructure design and more efficient and less costly transport modal alternatives.	35

Issue	Description	Representors
Developer contributions	State-wide policy on developer contributions is required with power for councils to charge for public infrastructure – consider cumulative impact of small developments (e.g. car parking) and not charging in areas with existing capacity (to attract development to these areas) – incentivize development in the preferred locations.	4, 26, 27, 45, 59, 60, 38
Legislate infrastructure plans	Legislate the need to prepare infrastructure plans that align with land use planning and provide the capacity for infrastructure charges (or developer contributions).	48, 46, 38
Choice of infrastructure policies	Suggest policies for communications infrastructure and waste management. There are three policies for transport and stormwater, water and sewer are lumped together, yet energy has its own policy.	4
Road investment to meet land use needs	Road investment programs should align with land use strategies, rather than the other way round.	26, 27, 45
Good access to telecommunication	Support the need to ensure early connection of newly developed properties to telecommunication services.	24, 9, 37
Urban renewal	Support for public infrastructure renewal programs and tactical urbanism to improve public realm.	38
Reticulated services	Promote reticulated sewer and stormwater and limit unserviced development on the urban fringe.	3
Waste management	Almost no mention of this and should be infrastructure available to encourage circular economy (eg recycling).	5, 35,
Too prescriptive	Strategies are too prescriptive – many stray into areas that are outside of the planning system (e.g. roads, passenger transport, electricity). Note that LPS amendments must demonstrate compliance with all strategies.	26, 27, 57, 45
Reduce car dependency	Support strategies to reduce car dependency and promote active/public transport and use car parking to influence modal choice.	1, 35
Poor services should not prohibit growth	Inadequate public transport services should not be seen to be a barrier to settlement expansion in regional areas.	57, 26, 27, 45

Issue	Description	Representors
Utilise existing capacity	Utilise existing capacity of existing infrastructure (e.g. road network) and identify how its most cost-efficient upgrading can align with projected population growth.	53, 7, 38
Influence of parking on modal choice	Clarify how provision of public car parking will influence choices made to shift to alternative modes of transport.	53
Transport needs of major industry	Transport policies that support industrial development within the UGB will create greater land use conflict.	26, 27, 45
Protect airports from inappropriate development	Highlight the need to meet agreed national guidelines that provide for appropriate airport buffers (i.e. the 'National Airports Safeguarding Framework').	34
Cannot predict market response	The location of future distribution facilities and freight networks are a response to the market.	26, 27, 45
Rail corridors	The "strategic value of non-operational rail corridors" is not clear.	26, 27, 45
6.0 Cultural Heritage		
New legislation for Aboriginal heritage protection	Current Aboriginal heritage protection is inadequate and new legislation (providing for ownership of heritage and final decision-making power), plus a State Policy, is required to inform a whole of government approach.	14, 30
Definition and protection of 'place'	An Aboriginal cultural heritage 'place' is not defined in the TPPs and there is nothing in the RMPS to protect such 'places' or cultural landscapes (as referred to in other management frameworks).	14
Stronger language	The language within the Aboriginal cultural heritage strategies is weak and unclear, particularly in comparison with that used in the Historic cultural heritage strategies.	14, 30
Compliance with UN Declaration	Better recognition is required of Aboriginal cultural heritage values so that the policy is consistent with UN Declaration on Rights of Indigenous Peoples.	30
Integrate values into planning system	Consult and identify how Aboriginal peoples' connection to country can be integrated within the planning system – with supporting guidelines for implementation processes.	23, 31, 28, 57

Issue	Description	Representors
Involvement of Aboriginal community	There is nothing in the strategies to ensure the active involvement of the Aboriginal community or the need for its consent when considering development that may potentially damage Aboriginal cultural heritage.	14
Protecting heritage while allowing for change	Important heritage values and a sense of place can still be protected while allowing significant landscape changes to occur (e.g. infill).	35
Outside of planning system	Aboriginal Heritage strategies deal with matters that are outside of the planning system.	26, 27, 45
Prohibiting development	Strategy 6.1.3(3) could effectively prohibit development unless it is acceptable to the Aboriginal community.	26, 27, 45
Early consideration of heritage	Both Aboriginal and Historic cultural heritage should be considered early in the planning process.	8, 63
Landscape heritage	Greater recognition of Aboriginal and Historic landscapes is needed – they help define the identity and character of local areas and communities.	63
Historic heritage significance	Requirements of some strategies cannot be dealt with by the planning system. Heritage 'significance' is not defined.	57, 26, 27, 45
Heritage alignment	Align Historic cultural heritage policies with work being done by heritage specialists and agencies.	53
Local heritage significance	The need to consider local heritage values should not prevent the local consideration of THR listed places.	36, 4
Local heritage listed within LPS	Each LPS should be obligated to include all local historic heritage recognized by the SPPs.	63
Local heritage listed within LPS	Concerns about whether the policy requires the preparation of a local heritage list and the costs involved.	26, 27, 45
Archaeological values	Less obvious cultural heritage values (e.g. archaeological) should also be protected and managed.	58, 63
Stronger protection of heritage values	Stronger language required to ensure local heritage surveys are conducted – ideally by an independent organisation.	58

Issue	Description	Representors
More holistic historic heritage policy	Policy should be consistent for all Historic cultural heritage places and include both places of state (THR) and local significance – don't separate them as many places have both state and local values. There is a disconnect between the objective and strategies.	48, 4
Heritage and sustainability	The embodied energy and resources within the reuse of old buildings is inherently more sustainable.	63
Historic heritage language	Language within policies should be consistent with that used in the SPPs and normal heritage terminology (e.g. preserve should be retain and restore should be conserve). Accommodate Burra Charter and ensure building interiors and 'significant trees' are included.	48, 4, 63
7.0 Planning Processes		
Delete Planning Processes policies	These policies should be deleted as outside of scope of Sec12B of Act, conflict with each other and duplicate other legislated processes – include content in TPP guidelines.	23, 31, 4, 57
Delete Planning Processes policies	Delete policies as they contrary to democratic governance and seek to unlawfully 'deregulate' the planning system.	58
Local planning	Support strategies that encourage further local planning and consultation	26, 27, 45
Review of RLUSs	Urgent review of RLUSs needed following these TPPs.	13
Delete Public Engagement policies	These policies will be difficult to implement, and consultation protocols are better located with guidelines.	57, 30
Outside of planning system	It is not clear if the consultation strategies relate to non-statutory public engagement – they appear to relate to matters outside of the jurisdiction of the planning system. No distinction is made between the very different public engagement practices for strategic and statutory matters.	26, 27, 45, 17, 60
Cross sector engagement	Encourage cross-sector engagement when translating principles into regulation (e.g. with industry, Uni).	59
Increased public engagement	Poor understanding of planning system within community. Information on planning matters should be more publicly accessible and able to be	53, 59, 29, 17

Issue	Description	Representors
	understood/visualized, plus early consultation to inform design and proponent involvement.	
Outdated statutory advertising process	Statutory advertising processes are outdated – adopt new technology or more contemporary practices to ensure information reaches right people (maybe a two tier system with one that only notifies immediate neighbours).	32, 41, 42, 38, 17
Redundant information	Too much detail in Engagement policy – should be within guidelines – confusing to just repeat Schedule 1 requirements. They tend to just describe what constitutes good public engagement rather than set a distinct policy.	4, 17, 38
Appeal rights	Appeal and civil enforcement rights are also important in ensuring public engagement in the planning system.	30
Other forms of public engagement	There should be opportunities for other innovative forms of public engagement (e.g. People's Forum).	12
Strategic planning principles	Strategic planning strategies are better read as principles for implementation of TPPs and subordinate instruments.	23, 38
Indigenous involvement	Strategic planning strategies should mention involvement of Aboriginal communities in decision making.	38
Population planning	Good to see population and land use planning aligned.	37
Coordinate land use and infrastructure	Emphasise the strategic coordination of infrastructure and land use planning, indicating connections with other TPP policies.	48
Delete Regulation policies	There are implementation problems with the Regulation strategies re cost, time, agency cooperation, practicalities and they are beyond the section 12B requirements.	57, 58
More balanced statements	Reference to 'over-regulation and red tape' lack balance and imply that they are current problems that need to be addressed – eg no mention is made of the positives about regulating land use and counter claims that planning not doing enough to control inappropriate development.	48, 58, 38
Defining over-regulation	How would "over-regulation" be determined and who would do this? Ultimately, it should just be an	58, 17

Issue	Description	Representors
	assessment as to whether an unacceptable impact is likely to occur.	
Over-regulation	Not a question of there being over-regulation as this is very subjective – regulation needs to be consistent, proportional, accountable and targeted.	60
NPR procedures	There should be standard procedures adopted in treating 'No Permit Required' uses and developments – PAs adopt different practices.	32, 41, 42
Local aspiration	Regulation policies should enable local aspiration.	26, 27, 45
Meeting public engagement objective in the Act	Policies need to show how a desire to avoid over-regulation is not contrary to public engagement in Objective 1(c) of the Act.	15
Coordinate regulatory regimes	Opportunities should be taken to enhance coordination of planning with other related regulatory regimes.	38
Regulatory efficiency	Support planning efficiency based on regulation being proportionate to the impact caused by use/development.	59, 60
Regulatory consistency	Do not support regulatory consistency at the expense of needing to meet diverse local circumstances.	59
Glossary		
Support definitions	Existing definitions of various terms are supported.	37, 10
Suggested additional definitions	Suggestions provided of various additional terms to be included in the Glossary	12, 15, 30, 31, 39, 41, 42, 44, 48, 53
Role of Glossary	Concerned that the Glossary is not an operative part of the TPPs and does not include all terms used in the TPPs.	52

Appendix C – Suggested changes to TPPs by representors and SPO

(SPO) *In the second paragraph of the General Application section, modify the following sentence to clarify that the Climate Change Statements are not operative parts of the TPPs, as follows:*

The Foreword, Table of Contents, headings, footnotes ~~and the~~ Policy Context including the Climate Change Statement section of each TPP are not intended to have operative effect. These parts or sections….

1.0 Settlement

1.1 Growth

1.1.1 Application

Applies to existing settlements and land that is proposed, allocated or identified for future settlement growth, with the exception of rural residential settlements not included within an urban growth boundary.

(46) the UGB needs to be a defined term and be made clear if all settlements require one, how it is determined and what statutory process it is to be declared under.

(61) include existing rural residential settlements in the application for future growth.

(SPO) *Replace 1.1.1 with:*

Applies to existing settlements and land that has been proposed, allocated or identified for future settlement growth, with the exception of rural residential settlements not included within an urban or settlement growth boundary where that land has been identified for growth at urban densities.

1.1.2 Objective

To plan for settlement growth that allocates land to meet the existing and future needs of the community and to deliver a sustainable pattern of development.

1.1.3 Strategies

(4) rather than strategies (confused with strategies in RLUS) could they be policy statements

(30) explicit climate change and sustainability strategies be provided in the Growth policy which require, amongst other things, that any growth of urban areas minimise GHG emissions and adverse environmental impacts to the fullest extent possible and fully consider the latest climate change risk assessments and science in identifying the best locations for infill development and, where necessary, greenfield development.

(33) include an additional growth strategy that considers the impact of increased impervious surfaces in settlements – e.g. converting impervious to pervious surfaces.

1. Provide for at least a 15 year supply of land that is available, identified or allocated, for the community's existing and forecast demand for residential, commercial, industrial, recreational and community land to support the economic, social and environmental functioning of settlements.

   (2) include the need to supply land for forecasted employment growth

   (4) this is a RLUS strategy and too specific for TPP

   (32) (41) (42) should aim to maintain at least a 20 year supply of zoned land

(36) clarify definition of land supply (zoned land, within UGB, identified in structure plan?) and where it is located (each settlement, LGA, region?)

(46) recommend that minimum be 20 years (as per RLUS).

(53) definition needed of what a 15 year supply of land is and what population numbers and dwelling numbers correspond with this supply.

(57) confirm that the 15 year supply of land is zoned land. How does this relate to infrastructure capacity?

(60) interpretation of "available, identified or allocated" is unclear – should simply state "Establish and maintain settlement growth boundaries that incorporate at least a 15 year supply of zoned and serviced land to accommodate forecast demand for residential, commercial, industrial, recreational and community land".

2. Plan for growth that will:

(46) suggest this be "Have a plan for growth that will …"

a) prioritise and encourage infill development, consolidation, redevelopment, reuse and intensification of under-utilised land within existing settlements, prior to allocating land for growth outside existing settlements;

(36) there is no policy on prioritising – to what extent must infill be exhausted before expansion can be considered?

(46) can allocate land for growth at the same time as prioritising infill, when it is clear that infill will not be sufficient.

(53) allocating land outside of settlements should only be suggested if all other infill options have been exhausted.

(57) what is the policy basis for this strategy?

(60) should be stronger than just "prioritise and encourage – should read "where feasible, accommodate forecast demand through the efficient use of land within settlement boundaries".

b) prioritise the development of land that maximises the use of available capacity within existing physical and social infrastructure networks and services;

(33) replace with "…. development of land with infrastructure capacity within existing …".

c) integrate with existing transport systems; and

(13) reword to state "integrate with existing transport systems (road, passenger and active travel modes);

(36) all growth interacts with transport systems – best utilisation of services is covered by (b).

(60) reword to "integrate with existing or planned transport systems".

d) discourage the development of land that:

(4) planning for growth that will discourage development reads quite awkwardly.

(33) replace "discourage" with "prevent".

(26) (27) (45) should be expressed in a positive manner and not as a double negative. What is meant by "well serviced"?

(36) convert to positive language – consider determining cost of servicing and level of investigation required to determine this and demonstrate compliance.

(46) some of these read as performance criteria in a planning scheme – need to lift to a policy level. The "and" should be an "or" after (iv).

i. is not well serviced by existing or planned physical and social infrastructure, or that is difficult or costly to service;

(61) amend (i) to be "is not able to contain essential infrastructure, well serviced by …".

ii. is subject to environmental hazards where a tolerable level of risk cannot be achieved or maintained;

(4) this would normally be prohibited – maybe it should be "on land subject to hazards, where those hazards are difficult or costly to mitigate"

iii. contains high environmental or landscape values;

(4) the bar is too high – maybe it should be "contains environmental or landscape values especially where those values have relatively high priority"

(33) replace "contains" with "has". Include additional point – "is required for overland flow paths of stormwater in high rainfall events".

iv. is agricultural land, especially land within the more productive classes of agricultural capabilities; and

(33) link to PAL Policy.

(60) change "and" to "or".

v. is used for extractive industries or identified as strategic resource areas and deposits.

(33) what role does the planning system have in favouring extractive industries to warrant this strategy?

3. Identify regional settlement hierarchies based on:

(26) (27) (45) replace settlement hierarchy with a settlement network – allowing for changing circumstances and demonstration of local needs and aspiration.

(57) an extension of the rigid STRLUS type hierarchy across the state cannot be justified.

a) *population* projections and forecast demographic change;

(2) include job projections

(4) also include changes to household composition and their spatial distribution

b) the functional characteristics of the settlement and any specific role it plays in the state or region.

c) the social, environmental and economic characteristics of the settlement;

d) the availability of goods and services, including social infrastructure, to support the needs of the community;

e) access to employment and training opportunities;

f) efficient and accessible transport systems; and

(13) reword to state "efficient and accessible transport systems (road, passenger and active travel modes);

g) capacity and cost-efficient upgrading of physical infrastructure.

(4) add (h) presence of natural hazards

(32) (41) (42) should recognise that growth of rural towns is driven mostly by local factors and so a regional hierarchy should not dictate their growth potential.

(33) acknowledge overland flow paths as assets needing protection.

(36) hierarchy does not cater for ensuring sustainable and aspirational growth of individual settlements – furthermore population projections are generally reliant on historical growth patterns and do not capture changes to service provision and status of land availability.

***(SPO)** recommend that strategy (3) within 1.1.3 be replaced with:*

3. Identify regional settlement hierarchies and allocate growth scenarios to settlements based on:

a) population projections and forecast demographic change;

b) the functional characteristics of the settlement and any specific role it plays in the State or region;

c) the social, environmental and economic characteristics of the settlement;

d) the availability of goods and services, including social infrastructure, to support the needs of the community;

e) access to employment and training opportunities;

f) efficient and accessible transport systems; and

g) capacity and cost-efficient upgrading of physical infrastructure.

(51) Replace strategy 3 with the following and delete strategy 4:

Identify and implement a regional settlement strategy that enables sustainable growth and liveable communities having regard to:

a) population projections, forecasts and demographic change, including unanticipated demand;

b) the social, environmental, economic and cultural characteristics of the settlement;

c) the aspirations of the community, as expressed through local strategic planning;

d) the current and future practical ability to provide services including physical infrastructure, public and social infrastructure and the level at which those services should be provided;

e) reasonable access to employment, education and training; and

f) access to transport networks.

The proposed revisions provide a statement that clarifies the outcome to be achieved – sustainable growth and liveable communities – rather than simply a task to be completed. The revisions continue to include the matters that should be considered

in planning our settlements and contribute to sustainability and liveability. While a hierarchy or growth scenario is not referenced, these tasks or solutions may be the way in which a settlement strategy is developed, however it is not considered necessary to mandate this approach at the State policy level. In expressing the strategy as an outcome, the appropriate method to achieve it can be determined based on the regional characteristics and planning needs, initially through the review of each of the regional land use strategies. We reiterate our view that strategy 4 should be deleted as it is unnecessarily restrictive. Our suggested alternative for Strategy 3 appropriately addresses settlement planning for the future through the implementation of a regional settlement strategy.

4. Prioritise growth of settlements that are within the higher tiers of the settlement hierarchy.

(18) what are "higher tiers of the settlement hierarchy"? Statements like this guarantee that many rural Tasmanian towns will become ghost towns.

(20) this suggests a clear preclusion of growth or further development in small rural settlements

(23) there is a significant risk that this will have the effect of not permitting expansion of smaller towns.

(26) (27) (45) this will effectively prohibit LPS amendments to provide for growth in middle to lower tiers of the hierarchy. No evidence to support this policy. What are the higher tiers of the hierarchy?

(32) (41) (42) this should not apply to rural towns beyond the influence of major cities.

(36) this has significant implications for growth in Nthn Region and is not flexible enough to allow growth of smaller settlements.

(46) disagree with this statement. All settlements have a role in managing growth and need to grow for various reasons – no need to prioritise higher tier settlements to the detriment of regional areas.

(51) delete strategy 4 – see above comments for strategy 3

(53) define what is meant by "higher tiers of settlement".

(57) this is contrary to the increasing population growth outside of Hobart and will stop growth in such LGAs as Glamorgan Spring Bay.

***(SPO)** recommend that strategy (4) within 1.1.3 be replaced with – "Support the growth of settlements that is in accordance with their allocated growth scenario."*

5. Actively address impediments to infill development, particularly in the major urban centres.

(4) this is an objective rather than a strategy – what is the strategy to achieve this?

(23) the planning system is quite limited in its capacity to implement this strategy.

(26) (27) (45) (57) how can the planning system do this in the context of a state-wide planning scheme?

(58) this appears to suggest that community concerns, liveability and potentially heritage values could be overridden in the interests of densification.

(60) it is unclear what the impediments are – planning regulation, other regulations, market impediments or other development risks. The scope of the policy should be

expressed and be as broad as possible (noting that it appropriately seeks to increase medium density housing along transport corridors).

6. Promote the preparation of structure plans that provide for the effective planning and management of land use and development within a settlement, or part of a settlement, that, as a minimum, considers:

   (36) should be more outcome focused, rather than setting a minimum (setting a minimum means that this is likely all that will be achieved).

   (3) structure plans must include these, not merely "consider"

   (13) use a stronger word than "consider" – recommend that it be "includes".

   (33) start with "Require" not "Promote".

   (46) delete "and management".

   a) the identified values, physical constraints, environmental hazards, and the strategic context of the location:

   b) urban or settlement growth boundary;

   c) movement networks, including street hierarchy and pedestrian and cycling paths for active transport modes;

   d) location of land for the purpose of residential, commercial, open space, recreation and community use and development, the relationship between uses and their positioning to limit or manage land use conflict;

   e) any staging or sequencing of development of land;

   f) the use of existing physical infrastructure and the logical and efficient provision of additional physical infrastructure; and

      (33) change to "… of additional and upgraded physical infrastructure…".

   g) impacts on broader physical and social infrastructure, including health and education facilities, strategic transport networks, public transport services, stormwater, water and sewerage.

      (4) these seem to be better located with structure plan guidelines. None of these considerations start with a verb. What are the actual policy positions with respect to each of these matters? Such as (a) minimise exposure to natural; hazard and retain and protect environmental/social/cultural assets; (b) avoid development creep outside of the boundaries of the established settlements; (c) reduce reliance on cars, promote active and public transport; (d) minimise land use conflicts between different types of use and development; (e) release land for development in an orderly manner; (f) etc.

      (18) this strategy discourages growth in places like in the Central Highlands.

      (23) this strategy should be deleted as it should not be the role of the TPPs to direct the way that local strategic planning projects are carried out.

      (26) (27) (45) (57) as drafted, this strategy requires structure plans be prepared for every amendment to an LPS and this is not a reasonable requirement.

7. Create urban or settlement growth boundaries that clearly identifies the spatial extent of growth, including the allocation of sufficient land to meet projected growth.

   (4) and recognition of where limits to future growth exist or should be brought to bear.

(23) this assumes that a growth boundary is the only way to manage growth – the strategy is unnecessary and does not allow for more adaptive measures.

(26) (27) (45) (57) growth boundaries are not the only way to manage growth and assumes sufficient information about infrastructure and services is available – the respective agencies cannot provide their plans for the next 15 years or more.

(32) (41) (42) UGBs should contain a 30 year supply of developable land.

(36) additional detail within associated guidelines about how settlement growth boundaries will be implemented may aid consistency across the region.

(46) need to define "growth boundaries" – terminology has changed from 1.1.1.

8. Land identified for proposed growth on land located outside an existing urban or settlement growth boundary must be strategically justified, based on:

(4) delete this strategy on the basis that UGB expansion is to be discouraged unless targets for infill development have been met and available greenfield sites have been exhausted (noting that TPPs are reviewed every 5 years and this can be revisited).

(23) this assumes that a growth boundary is the only way to manage growth – the strategy is unnecessary and does not allow for more adaptive measures.

(46) delete "on land".

(57) strategy should support the use of local strategy and provide consideration of criteria rather than mandated compliance.

(60) this strategy should not be necessary if 1, 2 and 6 outline the relevant considerations for planning for growth. Suggest that (a) to (e) be incorporated into strategy 2(d).

a) projected population growth;

(4) at what scale?

b) site suitability, such as having regard to identified values, agricultural capabilities, physical constraints and environmental hazards

(33) change to "… identified cultural, environmental and landscape values, ….".

c) land supply and demand analysis (including infill and greenfield);

(4) it is crucial this this is done regionally and should prioritise infill capacity over greenfield demand

d) existing physical and social infrastructure networks and services;

e) supporting the regional settlement hierarchy; and

f) preventing the distortion of growth strategies in other settlements.

(4) this opt-out provision does not belong in a policy that seeks to contain settlement extent

(25) concerned about the lack of attention given to rural residential settlement areas which often are a popular housing choice – recommend the inclusion of specific principles to guide development within rural residential areas (eight principles provided in representation).

(32) (41) (42) the 15-20 year supply of land should be enough to meet future development needs or, if this strategy is trying to accommodate the one-off proposals that cannot be anticipated, then it is doubtful that any such

development could comply with the sub-clauses. A new strategy is needed that explicitly acknowledges that significant change will occur across most settlements.

(36) requires flexibility to cater for unique proposals. There are many reasons why people choose to live in one place over another. Consider deleting (f).

(57) this must consider the impacts on other settlements rather than prevention of impacts, or it becomes prohibitive.

9. Identify the role and function of activity centres within settlements and encourage use and development that complements and supports that role and function.

   (4) within that activity centre or in the broader catchment?

10. Encourage the concentration of commercial, administrative, major retail, entertainment and cultural use and development within activity centres that are highly accessible by public and active transport.

    (4) and community services? – or should they be distributed more widely?

    (20) this is exclusionary and denies the strengthening of regional economies being driven by small settlements.

    (23) this is not appropriate for many urban settlements with poor public transport services. –

    (26) (27) (45) this is not feasible as many activity centres do not have "highly accessible public transport".

    (36) consider deleting – covered by 2(b) and should otherwise be dealt with in the Physical Infrastructure policy that encourages public transport to actively respond to growth.

    (46) what if there are already land use conflicts with residential use?

    (57) reliance on high accessibility public transport is expected to result in effective prohibition of growth across regional areas.

11. Provide for and identify preferred development sequences in areas of growth to enable better coordination and more cost-effective planning and delivery of physical infrastructure.

    (4) intent is valid, but not a policy position and would occur in the RLUS as part of the structure planning process

    (26) (27) (45) rather than mandating the sequence of development, the TPPs should be considering how to address land banking as this is the main problem.

    (33) remove reference to "cost effective" – need to consider more than just cost.

    (57) mandatory sequencing in the RLUS is not workable and will not be able to be kept up-to-date by way of rolling zoning amendments.

    (60) strategy is similar to 6(e),(f), 2(b) and 2(d)(i) and can be consolidated within these other strategies.

1.2 Liveability

1.2.1 Application

Applies to existing settlements and land that is proposed, allocated or identified for future settlement growth, with the exception of rural residential settlements.

(46) how does the Village zone fit with this – often regarded as a rural residential settlement?

1.2.2 Objective

To improve the liveability of settlements by promoting a pattern of development that improves access to housing, education, employment, recreation, nature, health and other services that support the wellbeing of the community.

1.2.3 Strategies

(32) (41) (42) include a new strategy that recognises the role of rural residential land in the suite of liveability options – where people can live more sustainably.

1. Promote the location of residential use and development in areas that are close to, or are well connected to, activity centres or secure and reliable employment sources.

   (4) relying solely on the last matter has the potential to facilitate 'out of centre' development.

   (18) what defines "close to" – within 30 minutes drive or within walking distance?

   (48) replace "secure and reliable employment sources" with "established opportunities for employment".

2. Facilitate access to, and a diverse range of, employment opportunities in settlements by:

   (4) can we allow a greater mix of uses where conflict potential is low or can be effectively mitigated (e.g. we allow hazardous land to be developed with risk mitigation – why not allow uses to mingle more freely with appropriate mitigation of offsite impacts)?

   a) promoting the provision of, and access to, safe and efficient public transport;

      (46) include "in urban centres" at end of sentence.

      (48) change to "the provision of public transport infrastructure, enabling access to safe, efficient and frequent public transport" (noting that the provision of public transport is not within the remit of land use planning).

   b) encouraging telecommunications infrastructure to support the ability to work remotely and access global markets; and

      (4) is this a planning matter?

   c) enabling businesses that promote local characteristics, resources and produce.

      (4) not a planning role to determine if a shop should be allowed just because it sells local produce

3. Support growth in the skilled workforce and increase opportunities for innovation, research and technology by encouraging tertiary education and vocational training institutions to be located:

   (46) delete everything after "institutions" – they are qualifiers that effectively cancel each other out.

   a) in settlements that are within the higher tiers of the settlement hierarchy; and

   b) within close proximity to residential areas, or highly accessible by public transport;

   unless the particular educational or training course requires a remote location or an area with particular characteristics to teach the particular skills being offered.

(2) mention the need to increase vocational education in proximity to the industry the education is supporting.

(4) this is a DA matter

(13) subsection (b) should be reworded to "within close proximity of residential areas or highly accessible by public transport and with good active travel connectivity to neighbouring residential areas".

4. Provide for a network of accessible, interlinked and inviting open and green spaces close to and within residential areas and activity centres to encourage active lifestyles, connection with nature and social interaction.

   (13) suggest "… interlinked, safe and inviting …"

   (33) suggest "… accessible, robust, interlinked, ….".

   (48) suggested additions to consider – support measures to equally prioritise and co-locate urban forest and green space in the public realm with transport and infrastructure for improved social and health outcomes – ensure there is sufficient space for greening in private developments including apartment/medium density housing developments – provide deep soil guidelines in new developments to provide adequate space for trees to develop – provide for a network of accessible and inviting open and green spaces to cater for a diversity of needs and age groups – provide guidelines to ensure built structures allow setbacks for street tree growth.

   (57) the TPS does not provide a regulatory framework for public open space.

5. Provide for connectivity within settlements, especially between residential areas, activity centres and open space networks, through a network of legible and accessible infrastructure dedicated to active transport modes, including end of trip facilities.

   (4) this would be good as a separate policy

   (13) suggest "… legible, safe and accessible …"

   (38) suggested alternative – Provide access to affordable and diverse housing options integrated via a transport network that allows people to move safely and efficiently between and within settlements. This includes utilising different transport modes including public transport, cycling and walking to reduce car dependency and enhancing access to a range of other services including but not limited to employment, education, local shops, community services, recreation, public open space, health and culture.

6. Provide integrated transport networks that allow people to move safely and efficiently between and within settlements utilising different transport modes, including public transport, cycling and walking, to reduce car dependency.

   (4) and personal mobility devices?

   (53) add "… car dependency and improve existing infrastructure for transport networks".

7. Support measures to mitigate the impacts of climate change on urban environments by encouraging urban forests, community gardens, street plantings, garden roof tops (green roof), water sensitive urban design and integration of shade and water features into public spaces.

   (33) also consider inclusion of storing water within the soil (replenishing of groundwater), multi-use of facilities (e.g. ovals) to store flood water, importance of water for ecosystem restoration, requiring urban water storage as well as detention and retaining trees on private and public land.

(46) how is this delivered through the planning system?

(57) climate change is not just an urban issue – concerned about mandated inclusion of water features into public spaces.

(60) this differs from all other strategies in that it gives examples of ways to mitigate impact – they are local in scale and unnecessary from a state-wide perspective (such as seven energy requirement for new buildings and upgrading existing building stock to improve energy efficiency/conservation.

8. Improve neighbourhood amenity by managing incompatible use and development.

   (4) how? This is an objective pretending to be a strategy – intent OK but edit needed to ensure document functions as a policy.

   (46) replace "managing" with "avoiding".

9. Provide for a range of cultural, recreational and community facilities that support wellbeing, social cohesion and cultural identity and understanding.

   (48) include social inclusion.

   (57) concerned about mandatory nature of this strategy.

10. Protect and enhance those settlements, or part of settlements, that contain unique or distinctive local characteristics that contribute, or have the potential to contribute to, the community's identity and sense of place.

    (26) (27) (45) this is in conflict with the growth strategies as it precludes middle to lower order settlements.

    (57) concerned about interpretation of "identity and sense of place" in RLUS, SPP and LPS.

11. Facilitate place-making and recognise the contribution it makes to the local economy, environmental amenity and social wellbeing of the community.

    (4) (57) how will RLUS and SPP implement this? Or how will a PSA show it is consistent with this strategy? Should be relocated to structure plan guidelines being developed by SPO.

    (38) suggested alternative – Facilitate place-making by promoting an inclusive decision-making process through the active engagement of diverse community stakeholders, recognising the contribution it makes to the local economy, environmental amenity and social wellbeing of the community.

1.3 Social Infrastructure

1.3.1 Application

Applies to existing settlements and land that is proposed, allocated or identified for future settlement growth, with the exception of rural residential settlements.

(4) is there no expectation that rural residential settlements will have any social infrastructure or do we not want any such settlements?

(61) consider adding "TPP should open opportunity for existing rural residential settlement including strategies for maximise the land use for social services and infrastructures".

1.3.2 Objective

To support the provision of adequate and accessible social infrastructure to promote the health, education, safety and wellbeing of the community.

(38) suggested alternative – To support the provision of adequate, accessible and inclusive social infrastructure to promote the health, education, safety and wellbeing of the community, while emphasising inclusiveness.

(48) social infrastructure is also physical infrastructure and so they could be combined in some form.

(61) consider adding "to promote the rural residential settlements development that can have or able to contain essential services (e.g. water, electricity, transportation, health and education)".

1.3.3 Strategies

(2) also include strategy to increase social infrastructure in areas of relative disadvantage

(4) most strategies are written at a scheme provision level – support intent but should be written to a policy level

(38) consider this additional strategy – Incorporate inclusive design principles and engage diverse groups in decision making processes to promote social equity.

1. Provide for a sufficient supply of land to support the community's existing and forecast demand for social infrastructure, including, but not limited to, schools, health care, libraries, social services and child and aged care.

   (48) add" community centres, recreation facilities" after or before "libraries".

2. Facilitate the co-location of suitable and compatible social infrastructure.
3. Maximise the use of existing well-located social infrastructure, including the re-use and multi-use of sites, to meet the changing needs of the community.
4. Integrate public and active transport networks with major social infrastructure.
5. Promote the location of social infrastructure in close proximity to, or highly accessible by, residential areas.

   (60) not clear what this strategy is to achieve or how it would be applied – social infrastructure refers to a broad range of uses located both within activity centres and residential areas.

6. Facilitate the provision of services that support vulnerable or at-risk people, including crisis accommodation, neighbourhood houses, youth-at-risk centres, women's shelters and men's shelters.
7. Protect major health and emergency services facilities (including associated airspace) from land use conflict by limiting the encroachment or intensification of surrounding incompatible use and development.

   (4) we can't create more land so separating land uses is not the only way to mitigate potential conflict – needs to have flexibility to consider other mitigation options

8. Support the temporary or intermittent use of recreational, educational and community facilities for a range of cultural and creative activities that promote community participation and social inclusion.

   (4) this is a SPP exemption – does it really belong here?

9. Encourage the provision of housing to accommodate employees that support essential social infrastructure in remote areas.

(61) consider adding an additional strategy "Facilitate the provision of infrastructure contribution policy to unlock the development barriers that ensure fairness, initiative and transparency".

1.4 Settlement Types

1.4.1 Application

Applies to all existing settlements and all land that is proposed, allocated or identified for future settlement growth including rural residential development.

1.4.2 Objective

To plan for the sustainable use and development of settlements that have particular environmental characteristics or values.

(4) is this meant in the sense of natural values – the heading 'settlement types' seems much broader

1.4.3 Strategies

(2) also include strategy ensuring settlements are located in proximity to jobs – and that settlements should be of sufficient size to support the workforce requirements of industry in that area

1. Promote the vibrancy and character of specific activity centres, hubs or inner-city locations that have good connectivity, housing choices and access to goods and services that support urban lifestyles, where the impacts associated with mixed use and higher density residential use can be managed.

   (4) question whether "vibrancy and character of specific activity centres, hubs or inner-city locations" relates to the objective or other strategies

   (57) must be applied universally but the requirements only relate to urban environments.

2. Establish urban or settlement growth boundaries around coastal settlement to ensure that growth in coastal areas is directed to existing settlements areas and prevents linear development along the coast.

   (46) what if this is the only option – e.g. good agricultural land inland along the NW coast.

3. Facilitate the provision of social and physical infrastructure to support the seasonal fluctuations in populations experienced by coastal or other settlements that are characterised by holiday homes.

   (33) suggest "adequate" or "upgraded" or "fit for purpose" in front of "public infrastructure".

4. Identify and protect the key values and activities of rural towns and villages, and support use and development that enhances these values and activities.

   (4) what will this involve – an audit of every city, town and hamlet values – not sure what this is seeking to achieve at a policy level

5. Avoid allocating additional land for the purpose of rural residential use and development, unless:

   (4) such a policy opt-out is inconsistent with accepted policy principles to identify what we should be trying to achieve – if enough evidence, it could be in RLUS but should not be written into policy when that work has not been done

(26) (27) (45) rural residential land use is an integral part of settlement and use of the word "avoid" is too restrictive. This type of use will never be able to avoid bushfire risk. Criteria below conflict with one another and no amendment will be able to demonstrate compliance with them all, which is mandatory.

(33) note this list ends with an "and" so all points must be considered.

(57) need to establish policy basis for this prohibitive strategy and would be better to have sustainability criteria for growth in rural residential areas.

(60) this is unlike other strategies and is detailed and prescriptive. Managing rural living land is challenging – on the one hand it impacts on transport networks, natural values, rural land uses and has higher infrastructure costs and yet there is a strong market demand for it. This strategy focuses on zoning rather than supply and demand. While there should be no net increase in the amount of rural living land there is a need to manage the strong demand for rural living land. It is suggested that the strategy be to:

- *Consider the supply and demand for rural living land on a regional or sub-regional scale.*
- *Provide for rural living demand through further subdivision and infill of rural living land in locations that are supported by adequate infrastructure and where natural values and hazards can be avoided or managed.*
- *The rural living zone may apply where lot patterns are fragmented, where access to rural resources are significantly constrained, where rural land has been converted to residential use and where maintaining residential amenity is necessary and appropriate.*
- *Include rural living areas within settlement growth boundaries where adjoining settlements if a more efficient subdivision and use of land can be achieved.*
- *Avoid allocating land for rural living use where the land is identified for future urban development; the land has the potential for future urban development in the long term; the land is agricultural land, particularly agricultural land that may support productive enterprise in the long term; the area is unreasonably disconnected from social or commercial services; and the total amount of the rural living zoning in a region or sub-region is not increased beyond a minimal additional size.*

a) the amount of land to be allocated is minimal and does not constitute a significant increase in the immediate vicinity, or the existing pattern of development reflects rural residential type settlement;

b) the land is not within an urban growth boundary or settlement growth boundary;

(23) this restriction is flawed and does not allow strategic responses to local constraints or for land parcels that would otherwise remain vacant.

(61) change to "the land is within an …".

c) the location of the land represents an incremental, strategic and natural progression of an existing rural residential settlement;

d) the land is not strategically identified for future development at urban densities, or has the potential for future development at urban densities;

e) growth opportunities maximise the efficiency of existing services and physical infrastructure;

(33) suggest adding "… and does not increase runoff from impervious areas that cannot be accommodated in existing stormwater systems".

f) agricultural land, especially land within the more productive classes of agricultural capabilities, cultural heritage values, landscape values, environmental values and land subject to environmental hazards are, where possible, avoided;

(4) not really the language of policy

(62) language of avoiding where possible is weak.

g) the potential for land use conflict with surrounding incompatible uses, such as extractive industries and agricultural production is avoided or managed; and

h) it contributes to providing for a mix of housing choices that attracts or retains a diverse population.

(48) this is rather open to interpretation and could be more specific

(32) (41) (42) this should all be written in the positive, encouraging the zoning of rural residential land to enable infill subdivision where appropriate. The following is a redrafted version of this strategy:

Allocate additional land for the purpose of rural residential use and development, where:

a) the existing pattern of development reflects rural residential type settlement;

b) the land is not within an urban growth boundary or settlement growth boundary;

c) the location of the land represents an incremental, strategic and natural progression of an existing rural residential settlement;

d) the land is not strategically identified for future development at urban densities, or has the potential for future development at urban densities;

e) growth opportunities maximise the efficiency of existing services and physical infrastructure;

f) agricultural land held on large, commercially viable farming titles within the more productive classes of agricultural capabilities is avoided;

g) the potential for land use conflict with surrounding incompatible uses, such as extractive industries and agricultural production is avoided or managed; and

h) it contributes to providing for a mix of housing choices that attracts or retains a diverse population within the region.

1.5 Housing

1.5.1 Application

Applies to existing settlements and land that is proposed, allocated or identified for future settlement growth.

1.5.2 Objective

To provide for a sufficient supply of diverse housing stock, including social and affordable housing, that is well-located and well-serviced to meet the existing and future needs of the Tasmanians.

(4) How do we achieve this? Would be good to have a separate policy for affordable housing with specific strategies.

1.5.3 Strategies

1. Provide the timely supply of land for housing in locations that are, or can be, easily connected to, and integrated with, the range of services including social and physical infrastructure, access to community, health and education facilities, public transport, and employment, consistent with the policy outcomes that deliver liveable settlements.

   (2) insert that housing should be located near employment opportunities and future job growth

   (4) What does "timely" mean? Perhaps strategies 1 and 2 could be consolidated. Also consider where essential workers cannot afford to live close to where they work.

   (53) need to clarify differences between social and physical infrastructure.

2. Supply land, including infill, reuse and greenfield sites, for housing that meets the projected housing demand, which is to be based on the best available evidence, to improve housing availability and affordability.

   (53) ideally we should avoid using the term "greenfield sites" but a definition of what it means should be at least included.

3. Facilitate social and affordable housing to meet the needs of the community that is located close to services, employment and public transport networks.

   (4) and ensure social and affordable housing is distributed, not concentrated in one area or on one site.

   (30) affordable and social housing should be included as a separate issue with specific strategies indicating how it can be factored into all planning and decision making (e.g. a percentage target) concerning both greenfield and infill developments.

4. Plan and provide for a diverse range of quality housing types that meet the needs of the community by:

   a) responding to demographic trends including changing household size and composition;

   b) supporting the provision of well-designed social and affordable housing;

   c) promoting good amenity through the provision of solar access and quality private open space relative to the density and location;

      (13) emphasise landscaping requirements and encourage lot configurations that support tree canopy cover.

   d) catering for the ageing population, including facilitating ageing in place and providing for different levels of dependency and transitioning between them;

   e) catering for people requiring crisis accommodation;

   f) considering the needs of people living with disability, including the level of support and care required for different levels of dependent and independent living options; and

   g) supporting co-living scenarios to help address housing availability and affordability.

      (4) what is meant by co-living – how is this achieved through planning

(32) (41) (42) include an additional point that enables the further subdivision of existing rural residential land – increasing housing opportunities without compromising agricultural potential.

(60) strategy could be broadened to consider the affordability, design quality, solar access and liveability of all housing.

5. Encourage higher density housing in suitable locations that:

   a) have been identified for urban consolidation;

   b) are within close proximity to an activity centre;

   c) have good access to employment, social and physical infrastructure, open space and active and public transport networks;

   d) the potential impacts associated with increased residential density and land use conflict can be managed; and

   e) do not significantly impact environmental values and are not constrained by topography and environmental hazards.

   (4) this is inconsistent with environmental values policy in that it allows an impact to occur.

   (32) (41) (42) include an additional point that acknowledges that urban streetscapes will need to change if higher densities are to enable a more environmentally sustainable urban footprint.

1.6 Design

1.6.1 Application

Applies to existing and proposed urban spaces.

1.6.2 Objective

To create functional, connected and safe urban spaces that positively contribute to the amenity, sense of place and enjoyment experienced by the community.

1.6.3 Strategies

(4) these all seem to belong in other policies e.g. settlement (subdivision), transport, liveability etc. Many are also repetitive and/or have too much detail at a policy level (good principles, just not policy).

(57) strategies need to operate within the legislated planning limits, noting in particular the role of the Building Act.

1. Encourage the use of urban design principles that creates, or enhances, community identity, sense of place, liveability, social interaction and climate change resilience.

   (38) suggested alternative - Encourage the use of urban design principles that create, or enhance, community identity, sense of place, liveability, social interaction and climate change resilience. This can be achieved by integrating features such as green infrastructure, active transport options and climate-responsive design strategies among other strategies.

2. Respect the characteristics and identities of neighbourhoods, suburbs and precincts that have unique characteristics by supporting development that considers the existing and desired future character of the place.

(32) (41) (42) this need to protect neighbourhood character should only relate to certain areas (e.g. heritage precincts) as it may significantly impede attempts to increase residential densities.

(38) suggested alternative - Respect the characteristics and identities of neighbourhoods, suburbs and precincts that have unique characteristics by supporting development that considers the existing and desired future character of the place. This includes preserving heritage buildings, protecting natural features and promoting sustainable development practices.

3. Support sustainable design practices that are energy and resource efficient, address temperature extremes and reduce carbon emissions, including:

   (13) (33) should be "Require sustainable design …"

   a) reduce the urban heat island effect by promoting the greening of streets, buildings and open space with vegetation, preferably native species where appropriate;

      (4) should be locally native species

      (13) should be "…. where appropriate, and consideration of building and road infrastructure orientation and design".

   b) implement sustainable water and energy solutions for climate change adaptation, including water sensitive urban design and renewable energy production;

      (33) introduce the need for stormwater harvesting and re-use and infiltration of rainwater into the cityscape (the sponge city).

      (53) add "… production and implementation of passive design principles for heating and cooling;"

   c) promote consolidation of urban development;

   d) integrate land use and transport; and

   e) encourage active transport through the provision of safe and shaded rest areas with urban furniture, drinking fountains and similar amenity measures.

      (4) active transported mentioned under many policies – maybe deserves its own policy

4. Provide public places that are designed to connect with, and respond to, their natural and built environments, enhancing and integrating environmental values that contribute to a sense of place and cultural identity.

   (26) (27) (45) achieving this strategy will be difficult within a planning system that seeks to homogenise the standards for General Residential zoning.

   (38) suggested alternative - Provide public places that connect with and respond to, their natural and built environments, enhancing and integrating environmental values that contribute to a sense of place and cultural identity. This involves designing public spaces that incorporate green spaces, biodiversity conservation measures and sustainable stormwater systems.

5. Encourage public places that are designed to promote:

   a) equal access and opportunity and to cater for the various needs and abilities of the community; and

b) safety, social interaction and cultural activities, enabling a sense of wellbeing and belonging.

(13) include within (a) the following "… the community, including the needs of people living with a disability;"

(38) suggested alternative - Encourage public places that promote equal access and opportunity, cater to the various needs and abilities of the community, and foster safety, social interaction and cultural activities. This includes providing inclusive amenities, accessible pathways and facilities that enhance community wellbeing and promote social cohesion.

6. Promote subdivision design that considers the existing and future surrounding pattern of development and provides for connection and integration of street networks, pedestrian and bicycle paths and the efficient provision of services.

(3) should be "ensure" rather than merely "promote"

(13) should be "Require subdivision …"

(38) suggested alternative - Promote subdivision design that considers the existing urban form and future surrounding pattern of development and provide for permeable block connections integrating street networks, pedestrian and bicycle paths and the efficient provision of services. This ensures efficient land use, promotes walkability and connectivity and supports sustainable transport options.

7. Promote subdivision design that provides a functional lot layout that:

(4) reads like a standard – all the matters below are too detailed for policy level

(13) should be "Require subdivision design …"

(26) (27) (45) should be pitched at a higher level – it imports planning scheme criteria for subdivision

a) is responsive to topography, site constraints and environmental values and hazards;

b) provides a convenient, efficient and safe road network;

c) supports efficient and effective public transport access;

d) provides safe active transport;

e) uses urban land efficiently;

f) provides for well-located public open space that meets the needs of the local community;

g) supports the intended future use and development of the lot;

h) provide diverse lot sizes for residential use, in appropriate locations, that supports the future provision of diverse housing choices that meets the needs of the local community;

i) promotes climatically responsive orientation of buildings; and

j) allows passive surveillance of public spaces promoting community safety;

(3) should be "ensure" rather than merely "promote" re (d)

(13) reword to be "incorporates environmental design crime prevention principles allowing passive surveillance of public spaces promoting community safety".

(33) strategy is missing the sustainable element – a lot layout that allows for water retention, keeping cut and fill to a minimum. etc.

8. Encourage the design, siting and construction of buildings to positively contribute to:

(4) reads like a standard – construction is not under LUPAA

(13) (33) should be "Require the design …"

(26) (27) (45) should be pitched at a higher level – it imports planning scheme criteria for subdivision

a) the site and surrounds;

b) the wellbeing of the occupants including the provision of solar access and private open space, considering the proposed use of the building and the context of the site and surrounds;

c) the public realm;

d) neighbourhood amenity and safety;

e) incorporate energy efficient measures;

f) maintaining water quality by promoting best practice stormwater management approaches; and

(25) expand this to say "maintaining water quality by promoting best practice monitoring systems, stormwater management, wastewater treatment in general onsite and reticulated approaches".

(33) change to "maintaining water quantity and quality by promoting best practice stormwater management" (the word "approaches" is redundant).

(38) also consider responsiveness to topography, site constraints, environmental values and hazards, provision of a convenient, efficient and safe road network, and such factors as solar access, private open space, green building materials and energy efficient techniques.

g) safe access and egress for pedestrian, cyclists and vehicles.

(3) should be "ensure" rather than merely "encourage" re (g)

(SPO) *TPPs be modified to delete strategy 5.1.3.5 and include the following additional policy after 1.6 Design, of the Settlement TPP, which includes:*

1.7 Development Contributions

1.7.1 Application

Applies to existing settlements and new areas of settlement growth.

1.7.2 Objective

To support the equitable sharing of costs, associated with the provision of new, or upgraded, infrastructure to service growth, between developers and the wider community.

1.7.3 Strategy

4. Facilitate development contributions that are fair, reasonable and transparent that apply to new use and development to support the effective provision of public infrastructure including, but not limited to, stormwater, roads, footpaths, public amenities, reticulated services and public open space.

2.0 Environmental Values

(4) fully support offsets but statement in principle 4 ("where possible") is weak language and not appropriate at a policy level.

(30) in 2.0.1 recognise that we rely on a healthy environment and that it ultimately underpins all aspects of our economy and lifestyle. Also, the principles should acknowledge that the strategies in the TPPs will recognise and provide adequate protection not only to "significant" environmental values, but all environmental values.

(38) (28) consider inclusion of "While a significant proportion of Tasmania's environmental values are protected within the reserve system, land use planning can play a strategic role in identifying and prioritising other environmental values and apply measures to protect them".

2.1 Biodiversity

2.1.1 Application

Statewide.

2.1.2 Objective

To contribute to the protection and conservation of Tasmania's biodiversity.

(28) (38) objective should acknowledge the protection and conservation priority of biodiversity and ecological habitats at bioregional and local catchment scales as well as global, national and state levels.

2.1.3 Strategies

(32) (41) (42) new strategy statements should be included that recognise that infill development within urban areas is key to protecting diversity beyond the urban areas; that once land is zoned for urban development, then there is no need to protect any remnant biodiversity values in subsequent development approval processes; and that a state-wide system for biodiversity offsets should be developed (avoiding the current "postage stamp" method so that larger more viable areas can be compiled).

(33) the use of "promote" and "consider" in these strategies indicates a lack of robustness or seriousness about their implementation.

1. Identify biodiversity values, appropriately rank the significance of those values and map their location.

   (4) who is doing this? It is very difficult to map values. Animals move around a lot and buffers need to be considered.

   (23) it is not considered feasible to rank the significance of biodiversity values.

   (28) change to "Identify and map biodiversity and ecosystem values and prioritise these values at national, state, regional and catchment scales in terms of abundance and condition".

   (57) the identification and ranking of biodiversity values cannot be realistically implemented through the RLUS, TPS or LPS or across the local government sector in a way that is consistent with Schedule 1 Objectives. Subsequent strategies 2-5 contradict and confuse each other.

2. Unless there are significant social or economic benefits, avoid designating land for purposes that will require substantial land clearance in areas identified as having high biodiversity values.

   (4) delete first part of sentence. Having a policy that overrides the need to balance social, economic and environmental values as per Sch.1 in LUPAA is unacceptable. Delete "substantial".

   (28) change to "Clearly define and map areas of high biodiversity and landscape value and prevent the designation of such land for purposes that are adverse to the biodiversity or landscape values".

   (33) how will "significant social and economic benefits" be determined – suggest this phrase is removed. Also remove "substantial" – any land clearance in areas of high biodiversity is not acceptable.

   (39) replace with "Avoid designating land for purposes that may lead to substantial land disturbance in areas identified as having high biodiversity values".

   (46) replace "land clearance" with "change" – may not require removal of vegetation to have an adverse impact.

   (47) this should be rephrased as – Substantial Native vegetation clearance in areas of high biodiversity value, should be avoided unless there are significant social or economic benefits, and management of social and economic impacts to stakeholders.

3. Prior to designating land for a particular purpose:

   a) consider the biodiversity values of that land and the potential impacts of the range of future use and development will have on those values; and

   b) determine if they are compatible and can be managed to avoid or minimise the impact on biodiversity values, especially high biodiversity values.

4. Provide for a level of restriction and regulation of use and development that will reflect its potential impact on, and be relative to, the biodiversity value.

   (4) Not as strong as the approach in the Agriculture policy – an inconsistent approach to values that need to be protected. Replace with "Protect land with significant biodiversity values, by affording the highest level of protection from degradation, fragmentation or clearing".

   (47) this seems to duplicate what is already regulated under other state/federal systems.

5. Promote use and development to be located, designed and sited to avoid impacts on biodiversity values, and where avoidance cannot be achieved, or is not practicable, the impacts to biodiversity values will be minimised, or offset.

   (4) should include need to address cumulative impacts. More detail on offsets will be needed and consider the need to protect on-site fauna during clearing of land.

   (28) change to "Require use and development to be located, designed and sited to avoid impacts on biodiversity and ecosystem values. Where avoidance cannot be reasonably achieved, effective minimisation and mitigation of impacts on biodiversity and ecosystem values will be required. In cases where no possible avoidance, minimisation or mitigation of impacts can be provided for the protection of biodiversity and ecosystem values, biodiversity offsets may be applied".

   (33) this is not a meaningful strategy to achieve the biodiversity objective – it allows inappropriate use and development. Delete second part after "values".

(39) change to "Ensure use and development is located, designed and sited to avoid impacts on biodiversity values, and where avoidance cannot be achieved, or is not practicable, the impacts to biodiversity values will be minimised, and offset with measures that will provide a net gain in the resilience and viability of the impacted biodiversity values".

(47) should this apply to all biodiversity values or should it be 'high' values or as a proportionate response?

(62) strategy should be strengthened – offsets should be required and impacts minimised.

6. Promote and maintain connectivity between isolated and fragmented vegetation communities to support habitat corridors and promote viable ecological processes.

7. Promote use and development of land that prevents or minimises the spread of environmental weeds and disease.

   (33) change to "… land and ongoing best practice land management that prevents …".

8. Protect and enhance areas that provide biodiversity and ecological services that maximise opportunities for carbon storage.

   (33) it is not clear as to what is meant by these services.

   (39) replace with "Protect and enhance areas that provide significant carbon storage, biodiversity or ecological services with consideration of appropriate buffer areas".

9. Support early action against loss of biodiversity as a result of climate change.

10. Promote natural resilience by reducing threats to biodiversity, caused by inappropriately located use and development, thereby increasing the ability of species, ecological communities and ecosystems to adapt to climate changes.

    (47) there are common elements to 8, 9, and 10 that could mean they are combined, plus 8 also relates to 11, and 12 could be incorporated into 11.

11. Identify ecological communities that are most vulnerable to climate change and develop strategies that consider improving resilience, mitigating impacts, planning retreat and facilitating adaptation to support their long-term survival.

12. Identify and enable retreat pathways for endangered ecosystems in coastal zones.

    (33) needs to be adjusted so that it deals with more than just endangered ecosystems.

    (39) delete "coastal zones" – applicable to all areas, not just the coast.

13. Support land managers or regulators of land within the Tasmanian Reserve Estate to manage that land in accordance with approved management plans and specific reserve objectives.

    (33) suggest additional strategy – "Consider impacts of linear infrastructure (roads, water diversions and cut-off drains, trenching, transmission lines etc) on biodiversity".

    (28) (38) additional strategy – "Develop a consistent approach across regulators to operationalise biodiversity conservation objectives and outcomes, including clear identification of the roles and responsibilities of the different regulators and consistency in criteria for identifying and ranking biodiversity values". This could also require a framework for monitoring and reporting on the loss of biodiversity values.

    (57) strategies fail to establish a strategic approach for biodiversity offsets.

2.2 Waterways, Wetlands and Estuaries

2.2.1 Application

Statewide

2.2.2 Objective

To protect and improve the quality of Tasmania's waterways, wetlands and estuaries.

(33) suggest change to "… the quality and resilience of …".

2.2.3 Strategies

(4) consider whether one of the strategies should be including WSUD and reducing extent of impervious surfaces

(57) the identification and regulation of relevant values cannot be realistically implemented through the RLUS, TPS or LPS or across the local government sector in a way that is consistent with Schedule 1 Objectives and requires significant coordination and commitment across various State agencies.

1. Identify areas that support natural systems within waterways, wetlands and estuaries, including their riparian zones and groundwater recharge areas.

   (33) change to "Identify and protect natural systems integral to and within waterways, wetlands and estuaries …". How will groundwater recharge areas be identified and how will this flow through to the planning scheme.

2. Avoid designating land in, or around, waterways, wetlands and estuaries for use and development that has the potential to cause point source or diffuse pollution and would require considerable disturbance of riparian or foreshore vegetation and soil, unless the use and development:

   (33) this is confusing – deals with two different matters. Remove "considerable". Suggest it be "Avoid designating land in, or around, waterways, wetlands and estuaries for use and development that has the potential to cause point source or diffuse pollution. Avoid designating land in or around waterways, wetlands and estuaries for use and development that would disturb riparian vegetation and soil. The following use or development may be considered if impact can be designed to be consistent with sustainability goals of the TPPs and impact is demonstrated to be minimal – that which relies specifically on being located within close proximity to aquatic environments, is for best practice flood mitigation measures where relocation of development cannot be achieved".

   (39) change to "… pollution or would require …".

   (60) this is unnecessarily prescriptive – check also for duplication with strategy 4.

   a) relies specifically on being located within close proximity to aquatic environments;

      (62) suggest "relies specifically on being located within close proximity to aquatic environments and has stringent controls on pollution and disturbance".

   b) is for flood mitigation measures; or

      (38) needs to be qualified to relate to flood mitigation measures which are necessary to protect existing communities as distinct from a proposed development located adjacent to a waterway.

c) has considerable social, economic and environmental benefits;

and can demonstrate that the risk of environmental harm can be managed.

l harm can be managed.

(23) it is not practical to avoid designating areas in and around waterways if it has the potential to cause point source pollution in existing urban areas.

(33) remove (c) and the final phrase – both are too vague.

3. Encourage the protection of waterways by retaining, creating or improving vegetated riparian zones to maintain their natural drainage function and minimise unnatural or accelerated erosion of stream banks while providing riparian habitat corridors and protecting landscape values.

(33) replace "minimise" with "prevent". Replace "stream" with "waterway".

(39) replace Encourage" with Ensure".

4. Use and development located on land in, or around, waterways, wetlands and estuaries will:

a) minimise the clearance of native vegetation;

(28) change to "prevent the clearance of native vegetation from the riparian, littoral or coastal zones and that development proximal to these zones is located, designed and sited to avoid impacts on the landscape and ecological function of these zones".

(38) amend to require that clearance of native vegetation in and around waterways, wetlands and estuaries should be avoided in the first instance.

b) promote the retention and restoration of, and linkages between, terrestrial and aquatic habitats;

(33) replace "promote" with "include".

c) protect the natural form and process of the landform assemblage, including aquatic areas;

d) avoid land disturbance or manage soil erosion and changes in sediment loads entering the water caused by land disturbance;

(33) this is not a robust strategy – suggest change to "avoid land disturbance and prevent soil erosion and sediment movement and pollution into waterways and stormwater systems".

e) not significantly change the rate and quantity of stormwater or increase pollutants entering the water; and

(33) remove "significantly". Suggest it be "Manage with best practice any new rates and quantities of stormwater entering waterways, wetlands and estuaries to ensure stormwater output will not negatively impact the receiving waters and environment. Prevent pollutants from entering these systems."

(46) sometimes increasing the rate of stormwater is good (rectifying a past mistake) – maybe restrict to just pollutants.

(62) strategy is too weak with use of "not significantly".

f) be designed and sited to maintain or enhance significant views and landscape values.

(25) need to address potential impacts throughout the catchment area (not just in and around the waterway).

(38) strategy expanded to require use and development located on land in or around waterways, wetlands and estuaries to maintain or enhance the landscape function and ecological function of the buffers to these areas.

5. Promote the collaboration and coordination of catchment management across the State and the implementation of integrated catchment management that considers the downstream impacts of land use and development on water quantity and quality, and freshwater, coastal and marine environments.

   (33) an excellent strategy but how will it be implemented?

6. Promote the protection of the ecological health and environmental values of surface and groundwater to prevent water quality degradation due to construction activities, point source pollution, diffuse land use impacts, or chemical reactions such as acidification.

   (39) replace "Promote" with "Ensure".

   (60) language is often too convoluted – in this instance it could just be "Protect ecological health …".

7. Provide for the availability of clean, high-quality drinking water by promoting the protection of water catchments and water supply facilities.

8. Promote and encourage the efficient and effective use of water resources.

   (39) insert additional strategy – Ensure the protection of the hydrological function of surface and groundwater by minimising or controlling changes to the natural rates of infiltration, surface flow (including overland flow paths), groundwater flows and evapotranspiration rates.

2.3 Geodiversity

2.3.1 Application

Statewide.

2.3.2 Objective

To protect and conserve land containing high conservation value geodiversity and to promote natural geological, geomorphological and soil processes that support broader, and more balanced, ecological functions.

(4) (32) (41) (42) "high conservation value geodiversity" should be defined.

(39) change to "To protect and conserve land containing high conservation value geodiversity including natural geological, geomorphological and soil processes that support broader, and more balanced, ecological functions. Protect ecological communities that provide a significant role in long term storage of carbon, such as peat or saltmarshes".

2.3.3 Strategies

(57) the identification and regulation of relevant values cannot be realistically implemented through the RLUS, TPS or LPS or across the local government sector in a way that is consistent with Schedule 1 Objectives and requires significant coordination and commitment across various State agencies.

1. Identify and map land containing high conservation value geodiversity and discourage designating land for use and development that will impact those values, including

through the modification of natural processes and functions that prevents geological, geomorphological or soil features from evolving naturally, unless the impacts can be managed to support the values.

(39) replace "discourage" with "avoid".

(62) make reference to Tasmanian Geoconservation database.

2. Promote the protection of high conservation value geodiversity by avoiding, or if not practicable minimising, the impacts of land use and development on the feature and the natural processes and functions that support the feature's evolution.

   (62) replace "not practicable" with "demonstrably unavoidable".

3. Encourage integrated management of geodiversity and biodiversity to enhance efficient function of ecological processes.

   (3) what does this mean? How will it be implemented in planning?

   (39) change to "Encourage and promote ….".

4. Support the protection of places and sites of geological, palaeontological or other scientific importance, including rock formations and fossil sites from human induced impacts.

5. Support the protection of geological features, such as peat, that provide opportunities for carbon storage.

   (39) change to "Ensure the protection of geological features, such as peat or saltmarsh, that provide a long-term carbon storage function".

2.4 Landscape Values

2.4.1 Application

Statewide.

2.4.2 Objective

To protect and enhance significant landscapes that contribute to the scenic value, character and identity of a place.

(39) suggest change to "… significant cultural, ecological, geological and aesthetic landscapes …. character, liveability and identity of a place".

2.4.3 Strategies

1. Identify and map the extent of significant cultural, ecological, geological and aesthetic landscapes, scenic areas and scenic corridors and determine their specific features and values.

   (4) as identified in the SPPs – mapping the views to a landscape is very difficult (nearly all of Tasmania would need to be mapped).

2. Promote the protection of significant landscapes, scenic areas and scenic corridors by recognising their individual scenic values and develop measures to encourage use and development that respects, and is sensitive to, the character and quality of those scenic values.

   (39) refer to "significant landscape values" and replace "scenic values" with just "values".

3. Avoid land use and development that causes the fragmentation of significant landscapes, scenic areas and scenic corridors, unless the use and development:

   a) relies specifically on being located within a significant landscape; or

   b) has overriding social, economic and environmental benefits;

   and includes specific measure to minimise the impact on the significant landscape.

   (4) should this be an "and"?

   (39) refer to "significant landscape values"

   (46) these read like performance criteria in a planning scheme – lift to policy level.

   (53) there should not be an Opt-out as it undermines the purpose of the strategy.

   (60) more consistency needed – here it is "overriding … benefits" whereas elsewhere it is "considerable … benefits". All such statements need further explanation or clarification.

4. Promote the retention and natural revegetation of degraded sites that will contribute to the overall improvement of the scenic quality of a significant landscape, scenic area or scenic corridor, where vegetation cover is an element of the scenic quality.

   (39) refer to "significant landscape values"

2.5 Coasts

2.5.1 Application

Applies to the Coastal Zone as defined in the State Coastal Policy 1996, which is to be taken as a reference to State waters and to all land to a distance of one kilometre inland from the highwater mark.

(4) clarify relationship with State Policies somewhere – a deliberate duplication (purely complementary) – or delete this policy on the basis that the issue is already addressed by the State Coastal Policy.

2.5.2 Objective

To promote the protection, conservation and management of natural coastal values.

2.5.3 Strategies

1. Protect natural coastal processes and coastal landforms from use and development that will prevent natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise, unless engineering or remediation works are required to protect land, property, infrastructure and human life.

   (4) refer to "existing" property and infrastructure

2. Strengthen the resilience of coastal processes to climate change by reducing threats and protecting the natural coastal environment, such as wetlands, estuaries, marine protected areas, intertidal areas, sand dunes, cliff tops, beaches, native vegetation, and other important habitats.

3. Identify coastal areas that can support the sustainable use and development of recreation, tourism, boating infrastructure (such as jetties and wharfs), marine industries, ports and other land use that explicitly rely on a coastal location where the

impact on the coastal values and coastal processes are minimal or can be appropriately managed.

(60) not clear why these areas need to be identified and am concerned about the level of investigation necessary to do this. Refer to South Aust policies like "Balance social and economic development outcomes in coastal areas with the protection of the environment" and "Development that enables and enhances public access to coastal areas with minimal impact on the environment and amenity".

4. Support the location of use and development on the coast that:

   a) promotes the maintenance of biodiversity, ecological functions, natural coastal processes and coastal resources; and

   b) complements or enhances the coastal environment in terms of its landscape, amenity and cultural values.

   (46) add an additional strategy to deal with retreat of settlements at risk from coastal processes.

3.0 Environmental Hazards

(30) include "extreme heat and heatwaves" as an issue to be addressed. Also include specific strategies to deal with the anticipated impacts of climate change and appropriately manage adverse impacts of environmental hazard reduction. Suggestions relate to limiting development areas prone to bushfire and coastal erosion, and vulnerable to sea level rise, plus not contributing to heat island effects; weighing up the impacts of hazard mitigation (bushfire mitigation, coastal protection etc) against the expected benefits of those works; ensuring new development is better adapted to the future effects of climate change; and provide guidance for planned retreat from areas when potential hazards are modelled to be unmanageable.

***(SPO)** The SPO has liaised with MRT to agree to deleting paragraph 5 of the Policy Context section for the Environmental Hazards TPP and replacing it with:*

Planning is one component of an integrated system that operates, in conjunction with others, to reduce the likelihood of impacts arising from natural disasters and reduce the risk of harm caused by these events. For example, the regulation of landslip hazard involves a number of Acts. Landslip hazard areas are defined by hazard overlays in the Tasmanian Planning Scheme made under the Land Use Planning and Approvals Act 1993, and by Proclaimed Landslip A and B zones under the Mineral Resources Development Act 1995. Controls on development and building in these identified landslip areas are then imposed under the Building Act 2016, the Building Regulations 2016 and the associated Determinations issued by the Director of Building Control. The Land Use Planning and Approvals Act 1993 also more broadly provides guidance on addressing issues relating to natural and environmental hazards including public health, public safety or other prescribed circumstances. The Environmental Management and Pollution Control Act 1994 includes provisions to protect and enhance the quality of the environment to prevent any adverse impact and maintain environmental quality.

3.1 Bushfire

3.1.1 Application

Statewide.

3.1.2 Objective

To prioritise the protection of human life and to support the resilience of settlements and communities by reducing the potential impacts of bushfire on life, property and infrastructure.

(38) acknowledge importance of balancing protection of human life and resilience with maintaining landscape and biodiversity values (consistency with strategy 8(a)).

3.1.3 Strategies

(33) strategies need to accommodate natural values and ecosystem protection

1. Identify and map land that is exposed to bushfire hazards, including consideration of the potential impacts of future bushfire conditions as a result of climate change, based on the best available scientific evidence.

2. The protection of human life from harm caused by bushfire will be considered and prioritised at every stage of the planning process.

   (26) (27) (45) this is technically incorrect as many aspects of bushfire protection have been appropriately removed from the planning system. This strategy risks reintroduction of over-regulation.

   (46) most consideration of bushfire is at the building stage – not at "every stage of the planning process".

3. Avoid designating land for purposes that expose people, property and supporting infrastructure to risk arising from bushfire hazards, especially significant risks.

   (4) agree with intent but if mapped as bushfire prone it can't be rezoned to an urban use and yet once developed it would not be bushfire prone

   (26) (27) (45) use of the term "avoid" has a legal meaning and will effectively prohibit rezoning at the edge of settlements for residential purposes – policy should reflect the concept of tolerable and manageable risk.

   (57) Strategies 3 and 4 contradict each other and should be combined.

   ***(SPO)** Combine strategies 3 and 4 of clause 3.1.3 as follows and subsequential renumbering of strategies:*

   Avoid designating land for purposes that expose people, property and supporting infrastructure to risk arising from bushfire hazards, especially significant risks. Where it is not practical to avoid bushfire hazards, use and development is to:

   - *identify the risk of harm to human life, property and infrastructure caused by bushfire;*
   - *incorporate bushfire protection measures that manage the identified risk and reduce it to within a tolerable level; and*
   - *provide a higher level of risk mitigation for uses deemed particularly vulnerable or hazardous.*

   Consistent with the approaches used by other strategies, the proposed modification sets the policy to firstly avoid, but gives an option where that avoidance cannot be achieved then it may be suitable by where the risk can be managed.

4. Where it is not practical to avoid bushfire hazards, use and development is to:

a) identify the risk of harm to human life, property and infrastructure caused by bushfire;

b) incorporate bushfire protection measures that manage the identified risk and reduce it to within a tolerable level; and

c) provide a higher level of risk mitigation for uses deemed particularly vulnerable or hazardous.

(4) is it appropriate to include this at a policy level – covered under the SPPs providing alternatives.

***(SPO)** Combine with strategy 3 – see above.*

5. Support the efficient and safe intervention of firefighting personnel and emergency evacuation.

   (4) too specific for policy level

6. Facilitate the provision of firefighting infrastructure and support emergency services and the community to prevent, prepare, respond and recover from bushfire events.

   (57) strategies 5 and 6 are not relevant to the operation of the RLUS and planning schemes (e.g. emergency responses).

7. Consider the cumulative effects of planning decisions so new use and development will not result in an unacceptable increase to bushfire risks for existing use and development.

   (60) it is unclear if this is referring to a greater demand placed on fire fighting services from additional development or some other aspect of bushfire risk.

8. When designating land for particular purposes and considering use and development in areas subject to bushfire hazards:

   a) priority should be given to minimising the impacts, associated with implementing future bushfire protection measures, on environmental values and on the cost to the community as a result of defending properties from bushfire; and

   b) where possible, avoid locations that require bushfire hazard management to be undertaken on land external to the site where that land is publicly owned and managed for conservation purposes.

   (4) policy should provide guidance – "where possible" is too loose

   (40) change (a) to be "Consideration should be given to the impacts …." And (b) to "…. that land is designated or used for conflicting purposes."

9. Allow the implementation of bushfire protection measures that are carried out in accordance with an endorsed plan, including hazard reduction burns.

   (4) too specific for policy level

   (33) suggest change to "… measures using best practice, contemporary, and long term strategic management of vegetation, groundwater and surface water, including First Nation's people's input".

   (39) consider additional strategies – Ensure the impacts of planning decisions requiring bushfire mitigation (including emergency backburns) will not result in an unacceptable risk to environmental values. OR Avoid designating land for purposes that potentially expose areas of high environmental value to significant risk arising from increased fire ignition or bushfire protection measures.

(40) amend strategy 9 to be "…. measures by public authorities that are carried out ….".

(57) this is partly managed under Building Act processes.

3.2 Landslip

3.2.1 Application

Statewide.

3.2.2 Objective

To reduce the risk of harm to human life, property and infrastructure from the adverse impacts of landslip hazards.

(39) change to "To reduce the risk of harm to human life, property, infrastructure and environmental values from the adverse impacts of landslip hazards".

3.2.3 Strategies

1. Identify and map susceptibility to landslip hazards, including consideration of the impacts of predicted climate change induced increased rainfall and sea level rise on landslip hazards.
2. Use and development on land at risk of landslip, including the provision of physical infrastructure, is of a type, scale and in a location that avoids triggering or exacerbating the risk of landslip, unless a tolerable level of risk can be achieved or maintained.

   (39) make this change "…. unless a level of tolerable risk from landslip can …".
3. Avoid designating land that is more susceptible to landslip hazards for purposes that have the potential to expose people and property to landslip hazard where it does not achieve and maintain a level of tolerable risk from landslip.

   (39) make this change "…. and the risk of harm to people, property and environmental values associated with landslip is tolerable or can be maintained".

   (46) delete the second half after "landslip hazard". If there is a risk, stay away.
4. Avoid designating land for use and development that involves significant soil disturbance, major construction or adding significant quantities of water to soil on land that is identified as being prone to landslip hazards, unless hazard reduction or protection measures can be applied to demonstrate that the risk of harm to people and property associated with the landslip hazard is tolerable.

   (33) change to "…. harm to people, property and the natural environment associated ….".

   (39) change to "… harm to people, property and environmental values associated ….".

   (46) again, delete qualifier at end of sentence. Need to adopt a stronger position.
5. Promote use and development that maintains or enhances the protective function of landforms and vegetation that can mitigate risks associated with landslip hazards.
6. Ensure the risk to human life and property resulting from use and development on land that is more susceptible to landslip hazards is identified and addressed through hazard reduction or protection measures that reduce the level to a tolerable risk.

   (4) shouldn't the policy position be to avoid such land.

   (33) also "Manage cumulative changes to groundwater and waterways to not increase landslip risk".

(39) change to "… risk to people, property and environmental values resulting ….".

3.3 Flooding

3.3.1 Application

Statewide.

3.3.2 Objective

To minimise the impact of flood hazards that have the potential to cause harm to human life, property and infrastructure and to reduce the cost to the community as a result of flood events.

(33) Objective is missing reference to harm to the environment – suggest inclusion of "natural environment" after "property".

3.3.3 Strategies

1. Identify and map land that is subject to flooding based, as a minimum, on land inundated by the 1% Annual Exceedance Probability (AEP), or an alternative as determined by the State Government in response to climate change.

   (50) replace with "Identify and map land that is vulnerable to flooding based, as a minimum, on a 1% Annual Exceedance Probability (AEP) flood event, or an alternative as determined by State Government for the management of flood risks associated with climate change and other matters".

2. Avoid designating land for purposes that provide for incompatible use and development to be located on land that exposes people, property and infrastructure to flood hazards that cannot achieve and maintain a level of tolerable risk from flood.

3. Consider and plan for the cumulative impacts of use and development on flooding behaviour.

   (57) strategies 2 and 3 contradict each other

4. Avoid locating, or intensifying, incompatible use and development on land subject to flood hazards unless hazard reduction and protection measures are considered and, where appropriate, incorporated into the planning and ongoing functioning of the use and development to reduce the level of risk to people, property and infrastructure to a tolerable risk level.

   (33) replace with "Avoid locating, or intensifying, incompatible use and development on land subject to flood hazards. If hazard reduction and protection measures are considered appropriate, they must be incorporated into the planning and ongoing functioning of the use and development to reduce the level of risk to people, property, natural values and infrastructure to a tolerable risk level, considering the intended life of the development".

   (50) this strategy is very confusing and its intent is unclear – it needs to be revised.

5. Avoid locating use and development on land subject to flood hazards, where a level of tolerable risk cannot be achieved and maintained, that involves:

   a) the storage of hazardous materials that if impacted by flooding may result in the release of materials, increasing the risk to public health and the environment caused by the flood hazards;

   b) activities where vulnerable people are gathered, who may not be able to respond, evacuate or protect themselves in the event of a flood; and

c) public infrastructure that is required to be functional to assist in the delivery of emergency responses during and in the recovery phase of a flood event.

6. Consider and support use and development that will assist in managing emergency responses and recovery to flood events including the provision of, and safe and efficient access to, evacuation centres, emergency accommodation and medical centres.

(4) this should also apply to the Bushfire policy.

(57) this is an emergency management issue.

7. Support the development of flood mitigation infrastructure that has the capacity to lower the risk of flood hazards and provide greater protection to human life, property and infrastructure, if:

a) the flood hazard is not diverted to an area that will expose people, property and infrastructure to an increased risk of harm where a level of tolerable risk cannot be achieved and maintained;

b) the impact on environmental values are considered and minimised;

(33) replace with "will not result in impacts on environmental values".

c) the cost to the community is considered and minimised; and

d) careful consideration is given to the appropriateness of intensifying the use and development of the area being protected to avoid exposing additional people, property and infrastructure to flood hazards, especially considering the unpredictability of climate change induced flood events.

(50) remove part (d) of this strategy as it does not align with current best practice flood risk management. SES do not support intensification of development in protected areas. See submission for background information (including 'flood levee paradox').

(57) re (d) this does not reflect the need to plan to avoid creating future problems.

8. Support the use of Water Sensitive Urban Design systems to mitigate flooding and manage peak flows in urban catchments.

(33) suggest elevating this strategy earlier in the list and change to "Require the use of Water Sensitive Urban Design to mitigate flooding, manage peak flows in urban catchments, and reduce impacts on water quality on waterways and receiving waters from flooding".

(57) this is beyond the scope of the planning system to implement – is it technically feasible for management of flood events.

9. Consider any upstream dam infrastructure when strategically planning land use to protect the viability of the dam infrastructure, and the impacts on human life, property, critical infrastructure and community assets as a result of potential dam failure.

(13) suggested additional strategy is "Develop well designed flood mitigation approaches that have social and environmental co-benefits such as the provision of recreation or tourism functions (e.g. guarding against storm surge through use of bermed parklands and boardwalks on wetlands).

(57) strategy 9 does not reflect operation of Water Management Act (outside the planning system) – can it even be delivered through RLUS, SPP or LPS?

3.4 Coastal Hazards

3.4.1 Application

Applies to the Coastal Zone as defined in the State Coastal Policy 1996, which is to be taken as a reference to State waters and to all land to a distance of one kilometre inland from the highwater mark.

(50) suggest it be replaced by "Applies to the land impacted by coastal hazards now and out to 2100".

(57) a better definition is required that is not limited by the SCP.

3.4.2 Objective

To minimise the risks associated with coastal erosion and coastal inundation caused by climate change induced sea level rise by incorporating avoidance, mitigation and adaptation strategies into land use planning to reduce the harm to human life, property and infrastructure.

3.4.3 Strategies

1. Identify and map land that is subject to coastal erosion and coastal inundation, based on a projected sea level rise of not less than 0.8 metres by 2100 or the latest adopted State Government sea level rise measurements, that considers the effects of coastal processes, geology, topography, storm surges and tides on the rate and extent of coastal erosion and coastal inundation.

   (50) replace with "Identify and map land that is at significant risk of coastal erosion now and out to 2100, and coastal inundation to a 1% AEP storm surge event now and out to 2100. The State Government will provide a Sea Level Rise Planning Allowance that will be used as a minimum level for the consideration of climate change".

2. Avoid designating land for purposes that provide for incompatible use and development to be located on land that exposes people, property and infrastructure to coastal hazards that cannot achieve and maintain a level of tolerable risk from coastal erosion or coastal inundation.

   (4) only known if assessing a development – agree with intent but too specific for policy level

3. Avoid incompatible use and development of land subject to coastal erosion or coastal inundation where a level of tolerable risk cannot be achieved and maintained, or that is not feasible or desirable to be located elsewhere, unless the use and development is:

   (4) if risk is intolerable, then even use or development listed below should not be located there

   a) dependent on a coastal location;

      (62) add "… and the risk can be managed".

   b) temporary, readily locatable or able to be abandoned;

      (26) (27) (45) retreat should be an option under (b)

   c) essential public infrastructure; or

   d) minor redevelopment or intensification of an existing use involving a building or structure that cannot be relocated or abandoned.

4. Where incompatible use and development cannot avoid being located on land subject to coastal erosion or coastal inundation, hazard reduction and protection measures must be considered and, where appropriate, incorporated into the siting, design,

construction and ongoing functioning of the use and development to reduce the level of risk to people, property and infrastructure to a level of tolerable risk.

(4) this would be considered under the planning scheme and having it under a policy does not seem appropriate.

5. Promote strategic responses for existing settlements that are at risk of being impacted by coastal erosion or coastal inundation by considering the effectiveness and the social, environmental and economic viability of one, or a combination, of the following strategic responses:

    a) adaptation to changing conditions over time;

    b) planned retreat; and

    c) protective works.

    (32) (41) (42) clear protocols need to be developed so that decisions can be made about the future of these threatened settlements. This work needs to be done as early as possible so that communities can adjust and there is less impact on the public purse.

6. Where possible, avoid use and development that will:

    (4) this "where possible" is too loose.

    (26) (27) (45) avoidance is not appropriate – tolerable risk is the appropriate concept

    a) increase the rate of coastal erosion or coastal inundation; or

    b) increase the risk of exposing existing people, property or infrastructure to coastal erosion or coastal inundation, especially vulnerable and hazardous uses.

7. Encourage coastal defences that work with natural processes to protect human life, property and infrastructure or mitigate coastal erosion and coastal inundation risks where possible.

8. Facilitate the provision of engineered coastal defences to protect human life, property and infrastructure from coastal inundation and coastal erosion, where the social, environmental and economic considerations are included in the planning and decision-making process.

    (61) consider adding "Promote the credibility and transparency of coastal hazard reports that can be cross-checked and referenced from planning to building assessment stages".

3.5 Contaminated Air and Land

(4) (33) (39) include contaminated water

3.5.1 Application

Statewide.

3.5.2 Objective

To consider the impacts of past, present and future land use and development that has involved, or is proposed to involve, potentially contaminating activities, and to minimises the risk of harm to human health, property and the environment arising from exposure, or potential exposure, to contaminants or nuisances caused by those activities.

3.5.3 Strategies

(4) should be a strategy that deals with situations where contaminating activities are already located without appropriate separation from incompatible use

1. Identify and map land that has been used, or is being used, or has been affected by use and development involving potentially contaminating activities.

   (4) too onerous to map land with potentially contaminated activities, requiring a PSA every time there is a change of use etc. Further TPS mapping requirements say it "may" be mapped, contrary to this strategy.

2. Avoid allowing incompatible use or development on contaminated or potentially contaminated sites, unless, where appropriate measures such as remediation works, protection measures and a site assessment demonstrates the land is suitable for the future intended use and development.

3. Manage land use conflict by applying and maintaining appropriate separation between potentially contaminating activities and incompatible use.

   (4) insert "or interface management techniques" after "separation". Separation is not always achievable when land is scarce. There should be opportunities to consider design measures to manage interfaces, plus in future new development should be ensuring contaminating activities do not occur.

   (26) this strategy confuses contamination with attenuation in regard to land use conflict.

4.0 Sustainable Economic Development

(4) why select only some industries under this heading to be considered in a planning context (e.g. why not aquaculture, health sector, education etc) and why is production of timber highlighted?

(SPO) Recommends the following additional text at clause 4.0.1 of the draft TPPs, as shown by underline below:

Tasmania's natural resources underpin our economic prosperity. Our fertile soils, mild climate and reliable rainfall provide opportunities in the agricultural sector while our pristine air quality unique landscapes and ecological diversity attract visitors from around the world. Our geological diversity provides significant opportunities both for the discovery and development of world class mines and for the extraction of materials for development. The minerals sector is a key sector for employment, exports and the supply of primary inputs for the construction and development sectors.

Our proximity to Antarctica and the Southern Ocean provides advantages to attract research, accessing and servicing opportunities . . .

4.1 Agriculture

4.1.1 Application

Statewide.

(4) maybe exclude land within the urban growth boundary

4.1.2 Objective

To promote a diverse and highly productive agricultural sector by protecting agriculture land and the resources on which agriculture depends, while supporting the long-term viability and growth of the agricultural sector.

(46) should be "… protecting land for agriculture and the resources …".

4.1.3 Strategies

(26) (27) (45) strategies should be changed to a positive disposition rather than using the term "avoid" with a proviso.

(60) consider these two SA policies – "Enable primary industry businesses to grow, adapt and evolve through technology adoption, intensification of production systems, business diversification, workforce attraction and restructuring" and "Equitably manage the interface between primary production and other land use types, especially at the edge of urban areas".

1. Identify agricultural land, and potential agricultural land, and apply contemporary land capability classification mapping systems, that includes access to irrigation water as a criteria of land capability, that identifies and maps the capability of land to sustain long term agricultural uses as a criterion, including under forecast climate change scenarios.

   (28) change to "Identify agricultural land and potential agricultural land by utilising contemporary land and enterprise suitability modelling, land capability data and other contemporary spatial information systems, including consideration of availability of irrigation water, proximity to markets, long term agricultural land use trends and future climate scenarios".

2. Protect land that is identified as being within the higher classes of agricultural capability by designating it specifically for agricultural use and development or for purposes that prevent the permanent loss or conversion of the land's agricultural potential.

   (4) how high is a "higher class" that warrants protection for agriculture?

   (28) change to "Protect land that is identified as being of high enterprise versatility and/or high suitability for specific crops by designating these areas specifically for agricultural use and development".

3. Allow compatible land uses to operate on agricultural land, where they do not cause unreasonable fettering or fragmentation and minimises the sterilisation of agricultural land.

   (4) need to address cumulative aspects of this (same as for environmental and landscape values).

4. Protect land with significant agricultural capabilities, and agricultural land within irrigation districts, by affording them the highest level of protection from fettering, fragmentation or conversion to non-agricultural uses.

5. Prevent fettering of agricultural land by considering the impacts of agricultural uses on surrounding future use and development to prevent land use conflict and protect the productivity and viability of agricultural uses.

6. Encourage the protection of viable agricultural uses by preventing the fragmentation of agricultural land.

   (46) does this include protecting land for environmental/wildlife corridors?

7. Protect agricultural land by avoiding the permanent conversion of agricultural land to non-agricultural land uses unless:

   a) the land is strategically identified for growth;

   b) the scale of the conversion or sterilisation is minor in terms of the overall agricultural operation of the site, local area or region; or

   c) the conversion contributes to the viability of the agricultural use of the site, local area or region; and the intended use will not cause land use conflict, fetter or impact the viability of surrounding agricultural uses.

8. Support diversification and value-adding of the primary industries sector by supporting effective agricultural production and processing, innovation in rural industries and farm-related retailing and agritourism that is ancillary to the principal use, to enable sustainable growth of the sector and strengthen its ability to adapt to climate change, natural disasters and market challenges.

   (46) this is too long and could be broken up into two strategies.

9. Allow residential use where it is part of, or supports, an agricultural use, such as workers' accommodation, where it does not unreasonably fetter, fragment or convert agricultural land uses.

   (57) strategy confuses ancillary workers accommodation with residential use.

10. Support the retention of small farms close to urban areas and acknowledge the contribution, or potential contribution, that they make in supplying local produce to farm gate market, agrifood economy and tourism.

    (26) (27) (45) how does a planning system acknowledge small farm contributions?

    (28) change to "Prevent the fragmentation and conversion of small farms close to urban areas through planning designation and zoning such that these areas remain available for new agricultural enterprises, local food production and agrifood, agritourism opportunities".

    (46) allow residential growth where it will increase the agricultural use of the land (e.g., more intensive farming practices).

    (57) small farms are scattered everywhere and not just near urban areas.

    (31) what is meant by 'agrifood economy and tourism'? Is this something different to Agritourism as defined in the TPP glossary? If not, then again for consistency and ease of understanding the term agritourism should be used on the TPP strategy.

11. Facilitate the provision and protection of infrastructure that supports the diversification and improved productivity of the primary industries sector.

12. Encourage the protection of the viability of upstream dam infrastructure when strategically planning land use and development.

    (28) change to "Enable and ensure the protection of upstream irrigation infrastructure by preventing development and land use change adverse to the viability of such infrastructure".

    (28) suggest an additional strategy that addresses the need to protect good quality agricultural land at a catchment scale from future or emerging land degradation from factors such as dryland salinity, erosion, landslip, climatic change and adverse catchment hydrologic or water quality issues.

    (43) suggest additional strategy – "Support the integration of trees on farms through shelterbelt and small woodlot plantings to improve primary production outcomes while simultaneously improving the carbon balance and growing timber products".

    (57) strategies 11 and 12 do not reflect operation of Water Management Act (outside the planning system) – can it even be delivered through RLUS, SPP or LPS?

4.2 Timber Production

(57) how has timber production justified a separate policy area – another crop within the agricultural sector.

4.2.1 Application

Statewide.

(4) outside urban growth boundaries

4.2.2 Objective

To contribute to the protection of Tasmania's timber resources.

(43) recommend this be "To identify and protect Tasmania's existing and potential timber resources".

4.2.3 Strategies

1. Encourage the protection of timber production areas including plantation and native forests by identifying land dedicated for timber production and support designating that land for purposes that are compatible with timber production.

   (43) Amend to be "Protect timber production …. timber production (PTPZ & PTR) and designating that land ….".

2. Encourage surrounding land, that is likely to be impacted by the activities associated with timber production on land dedicated for timber production, to:

   a) be designated for purposes that are compatible with timber production; or

   b) consider incorporating measures to mitigate, manage or avoid any environmental hazards and social and environmental impacts associated with timber production.

(43) Insert the following two additional strategies:

3. Support the development of future timber production on suitable land by, prior designating/zoning the land for a purpose that is not inconsistent with timber production, consideration *of the following:*

- *the nature and scale of the existing and potential timber resource;*
- *the viability of extracting the timber resource; and*
- *the social, economic and environmental benefits of the timber resource compared to that of the alternative land use.*

4. Enable the provision and protection of supporting infrastructure for timber resources so access can be facilitated and maintained.

4.3 Extractive Industry

4.3.1 Application

Statewide.

(4) outside urban growth boundaries

4.3.2 Objective

To identify and protect existing and potential extractive industry resources, and supporting infrastructure, to facilitate economic growth and support efficient infrastructure and urban development.

(21) suggests this objective be replaced with "To promote a strong and highly productive extractive industry sector by identifying and protecting existing and potential extractive industry resources, and supporting infrastructure, to facilitate economic growth and the long-term viability of the sector.

4.3.3 Strategies

(2) include strategy of balancing the likelihood and timeframe for resource extraction with the economic benefits to local communities of other uses (concerned about a need for greater economic diversification for sustainable local communities)

(57) strategies protect anything and everything with extractive potential and this will cause implementation problems as it will conflict with other policy areas.

1. Identify and protect strategic resource areas and deposits, including areas of known mineral resources and strategically important construction materials, such as sand.
2. Promote the protection of existing extractive industries from encroachment by residential and other incompatible use.
3. Support the long-term viability of existing operations and access to future mineral resources.

   (62) add "…. Where this is compatible with the objectives of other TPPs".
4. Enable the provision and protection of supporting infrastructure for extractive and related resource industries so that access can be facilitated and maintained.
5. Support future mineral extraction on land available for mineral exploration by, prior to designating the land for a purpose that removes the ability of that land to be used and developed for mineral extraction, consideration of the following:

   a) the nature and scale of the mineral resource;

   b) the viability of extracting the mineral resource; and

   c) the social, economic and environmental benefits of the mineral resource compared to that of the alternative land use.
6. Plan for and encourage the use of suitable mineral resources that can provide for a viable resource supply to be extracted consistent with relevant planning policies, considering:

   (4) is this referring to all planning policies across the TPPs and within a RLUS? Not sure what it adds to policy 5 above and is just delving down into a slightly lower level of detail.

   a) the benefits to the community;

   b) the provision of energy and infrastructure;

   c) access to a skilled workforce;

   d) risks to public health and safety are managed to within acceptable levels; and

   e) environmental impacts are minimal and provisions are made for the rehabilitation of the site.

      (62) expand this to say "environmental impacts are minimal and planning provides for future rehabilitation and alternative uses of the mine site".
7. Facilitate the provision of housing and services to support mining employees and their families in remote settlements.

   (4) wouldn't this apply to all remotely located industries and isn't it adequately covered under the settlement and housing policies?

   (26) (27) (45) housing strategies like this are better located with settlement policies to ensure that there is no interpretive conflict.

(38) consider additional strategy – Strengthen regulations and monitoring systems to ensure responsible extraction practices, including measures to mitigate environmental impacts, promote land rehabilitation and protect indigenous cultural heritage.

(46) Housing for mining or other temporary uses should be designed to be reused.

4.4 Tourism

4.4.1 Application

Statewide.

4.4.2 Objective

To promote the sustainable development of the State's tourism industry.

4.4.3 Strategies

(60) most of these strategies will be implemented outside of the planning system. There is little clarification as to how the land use system will support furthering these strategies.

1. Identify existing and potential key tourism sites or destinations and investigate the role of these sites or destinations from a State, regional and local perspective to help plan where they are best located and how they can be sustainably developed, taking into consideration:

   (4) this sounds like the preparation of a business case and is this a role for planning? Who would do this audit?

   (57) identifying potential tourism sites in the RLUS will be difficult – how are unique and unexpected opportunities addressed?

   a) visitor demand and forecast trends of visitation across the State;

   b) existing supply of tourism product, services and infrastructure;

   c) appropriateness of the scale and nature of the tourism use;

   d) the impact on the environmental, landscape, intrinsic and local character values of the place;

   e) the use and development being displaced;

   f) alignment with and promotion of the Tasmanian brand;

   g) alignment with regional destination plans supporting the visitor economy;

   h) the contribution to the local, regional and State economy; and

   i) integration with the local community.

      (4) this is all background information and not appropriate to be within a policy that should focus on what is to be achieved.

      (23) this appears to be requiring an investment prospectus - an alignment of the Tasmanian Brand to be part of the regulatory planning tools is not appropriate – as is also a requirement for an assessment about the viability of a project – these are matters for the proponent.

2. Promote tourism use and development that protects, is compatible with and builds on the assets and qualities of the events, activities and attractions underpinning them.

3. Manage visitor accommodation so it does not significantly impact the supply of housing for the local community.

(26) (27) (45) note the state planning directive that required all planning schemes to alleviate regulation of visitor accommodation, many now not requiring a permit.

(53) be more specific – does the strategy endorse the elimination of AirBnB or promote hotel development? Or is it suggesting rezoning to prevent AirBnB type uses in suburban areas?

(58) what constitutes a "significant impact" is not defined and so this will become an impediment for regulating short-stay visitor accommodation.

4. Support unique, diverse and innovative tourism experiences that support the Tasmanian brand.

   (4) why is this a planning objective and what if a Brand proposal results in poor planning outcomes?

   (53) How does the Tasmanian Brand (?) relate to the natural or built environment? Why should a planning document be referring to specific commercial products such as Brand Tasmania?

   (62) add "… in a way that does not risk long term harm to the brand and the tourism industry"

5. Facilitate the provision of infrastructure, housing and services, where appropriate, to support tourism and hospitality employees, to meet the demand for, and support the growth of, sustainable tourism use and development.

   (4) as per comment for mining employees – this issue is dealt with under other policies.

6. Identify and promote the protection of attributes that attract and enhance tourism experience.

   (57) strategy is unclear in its meaning and intent – how will it be implemented?

7. Prevent the cumulative impacts of tourism use and development from unreasonably detracting from how the local community engages and identifies with their local surrounds.

   (60) does not identify what impacts are relevant or how they can be addressed by the planning system. The Qld policies require land use planning to consider and reflect "the findings of state endorsed tourism studies and plans" which perhaps summarises what the TPPs are attempting.

   (62) delete "unreasonably".

8. Promote growth and investment in recreational, art and cultural activities that attracts tourism growth and supports the local community's access to these facilities.

   (4) how is this achieved through planning?

9. Promote the integration of tourism infrastructure into activity centres to support and reinforce the economic function of activity centres.

   (38) consider "Develop a comprehensive tourism strategy that integrates the identified key tourism sites, outlines infrastructure requirements and includes measures to minimise the environmental footprint of tourism activities.

4.5 Renewable Energy

4.5.1 Application

Statewide.

4.5.2 Objective

To promote renewable energy use and development to support economic and employment opportunities and strengthen the State's economy, while also supporting emissions reduction.

4.5.3 Strategies

1. Identify renewable resource areas to prioritise the location of renewable energy use and development within areas that have been strategically identified for future renewable energy use and development taking into consideration:

   (4) rewrite to be "Identify renewable resource areas and prioritise the location of renewable energy use and development within those areas taking into consideration:"

   ***(SPO)** Replace the initial statement of strategy (1) within 4.5.3 with "Identify renewable resource areas <u>for</u> ~~to prioritise~~ the <u>preferred</u> location of renewable energy use and development within areas that have been strategically identified for future renewable energy use and development taking into consideration:*

   a) the quality of the energy resource;

   b) economic and social value and the impact on the community

      (46) include environmental value – environment is not just viewed as a constraint.

   c) investor interest; and

      (4) if this is an appropriate consideration here, why not elsewhere?

   d) environmental, cultural heritage and land-use constraints.

      (4) what are "land use constraints" referring to? – hazards, landscape, settlements?

      (61) consider adding "e) natural and biodiversity value".

2. Identify and plan for supporting transmission infrastructure required to connect renewable resource areas to the existing network, taking into consideration the ancillary infrastructure that may be required to provide for a reliable and secure network.

3. Recognise the quality and diversity of Tasmania's renewable energy resources and the role it can play in limiting greenhouse gas emissions and supporting the transition to national low carbon economy through existing and future interconnection to Tasmania.

   (4) how does this relate to the role of planning?

4. Facilitate local, neighbourhood and specific site renewable energy generation, including the potential use of green hydrogen and bioenergy, to help diversify the local economy, improve sustainability outcomes and build resilience and diversification around energy supply.

5. Support infrastructure enabling distributed energy resources.

6. Facilitate the provision of housing, including temporary housing, required to accommodate workers, particularly during the construction phase, to support the development of renewable generation sources within regional areas.

   (4) rather than including this for each industry policy, it could be dealt with once in the housing or settlement policy.

4.6 Industry

4.6.1 Application

Statewide.

4.6.2 Objective

To protect industrial land, facilitate sustainable industrial use and development and ensure there is sufficient availability of suitable industrial land to meet the existing and future needs of Tasmania.

4.6.3 Strategies

1. Identify and allocate land within urban growth boundaries that is suitable for industrial use and development, considering:
    a) analysis of industrial activities and land supply at a regional or metropolitan level, including existing available land, potential for growth within, or adjacent to, existing centres, and the nature of current and future industrial activities;
    b) topography and physical site constraints;
    c) compatibility of surrounding land use;
    d) provision of adequate buffer areas to separate incompatible uses;

        (4) suggest "provision of adequate buffer areas or interface management techniques to separate and manage incompatible uses" to deal with situations where there is existing land use conflict and insufficient separation.

    e) access to workforce;
    f) supply chain relationships, including freight patterns, and proximity to existing freight networks, including high productivity and key local freight roads;
    g) the ability to and cost of, servicing with physical infrastructure; and
    h) avoidance of environmental hazards and environmental values.
2. Provide for at least a 15 year supply of industrial land, that is located within urban growth boundaries, that is based on projected demand to meet the economic needs of Tasmania.
3. Enable industrial use and development, outside urban growth boundaries, where:
    a) the use is resource dependent, including, but not limited to, abattoir, onshore marine farm or sawmill, and required to be located with the resource to provide for more sustainable outcomes;
    b) high impact industrial use warrants separation from settlements;
    c) the land has formerly been developed and is no longer being used to its full capacity, such as a brownfield site, and is proposed to be re-purposed for industrial use and development; or
    d) the land is identified as being strategically located, such as having access to supporting infrastructure or freight routes and has State or regional industrial importance; and environmental hazards and the impact on environmental values are avoided or can be appropriately managed.

        (57) strategies 1 and 2 conflict with strategy 3. Strategies 1 and 3 do not take into account newer and emerging clean industry sectors.

4. Promote the protection of existing and future industrial land by preventing encroachment from incompatible use and development.

5. Where appropriate, protect land surrounding industrial estates by designating it for a compatible land use that does not prejudice the future availability of that land for industrial use and development.

6. Encourage the co-location of similar industrial uses within existing or future strategic industrial precincts.

(38) suggested additional strategy – Conduct regular regional assessments of industrial land supply and demand to ensure an adequate and up-to-date supply of suitable land for industrial use, considering factors such as changing economic needs, technological advancements and infrastructure requirements.

(60) given the limited options for siting industrial land, it is considered essential that a long time horizon is considered. The TPPs should also address issues such as innovation, coordination and economies of scale.

(62) suggest additional strategy ….

***(SPO)** In response to the issues raised, the SPO suggests the inclusion of an additional strategy under section 4.6.3, shown below by underline, and swapping the order of original strategies 1 and 2, as follows:*

4.6.3 Strategies

5. Strategically identify and protect land that is suitable for industrial use and development to meet the needs of future generations.

6. Provide for at least a 15 year supply of industrial land, that is located within urban or settlement growth boundaries, that is based on projected demand to meet the economic needs of Tasmania.

7. Identify and allocate land within urban or settlement growth boundaries that is suitable for industrial use and development, considering:

a) analysis of industrial activities and land supply at a regional or metropolitan level, including existing available land, potential for growth within, or adjacent to, existing centres, and the nature of current and future industrial activities;

b) topography and physical site constraints;

c) compatibility of surrounding land use;

d) provision of adequate buffer areas to separate incompatible uses;

e) access to workforce;

f) supply chain relationships, including freight patterns, and proximity to existing freight networks, including high productivity and key local freight roads;

g) the ability to and cost of, servicing with physical infrastructure; and

h) avoidance of environmental hazards and environmental values.

8. Enable industrial use and development, outside urban or settlement growth boundaries, where……..

4.7 Business and Commercial

4.7.1 Application

Statewide.

4.7.2 Objective

To promote business and commercial activities at a scale and intensity suited to the location to support diverse economic and employment opportunities and strengthen the State's economy.

4.7.3 Strategies

1. Identify and allocate a sufficient supply of land within existing settlements or areas identified for future growth of settlements, to provide for commercial and business use and development based on existing and projected demands, considering:

   (4) why no timeframe – e.g. 15 years?

   (38) there is no restriction as in 4.6.3 (industrial land) that it be included within the UGB – there should be consistency between the drafting for these two strategies – land suitable for Business and Commercial uses would need to be within a UGB (where applicable).

   a) the nature and scale of the catchment being serviced;

   b) consumer demand and demographic forecast;

   c) efficient use of existing infrastructure;

   d) accessibility to existing transport networks and services;

   e) access to workforce;

   f) activity centre hierarchy; and g) regional settlement hierarchy.

   (26) (27) (45) these criteria are not reasonable or practical and are too prescriptive for State policy level.

2. Identify an activity centre hierarchy that is based on the scale, role, function and accessibility of activity centres.

   (4) covered under Settlement policy.

   (57) should be deleted – purely a function of settlements and/or growth.

3. Support the activity centre hierarchy by promoting complementary use and development to strengthen efficiencies within activity centres and, where possible, avoid unnecessary competition between activity centres.

   (57) use of term "avoid" is unnecessary and "where possible" is not suitable as competition cannot be prevented. Implementation through statutory measures not possible.

4. Encourage the intensification and growth in, and around, higher order activity centres that are highly accessible and which promote the efficient use of infrastructure and services.

   (46) regional centres need services too.

   (57) growth should be dependent on local strategy – higher order settlements growth favoured over that of lower order.

5. Support the redevelopment of commercial and business use and development in existing activity centres prior to considering the establishment of new activity centres, unless it is part of a new greenfield development or a natural progression of an existing activity centre and is highly accessible to its catchment of users.

   (57) activity centres should be enabled consistent with local strategy.

6. Discourage activity centres from being located outside urban or settlement growth boundaries.

   (57) definition of "activity centre" not clear – many tourism operations occur outside of established settlements.

7. Support home-based businesses where the impact does not cause an unreasonable loss of residential amenity to the surrounding area.

8. Provide for small scale commercial or business opportunities in residential and industrial areas that meets the needs of local residents or workers, is conveniently located and, in the case of residential land, does not cause an unreasonable loss of residential amenity.

   (62) question how "unreasonable" will be determined in strategies 7 and 8 and whether this will be specific enough. Implementation guidelines are needed.

9. Support mixed use, including residential uses, in activity centres that are highly accessible and where the potential for land use conflict can be managed.

4.8 Innovation and Research

4.8.1 Application

Statewide.

4.8.2 Objective

To promote innovation and research, and the institutions and infrastructure that drives learning and prepares a skilled workforce, that will support existing and emerging opportunities and contribute to a diverse and resilient economy.

4.8.3 Strategies

1. Support the provision and expansion of logistics and digital infrastructure to promote the information and communications technologies (ICT) industry that provides opportunities to drive learning, productivity, innovation and access to online global markets.

2. Support accessible and well-connected tertiary education and training institutions that fosters innovation and career diversity while supporting the existing and emerging needs of the State's employment sectors.

3. Promote existing and emerging innovation and research opportunities, especially those that promote Tasmania's assets, facilitates diversification of our economy, makes use of our geographical location and furthers our brand values, by providing planning mechanisms that are adaptive and flexible to respond competitively to opportunities as they arise.

4. Provide for precinct planning that allows for collaborations between industry, science, research and education institutions to be co-located to facilitate and promote learning, on the job training, collaboration and shared access to resources.

5. Support opportunities for greater economic self-sufficiency, diversification and circular economies to help reduce the impacts of external forces on the State economy.

5.0 Physical Infrastructure

(30) should be Sustainable Physical Infrastructure and strategies amended to emphasise infrastructure to be sustainable, adaptive and resilient to a rapidly changing climate – amend strategies to be more explicit in how they will contribute to reduced emissions or the promotion of climate-resilient infrastructure.

5.1 Provision of Services

5.1.1 Application

Statewide.

5.1.2 Objective

To promote the efficient, effective, sustainable and safe delivery of services including reticulated water and sewerage, stormwater management, electricity, gas, telecommunications and recycling and waste management.

5.1.3 Strategies

(46) there should a requirement for infrastructure plans with the same minimum timeframe as 1.1.3.1 – to match residential growth – with infrastructure plans comes the ability for infrastructure charges

1. Identify, allocate and protect a sufficient amount of appropriately located land to accommodate servicing infrastructure that will provide for the existing and future service needs of the community.

2. Identify whether existing infrastructure has the capacity to deliver services to accommodate growth and prioritise designating land use for the purpose of making efficient use of that available capacity.

   (60) it is not clear what implementation measures are proposed to identify existing capacity or more importantly the strategic analysis of future infrastructure augmentation, expansion or renewal.

3. Where there is no infrastructure, no available infrastructure capacity or no infrastructure solution, promote the most logical and effective solution to deliver services to existing settlements while minimising environmental impacts.

   (33) Either delete this strategy or change to make it consistent with other TPPs - see strategy 4 (also see paragraph 4 in 1.0.1 Policy Context for Settlement).

   (57) outside the function of planning schemes and subject to other statutory regimes. Land use planning deals with the consequences of those decisions but does not drive them.

4. Support the installation and/or upgrading of infrastructure to deliver services that meet the future long-term needs of the community and the environment, including under climate change conditions.

   (57) outside the function of planning schemes.

5. Facilitate developer contributions to service new use and development to be transparent, fair and reasonable, providing for equity between users.

   (57) requires revision of statutory powers outside of the planning system.

(SPO) *Recommends deletion of this strategy 5.1.3.5 and include an additional policy after 1.6 Design, of the Settlement TPP.*

6. Provide an integrated approach to the planning and engineering design of new subdivision and subsequent use and development, promoting the coordinated and efficient provision of physical infrastructure.

   (33) such an integrated approach currently does not exist – the planning scheme only allows for case by case assessments and the TPS does not consider cumulative impacts. It is not clear how this integrated approach will be supported or implemented.

   (57) intent is not clear, outside of planning system and subject to decisions by other sectors under legislation not within RMPS.

7. Provide for reticulated sewerage at the time of subdivision or require lots, created by the subdivision are capable of adequately treating and retaining all domestic wastewater within the boundaries of each lot.

   (57) strategy is unachievable and outside of planning system.

8. Provide for reticulated electricity supply at the time of subdivision or require lots created by the subdivision are capable of accommodating an alternative source of power adequate for the future use and development of the land.

9. Encourage the connection of new lots, or provide for potential future connection to, telecommunication services at the time of subdivision, where the land is in a serviceable area and there is a reasonable expectation that the future use of the lot will require telecommunications services.

   (57) this has mandated protection where 10 has encouraged minimisation for very similar issues – which is it. Also does not recognise existing circumstances.

10. Encourage the protection of significant existing and future water, gas, electricity, sewerage, stormwater and telecommunications infrastructure assets and waste disposal and resource recovery facilities, sites and infrastructure corridors from sensitive and incompatible use and development encroaching those assets, facilities, sites or corridors.

    (33) change to "Protect significant existing and future … stormwater and drainage (including overland flow paths) and ….".

11. Encourage the siting, design, management and rehabilitation of waste disposal facilities to prevent or minimise contamination of groundwater and surface waters; and minimise litter, odour, dust and noise.

    (33) change to "Require the siting … to prevent or minimise litter, odour, dust and noise, and prevent contamination of groundwater and surface waters".

    (57) delete as issue is better addressed under other policies.

12. Facilitate access to a variety of recycling stations to encourage community participation in recycling and waste reduction.

    (4) and development of the recycling industry and markets.

    (33) change to "Provide access to …".

13. Support the provision of contemporary telecommunications and information technology that are widely accessible and meet the needs of business, industry, public infrastructure and domestic users.

14. Where appropriate, promote service corridors that support the co-location of physical infrastructure, including roads, to service use and development.

5.2 Energy Infrastructure

5.2.1 Application

Statewide.

5.2.2 Objective

To protect electricity infrastructure, including infrastructure to support energy efficiency and renewable energy, and provide for a safe, secure and reliable energy system to meet the needs of the community, businesses and industry.

5.2.3 Strategies

1. Promote the protection of existing energy infrastructure corridors and ancillary facilities from conflicting and incompatible land use and development.

   (4) suggest "Protect existing energy infrastructure …."

   (57) question the ability of statutory tools to implement promotion.

2. Plan for and facilitate energy-related use and development (including ancillary facilities) in appropriate locations.

3. Support infrastructure required for distributed energy resources including rooftop solar, battery storage and at home electric vehicle chargers.

   (57) appears to be more suited to technical assessment under Building Act.

4. Contribute to improved energy efficiency through urban design and urban settlement pattern, and support for the use of alternative transport modes.

   (57) concerned that failure to implement in regional areas prohibits other development.

   (61) consider adding "Facilitate the referral mechanism to regulatory authority in the planning process".

   (62) suggest additional strategy "Encourage local self-contained energy solutions that reduce network dependence and load".

5.3 Roads

5.3.1 Application

Statewide.

5.3.2 Objective

To plan, manage and maintain an integrated road network that supports efficiency, connectivity, travel reliability and safety.

5.3.3 Strategies

(57) most strategies are beyond the scope of statutory implementation tools to address and are regulated outside of the planning scheme. Implementation through RLUS and planning schemes is unrealistic.

1. Identify and promote the protection of the following key road corridors from encroachment by incompatible land use and development:

a) Burnie to Hobart transport corridor, Tasmania's premier passenger and freight corridor, facilitating the movement of high volumes of people and heavy freight between major ports, intermodal hubs, population and industrial centres;

b) Key urban passenger transport corridors; and

c) Last mile urban freight routes.

2. Identify and promote the protection of future road corridors.

3. Recognise the role of Tasmania's regional road network in providing connectivity and access between regional and rural communities, major production and processing centres and tourism destinations.

4. Support heavy vehicle access that is responsive to industry needs and appropriate to the use and function of a road.

   (62) change to "… appropriate to the condition, current use and function of a road"

5. Provide for new and upgraded road infrastructure on key urban and local corridors to allocate space for servicing infrastructure, public transport, walking and cycling modes.

   (4) and personal mobility devices.

   (13) amend to be "…. infrastructure, and safe and efficient spaces for public transport …"

6. Provide for land use planning frameworks and decisions to support, and be informed by, road investment programs.

7. Support the targeted expansion and improvement of the urban road network based on future use, safety, and in response to strategic urban growth corridors.

   (4) consider the need for making sure this is efficient and minimised where possible.

8. Provide for road networks to be protected from incompatible use and development.

9. Minimise the environmental, heritage and social impacts associated with new and upgraded transport infrastructure and services.

5.4 Passenger Transport Modes

5.4.1 Application

Statewide.

5.4.2 Objective

To support a safe, reliable, efficient and accessible passenger transport system that provides people with modal choice and is well integrated with land use.

5.4.3 Strategies

(53) note that 3g from 1.1 Growth refers to the "cost efficient upgrading of physical infrastructure". Place more emphasis on the upgrading of existing passenger transport infrastructure.

(57) strategies assume an urban location. Need to ensure that implementation of strategies does not become an effective prohibition of rezonings in areas without the full range of infrastructure.

1. Support integrated land use and infrastructure and network planning that increases mode choice to access employment and essential services and encourages community participation in different modes of transport.

   (4) including hubs where people switch between modes of travel

(38) suggested change to - Support integrated land use and infrastructure and network planning that increases mode choice to access employment and essential services and recreational spaces and encourages community participation in different modes of transport

2. Promote medium to high density development and mixed use in proximity to high frequency passenger transport corridors.

   (4) Not suitable under this policy – already covered under Settlement policies

   (13) Suggest "…. corridors supported by active travel connectivity to neighbourhoods".

3. Integrate land use with existing and planned passenger transport infrastructure and services.

   (13) Suggest "…. services and provide an active travel network within key urban areas that is integrated across State and local government networks and which includes dedicated infrastructure, appropriate signage (including real time information) and end of trip facilities".

4. Identify and promote the protection of key sites required to support the expansion of public transport services and modes.

5. Provide an active transport network within key urban areas that is integrated across State and local government networks, and which includes dedicated infrastructure, appropriate signage, and end of trip facilities.

6. Encourage public transport corridors to be supported by active transport networks and bus stops that are safe, accessible and provide for better passenger amenity.

   (3) Change to "Ensure public transport corridors are supported by current or planned active transport networks …."

   (13) Suggest "… amenity, including for people living with a disability"

7. Provide for subdivision design that:

   (4) these points are covered under the Settlement policies.

   a) supports efficient and effective public transport access if located within a serviceable area;

   b) encourages walking and cycling, with the provision of appropriate and direct site-through links; and

   c) considers the subsequent, and surrounding, use and development, promoting the coordinated and efficient provision of passenger transport systems.

8. Promote the location of use and development that attracts high numbers of people within existing activity centres, in areas adjacent to major urban public transport corridors or in areas that support the logical extension of existing public transport services, unless the use and development relies on a non-urban setting.

   (26) (27) (45) not all developments that attract high numbers (e.g. tourism attraction or business) will be appropriately located within urban activity centres.

9. Support the targeted expansion and improvement of public transport services, and supporting infrastructure, based on travel demand, including latent demand, and in support of strategic urban growth corridors.

10. Encourage land use planning frameworks that can support and adapt to changing passenger transport needs, modal options, and technologies.

11. Recognise carparking as a key travel demand management measure, and appropriately manage carparking provision to support a modal shift.

    (53) this needs to clarify whether it is going to facilitate or restrict car parking.

12. Provide infrastructure to support the use of electric vehicles, including a public network of high-quality electric vehicle charging stations, and the inclusion of 'electric vehicle ready' carparking as part of new residential and commercial developments.

    (4) hopefully to be considered under the SPP review.

5.5 Ports and Strategic Transport Networks

5.5.1 Application

Statewide.

5.5.2 Objective

To recognise and protect Tasmania's strategic freight system, including key freight networks, rail, airports, ports, intermodal hubs and industrial estates.

5.5.3 Strategies

(4) how does Prince of Wales Bay fit in with this as a maritime industry cluster versus a freight and logistics hub?

(57) strategies assume an urban location. Need to ensure that implementation of strategies does not become an effective prohibition of rezonings in areas without the full range of infrastructure.

1. Identify and promote the protection of existing and future freight infrastructure and industrial and distribution centres.
2. Promote use and development at, and adjacent to, the Burnie, Devonport, Launceston and Hobart ports, and the Brighton Transport Hub, that is compatible with proximity to a major port and reinforces the role of these ports as freight and logistics hubs.
3. Recognise the regional ports at Grassy, Lady Barron and Cape Barren as critical links in the freight supply chains of the Bass Strait Islands.

   (46) include Stanley Port.

4. Encourage the protection of key freight corridors and assets from encroachment by incompatible land use and development.
5. Protect major airports by applying appropriate buffers that prevent the encroachment of incompatible use and development.
6. Support major airports by designating adjacent land to accommodate complementary use and development.
7. Locate industrial, freight and intermodal developments in areas with good access to existing, high-volume freight networks.
8. Support the protection of the Burnie to Hobart freight corridor as Tasmania's premier land transport network for both road and rail.
9. Encourage land use planning frameworks that can support and adapt to a changing freight system, including changes to freight volumes and demand, and emerging technologies.

10. Support major freight generating activities by designating land for purposes that protect the on-site operational efficiency.
11. Identify and safeguard locations along key freight corridors for heavy vehicle rest areas.
12. Recognise the strategic value of non-operational rail corridors.
13. Support the operational rail network by:
    a) recognising that it is an important strategic infrastructure asset for the distribution of freight; and
    b) protecting its safety, efficiency and operability by:
        i. applying appropriate measures to prevent the encroachment of incompatible use and development;
        ii. recognising that land within the defined rail corridor is for the exclusive purpose of supporting safe and efficient rail operations and activities: and
        iii. considering the compatibility of the range of allowable uses when designating surrounding land for particular purposes.

(4) where are such rail corridors defined?

(15) part (ii) should be reworded so that it does not prevent rail crossings.

6.0 Cultural Heritage

(63) For consistency, including in interpretation, we recommend that to the extent possible, the same words and phrases, with the same meanings, as in the Australia ICOMOS (2013) Burra Charter be used when discussing cultural heritage.

(63) Policy Context: the third paragraph (p52) is not correct, and to address this and for consistency with the Australia ICOMOS (2013) Burra Charter approach, we suggest CHPT Comment 5/12/2023 – Draft Tasmanian Planning Policies (Mar 2023) 2 the following re-wording: Much historic cultural heritage is visible, known, accepted and valued, and easily identifiable for protection. However much Aboriginal cultural heritage and some historic heritage, primarily archaeological heritage and heritage with social value, is not formally identified until rediscovered, commonly in the course of development preparation. While the significance of visible tangible assets tends to be recognised and valued, lesser known archaeological values, social values and intangible values associated with cultural heritage also need to be recognised, protected and managed.

(63) Policy Context: the second paragraph (p53) fails to mention what is perhaps the key importance of historic heritage (also Aboriginal heritage). This is that, not only do local historic cultural heritage places and precincts, and we would add landscapes, play an important role in helping to define the identity and character of local communities and regional areas, but their preservation is of fundamental importance in promoting community well-being because of the social value they hold (and conversely community well-being is likely to be impacted where this heritage is destroyed). This can be the case anywhere, but is particularly the case where historic heritage values and character are recognised and are what attract people to live in an area. We recommend that the importance of community well-being be added here.

(63) Policy Context: the second paragraph (p53) also fails to mention the sustainability advantages of historic heritage, primarily built heritage, due to factors such as embodied energy. At a time where policy on sustainability is starting to guide much development, in particular in urban areas, not appreciating the sustainability advantages of historic heritage can have a major, but unnecessary, negative impact on historic heritage. We recommend therefore that the sustainability advantages of

historic heritage be added here, and consideration be given to noting these in the Sustainability Policy.

(63) Climate Change: third paragraph (p53) – as sea level rise and associated erosion is especially likely in Tasmania, with its coastal focussed cultural heritage, to impact heritage such as Aboriginal middens as well as some historic buildings, structures and archaeological sites (e.g., jetties, whaling station sites), more explicit mention of the impacts of sea-level rise should be included in this paragraph. Sea level rise is likely to damage a large amount of cultural heritage, not only result in the 'permanent loss of some sites'.

***(SPO)** After the paragraph in Policy Context for 6.01 ending in "… cultural heritage story." – insert a new paragraph, this being – "While the development of places listed on the State, National or world heritage registers are dealt with outside of the TPS, there is a role for the RLUSs to consider these places of heritage significance when designating land uses and developing regional policies."*

6.1 Aboriginal Cultural Heritage

6.1.1 Application

Statewide.

6.1.2 Objective

Support the protection and Aboriginal custodianship of Aboriginal Cultural Heritage values including places, objects and practices.

(14) "Support" should be changed to "Ensure".

(57) replace with "Support, recognise and protect Aboriginal Cultural Heritage within the Tasmanian RMPS and Planning System and establish and implement measures to provide for the management of Aboriginal heritage".

(63) The critical importance of Country in the preservation of Aboriginal cultural heritage means that Aboriginal cultural heritage often cannot be limited to 'places'- generally considered small areas, and frequently cadastral land parcel or properties – and there is a need to allow for 'areas' and 'cultural landscapes' to be identified and protected. We therefore recommend rewording the Objective to: Support the protection and Aboriginal custodianship of Aboriginal cultural heritage values including places, objects, areas, landscapes and practices.

6.1.3 Strategies

(57) suggest a staged approach be adopted that allows for outcomes from current legislative review process to be known together with consultation over how and where Aboriginal heritage is to be protected within the land use planning system.

1. Land use planning is to:

    a) recognise, respect and accept that Tasmanian Aboriginal people are the custodians of their cultural heritage;

    (14) reference to Aboriginal people being "custodians" of their heritage is not borne out in reality and is meaningless without true powers of legal ownership and protection.

    (57) delete "respect and accept".

    b) acknowledge that Aboriginal Cultural Heritage is living and enduring;

    c) promote the protection of Aboriginal Cultural Heritage values; and

d) support Tasmanian Aboriginal people to identify, manage and, where appropriate, continue to use and culturally identify with, Aboriginal Cultural Heritage places.

(14) an Aboriginal Cultural Heritage place is not defined. Cultural landscapes should be included. This strategy cannot be meaningfully implemented without a framework to identify, declare and manage such "places". There is nothing in the RMPS to do this.

(57) delete "where appropriate" in (d).

2. Encourage the understanding and consideration of Aboriginal Cultural Heritage and support the investigation of land for the presence of Aboriginal Cultural Heritage places and objects where that land is proposed to be designated for use and development that could potentially harm any Aboriginal Cultural Heritage values associated with that land.

(4) planning legislation should be updated to require Aboriginal heritage referrals in the same way as for State Heritage listed properties and Level 2 activities to EPA. Strategies 2 and 3 are very similar and could be consolidated.

(14) "Encourage" should be changed to "Ensure". It is noted that the Historic Cultural Heritage Policy uses much clearer and prescriptive language (such as "identify" and "provide for") in comparison to Aboriginal cultural heritage. If this is because Aboriginal heritage sits outside of the RMPS, then it only reinforces the need for new legislation. Again, note that "places" in this context has no meaning or definition.

(57) replace with "Integrate Aboriginal Heritage into strategic and statutory land use planning processes through consultation with affected communities.

3. Avoid designating land for incompatible land use and development where investigations identify, or it is known that there are, or are highly likely to be, Aboriginal Cultural Heritage values unless it is demonstrated that the impact on Aboriginal Cultural Heritage values can be appropriately managed.

(4) to achieve what?

(14) while noble in intent, there is no mechanism within the RMPS for the involvement of Aboriginal people to give effect to this strategy.

(26) (27) (45) this could effectively prohibit use or development that is acceptable to the Aboriginal community in regard to its degree of impact.

(57) replace with "Establish the role of key statutory agencies and management processes for Aboriginal heritage within the land use planning process".

(57) include additional strategies 4 and 5 "Establish mechanisms to integrate Aboriginal cultural heritage to strategic land use planning processes, including the consideration of Aboriginal heritage values, their significance to the relevant community and how they may be conserved through the land use planning process" and "Integrate consideration of Aboriginal Cultural Heritage into the State Planning Provisions and establish guidelines to assist with addressing country and heritage through preparing applications and the assessment of applications".

(61) consider adding "Facilitate the referral mechanism to relevant entity in the planning process".

6.2 Historic Cultural Heritage

(4) suggest making reference to Burra Charter to ensure specific terms are interpreted correctly and use italics to highlight terms that have specific meanings.

6.2.1 Application

Statewide

(4) remove reference to the word "local" throughout – or clarify that this policy only applies to places of local heritage significance.

(48) local and state heritage places should not be separated – the TPPs should be inclusive of all heritage places, precincts and features otherwise there will be gaps and inconsistencies in the protection of heritage values.

6.2.2 Objective

To support the identification and conservation of significant local historic cultural heritage buildings, part of buildings, infrastructure (for example bridges), places/features, precincts and landscapes and promote sympathetic design solutions and responses that preserve or complement those cultural heritage values and facilitate appropriate adaptive reuse.

(4) terms have very specific meanings in heritage parlance e.g. "preserve" means to maintain in its existing state and this is in conflict with wording used in the strategies. Categories of Place are also inconsistent with those commonly used in heritage planning contexts. Suggest that the Objective should be "To support the identification of significant local historical cultural heritage places including buildings, settings and features, sites of archaeological potential, precincts and landscapes and to encourage respectful design solutions that assign primacy to the protection and conservation of key significant fabric, attributes, qualities and research potential in development contexts".

(63) given the frequent significance of archaeological remains and remnant structures (not just 'infrastructure'), which may be all the heritage that remains in some cases (often the older and more historically significant places), we recommend rewording the Objective to: To support the identification and conservation of significant local historic cultural heritage buildings, part of buildings, structures, places/features, historic archaeological remains, precincts and landscapes and promote sympathetic design solutions and responses that preserve or complement those cultural heritage values, and facilitate appropriate adaptive reuse.

***(SPO)** Recommend that the 6.2.2 Objective be replaced with "To support the strategic consideration of places listed on State, National and world heritage registers and identification and conservation of significant local historic cultural heritage buildings, part of buildings, infrastructure (for example bridges), places/features, precincts and landscapes and promote sympathetic design solutions and responses that preserve or complement those cultural heritage values, and facilitate appropriate adaptive reuse".*

6.2.3 Strategies

(57) the requirements of many strategies cannot be delivered through planning schemes, while others are more appropriate as development standards under the Code. Concerned about resources required to assess all potential heritage sites.

(63) add a new strategy that supports the retention of historic heritage where significant local historic heritage contributes to sustainability. Modify terminology in most strategies to reflect any changes to the Objective. CHPT is extremely concerned that at present there is no obligation for a Local Provisions Schedule (LPS) to include all types of significant local historic heritage recognised in the State Planning Provisions (i.e., place or precinct of archaeological potential, local heritage place, local heritage precinct, local historic landscape precinct), and that many Local Government Councils are choosing not to include some historic heritage types, primarily landscapes and areas of archaeological potential, in their LPS. If types of significant local historic heritage cannot be recognised in LPS, then there is no ability to protect them through planning, which in effect negates the Tasmanian Planning Policy for historic cultural heritage. CHPT therefore strongly recommends

that a new strategy be added to the effect that LPS include all local historic heritage recognised by the State Planning Provisions

1. Identify land that has potential archaeological local cultural heritage value or has research potential and prior to designating it for incompatible use and development that would damage the archaeological values, establish the significance of those values and how they can be appropriately managed.

   (4) replace the word "value" with "significance". Suggested alternative strategy is "Identify land that has archaeological research potential and prior to designating it for use and development that may damage or disturb archaeological contexts, establish the nature and significance of the archaeological potential and how it can be appropriately protected or the impacts mitigated through archaeological investigation techniques, with a strong focus on communicating findings in a publicly accessible way for information and educational purposes". This strategy should be somewhere in the middle of the strategies hierarchy.

   ***(SPO)** Recommend inserting a new Strategy 2 in 6.2.3 between (2 becomes 3 etc) – this being – "Identify sites that have State, National or world heritage significance and consider the impacts on the heritage values of those sites when designating land for a particular purpose."*

2. Identify buildings, part of buildings, places/features, infrastructure, precincts and landscapes that contain significant local historic cultural heritage values, describe the significance of those values, and promote access to this information to ensure identified values are considered early in strategic and statutory planning processes.

   (4) should be strategy 1 in hierarchy. Reword to reflect all categories of Places commonly referred to in heritage contexts.

3. Provide for the protection, and encourage the restoration of identified buildings, part of buildings, infrastructure, places/features, precincts and landscapes that contain local historic cultural heritage significance.

   (4) use of the word "restoration" is out of place – replace with "conservation".

4. Encourage appropriate development and adaptive reuse of buildings, part of buildings, infrastructure, places/features, precincts and landscapes of local historic cultural heritage significance by promoting innovative and complementary design responses that conserves, restore and retain cultural heritage values.

   (4) this could be split into two policies – one relating to adaptive reuse of buildings and another for appropriate development of precincts and landscapes. Note "restore" has a specific meaning.

5. Support the retention of appropriate surrounding settings and site context that contributes to the significance of the local historic cultural heritage values of buildings, part of buildings, infrastructure, places/features, precincts and landscapes.

   (4) remove word "surrounding" and change site "context" to site environments".

   (36) this is impeded by the exclusion of places on the Tasmanian Heritage Register which also have local heritage significance – either as a place or within a precinct or landscape.

   (48) the word "curtilage" should replace "surrounding settings and site context".

6. Encourage the initiation and implementation of local heritage surveys to proactively identify and manage historic heritage places of local historic cultural heritage

significance and to clearly articulate the heritage values of places and precincts listed as having local historic cultural heritage significance.

(4) elevate to strategy 2 in hierarchy – re-word to reflect all of the categories of Places in heritage planning context and avoid reiteration of the words "significance" and "value" (they have the same meaning – delete "values").

(48) the word "recognise" should replace "articulate".

7. Encourage the preparation and publishing of conservation policies for heritage precincts; development, in-fill, and pre-development assessment guidelines; and similar guidelines for places and precincts of local significance to foster understanding and awareness of the importance of cultural heritage, and provide greater clarity, consistency, and certainty in the management of these values.

   (4) reword for clarity and simplification – "precincts" referred to twice – add "historic" to cultural heritage.

   (48) replace with "Encourage the drafting and preparation of …. management of identified values."

7.0 Planning Processes

(4) this section would be better included within a Practice Note.

(57) should all be deleted as it adds nothing to existing legislated requirements.

7.1 Public Engagement

(4) content reads more like a set of vision statements

7.1.1 Application

Statewide.

7.1.2 Objective

To improve and promote public engagement processes to provide for the community's needs, expectations and values to be identified and considered in land use planning.

7.1.3 Strategies

(57) strategies address matters outside of the planning system and are not consistent with practices employed by the State through planning reform.

1. Facilitate the community's understanding of the planning system, land use planning issues and how they might be impacted, to encourage meaningful public engagement in land use planning.

   (38) suggested change to - Facilitate the community's understanding of the planning system, land use planning issues and how they might be impacted, to encourage meaningful public engagement in land use planning, including through the utilisation of digital platforms and technology.

2. Promote public engagement that is fair, inclusive, respectful and genuine, allowing people to express themselves freely and strengthening their confidence in participating in land use planning.

3. Support public engagement processes, and the outcomes generated from them, that are informative and transparent.

4. Provide supporting information that adequately explains and justifies the reasons for proposed planning policies, strategies and regulation to facilitate public engagement and understanding of planning process.

5. Acknowledge that planning outcomes, derived through public engagement processes, involves compromise and trade-offs that balance the community's social, economic and environmental interests.

   (60) consider limitations set by legislation on public engagement or statutory constraints on planning authorities. Decision making is constrained by legislation. Strategy should distinguish between strategic and statutory planning. Outcomes are informed by public engagement but are rarely derived from such processes.

7.2 Strategic Planning

7.2.1 Application

Statewide.

7.2.2 Objective

To encourage the strategic consideration of land use planning issues by promoting integrated and coordinated responses that balance competing social, economic, environmental and intergenerational interests to provide for the long-term sustainable use and development of land.

(4) this is already mandated by the Act

(38) suggested alternative - "To provide for the long-term sustainable use and development of land while balancing competing social, economic, environmental and inter-generational interests".

7.2.3 Strategies

1. Support the application of the precautionary principle where the implications of planning decisions on the environment, now and into the future, is not fully known or understood.

   (4) seems at odds with strategies that prioritise economic and social benefits over environmental benefits (e.g. Biodiversity policy – strategy 2)

   (38) suggested alternative - Support the application of the precautionary principle where the implications of planning decisions on the environment, now and into the future, are not fully known or understood, including by integrating explicit climate change mitigation and adaptation strategies into strategic planning.

   (57) mandated requirement of the precautionary principle will have significant implications for all assessments and implementation may be prohibitive in terms of knowledge, cost, time, process and future monitoring – strategy must be removed.

   (60) the strategy is entirely appropriate and reflects one of the principles underpinning the RMPS. However, need to recognise that there is inherent uncertainty in making land use decisions today that remain in effect for a very long period of time. The precautionary principle is one of several principles that need to be considered and should not be construed that uncertainty alone is a reason to not make decisions.

2. Promote the identification, establishment and implementation of long-term land use planning priorities, that are environmentally sound, to strengthen inter-generational equity, allowing future generations to have access to the resources they need.

   (4) is this not the role of the TPPs?

(38) suggested alternative - Promote the identification, establishment and implementation of long-term land use planning priorities, that are environmentally sound, to strengthen inter-generational equity, allowing future generations to have access to the resources they need, including by fostering stronger integration of Indigenous perspectives and cultural considerations in strategic planning processes.

3. Strengthen the use of scientific-based evidence to make informed decisions about land use planning.

   (57) strategy is redundant when compared to 2.

4. Promote the integration and coordination of land use planning with population strategies and social and physical infrastructure planning.

   (4) the TPPs themselves should set the framework for this to then be implemented through the RLUSs.

   (57) requires significant cooperation and coordination by state agencies and implementation will be problematic through the subordinate planning mechanisms.

5. Promote collaboration and coordination between, and within, Commonwealth, State and local government to deliver integrated, efficient and effective planning outcomes.

   (4) a vision statement for the SPO.

6. Facilitate coordinated approaches between public and private investment to achieve common planning goals.

   (4) how does planning get to do this?

   (57) strategies 6-8 cannot be delivered through the intended mechanisms.

   (61) consider adding "Promote the consideration of Strategic Environmental Assessment in the preparation and review of the RLUS".

7. Adopt and implement best practice governance structures to provide strategic and innovative leadership within communities that will effectively inform land use planning.

   (4) a vision statement for the SPO.

8. Promote the regular review of land use strategies so that they remain current, adaptive and responsive to planning issues as they arise.

   (4) already a legislative requirement.

   (13) suggest "Ensure the regular review ….".

7.3 Regulation

7.3.1 Application

Statewide.

7.3.2 Objective

To avoid over regulation by aligning the level of regulation to the scale of the potential impact associated with use and development.

(SPO) *Replace 7.3.2 Objective statement with "To set planning regulation at a level that is proportionate to address or manage the likelihood and severity of the impacts caused by use* and *development".*

(57) this section must be deleted – it is contrary to many other requirements within the policies.

7.3.3 Strategies

1. Allow use and development that has little or no impact to proceed without requiring planning approval.
2. Reduce planning regulation to the amount necessary to reflect, manage and be proportionate to, the level of impact that might be caused by the use and development.

   (4) repetitive assessments required against strategies of proposed TPPs and existing RLUSs does not meet this strategy – layers seem to be adding more complexity.

   (38) suggested alternative - Reduce planning regulation to the amount necessary to reflect, manage and be proportionate to, the level of impact that might be caused by the use and development, including enhancing coordination between planning regulations and other regulatory regimes, such as climate change, environmental protection or heritage conservation.

   (60) That planning regulation should be the minimum necessary for the potential level of impact is an important statement for the TPPs to make – also need to integrate planning with other systems to result in the least amount of regulation necessary to protect the interests of the public and consumers. The key policy consideration is not whether the system is overly regulated or not, rather it is whether regulation is consistent, proportional, accountable and targeted at matters of value to the community. The TPPs should support the use of innovative land use regulation to incentivise positive change.
3. Support the maintenance of regulatory consistency unless there is a demonstrated need that warrants a more specific or different approach.
4. Encourage mechanisms that allow for timely adjustments in planning regulation for responses to, and recovery from, situations including, but not limited to, pandemic, climate change and emergency events.
5. Facilitate the coordination and rationalisation of regulation where there is consistency between planning and other regulatory regimes.

8.0 Glossary

(18) suggest having the Glossary at the front of the document

Active transport – means physical activity undertaken as a means of transport and includes travel by foot, bicycle and other non-motorised vehicles,

Activity centre – means a place that provides a focus for retail, commercial, services, employment, and social interaction in cities and towns.

Affordable housing – means rental homes or home purchases that are affordable to low-income households, meaning that the housing costs are low enough that the household is not in housing stress or crisis.

(4) not much housing in Tasmania would meet this definition – note definition of housing stress – does this mean that affordable housing is defined as housing that costs less than 30% of a low income household? Refer to alternative definitions – such as from NSW State Planning Policy. SPO is to follow this up in the context of the new Tasmanian Housing Policy.

(SPO) The Tasmanian Housing Strategy combines the two definitions for 'affordable housing' and '*housing* stress' within a single definition for 'affordable housing' which is:

(means) *housing for purchase and rental, including social housing, that is appropriate for the needs of very low-, low- and moderate-income households. This is generally understood to mean housing that costs no more than 30 per cent of a household's gross income*.

AIDR – Australian Institute for Disaster Resilience.

Agricultural land – means all land that is in agricultural use, or has the potential for agricultural use, that has not been zoned or developed for another use or would not be unduly restricted for agricultural use by its size, shape and proximity to adjoining non-agricultural uses.

Agricultural use – means use of the land for propagating, cultivating or harvesting plants or for keeping and breeding of animals, excluding domestic animals and pets. It includes the handling, packing or storing of plant and animal produce for dispatch to processors. It includes controlled environment agriculture and plantation forestry.

(SPO) *In the definition of 'Agricultural use' in the Glossary, add an 's' after 'animal'.*

Agritourism – means a tourism-related experience that connects agricultural or aquaculture products, people or places with visitors on a farm, including marine farms.

Amenity – means, in relation to a locality, place or building, any quality, condition or factor that makes or contributes to making the locality, place of building harmonious, pleasant or enjoyable.

Assisted housing – means housing provided by an organisation for higher needs tenants or residents, including those with physical or intellectual disabilities, and may include associated support services.

(4) term not used anywhere in the document

Brownfield site – means underutilised, vacant or derelict former industrial or commercial land typically located in an urban environment and often characterised by contamination.

Circular economy – means a model of production and consumption, which involves sharing, leasing, reusing, repairing, refurbishing and recycling existing materials and products as long as possible.

Coastal protection work – means structure or works aimed at protecting land, property and human life from adverse impacts caused by erosion or inundation in the coastal zone.

Coastal Zone - means as described in section 5 of the *State Coastal Policy Validation Act 2003*.

Communal residence – means use of land for a building to accommodate persons who are unrelated to one another and who share some parts of the building such as a boarding house, residential college and residential care facility.

(4) term not used anywhere in the document though the Housing Policy could include strategies that refer to different types of housing e.g. infill housing, affordable/social housing, assisted housing (including for seniors), communal residences (or boarding houses) etc.

Community – means a social group with a commonality of association and generally defined by location, shared experience, or function and with a number of things in common, such as culture, heritage, language, ethnicity, pastimes, occupation, or workplace. (AIDR 2019)

Distributed energy resources – means consumer-owned devices that, as individual units, can generate or store electricity or have the 'smarts' to actively manage energy demand. This includes small-scale embedded generation such as residential and commercial rooftop photovoltaic systems (less than 100 kilowatts [kW]), non-scheduled generation (NSG, up to 30 megawatts [MW]), distributed battery storage, virtual power plant and electric vehicles.

Electricity Infrastructure - means anything used for, or in connection with, the generation, transmission or distribution of electricity including, but not limited to –

(a) electricity generating plant; and

(b) structures and equipment to hold water, or to direct, monitor or control the flow of water, for the purposes of hydro-electric generation; and

(c) powerlines; and

(d) substations for converting, transforming or controlling electricity; and

(e) equipment for metering, monitoring or controlling electricity;

Environmental Hazard – means a natural or human-made condition or event that has the potential to expose people, property, infrastructure or the environment to danger or harm.

Geodiversity – means 'the range (or diversity) of geological (bedrock), geomorphological (landforms) and soil features, assemblages, systems and processes'.

Groundwater - means any water contained in or occurring in a geological formation.

Habitat corridor – means an area of natural habitat that provides connections between larger areas of natural habitat to enable movement of flora and fauna between these areas and to maintain natural processes such as pollination, seed dispersal and genetic exchange.

Housing stress – means housing costs that are over 30% of the income of a low-income household.
Land – means as defined by the Act.

(4) there are no strategies that address this.

(39) suggest additional definition for "Landscape values – means areas of land that contain cultural, ecological, geological or aesthetic features that contribute to the scenic value, character, liveability and identity of place".

***(SPO)** delete this definition as it is to be included within the definition of affordable housing.*

Liveability – means the degree to which a place is suitable or good for living in.

Low-income household – means the lowest 40% of households based on income.

(4) is this appropriate – shouldn't it be based on the median household income in Tasmania

Physical infrastructure – means the basic physical structures required for an economy to function and survive and includes transportation networks, water supply, sewers, stormwater, waste disposal systems, power and telecommunications.

Place-making – means a collaborative process that strengthens the connection between people and the places they share, to shape the public realm in order to promote community identity and maximise shared values and aspirations.

Potentially contaminating activities – means an activity listed in Table C14.2 [of the Tasmanian Planning Scheme] as a potentially contaminating activity that is not directly associated with and subservient to Residential [Use Class].

Precautionary principle – means where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:

i. careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment; and

ii. an assessment of the risk-weighted consequences of various options.

Resource dependent – means, in the case of a use, is one that relies on being located close to the source or supply of a particular primary produce or resource.

Resilience – means the ability of a system, community or society exposed to hazards to resist, absorb, accommodate, adapt to, transform and recover from the effect of a hazard in a timely and efficient manner, including through the preservation and restoration of its essential basic structures and function through risk management. (UNDRR 2017)

Rural residential settlement– means an area of land that is characterised by a pattern of development involving residential use on larger lots in a rural or non-urban setting.

(SPO) *Modify the definition of 'rural residential settlement' for clarification purposes, as follows:*

Rural residential settlement*– means a settlement on an area of land a settlement that is characterised by a pattern of development involving residential use on larger lots in a rural or non-urban setting.*

Sense of place – means the said or meaningful character of a place that makes it distinctive as a place.

Sensitive use – means a residential use or a use involving the presence of people for extended periods except in the course of their employment such as a caravan park, childcare centre, dwelling, hospital or school.

(4) defined under the scheme.

Servicing infrastructure – means a type of physical infrastructure comprising a pipeline, wire, cable, electronic communications facility, conduit pipe, tunnel, tube, manhole, antenna, mast, designated space for rubbish and recycling collection points, or similar infrastructure, that can be used for the provision of electricity, water, gas, telecommunications or in connection with sewerage disposal, stormwater drainage, recycling and waste management, or a similar service.

Settlement – means land developed, or designated for, the concentration of occupation by human activity in urban or rural areas and which may contain a mix of land use. While predominantly referring to land developed as cities, towns and villages, it also includes land that has been modified from its natural state to provide for a mix of land uses which are not reliant upon natural resources, such as rural residential, utility and industrial uses.

Significant risk – means exposure to a level of risk that is higher than what is considered a tolerable risk level.

Social housing – means both housing provided by the government (public housing) and non-government organisations (community housing) with below-market rent prices.

Social infrastructure - means facilities and spaces where the community can access social services. These include emergency and health-related services, education and training, social housing programs, police, courts and other justice and public safety provisions, as well as arts, culture and recreational facilities.

Structure plan - means a plan of a settlement, or part of a settlement, that is proposed for growth or renewal and which describes how use, development and infrastructure will be integrated in an orderly manner.

Tolerable risk – means the lowest level of likely risk from the relevant hazard:

a) to secure the benefits of a use or development in a relevant hazard area; and

b) which can be managed through:

   i. routine regulatory measures; or

   ii. by specific hazard management measures for the intended life of each use or development.

Water-Sensitive Urban Design – means the integration of urban planning with the management, protection and conservation of the urban water cycle that ensures urban water management is sensitive to the natural hydrological and ecological cycles.

There also were various suggestions made about additional definitions that are required as it was said that terms were used without any clear meaning or definition and were too open to different interpretations. These include the following:

> ***(SPO)** It is proposed that the TPPs include the following definitions for 'urban growth boundary' and 'settlement growth boundary' which will allow the RLUS to adopt the terms and apply them in the appropriate context:*
>
> ***Urban growth boundary** – means the spatial extent of growth, as identified on a map, for a metropolitan area or a city and its greater urban area.*
>
> ***Settlement growth boundary** – means the spatial extent of growth, as identified on a map, for a settlement.*
>
> ***(SPO)** Shelter Tas also recommended that the TPPs include a clear definition of 'very low-, low-, and moderate-income households' and a definition for 'income quintiles', as follows:*
>
> ***Very low-, low-, and moderate-income households** - means households that are in the three lower quintiles of the Tasmanian income distribution.*
>
> ***Income quintiles** – means a comparison measurement approach whereby a household's income is ranked against the distribution of all household income in Australia. The approach divides Australia's households (i.e. not population) into five equal groups or quintiles, each comprising 20 per cent of the number of all households, based on their income. The income quintiles assessment leads to the recognition of the following categories:*
>
> - *very low income households – 0% to 20% of income earners*
> - *low income households – 20% to 40% of income earners*
> - *moderate income households – 40% to 60% of income earners*
> - *high income households – 60% to 80% of income earners*
> - *very high income households – highest 20% of income earners.*
>
> *Because the definition of 'income quintiles' references Australian households, Shelter Tas suggested including an addition specification that the income quintiles for Tasmania are indexed to Tasmanian household incomes which are lower than national incomes. The SPO would support including this information in a footnote to the definition of 'Income quintiles'.*
>
> *(12) – this representor questions the way that the word "value" has been used throughout the TPPs. For example, environmental, biodiversity and landscape values are more appropriately referred to as environmental, biodiversity and landscape assets. Similarly, the word "economic" is used in a phrase like economic disadvantage (confusing private and public goods), when it is actually a market disadvantage.*
>
> *(15) & (31) – suggest having definitions for Infill development, Consolidation, Redevelopment, Reuse, Intensification, Under-utilised land, Legibility, Place-making, Connectivity and Higher density residential.*
>
> *(30) – suggest having definitions for Aboriginal Cultural Heritage values, Aboriginal Cultural Heritage place, Aboriginal Cultural Heritage object, Regional settlement hierarchies,*

Settlement hierarchies, High biodiversity values, Reserve objectives, Retreat pathways, Viable ecological processes, Endangered ecosystems, Significant landscapes, Scenic areas, Scenic corridors, Identified values and Activity centre hierarchy.

(39) – this representor noted that Environmental hazards is defined in the Glossary, but there are many other uses of the word "environmental" that are open to interpretation – examples include Environmental values, Environmental amenity, Environmental resilience, plus there are many others. The use of the word "settlement" is similar in that it used in a variety of contexts.

(32) & (41) & (42) – suggest having definitions for High conservation value geodiversity, Significant landscapes, Significant cultural, ecological, geological and aesthetic landscapes and scenic areas.

(44) – various terms are suggested on the basis that significant changes were made to accommodate "ecovillage" related strategies – such as Ecovillage, Co-housing, Transition towns, Permaculture, Composting toilets, Tiny houses, Constructed wetlands, Geodesic domes and Recycle and repair industries.

(48) – suggest having definitions for Aboriginal heritage, Adaptive reuse, Affordable housing, Assisted housing, Circular economy, Conservation, Cultural significance, Curtilage, Environmental equity, Physical infrastructure, Significant risk and Tolerable risk.

(53) – suggest having definitions for Greenfield site, Brownfield site, Physical infrastructure, Public infrastructure, Settlement hierarchy, Tiers of settlement, 15 year supply of land, Active transport, Regional settlement hierarchy, Structure plans, Urban forest, Urban consolidation and Brand Tasmania.

Appendix D – Draft Tasmanian Planning Policies, as exhibited

Tasmanian Planning Policies

Draft provided to the Tasmanian Planning Commission in accordance with section 12C(3)(a) of the *Land Use Planning and Approvals Act 1993*

Foreword

Land use planning seeks to balance the competing demands on land to support the community's environmental, social and economic interests. To achieve this, it applies foresight, strategic thinking and prioritized action to spatially arrange land use and development to avoid conflict and to provide for the protection and allocation of land to accommodate the needs of future generations.

The Tasmanian Planning Policies (TPPs) are a planning instrument made under Part 2A of the *Land Use Planning and Approvals Act 1993* (the Act). The purpose of the TPPs are to provide a consistent planning policy setting that will guide planning outcomes delivered through the strategic and regulatory elements of the planning system, more specifically the Regional Land Use Strategies (RLUSs) and the Tasmanian Planning Scheme (TPS), comprising the State Planning Provisions (SPPs) and Local Provisions Schedule (LPSs). The Act also requires consideration of the TPPs during the declaration and assessment of major projects under Division 2A of the Act and apply to a housing land supply order made or amended under Part 2, Division 1 of the *Housing Land Supply Act 2018*.

The TPPs do not apply to development applications made under Part 4, Division 2 of the Act, however they apply to an application for a combined permit and amendment under Part 3B, Division 4 of the Act but only in so far as the amendment is concerned.

Section 12B of the Act sets out the broad range of matters that a TPP may relate to, including:

- the sustainable use, development, protection or conservation of land;
- environmental protection;
- liveability, health and wellbeing of the community; and
- any other matter that may be included in a planning scheme or regional land use strategy.

The policy content is delivered through seven TPPs that address broad land use planning topics including: Settlement, Environmental Values, Environmental Hazards, Sustainable Economic Development, Physical Infrastructure, Cultural Heritage and Planning Processes.

The effectiveness of the TPPs will be monitored, and to ensure the policy outcomes are responsive to changing circumstances, reviews will be undertaken every five years in accordance with section 12I of the Act.

General Application

In accordance with section 12B(3) of the Act, this section of the TPPs specifies the manner in which the TPPs are to be implemented into the SPPs, LPSs and RLUSs

The Foreword, Table of Contents, headings, footnote and the Policy Context section of each TPP are not intended to have operative effect. These parts or sections of the TPPs provide background or advisory information and have been included to assist users' understanding of the TPPs and how they are intended to inform both the planning system and planning outcomes. They are a guide only and should be read in conjunction with the Act.

The operative parts of the TPPs express the planning policy and the manner in which the planning policy is intended to be applied. The table below sets out those parts of the TPPs that are intended to have operational effect and the purpose of those operational parts.

OPERATIVE PARTS	PURPOSE OF OPERATIVE PARTS
General Application	The General Application section provides details, considerations and principles as to the manner in which the TPPs are to be implemented and applied to RLUS, SPPs and LPSs.
Policy content is provided under subheadings within each of the TPPs. Each subheading represents a policy that comprises the following operative parts:	
Policy Application	Policy Application - provides any requirements regarding the application of specific policies.
Objective	Objective - sets out the aims of the policy.
Strategies	Strategies - sets out ways that the policy objective can be achieved.

Directions as to the manner of application to all planning instruments

The intent of the TPPs is to provide direction to guide planning outcomes, however, those outcomes will not always be expressed in the same manner. When applying the range of relevant strategies to a particular matter, the planning outcome will be influenced by how those strategies interact, which may result in different planning responses being expressed. Judgement must be exercised when interpreting and applying the TPPs so that a range of alternate approaches and outcomes can be considered where it can be demonstrated that the intent of the strategy, and the objective it seeks to achieve, can be met.

The application of the TPPs to RLUSs, SPPs and LPSs should have regard to the following application principles:

1) There is no order or hierarchy associated with the application of the TPPs.
2) No one TPP, policy or strategy should be read in isolation from another to imply a particular action or consequence.
3) The TPPs are generally not expressed in absolute terms and should not be interpreted or applied so literally or rigidly that reasonable, alternate approaches to achieve a particular strategy are excluded from consideration.
4) Where the Act requires a planning instrument to be consistent with the TPPs, the TPPs must be considered in their entirety to determine those strategies that are relevant to the particular matter.
5) Strategies that are relevant to the particular matter should be considered and applied in the context of the objective that the strategy is seeking to achieve.
6) In determining what strategies are relevant to a particular matter, regard must be had to:
    a) the nature of the particular matter being considered;
    b) the purpose of the applicable planning instrument;
    c) the Policy Application statement for each policy;
    d) the scale at which the strategies are being applied (for example at a regional, local or site-specific level); and
    e) the environmental, social and economic characteristics of the region, local area or site.
7) Where the application of relevant strategies to a particular matter causes competing interests to be met, resolution should be based on balanced consideration and judgement derived from evidence, having regard to:
    a) the overall purpose of the TPPs;
    b) an understanding of the overall combination of interests expressed through the TPPs;
    c) the objective of strategies that are subject to competing interests;
    d) alternate ways to achieve strategies that are subject to competing interests;
    e) any relevant and applicable regional or local planning policies;
    f) any characteristics of the land, subject to the competing policy interests, that may influence how the competing interests can be resolved or managed;
    g) consideration of the regional and local context and how competing interests can be appropriately integrated at the regional, local or site specific level; and
    h) the purpose of the applicable planning instrument.

Directions as to the manner of application specifically to LPSs

In accordance with Schedule 7 clause 1 of the Act, the TPPs do not apply to the first LPSs made but do apply to each amendment or substitution of an LPS.

Following the making of the TPPs, or an amendment to the TPPs, sections 5A(8) and 30T(1) require that the RLUSs and SPPs (respectively) are reviewed for consistency with the TPPs.

Section 34(2A)(a) and (b) of the Act provides for the manner in which the TPPs are to be implemented into LPSs and offers the following two criteria, based on before and after the reviews of the SPPs and RLUSs have occurred, stating:

> a) *where the SPPs and the relevant regional land use strategy have not been reviewed …. after the TPPs, or an amendment to the TPPs, is or are made – the relevant planning instrument[1] is consistent with the TPPs, as in force before the relevant planning instrument is made; and*
>
> b) *whether or not the SPPs and the applicable regional land use strategy have been reviewed … after the TPPs, or an amendment to the TPPs, is or are made – the relevant planning instrument complies with each direction, contained in the TPPs in accordance with section 12B(3), as to the manner in which the TPPs are to be implemented into LPSs.*

For the purpose of section 34(2A) of the Act, LPSs must comply with each TPP direction contained in the relevant strategies and be implemented in accordance with the guidance and principles outlined in this 'General Application' section.

In addition, for the purpose of section 34(2A)(b) of the Act, where the RLUSs and SPPs have been reviewed following the making of the TPPs, the following additional direction applies to the manner in which the TPPs are to be implemented in to LPSs:

- Where a relevant strategy, or part of a relevant strategy, has been applied regionally through the RLUS, the decision maker may consider that compliance with the RLUS adequately addresses and satisfies the local application of the relevant strategy, and the LPS is deemed to comply with the relevant strategy; and

- Where a relevant strategy, or part of a relevant strategy, has been applied to the SPPs, the decision maker may consider that compliance with the relevant strategy may be adequately addressed through the application of the SPPs, which will satisfy the local application of the relevant strategy through the LPS, then the LPS is deemed to comply with the relevant strategy.

[1] Relevant planning instrument – means a draft LPS, an LPS, a draft amendment of an LPS and an amendment of an LPS.

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1.0 Settlement

1.0.1 Policy context

In Tasmania and around the world, the majority of people live in settlements. The quality of our settlements contributes to our quality of life. Settlements that contain diverse uses, are well planned, serviced, accessible and environmentally attractive stimulates economic growth and community resilience and wellbeing.

Land use planning shapes the existing and future form and function of our settlements. It considers the competing demands on land and aims to balance these demands to spatially arrange land use and development to avoid conflict. Urban environments are highly susceptible to land use conflict due to the interaction of environmental, social and economic forces that create complex spatial relations. Land use planning considers these spatial relations, and in doing so promotes the allocation, co-ordination and efficient use of land to provide for the needs of the existing and future generations.

With the guidance of the TPPs, the planning system will determine how and where growth will occur. The Settlement TPP requires that sufficient land is allocated to meet the community's needs for housing, including social and affordable housing, commerce, recreation, open space and community facilities and is appropriately serviced by social and physical infrastructure. It also supports the planning system to deliver future development in a coordinated, cost effective and environmentally responsible way.

Settlement patterns have a direct impact on infrastructure and service requirements and outcomes. Where possible, use and development should align with and maximise the use of existing infrastructure and services.

The policy prioritises a settlement pattern that locates people where they have access to employment, social infrastructure and transport networks to improve connectivity and liveability of settlements. It emphasises the delivery of social and affordable housing and recognises that these types of housing are essential to improve social and economic resilience. The Settlement TPP acknowledges that designing functional, sustainable and engaging spaces contribute to social inclusion and strengthen connections with place and our cultural identity. The combination of these factors supports healthy communities, attracting more people to live, visit and invest in our settlements.

To achieve these planning outcomes, the Settlement TPP is split into 5 separate policy areas that provide for liveable settlements, mechanisms for directing growth, policies relating to specific settlement types, housing diversity and availability and providing for well- designed built environment and public spaces.

1.0.2 Climate Change Statement

Because settlements concentrate populations and economic activities, they are also drivers of energy and resource consumption and contribute to climate change. Under a changing climate, Tasmania's terrestrial environments are projected to experience a rise in annual average temperatures, significant changes in seasonal and regional rainfall patterns and an increase in rainfall intensity.

In practice this means some of our settlements may experience increased likelihood of:

- localised flooding;
- inundation in coastal areas;
- potential for land slips;
- storm damage to property and infrastructure;
- bushfires in bushland near to settlements;
- social and economic disruption from extreme events;
- hot days and greater runs of hot days; and
- urban heat island effect in highly built-up areas.

Land use planning cannot prevent these events, however it can support measures that help address the causes and impacts of climate change.

While some of these matters are more specifically dealt with under other TPPs, from a settlement perspective many of the strategies to address these impacts also offer other benefits to the community and the environment. For example, strategies that promote networks of green spaces also increases rain-absorbing surfaces, allowing cities to better manage flooding from intense storms. Encouraging urban vegetation that provides shade allows urban environments to better tolerate extreme heat events and contributes to carbon storage in the urban landscape. Both these actions help to reduce the impact of climate change and, in doing so, create a more liveable environment.

Similarly, measures to consolidate settlements, make use of existing infrastructure, promote energy efficient design and improve access to public and active transport networks, while providing for efficient settlement patterns also reduces resource consumption and lowers emissions.

The impact of these predicted changes will not be felt evenly throughout the community. The more vulnerable in our community are likely to experience greater impacts, especially people that are older, have some pre-existing medical conditions, have lower levels of literacy and those on lower incomes or in housing stress.

While the planning system cannot solve these problems, there are strategies within the Settlement TPP that facilitates greater access to health, education and social and affordable housing that will support the vulnerable and build climate change resilience within the community.

1.1 Growth

1.1.1 Application

Applies to existing settlements and land that is proposed, allocated or identified for future settlement growth, with the exception of rural residential settlements not included within an urban growth boundary.

1.1.2 Objective

To plan for settlement growth that allocates land to meet the existing and future needs of the community and to deliver a sustainable pattern of development.

1.1.3 Strategies

1. Provide for at least a 15 year supply of land that is available, identified or allocated, for the community's existing and forecast demand for residential, commercial, industrial, recreational and community land to support the economic, social and environmental functioning of settlements.
2. Plan for growth that will:
    a) prioritise and encourage infill development, consolidation, redevelopment, re-use and intensification of under-utilised land within existing settlements, prior to allocating land for growth outside existing settlements;
    b) prioritise the development of land that maximises the use of available capacity within existing physical and social infrastructure networks and services;
    c) integrate with existing transport systems; and
    d) discourage the development of land that:
        i. is not well serviced by existing or planned physical and social infrastructure, or that is difficult or costly to service;
        ii. is subject to environmental hazards where a tolerable level of risk cannot be achieved or maintained;
        iii. contains high environmental or landscape values;
        iv. is agricultural land, especially land within the more productive classes of agricultural capabilities; and
        v. is used for extractive industries or identified as strategic resource areas and deposits.
3. Identify regional settlement hierarchies based on:
    a) population projections and forecast demographic change;
    b) the functional characteristics of the settlement and any specific role it plays in the State or region;

c) the social, environmental and economic characteristics of the settlement;

d) the availability of goods and services, including social infrastructure, to support the needs of the community;

e) access to employment and training opportunities;

f) efficient and accessible transport systems; and

g) capacity and cost-efficient upgrading of physical infrastructure.

4. Prioritise growth of settlements that are within the higher tiers of the settlement hierarchy.

5. Actively address impediments to infill development, particularly in the major urban centres.

6. Promote the preparation of structure plans that provide for the effective planning and management of land use and development within a settlement, or part of a settlement, that, as a minimum, considers:

a) the identified values, physical constraints, environmental hazards, and the strategic context of the location:

b) urban or settlement growth boundary;

c) movement networks, including street hierarchy and pedestrian and cycling paths for active transport modes;

d) location of land for the purpose of residential, commercial, open space, recreation and community use and development, the relationship between uses and their positioning to limit or manage land use conflict;

e) any staging or sequencing of development of land;

f) the use of existing physical infrastructure and the logical and efficient provision of additional physical infrastructure; and

g) impacts on broader physical and social infrastructure, including health and education facilities, strategic transport networks, public transport services, stormwater, water and sewerage.

7. Create urban or settlement growth boundaries that clearly identifies the spatial extent of growth, including the allocation of sufficient land to meet projected growth.

8. Land identified for proposed growth on land located outside an existing urban or settlement growth boundary must be strategically justified, based on:

a) projected population growth;

b) site suitability, such as having regard to identified values, agricultural capabilities, physical constraints and environmental hazards

c) land supply and demand analysis (including infill and greenfield);

d) existing physical and social infrastructure networks and services;

e) supporting the regional settlement hierarchy; and

f) preventing the distortion of growth strategies in other settlements.

9. Identify the role and function of activity centres within settlements and encourage use and development that complements and supports that role and function.
10. Encourage the concentration of commercial, administrative, major retail, entertainment and cultural use and development within activity centres that are highly accessible by public and active transport.
11. Provide for and identify preferred development sequences in areas of growth to enable better coordination and more cost-effective planning and delivery of physical infrastructure.

1.2 Liveability

1.2.1 Application

Applies to existing settlements and land that is proposed, allocated or identified for future settlement growth, with the exception of rural residential settlements.

1.2.2 Objective

To improve the liveability of settlements by promoting a pattern of development that improves access to housing, education, employment, recreation, nature, health and other services that support the wellbeing of the community.

1.2.3 Strategies

1. Promote the location of residential use and development in areas that are close to, or are well connected to, activity centres or secure and reliable employment sources.
2. Facilitate access to, and a diverse range of, employment opportunities in settlements by:
    a) promoting the provision of, and access to, safe and efficient public transport;
    b) encouraging telecommunications infrastructure to support the ability to work remotely and access global markets; and
    c) enabling businesses that promote local characteristics, resources and produce.
3. Support growth in the skilled workforce and increase opportunities for innovation, research and technology by encouraging tertiary education and vocational training institutions to be located:
    a) in settlements that are within the higher tiers of the settlement hierarchy; and
    b) within close proximity to residential areas, or highly accessible by public transport;

unless the particular educational or training course requires a remote location or an area with particular characteristics to teach the particular skills being offered.

4. Provide for a network of accessible, interlinked and inviting open and green spaces close to and within residential areas and activity centres to encourage active lifestyles, connection with nature and social interaction.
5. Provide for connectivity within settlements, especially between residential areas, activity centres and open space networks, through a network of legible and accessible infrastructure dedicated to active transport modes, including end of trip facilities.
6. Provide integrated transport networks that allow people to move safely and efficiently between and within settlements utilising different transport modes, including public transport, cycling and walking, to reduce car dependency.
7. Support measures to mitigate the impacts of climate change on urban environments by encouraging urban forests, community gardens, street plantings, garden roof tops (green roof), water sensitive urban design and integration of shade and water features into public spaces.
8. Improve neighbourhood amenity by managing incompatible use and development.
9. Provide for a range of cultural, recreational and community facilities that support wellbeing, social cohesion and cultural identity and understanding.
10. Protect and enhance those settlements, or part of settlements, that contain unique or distinctive local characteristics that contribute, or have the potential to contribute to, the community's identity and sense of place.
11. Facilitate place-making and recognise the contribution it makes to the local economy, environmental amenity and social wellbeing of the community.

1.3 Social Infrastructure

1.3.1 Application

Applies to existing settlements and land that is proposed, allocated or identified for future settlement growth, with the exception of rural residential settlements.

1.3.2 Objective

To support the provision of adequate and accessible social infrastructure to promote the health, education, safety and wellbeing of the community.

1.3.3 Strategies

1. Provide for a sufficient supply of land to support the community's existing and forecast demand for social infrastructure, including, but not limited to, schools, health care, libraries, social services and child and aged care.

2. Facilitate the co-location of suitable and compatible social infrastructure.
3. Maximise the use of existing well-located social infrastructure, including the re-use and multi-use of sites, to meet the changing needs of the community.
4. Integrate public and active transport networks with major social infrastructure.
5. Promote the location of social infrastructure in close proximity to, or highly accessible by, residential areas.
6. Facilitate the provision of services that support vulnerable or at-risk people, including crisis accommodation, neighbourhood houses, youth-at-risk centres, women's shelters and men's shelters.
7. Protect major health and emergency services facilities (including associated airspace) from land use conflict by limiting the encroachment or intensification of surrounding incompatible use and development.
8. Support the temporary or intermittent use of recreational, educational and community facilities for a range of cultural and creative activities that promote community participation and social inclusion.
9. Encourage the provision of housing to accommodate employees that support essential social infrastructure in remote areas[2].

1.4 Settlement Types

1.4.1 Application

Applies to all existing settlements and all land that is proposed, allocated or identified for future settlement growth including rural residential development.

1.4.2 Objective

To plan for the sustainable use and development of settlements that have particular environmental characteristics or values.

1.4.3 Strategies

1. Promote the vibrancy and character of specific activity centres, hubs or inner-city locations that have good connectivity, housing choices and access to goods and services that support urban lifestyles, where the impacts associated with mixed use and higher density residential use can be managed.

[2] Strategies to accommodate housing for employees in the tourism, agriculture and extractive industries sectors in remote areas are addressed under their respective policies.

2. Establish urban or settlement growth boundaries around coastal settlement to ensure that growth in coastal areas is directed to existing settlements areas and prevents linear development along the coast.
3. Facilitate the provision of social and physical infrastructure to support the seasonal fluctuations in populations experienced by coastal or other settlements that are characterised by holiday homes.
4. Identify and protect the key values and activities of rural towns and villages, and support use and development that enhances these values and activities.
5. Avoid allocating additional land for the purpose of rural residential use and development, unless:
    a) the amount of land to be allocated is minimal and does not constitute a significant increase in the immediate vicinity, or the existing pattern of development reflects rural residential type settlement;
    b) the land is not within an urban growth boundary or settlement growth boundary;
    c) the location of the land represents an incremental, strategic and natural progression of an existing rural residential settlement;
    d) the land is not strategically identified for future development at urban densities, or has the potential for future development at urban densities;
    e) growth opportunities maximise the efficiency of existing services and physical infrastructure;
    f) agricultural land, especially land within the more productive classes of agricultural capabilities, cultural heritage values, landscape values, environmental values and land subject to environmental hazards are, where possible, avoided;
    g) the potential for land use conflict with surrounding incompatible uses, such as extractive industries and agricultural production is avoided or managed; and
    h) it contributes to providing for a mix of housing choices that attracts or retains a diverse population.

1.5. Housing

1.5.1 Application

Applies to existing settlements and land that is proposed, allocated or identified for future settlement growth.

1.5.2 Objective

To provide for a sufficient supply of diverse housing stock, including social and affordable housing, that is well-located and well-serviced to meet the existing and future needs of the Tasmanians.

1.5.3 Strategies

1. Provide the timely supply of land for housing in locations that are, or can be, easily connected to, and integrated with, the range of services including social and physical infrastructure, access to community, health and education facilities, public transport, and employment, consistent with the policy outcomes that deliver liveable settlements.
2. Supply land, including infill, reuse and greenfield sites, for housing that meets the projected housing demand, which is to be based on the best available evidence, to improve housing availability and affordability.
3. Facilitate social and affordable housing to meet the needs of the community that is located close to services, employment and public transport networks.
4. Plan and provide for a diverse range of quality housing types that meet the needs of the community by:
    a) responding to demographic trends including changing household size and composition;
    b) supporting the provision of well-designed social and affordable housing;
    c) promoting good amenity through the provision of solar access and quality private open space relative to the density and location;
    d) catering for the ageing population, including facilitating ageing in place and providing for different levels of dependency and transitioning between them;
    e) catering for people requiring crisis accommodation;
    f) considering the needs of people living with disability, including the level of support and care required for different levels of dependent and independent living options; and
    g) supporting co-living scenarios to help address housing availability and affordability.
5. Encourage higher density housing in suitable locations that:
    a) have been identified for urban consolidation;

b) are within close proximity to an activity centre;

c) have good access to employment, social and physical infrastructure, open space and active and public transport networks;

d) the potential impacts associated with increased residential density and land use conflict can be managed; and

e) do not significantly impact environmental values and are not constrained by topography and environmental hazards.

1.6 Design

1.6.1 Application

Applies to existing and proposed urban spaces.

1.6.2 Objective

To create functional, connected and safe urban spaces that positively contribute to the amenity, sense of place and enjoyment experienced by the community.

1.6.3 Strategies

1. Encourage the use of urban design principles that creates, or enhances, community identity, sense of place, liveability, social interaction and climate change resilience.
2. Respect the characteristics and identities of neighbourhoods, suburbs and precincts that have unique characteristics by supporting development that considers the existing and desired future character of the place.
3. Support sustainable design practices that are energy and resource efficient, address temperature extremes and reduce carbon emissions, including:
    a) reduce the urban heat island effect by promoting the greening of streets, buildings and open space with vegetation, preferably native species where appropriate;
    b) implement sustainable water and energy solutions for climate change adaptation, including water sensitive urban design and renewable energy production;
    c) promote consolidation of urban development;
    d) integrate land use and transport; and
    e) encourage active transport through the provision of safe and shaded rest areas with urban furniture, drinking fountains and similar amenity measures.
4. Provide public places that are designed to connect with, and respond to, their natural and built environments, enhancing and integrating environmental values that contribute to a sense of place and cultural identity.

5. Encourage public places that are designed to promote:
    a) equal access and opportunity and to cater for the various needs and abilities of the community; and
    b) safety, social interaction and cultural activities, enabling a sense of wellbeing and belonging.
6. Promote subdivision design that considers the existing and future surrounding pattern of development and provides for connection and integration of street networks, pedestrian and bicycle paths and the efficient provision of services.
7. Promote subdivision design that provides a functional lot layout that:
    a) is responsive to topography, site constraints and environmental values and hazards;
    b) provides a convenient, efficient and safe road network;
    c) supports efficient and effective public transport access;
    d) provides safe active transport;
    e) uses urban land efficiently;
    f) provides for well-located public open space that meets the needs of the local community;
    g) supports the intended future use and development of the lot;
    h) provide diverse lot sizes for residential use, in appropriate locations, that supports the future provision of diverse housing choices that meets the needs of the local community;
    i) promotes climatically responsive orientation of buildings; and
    j) allows passive surveillance of public spaces promoting community safety;
8. Encourage the design, siting and construction of buildings to positively contribute to:
    a) the site and surrounds;
    b) the wellbeing of the occupants including the provision of solar access and private open space, considering the proposed use of the building and the context of the site and surrounds;
    c) the public realm;
    d) neighbourhood amenity and safety;
    e) incorporate energy efficient measures;
    f) maintaining water quality by promoting best practice stormwater management approaches; and
    g) safe access and egress for pedestrian, cyclists and vehicles.

2.0 Environmental Values

2.0.1 Policy Context

Tasmania's natural environment is diverse, rich and unique. It provides the backdrop to our settlements, it is where we choose to engage in recreational pursuits and our connection with nature contributes to our quality of life, general wellbeing and how we identify as Tasmanians.

Land use planning seeks to recognise the functional, aesthetic and intrinsic value of the natural environment. It also acknowledges that by protecting these values it can support those sectors that rely on healthy ecosystems and intact landscapes to produce goods and services that stimulates our economy and supports the general wellbeing of the community.

A significant proportion of Tasmania's environmental values are protected by mechanisms outside the planning system. Land use planning can play a strategic role in identifying and prioritising other environmental values and apply measures to protect them. In doing so, it can help address the broad scale, cumulative effects associated with land use and its impacts on environmental values.

The Environmental Values TPP seeks to protect environmental values by adopting, where relevant to the specific environmental value, the following principles:

1. identify environmental values and determine their significance;
2. avoid designating land, that contains significant environmental values, for land use and development that will detrimentally impact those values;
3. minimise the impact of land use and development on environmental values where avoidance is not possible or impracticable; and
4. where possible, apply offset where the impacts cannot be minimised.

These principles have been broadly applied to five categories of environmental values being:

- Biodiversity;
- Waterways, wetlands and estuaries;
- Geodiversity;
- Landscape values; and
- Coasts

While the primary outcome of the Environmental Values TPP is to establish the strategies by which the planning system can play its role in protecting and conserving Tasmania's environmental values, it also contributes to broadening the community's understanding and appreciation of natural systems which in turn promotes their health and resilience.

2.0.2 Climate change statement

Projected changes to Tasmania's future climate will have a variety of impacts on our environmental values. These include:

- significant changes in the amount of rainfall, including seasonal variation and spatial distribution;
- changes in runoff and consequential erosion impacting water quality and flow regime;
- increased frequency and intensity of bushfires;
- increased frequency and intensity of extreme weather events;
- increased average temperatures and longer runs of days at higher temperatures; and
- sea level rise and increased storm surge.

Future climatic conditions will impact the five categories within the Environmental Values TPP differently. These changes are unlikely to be linear and predictable, and the interactions between effects may introduce additional uncertainty.

Coastal environments are projected to experience sea level rise, ocean warming, increased frequency and intensity of marine heatwaves and storm events. The latter will accelerate coastal erosion in vulnerable areas, potentially threatening coastal habitats.

Waterways and wetlands may experience times of flooding or reduced flow rates. This may impact aquatic habitats and present issues for water security. Periods of either excessive high or low soil moisture may stress native flora and fauna.

Ecosystems may also be exposed to climatic conditions that they are not adapted to, potentially disrupting ecological processes. Changed environmental conditions may also favour and potentially increase the spread of invasive plant and animal species. More frequent fires will also impact and damage habitat, and while many of our native flora and fauna have adapted to fire, a significantly altered fire regime may also affect the abundance and distribution of species and the relationship between them.

Because there are many unknowns regarding climate change, the planning system needs to plan for both predicted scenarios and remain responsive to unforeseen circumstances. The Environmental Values TPP seeks to address this by:

- supporting early action against native habitat loss;
- promoting connectivity between vegetation to support viable ecological processes and build climate change resilience;
- protecting water quality and flow regimes to build the resilience of aquatic ecosystems;
- protecting wetlands, riparian and foreshore areas including intertidal areas;

- considering the vulnerabilities of ecosystems and natural processes to the projected future climate and spatially applying parameters to identify, protect and prioritise communities at high risk; and
- enabling retreat pathways for ecosystems.

Land use planning can also support measures to reduce emissions. The Environmental Values TPP supports this by promoting the protection of biodiversity values and ecological services that maximise opportunities for carbon storage.

2.1 Biodiversity

2.1.1 Application

Statewide.

2.1.2 Objective

To contribute to the protection and conservation of Tasmania's biodiversity.

2.1.3 Strategies

1. Identify biodiversity values, appropriately rank the significance of those values and map their location.
2. Unless there are significant social or economic benefits, avoid designating land for purposes that will require substantial land clearance in areas identified as having high biodiversity values.
3. Prior to designating land for a particular purpose:
    a) consider the biodiversity values of that land and the potential impacts of the range of future use and development will have on those values; and
    b) determine if they are compatible and can be managed to avoid or minimise the impact on biodiversity values, especially high biodiversity values.
4. Provide for a level of restriction and regulation of use and development that will reflect its potential impact on, and be relative to, the biodiversity value.
5. Promote use and development to be located, designed and sited to avoid impacts on biodiversity values, and where avoidance cannot be achieved, or is not practicable, the impacts to biodiversity values will be minimised, or offset.
6. Promote and maintain connectivity between isolated and fragmented vegetation communities to support habitat corridors and promote viable ecological processes.
7. Promote use and development of land that prevents or minimises the spread of environmental weeds and disease.

8. Protect and enhance areas that provide biodiversity and ecological services that maximise opportunities for carbon storage.
9. Support early action against loss of biodiversity as a result of climate change.
10. Promote natural resilience by reducing threats to biodiversity, caused by inappropriately located use and development, thereby increasing the ability of species, ecological communities and ecosystems to adapt to climate changes.
11. Identify ecological communities that are most vulnerable to climate change and develop strategies that consider improving resilience, mitigating impacts, planning retreat and facilitating adaptation to support their long-term survival.
12. Identify and enable retreat pathways for endangered ecosystems in coastal zones.
13. Support land managers or regulators of land within the Tasmanian Reserve Estate to manage that land in accordance with approved management plans and specific reserve objectives.

2.2 Waterways, Wetlands and Estuaries

2.2.1 Application

Statewide

2.2.2 Objective

To protect and improve the quality of Tasmania's waterways, wetlands and estuaries.

2.2.3 Strategies

1. Identify areas that support natural systems within waterways, wetlands and estuaries, including their riparian zones and groundwater recharge areas.
2. Avoid designating land in, or around, waterways, wetlands and estuaries for use and development that has the potential to cause point source or diffuse pollution and would require considerable disturbance of riparian or foreshore vegetation and soil, unless the use and development:
    a) relies specifically on being located within close proximity to aquatic environments;
    b) is for flood mitigation measures; or
    c) has considerable social, economic and environmental benefits;

    and can demonstrate that the risk of environmental harm can be managed.
3. Encourage the protection of waterways by retaining, creating or improving vegetated riparian zones to maintain their natural drainage function and minimise

unnatural or accelerated erosion of stream banks while providing riparian habitat corridors and protecting landscape values.

4. Use and development located on land in, or around, waterways, wetlands and estuaries will:

    a) minimise the clearance of native vegetation;

    b) promote the retention and restoration of, and linkages between, terrestrial and aquatic habitats;

    c) protect the natural form and process of the landform assemblage, including aquatic areas;

    d) avoid land disturbance or manage soil erosion and changes in sediment loads entering the water caused by land disturbance;

    e) not significantly change the rate and quantity of stormwater or increase pollutants entering the water; and

    f) be designed and sited to maintain or enhance significant views and landscape values.

5. Promote the collaboration and coordination of catchment management across the State and the implementation of integrated catchment management that considers the downstream impacts of land use and development on water quantity and quality, and freshwater, coastal and marine environments.

6. Promote the protection of the ecological health and environmental values of surface and groundwater to prevent water quality degradation due to construction activities, point source pollution, diffuse land use impacts, or chemical reactions such as acidification.

7. Provide for the availability of clean, high-quality drinking water by promoting the protection of water catchments and water supply facilities.

8. Promote and encourage the efficient and effective use of water resources.

2.3 Geodiversity

2.3.1 Application

Statewide.

2.3.2 Objective

To protect and conserve land containing high conservation value geodiversity and to promote natural geological, geomorphological and soil processes that support broader, and more balanced, ecological functions.

2.3.3 Strategies

1. Identify and map land containing high conservation value geodiversity and discourage designating land for use and development that will impact those values, including through the modification of natural processes and functions that prevents geological, geomorphological or soil features from evolving naturally, unless the impacts can be managed to support the values.
2. Promote the protection of high conservation value geodiversity by avoiding, or if not practicable minimising, the impacts of land use and development on the feature and the natural processes and functions that support the feature's evolution.
3. Encourage integrated management of geodiversity and biodiversity to enhance efficient function of ecological processes.
4. Support the protection of places and sites of geological, palaeontological or other scientific importance, including rock formations and fossil sites from human induced impacts.
5. Support the protection of geological features, such as peat, that provide opportunities for carbon storage.

2.4 Landscape Values

2.4.1 Application

Statewide.

2.4.2 Objective

To protect and enhance significant landscapes that contribute to the scenic value, character and identity of a place.

2.4.3 Strategies

1. Identify and map the extent of significant cultural, ecological, geological and aesthetic landscapes, scenic areas and scenic corridors and determine their specific features and values.
2. Promote the protection of significant landscapes, scenic areas and scenic corridors by recognising their individual scenic values and develop measures to encourage use and development that respects, and is sensitive to, the character and quality of those scenic values.
3. Avoid land use and development that causes the fragmentation of significant landscapes, scenic areas and scenic corridors, unless the use and development:

a) relies specifically on being located within a significant landscape; or

b) has overriding social, economic and environmental benefits;

and includes specific measure to minimise the impact on the significant landscape.

4. Promote the retention and natural revegetation of degraded sites that will contribute to the overall improvement of the scenic quality of a significant landscape, scenic area or scenic corridor, where vegetation cover is an element of the scenic quality.

2.5 Coasts

2.5.1 Application

Applies to the Coastal Zone as defined in the *State Coastal Policy 1996*, which is to be taken as a reference to State waters and to all land to a distance of one kilometre inland from the high-water mark.

2.5.2 Objective

To promote the protection, conservation and management of natural coastal values.

2.5.3 Strategies

1. Protect natural coastal processes and coastal landforms from use and development that will prevent natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise, unless engineering or remediation works are required to protect land, property, infrastructure and human life.
2. Strengthen the resilience of coastal processes to climate change by reducing threats and protecting the natural coastal environment, such as wetlands, estuaries, marine-protected areas, intertidal areas, sand dunes, cliff tops, beaches, native vegetation, and other important habitats.
3. Identify coastal areas that can support the sustainable use and development of recreation, tourism, boating infrastructure (such as jetties and wharfs), marine industries, ports and other land use that explicitly rely on a coastal location where the impact on the coastal values and coastal processes are minimal or can be appropriately managed.
4. Support the location of use and development on the coast that:

   a) promotes the maintenance of biodiversity, ecological functions, natural coastal processes and coastal resources; and

   b) complements or enhances the coastal environment in terms of its landscape, amenity and cultural values.

3.0 Environmental Hazards

3.0.1 Policy Context

Environmental hazards are a natural part of the Tasmanian landscape. Significant environmental hazard events, or natural disasters, have the potential to impact people, property, infrastructure, the economy and the natural environment.

Traditionally governments have focussed attention on emergency response and recovery from natural disasters and typically overlooked mitigation strategies. As a result of enquiries into natural disasters in recent decades, governments are focussing more attention on building community resilience and capacity to prepare for environmental hazards and include regulatory measures to reduce their associated impact. Environmental hazard management and policy is now delivered through a range of institutions at a range of scales, from international to local.

Land use planning is one of the tools available to government to help reduce the impact of environmental hazards. From a strategic perspective, land use planning can identify land that is subject to hazards and avoid zoning that land for incompatible purposes thereby directing inappropriate development away from high-risk areas. Regulation through statutory planning provisions can ensure specific developments incorporate hazard protection or mitigation measures, such as adequate water supply for firefighting in a bushfire-prone area, to reduce the risk of harm caused by environmental hazards. It can also support the necessary emergency responses and community recovery from events by facilitating the provision of emergency and community infrastructure.

While the planning system has a role to play, it is also limited in what it can achieve. It cannot apply retrospectively to address planning decisions that were made under former planning regimes but it can provide for current and future land use planning decisions to respond to risks.

Planning is one component of an integrated system that operates in conjunction with others to reduce the risks arising from natural disasters from occurring and reduce the risk of harm cause by these events. For example, The *Mineral Resources Development Act 1995* regulates the management of landslip hazards and controls are imposed under the *Building Act 2016, Building Regulations 2016* and associated Determinations issued by the Director of Building Control. The *Land Use Planning and Approvals Act 1993* provides guidance on addressing issues relating to natural and environmental hazards including public health, public safety or other prescribed circumstances. Also, the *Environmental Management and Pollution Control Act 1994* include provisions to protect and enhance the quality of the environment to prevent any adverse impact and maintain environmental quality.

The Environmental Hazards TPP seeks to consider hazards early in the planning system which will assist in protecting life and property, reducing the financial and emotional cost to the community and decreasing the burden for emergency management caused by environmental hazards. To achieve this, the TPPs apply the following set of principles to drive the planning policy response to environmental hazards:

- prioritise the protection of human life;
- support disaster resilience of communities;
- identify and map the environmental hazard;
- avoid designating land for incompatible use or development in hazard prone areas;
- use and development, including intensification of existing use and development, does not increase the risk of environmental hazards or the harm caused by environmental hazards;
- hazard mitigation measures are to be applied to use and development exposed to unacceptable levels of hazard risk to reduce that risk to a tolerable level;
- hazard mitigation measures must consider and seek to minimise the impacts on other identified values; and
- regulation of use and development in areas subject to environmental hazards will reflect the level of exposure to the risk of harm caused by the environmental hazard.

3.0.2 Climate change statement

Significant changes in seasonal and regional rainfall patterns, an increase in rainfall intensity and associated flooding, higher average and more extreme temperatures, storms and wind and longer, more intense fire seasons will impact the frequency and intensity of hazard events.

Tasmania's coastal zone is projected to be impacted by rising sea levels and an increase in the frequency and intensity of storm events. This will exacerbate the impacts from coastal hazards such as coastal erosion and inundation.

The Tasmanian Government has developed sea level rise planning allowances for all coastal municipalities, and statewide mapping of natural hazards including, coastal erosion and inundation, and bushfire risk.

These measures demonstrate how land use planning can contribute to climate resilience, enable adaptation to the risks from a changing climate, minimise risks from natural hazards to settlements and built form, and support the health and safety of communities in the long-term.

By managing the risks from a changing climate and building a climate-resilient economy, the economic and ecological impacts from extreme weather events can be reduced, and impacted communities can recover faster.

With advancements in GIS and greater access to evidence-based data relating to future climate change scenarios, land use planning, through the guidance of the Environmental Hazards TTP, can:

- identify and map risks from natural hazards and avoid locating incompatible use and development in areas subject to risk;
- strategically consider how risks are best managed;

- apply climate change adaptation responses through statutory provisions; and
- consider protective works.

3.1 Bushfire

3.1.1 Application

Statewide.

3.1.2 Objective

To prioritise the protection of human life and to support the resilience of settlements and communities by reducing the potential impacts of bushfire on life, property and infrastructure.

3.1.3 Strategies

1. Identify and map land that is exposed to bushfire hazards, including consideration of the potential impacts of future bushfire conditions as a result of climate change, based on the best available scientific evidence.
2. The protection of human life from harm caused by bushfire will be considered and prioritised at every stage of the planning process.
3. Avoid designating land for purposes that expose people, property and supporting infrastructure to risk arising from bushfire hazards, especially significant risks.
4. Where it is not practical to avoid bushfire hazards, use and development is to:
    a) identify the risk of harm to human life, property and infrastructure caused by bushfire;
    b) incorporate bushfire protection measures that manage the identified risk and reduce it to within a tolerable level; and
    c) provide a higher level of risk mitigation for uses deemed particularly vulnerable or hazardous.
5. Support the efficient and safe intervention of firefighting personnel and emergency evacuation.
6. Facilitate the provision of firefighting infrastructure and support emergency services and the community to prevent, prepare, respond and recover from bushfire events.
7. Consider the cumulative effects of planning decisions so new use and development will not result in an unacceptable increase to bushfire risks for existing use and development.
8. When designating land for particular purposes and considering use and development in areas subject to bushfire hazards:

a) priority should be given to minimising the impacts, associated with implementing future bushfire protection measures, on environmental values and on the cost to the community as a result of defending properties from bushfire; and

b) where possible, avoid locations that require bushfire hazard management to be undertaken on land external to the site where that land is publicly owned and managed for conservation purposes.

9. Allow the implementation of bushfire protection measures that are carried out in accordance with an endorsed plan, including hazard reduction burns.

3.2 Landslip

3.2.1 Application

Statewide.

3.2.2 Objective

To reduce the risk of harm to human life, property and infrastructure from the adverse impacts of landslip hazards.

3.2.3 Strategies

1. Identify and map susceptibility to landslip hazards, including consideration of the impacts of predicted climate change induced increased rainfall and sea level rise on landslip hazards.
2. Use and development on land at risk of landslip, including the provision of physical infrastructure, is of a type, scale and in a location that avoids triggering or exacerbating the risk of landslip, unless a tolerable level of risk can be achieved or maintained.
3. Avoid designating land that is more susceptible to landslip hazards for purposes that have the potential to expose people and property to landslip hazard where it does not achieve and maintain a level of tolerable risk from landslip.
4. Avoid designating land for use and development that involves significant soil disturbance, major construction or adding significant quantities of water to soil on land that is identified as being prone to landslip hazards, unless hazard reduction or protection measures can be applied to demonstrate that the risk of harm to people and property associated with the landslip hazard is tolerable.
5. Promote use and development that maintains or enhances the protective function of landforms and vegetation that can mitigate risks associated with landslip hazards.

6. Ensure the risk to human life and property resulting from use and development on land that is more susceptible to landslip hazards is identified and addressed through hazard reduction or protection measures that reduce the level to a tolerable risk.

3.3 Flooding

3.3.1 Application

Statewide.

3.3.2 Objective

To minimise the impact of flood hazards that have the potential to cause harm to human life, property and infrastructure and to reduce the cost to the community as a result of flood events.

3.3.3 Strategies

1. Identify and map land that is subject to flooding based, as a minimum, on land inundated by the 1% Annual Exceedance Probability (AEP), or an alternative as determined by the State Government in response to climate change.
2. Avoid designating land for purposes that provide for incompatible use and development to be located on land that exposes people, property and infrastructure to flood hazards that cannot achieve and maintain a level of tolerable risk from flood.
3. Consider and plan for the cumulative impacts of use and development on flooding behaviour.
4. Avoid locating, or intensifying, incompatible use and development on land subject to flood hazards unless hazard reduction and protection measures are considered and, where appropriate, incorporated into the planning and ongoing functioning of the use and development to reduce the level of risk to people, property and infrastructure to a tolerable risk level.
5. Avoid locating use and development on land subject to flood hazards, where a level of tolerable risk cannot be achieved and maintained, that involves:
    a) the storage of hazardous materials that if impacted by flooding may result in the release of materials, increasing the risk to public health and the environment caused by the flood hazards;
    b) activities where vulnerable people are gathered, who may not be able to respond, evacuate or protect themselves in the event of a flood; and
    c) public infrastructure that is required to be functional to assist in the delivery of emergency responses during and in the recovery phase of a flood event.

6. Consider and support use and development that will assist in managing emergency responses and recovery to flood events including the provision of, and safe and efficient access to, evacuation centres, emergency accommodation and medical centres.
7. Support the development of flood mitigation infrastructure that has the capacity to lower the risk of flood hazards and provide greater protection to human life, property and infrastructure, if:
    a) the flood hazard is not diverted to an area that will expose people, property and infrastructure to an increased risk of harm where a level of tolerable risk cannot be achieved and maintained;
    b) the impact on environmental values are considered and minimised;
    c) the cost to the community is considered and minimised; and
    d) careful consideration is given to the appropriateness of intensifying the use and development of the area being protected to avoid exposing additional people, property and infrastructure to flood hazards, especially considering the unpredictability of climate change induced flood events.
8. Support the use of Water Sensitive Urban Design systems to mitigate flooding and manage peak flows in urban catchments.
9. Consider any upstream dam infrastructure when strategically planning land use to protect the viability of the dam infrastructure, and the impacts on human life, property, critical infrastructure and community assets as a result of potential dam failure.

3.4 Coastal Hazards

3.4.1 Application

Applies to the Coastal Zone as defined in the *State Coastal Policy 1996*, which is to be taken as a reference to State waters and to all land to a distance of one kilometre inland from the high-water mark.

3.4.2 Objective

To minimise the risks associated with coastal erosion and coastal inundation caused by climate change induced sea level rise by incorporating avoidance, mitigation and adaptation strategies into land use planning to reduce the harm to human life, property and infrastructure.

3.4.3 Strategies

1. Identify and map land that is subject to coastal erosion and coastal inundation, based on a projected sea level rise of not less than 0.8 metres by 2100 or the latest adopted State Government sea level rise measurements, that considers the effects

of coastal processes, geology, topography, storm surges and tides on the rate and extent of coastal erosion and coastal inundation.

2. Avoid designating land for purposes that provide for incompatible use and development to be located on land that exposes people, property and infrastructure to coastal hazards that cannot achieve and maintain a level of tolerable risk from coastal erosion or coastal inundation.

3. Avoid incompatible use and development of land subject to coastal erosion or coastal inundation where a level of tolerable risk cannot be achieved and maintained, or that is not feasible or desirable to be located elsewhere, unless the use and development is:

    a) dependent on a coastal location;

    b) temporary, readily locatable or able to be abandoned;

    c) essential public infrastructure; or

    d) minor redevelopment or intensification of an existing use involving a building or structure that cannot be relocated or abandoned.

4. Where incompatible use and development cannot avoid being located on land subject to coastal erosion or coastal inundation, hazard reduction and protection measures must be considered and, where appropriate, incorporated into the siting, design, construction and ongoing functioning of the use and development to reduce the level of risk to people, property and infrastructure to a level of tolerable risk.

5. Promote strategic responses for existing settlements that are at risk of being impacted by coastal erosion or coastal inundation by considering the effectiveness and the social, environmental and economic viability of one, or a combination, of the following strategic responses:

    a) adaptation to changing conditions over time;

    b) planned retreat; and

    c) protective works.

6. Where possible, avoid use and development that will;

    a) increase the rate of coastal erosion or coastal inundation; or

    b) increase the risk of exposing existing people, property or infrastructure to coastal erosion or coastal inundation, especially vulnerable and hazardous uses.

7. Encourage coastal defences that work with natural processes to protect human life, property and infrastructure or mitigate coastal erosion and coastal inundation risks where possible.

8. Facilitate the provision of engineered coastal defences to protect human life, property and infrastructure from coastal inundation and coastal erosion, where the social, environmental and economic considerations are included in the planning and decision-making process.

3.5 Contaminated Air and Land

3.5.1 Application

Statewide.

3.5.2 Objective

To consider the impacts of past, present and future land use and development that has involved, or is proposed to involve, potentially contaminating activities, and to minimises the risk of harm to human health, property and the environment arising from exposure, or potential exposure, to contaminants or nuisances caused by those activities.

3.5.3 Strategies

1. Identify and map land that has been used, or is being used, or has been affected by use and development involving potentially contaminating activities.
2. Avoid allowing incompatible use or development on contaminated or potentially contaminated sites, unless, where appropriate measures such as remediation works, protection measures and a site assessment demonstrates the land is suitable for the future intended use and development.
3. Manage land use conflict by applying and maintaining appropriate separation between potentially contaminating activities and incompatible use.

4.0 Sustainable Economic Development

4.0.1 Policy Context

The Sustainable Economic Development TPP focuses on identifying and supporting our economic advantages, to deliver economic growth in a socially and environmentally responsible way.

Tasmania's natural resources underpin our economic prosperity. Our fertile soils, mild climate and reliable rainfall provide opportunities in the agricultural and timber production sectors while our pristine air quality, unique landscapes and ecological diversity attract visitors from around the world. Our proximity to Antarctica and the Southern Ocean provides advantages to attract research, accessing and servicing opportunities. Our world-class wind, deep hydro storages and 100% renewable-energy status provide opportunities to attract industry looking for clean energy and have been identified as a key economic and emissions reduction driver both for Tasmania and Australia.

While our geographic location has advantages, it also presents some economic challenges. Being the only island state of an island nation, Tasmania's isolation from mainland Australia and the rest of the world puts us at an economic disadvantage in an era of globalisation and globalised economies. Our physical distance from the northern hemisphere and Asian markets adds to complexities for maintaining competitive in trading commodities and accessing markets. In addition, our ageing population is likely to present future economic challenges through a decline in the skilled workforce.

While the planning system alone cannot drive the State's sustainable economic growth, it still has an important role to play. We will remain geographically isolated, but we can plan for and support the provision of digital infrastructure, to ensure our businesses have access to online global markets. Planning for ports and strategic transport networks can improve efficiency in physically accessing global markets. It can also facilitate infrastructure development in areas best aligned with environmental, social and economic values, provide for strategic co-location of new infrastructure with existing infrastructure and promote circular economies.

Similarly, planning cannot prevent the declining workforce. However, it can support the creation of liveable cities that encourage migration and the retention of our young adults. It can also support the establishment of higher education institutions that are easily accessible, which also helps increase the skilled workforce.

The Sustainable Economic Development TPP supports economic activity through the planning system by embedding the following principles:

- allocating sufficient land in appropriate locations to support various economic activities;
- protecting allocated land from incompatible use and development;

- supporting the efficient use of infrastructure and coordinated delivery of new infrastructure, including digital infrastructure;
- identifying and supporting emerging and innovative industries;
- promoting diversification to strengthen the resilience of the economy; and
- protecting the resources and values that are relied on for sustainable economic development.

The Sustainable Economic Development TPP provides initiatives to protect assets and guide economic growth in our agriculture, tourism, renewable energy, industry, extractive industries, business and commercial and research and innovation industries. It provides for flexibility in responding to new opportunities and changing economic conditions, supporting a diverse and more resilient economy.

It also addresses the production of timber on land which, although regulated by the forest practices system, is a land use that warrants proper consideration from a comprehensive strategic land use planning perspective.

4.0.2 Climate change statement

Tasmania's economy is likely to face challenges as a result of the predicted effects of climate change however, we also have some significant advantages. Our greenhouse gas emissions profile is unique among Australian jurisdictions, due to a high proportion of renewable energy generation and high levels of carbon sequestration from the State's managed forest estate

Each economic sector in the Sustainable Economic Development TPP will be impacted differently by climate change and will need to respond to issues as they emerge. For example, the agricultural sector will need to reconsider traditional crops and favour those that respond better to warmer conditions. Areas that may have been ideal for low chill varieties of fruit may need to consider trials and progressive replacement of orchards. Primary production is also at risk from increased storm damage, unpredictable rainfall and more extreme high temperature events.

While it is difficult to predict the range and extent of the potential impact climate change will have across all economic sectors, land use planning can play a strategic role in facilitating economic resilience and help to address the impacts and causes of climate change.

The Sustainable Economic Development TPP addresses these issues by:

- protecting agricultural resources and promoting diversification within the industry which will help the industry respond to changing climatic and economic conditions;
- strategically considering and protecting land designated for timber production because of its contribution to carbon sequestration;
- promoting efficient use and consolidation of land, infrastructure and transport networks to reduce emissions;

- supporting innovation and research opportunities to diversify and contribute to a more resilient economy; and
- supporting opportunities for greater economic self-sufficiency and circular economies to help reduce the impact of unexpected, external forces on the economy.

4.1 Agriculture

4.1.1 Application

Statewide.

4.1.2 Objective

To promote a diverse and highly productive agricultural sector by protecting agriculture land and the resources on which agriculture depends, while supporting the long-term viability and growth of the agricultural sector.

4.1.3 Strategies

1. Identify agricultural land, and potential agricultural land, and apply contemporary land capability classification mapping systems, that includes access to irrigation water as a criteria of land capability, that identifies and maps the capability of land to sustain long term agricultural uses as a criterion, including under forecast climate change scenarios.
2. Protect land that is identified as being within the higher classes of agricultural capability by designating it specifically for agricultural use and development or for purposes that prevent the permanent loss or conversion of the land's agricultural potential.
3. Allow compatible land uses to operate on agricultural land, where they do not cause unreasonable fettering or fragmentation and minimises the sterilisation of agricultural land.
4. Protect land with significant agricultural capabilities, and agricultural land within irrigation districts, by affording them the highest level of protection from fettering, fragmentation or conversion to non-agricultural uses.
5. Prevent fettering of agricultural land by considering the impacts of agricultural uses on surrounding future use and development to prevent land use conflict and protect the productivity and viability of agricultural uses.
6. Encourage the protection of viable agricultural uses by preventing the fragmentation of agricultural land.
7. Protect agricultural land by avoiding the permanent conversion of agricultural land to non-agricultural land uses unless:

a) the land is strategically identified for growth;

b) the scale of the conversion or sterilisation is minor in terms of the overall agricultural operation of the site, local area or region; or

c) the conversion contributes to the viability of the agricultural use of the site, local area or region;

and the intended use will not cause land use conflict, fetter or impact the viability of surrounding agricultural uses.

8. Support diversification and value-adding of the primary industries sector by supporting effective agricultural production and processing, innovation in rural industries and farm-related retailing and agritourism that is ancillary to the principal use, to enable sustainable growth of the sector and strengthen its ability to adapt to climate change, natural disasters and market challenges.

9. Allow residential use where it is part of, or supports, an agricultural use, such as workers' accommodation, where it does not unreasonably fetter, fragment or convert agricultural land uses.

10. Support the retention of small farms close to urban areas and acknowledge the contribution, or potential contribution, that they make in supplying local produce to farm gate market, agrifood economy and tourism.

11. Facilitate the provision and protection of infrastructure that supports the diversification and improved productivity of the primary industries sector.

12. Encourage the protection of the viability of upstream dam infrastructure when strategically planning land use and development.

4.2 Timber Production

4.2.1 Application

Statewide.

4.2.2 Objective

To contribute to the protection of Tasmania's timber resources.

4.2.3 Strategies

1. Encourage the protection of timber production areas including plantation and native forests by identifying land dedicated for timber production and support designating that land for purposes that are compatible with timber production.

2. Encourage surrounding land, that is likely to be impacted by the activities associated with timber production on land dedicated for timber production, to:

a) be designated for purposes that are compatible with timber production; or

b) consider incorporating measures to mitigate, manage or avoid any environmental hazards and social and environmental impacts associated with timber production.

4.3 Extractive Industry

4.3.1 Application

Statewide.

4.3.2 Objective

To identify and protect existing and potential extractive industry resources, and supporting infrastructure, to facilitate economic growth and support efficient infrastructure and urban development.

4.3.3 Strategies

1. Identify and protect strategic resource areas and deposits, including areas of known mineral resources and strategically important construction materials, such as sand.
2. Promote the protection of existing extractive industries from encroachment by residential and other incompatible use.
3. Support the long-term viability of existing operations and access to future mineral resources.
4. Enable the provision and protection of supporting infrastructure for extractive and related resource industries so that access can be facilitated and maintained.
5. Support future mineral extraction on land available for mineral exploration by, prior to designating the land for a purpose that removes the ability of that land to be used and developed for mineral extraction, consideration of the following:
    a) the nature and scale of the mineral resource;
    b) the viability of extracting the mineral resource; and
    c) the social, economic and environmental benefits of the mineral resource compared to that of the alternative land use.
6. Plan for and encourage the use of suitable mineral resources that can provide for a viable resource supply to be extracted consistent with relevant planning policies, considering:
    a) the benefits to the community;
    b) the provision of energy and infrastructure;
    c) access to a skilled workforce;

d) risks to public health and safety are managed to within acceptable levels; and

e) environmental impacts are minimal and provisions are made for the rehabilitation of the site.

7. Facilitate the provision of housing and services to support mining employees and their families in remote settlements.

4.4 Tourism

4.4.1 Application

Statewide.

4.4.2 Objective

To promote the sustainable development of the State's tourism industry.

4.4.3 Strategies

1. Identify existing and potential key tourism sites or destinations and investigate the role of these sites or destinations from a State, regional and local perspective to help plan where they are best located and how they can be sustainably developed, taking into consideration:

   a) visitor demand and forecast trends of visitation across the State;

   b) existing supply of tourism product, services and infrastructure;

   c) appropriateness of the scale and nature of the tourism use;

   d) the impact on the environmental, landscape, intrinsic and local character values of the place;

   e) the use and development being displaced;

   f) alignment with and promotion of the Tasmanian brand;

   g) alignment with regional destination plans supporting the visitor economy;

   h) the contribution to the local, regional and State economy; and

   i) integration with the local community.

2. Promote tourism use and development that protects, is compatible with and builds on the assets and qualities of the events, activities and attractions underpinning them.

3. Manage visitor accommodation so it does not significantly impact the supply of housing for the local community.

4. Support unique, diverse and innovative tourism experiences that support the Tasmanian brand.

5. Facilitate the provision of infrastructure, housing and services, where appropriate, to support tourism and hospitality employees, to meet the demand for, and support the growth of, sustainable tourism use and development.
6. Identify and promote the protection of attributes that attract and enhance tourism experience.
7. Prevent the cumulative impacts of tourism use and development from unreasonably detracting from how the local community engages and identifies with their local surrounds.
8. Promote growth and investment in recreational, art and cultural activities that attracts tourism growth and supports the local community's access to these facilities.
9. Promote the integration of tourism infrastructure into activity centres to support and reinforce the economic function of activity centres.

4.5 Renewable Energy

4.5.1 Application

Statewide.

4.5.2 Objective

To promote renewable energy use and development to support economic and employment opportunities and strengthen the State's economy, while also supporting emissions reduction.

4.5.3 Strategies

1. Identify renewable resource areas to prioritise the location of renewable energy use and development within areas that have been strategically identified for future renewable energy use and development taking into consideration:
    a) the quality of the energy resource;
    b) economic and social value and the impact on the community
    c) investor interest; and
    d) environmental, cultural heritage and land-use constraints.
2. Identify and plan for supporting transmission infrastructure required to connect renewable resource areas to the existing network, taking into consideration the ancillary infrastructure that may be required to provide for a reliable and secure network.
3. Recognise the quality and diversity of Tasmania's renewable energy resources and the role it can play in limiting greenhouse gas emissions and supporting the

transition to national low carbon economy through existing and future interconnection to Tasmania.

4. Facilitate local, neighbourhood and specific site renewable energy generation, including the potential use of green hydrogen and bioenergy, to help diversify the local economy, improve sustainability outcomes and build resilience and diversification around energy supply.
5. Support infrastructure enabling distributed energy resources.
6. Facilitate the provision of housing, including temporary housing, required to accommodate workers, particularly during the construction phase, to support the development of renewable generation sources within regional areas.

4.6 Industry

4.6.1 Application

Statewide.

4.6.2 Objective

To protect industrial land, facilitate sustainable industrial use and development and ensure there is sufficient availability of suitable industrial land to meet the existing and future needs of Tasmania.

4.6.3 Strategies

1. Identify and allocate land within urban growth boundaries that is suitable for industrial use and development, considering:
    a) analysis of industrial activities and land supply at a regional or metropolitan level, including existing available land, potential for growth within, or adjacent to, existing centres, and the nature of current and future industrial activities;
    b) topography and physical site constraints;
    c) compatibility of surrounding land use;
    d) provision of adequate buffer areas to separate incompatible uses;
    e) access to workforce;
    f) supply chain relationships, including freight patterns, and proximity to existing freight networks, including high productivity and key local freight roads;
    g) the ability to and cost of, servicing with physical infrastructure; and
    h) avoidance of environmental hazards and environmental values.

2. Provide for at least a 15 year supply of industrial land, that is located within urban growth boundaries, that is based on projected demand to meet the economic needs of Tasmania.
3. Enable industrial use and development, outside urban growth boundaries, where:
    a) the use is resource dependent, including, but not limited to, abattoir, onshore marine farm or sawmill, and required to be located with the resource to provide for more sustainable outcomes;
    b) high impact industrial use warrants separation from settlements;
    c) the land has formerly been developed and is no longer being used to its full capacity, such as a brownfield site, and is proposed to be re-purposed for industrial use and development; or
    d) the land is identified as being strategically located, such as having access to supporting infrastructure or freight routes and has State or regional industrial importance;

    and environmental hazards and the impact on environmental values are avoided or can be appropriately managed.
4. Promote the protection of existing and future industrial land by preventing encroachment from incompatible use and development.
5. Where appropriate, protect land surrounding industrial estates by designating it for a compatible land use that does not prejudice the future availability of that land for industrial use and development.
6. Encourage the co-location of similar industrial uses within existing or future strategic industrial precincts.

4.7 Business and Commercial

4.7.1 Application

Statewide.

4.7.2 Objective

To promote business and commercial activities at a scale and intensity suited to the location to support diverse economic and employment opportunities and strengthen the State's economy.

4.7.3 Strategies

1. Identify and allocate a sufficient supply of land within existing settlements or areas identified for future growth of settlements, to provide for commercial and business use and development based on existing and projected demands, considering:
    a) the nature and scale of the catchment being serviced;

b) consumer demand and demographic forecast;

c) efficient use of existing infrastructure;

d) accessibility to existing transport networks and services;

e) access to workforce;

f) activity centre hierarchy; and

g) regional settlement hierarchy.

2. Identify an activity centre hierarchy that is based on the scale, role, function and accessibility of activity centres.

3. Support the activity centre hierarchy by promoting complimentary use and development to strengthen efficiencies within activity centres and, where possible, avoid unnecessary competition between activity centres.

4. Encourage the intensification and growth in, and around, higher order activity centres that are highly accessible and which promote the efficient use of infrastructure and services.

5. Support the redevelopment of commercial and business use and development in existing activity centres prior to considering the establishment of new activity centres, unless it is part of a new greenfield development or a natural progression of an existing activity centre, and is highly accessible to its catchment of users.

6. Discourage activity centres from being located outside urban or settlement growth boundaries.

7. Support home-based businesses where the impact does not cause an unreasonable loss of residential amenity to the surrounding area.

8. Provide for small scale commercial or business opportunities in residential and industrial areas that meets the needs of local residents or workers, is conveniently located and, in the case of residential land, does not cause an unreasonable loss of residential amenity.

9. Support mixed use, including residential uses, in activity centres that are highly accessible and where the potential for land use conflict can be managed.

4.8 Innovation and Research

4.8.1 Application

Statewide.

4.8.2 Objective

To promote innovation and research, and the institutions and infrastructure that drives learning and prepares a skilled workforce, that will support existing and emerging opportunities and contribute to a diverse and resilient economy.

4.8.3 Strategies

1. Support the provision and expansion of logistics and digital infrastructure to promote the information and communications technologies (ICT) industry that provides opportunities to drive learning, productivity, innovation and access to online global markets.
2. Support accessible and well-connected tertiary education and training institutions that fosters innovation and career diversity while supporting the existing and emerging needs of the State's employment sectors.
3. Promote existing and emerging innovation and research opportunities, especially those that promote Tasmania's assets, facilitates diversification of our economy, makes use of our geographical location and furthers our brand values, by providing planning mechanisms that are adaptive and flexible to respond competitively to opportunities as they arise.
4. Provide for precinct planning that allows for collaborations between industry, science, research and education institutions to be co-located to facilitate and promote learning, on the job training, collaboration and shared access to resources.
5. Support opportunities for greater economic self-sufficiency, diversification and circular economies to help reduce the impacts of external forces on the State economy.

5.0 Physical Infrastructure

5.0.1 Policy Context

Tasmania has extensive physical infrastructure networks, across transport, stormwater, water and sewerage, energy and telecommunications. These networks underpin a wide range of social, environmental and economic outcomes for the State, including population growth, sanitation, job creation, productivity improvements, efficient market access and community connectivity.

Physical infrastructure assets have a long-life span and are expensive to provide and maintain. Maximising the outcomes of these assets requires long-term planning and a sound evidence base. Physical infrastructure planning must consider the many factors influencing why, where and when infrastructure is provided, for example, demographics, economics, climate, and technological change and how the infrastructure is currently or likely to be used.

Land use planning has a direct impact on infrastructure efficiency, safety and performance. It is important that use and development aligns with the function and capacity of existing infrastructure, protects key assets from encroachment by incompatible use and protects current and future infrastructure corridors.

Economies of scale are critical to infrastructure delivery. Where possible, land use planning frameworks should facilitate the consolidation of use and development in locations close to key and existing infrastructure and services where there is available capacity.

Land use planning should be flexible in responding to changes in community preferences, technology and demand affecting the type of infrastructure required and how it is used.

5.0.2 Climate change statement

The projected changes to the State's climate can affect the lifespan and viability of infrastructure networks and assets.

Older infrastructure was typically designed before climate change was accepted and understood. Greater extremes and longer periods of higher temperatures, and more violent weather events, will impact the capacity of these older systems. Combined with wear and tear over time and changes in technology, many forms of infrastructure will need to be adapted, or replaced.

Climate-resilient infrastructure refers to how well infrastructure networks and assets continue to function while under greater stress, including the ability to withstand, and recover from, natural hazards made worse by climate change. The TPPs can promote climate-resilient infrastructure by:

- minimising the need for future adaptation by considering the best available climate science to inform decision-making early in the planning process;

- identifying and mapping current and projected areas subject to hazards, such as coastal erosion and inundation, flooding and bushfire;
- strengthening the framework for identifying appropriate location of land use and development; and
- inclusion of risk mitigation measures.

The Physical Infrastructure TPP supports the provision of well-planned and well-designed infrastructure that can reduce emissions and take advantage of emerging opportunities in a low-emissions future by:

- enabling the sustainable development of existing and emerging low-emissions technologies (for example: renewable energy generation and renewable hydrogen), and ensuring development is planned for in an appropriate manner;
- protecting the efficiency and functioning of freight routes and strategic transport networks;
- Supporting integration of infrastructure providers' strategic planning into land use planning strategy and decision making;
- supporting the uptake of low and zero emissions vehicles by enabling the siting of charging and refuelling infrastructure in developments and the public domain; and
- better sharing of road space to support increased uptake of more sustainable transport modes.

5.1 Provision of Services

5.1.1 Application

Statewide.

5.1.2 Objective

To promote the efficient, effective, sustainable and safe delivery of services including reticulated water and sewerage, stormwater management, electricity, gas, telecommunications and recycling and waste management.

5.1.3 Strategies

1. Identify, allocate and protect a sufficient amount of appropriately located land to accommodate servicing infrastructure that will provide for the existing and future service needs of the community.
2. Identify whether existing infrastructure has the capacity to deliver services to accommodate growth and prioritise designating land use for the purpose of making efficient use of that available capacity.

3. Where there is no infrastructure, no available infrastructure capacity or no non-infrastructure solution, promote the most logical and effective solution to deliver services to growth areas while minimising environmental impacts.
4. Support the installation and/or upgrading of infrastructure to deliver services that meet the future long-term needs of the community and the environment, including under climate change conditions.
5. Facilitate developer contributions to service new use and development to be transparent, fair and reasonable, providing for equity between users.
6. Provide an integrated approach to the planning and engineering design of new subdivision and subsequent use and development, promoting the coordinated and efficient provision of physical infrastructure.
7. Provide for reticulated sewerage at the time of subdivision or require lots created by the subdivision are capable of adequately treating and retaining all domestic wastewater within the boundaries of each lot.
8. Provide for reticulated electricity supply at the time of subdivision or require lots created by the subdivision are capable of accommodating an alternative source of power adequate for the future use and development of the land.
9. Encourage the connection of new lots, or provide for potential future connection to, telecommunication services at the time of subdivision, where the land is in a serviceable area and there is a reasonable expectation that the future use of the lot will require telecommunications services.
10. Encourage the protection of significant existing and future water, gas, electricity, sewerage, stormwater and telecommunications infrastructure assets and waste disposal and resource recovery facilities, sites and infrastructure corridors from sensitive and incompatible use and development encroaching those assets, facilities, sites or corridors.
11. Encourage the siting, design, management and rehabilitation of waste disposal facilities to prevent or minimise contamination of groundwater and surface waters; and minimise litter, odour, dust and noise.
12. Facilitate access to a variety of recycling stations to encourage community participation in recycling and waste reduction.
13. Support the provision of contemporary telecommunications and information technology that are widely accessible and meet the needs of business, industry, public infrastructure and domestic users.
14. Where appropriate, promote service corridors that support the co-location of physical infrastructure, including roads, to service use and development.

5.2 Energy Infrastructure

5.2.1 Application

Statewide.

5.2.2 Objective

To protect electricity infrastructure, including infrastructure to support energy efficiency and renewable energy, and provide for a safe, secure and reliable energy system to meet the needs of the community, businesses and industry.

5.2.3 Strategies

1. Promote the protection of existing energy infrastructure corridors and ancillary facilities from conflicting and incompatible land use and development.
2. Plan for and facilitate energy-related use and development (including ancillary facilities) in appropriate locations.
3. Support infrastructure required for distributed energy resources including rooftop solar, battery storage and at home electric vehicle chargers.
4. Contribute to improved energy efficiency through urban design and urban settlement pattern, and support for the use of alternative transport modes.

5.3 Roads

5.3.1 Application

Statewide.

5.3.2 Objective

To plan, manage and maintain an integrated road network that supports efficiency, connectivity, travel reliability and safety.

5.3.3 Strategies

1. Identify and promote the protection of the following key road corridors from encroachment by incompatible land use and development:
    a) Burnie to Hobart transport corridor, Tasmania's premier passenger and freight corridor, facilitating the movement of high volumes of people and heavy freight between major ports, intermodal hubs, population and industrial centres;

b) Key urban passenger transport corridors; and

c) Last mile urban freight routes.

2. Identify and promote the protection of future road corridors.
3. Recognise the role of Tasmania's regional road network in providing connectivity and access between regional and rural communities, major production and processing centres and tourism destinations.
4. Support heavy vehicle access that is responsive to industry needs and appropriate to the use and function of a road.
5. Provide for new and upgraded road infrastructure on key urban and local corridors to allocate space for servicing infrastructure, public transport, walking and cycling modes.
6. Provide for land use planning frameworks and decisions to support, and be informed by, road investment programs.
7. Support the targeted expansion and improvement of the urban road network based on future use, safety, and in response to strategic urban growth corridors.
8. Provide for road networks to be protected from incompatible use and development.
9. Minimise the environmental, heritage and social impacts associated with new and upgraded transport infrastructure and services.

5.4 Passenger Transport Modes

5.4.1 Application

Statewide.

5.4.2 Objective

To support a safe, reliable, efficient and accessible passenger transport system that provides people with modal choice and is well integrated with land use.

5.4.3 Strategies

1. Support integrated land use and infrastructure and network planning that increases mode choice to access employment and essential services and encourages community participation in different modes of transport.
2. Promote medium to high density development and mixed use in proximity to high frequency passenger transport corridors.
3. Integrate land use with existing and planned passenger transport infrastructure and services.

4. Identify and promote the protection of key sites required to support the expansion of public transport services and modes.
5. Provide an active transport network within key urban areas that is integrated across State and local government networks, and which includes dedicated infrastructure, appropriate signage, and end of trip facilities.
6. Encourage public transport corridors to be supported by active transport networks and bus stops that are safe, accessible and provide for better passenger amenity.
7. Provide for subdivision design that:
    a) supports efficient and effective public transport access if located within a serviceable area;
    b) encourages walking and cycling, with the provision of appropriate and direct site-through links; and
    c) considers the subsequent, and surrounding, use and development, promoting the coordinated and efficient provision of passenger transport systems.
8. Promote the location of use and development that attracts high numbers of people within existing activity centres, in areas adjacent to major urban public transport corridors or in areas that support the logical extension of existing public transport services, unless the use and development relies on a non-urban setting.
9. Support the targeted expansion and improvement of public transport services, and supporting infrastructure, based on travel demand, including latent demand, and in support of strategic urban growth corridors.
10. Encourage land use planning frameworks that can support and adapt to changing passenger transport needs, modal options, and technologies.
11. Recognise carparking as a key travel demand management measure, and appropriately manage carparking provision to support a modal shift.
12. Provide infrastructure to support the use of electric vehicles, including a public network of high-quality electric vehicle charging stations, and the inclusion of 'electric vehicle ready' carparking as part of new residential and commercial developments.

5.5 Ports and Strategic Transport Networks

5.5.1 Application

Statewide.

5.5.2 Objective

To recognise and protect Tasmania's strategic freight system, including key freight networks, rail, airports, ports, intermodal hubs and industrial estates.

5.5.3 Strategies

1. Identify and promote the protection of existing and future freight infrastructure and industrial and distribution centres.
2. Promote use and development at, and adjacent to, the Burnie, Devonport, Launceston and Hobart ports, and the Brighton Transport Hub, that is compatible with proximity to a major port and reinforces the role of these ports as freight and logistics hubs.
3. Recognise the regional ports at Grassy, Lady Barron and Cape Barren as critical links in the freight supply chains of the Bass Strait Islands.
4. Encourage the protection of key freight corridors and assets from encroachment by incompatible land use and development.
5. Protect major airports by applying appropriate buffers that prevent the encroachment of incompatible use and development.
6. Support major airports by designating adjacent land to accommodate complementary use and development.
7. Locate industrial, freight and intermodal developments in areas with good access to existing, high-volume freight networks.
8. Support the protection of the Burnie to Hobart freight corridor as Tasmania's premier land transport network for both road and rail.
9. Encourage land use planning frameworks that can support and adapt to a changing freight system, including changes to freight volumes and demand, and emerging technologies.
10. Support major freight generating activities by designating land for purposes that protect the on-site operational efficiency.
11. Identify and safeguard locations along key freight corridors for heavy vehicle rest areas.
12. Recognise the strategic value of non-operational rail corridors.
13. Support the operational rail network by:
    a) recognising that it is an important strategic infrastructure asset for the distribution of freight; and
    b) protecting its safety, efficiency and operability by:
        i. applying appropriate measures to prevent the encroachment of incompatible use and development;
        ii. recognising that land within the defined rail corridor is for the exclusive purpose of supporting safe and efficient rail operations and activities: and
        iii. considering the compatibility of the range of allowable uses when designating surrounding land for particular purposes.

6.0 Cultural Heritage

6.0.1 Policy Context

Tasmania's cultural heritage is diverse and unique. It provides valuable insight into the lives of past generations and contributes to our identity and connection with place and helps give our communities their character and distinctiveness. It is a unique asset that needs to be recognised, protected and well managed so it maintains its appeal to locals and visitors.

The Cultural Heritage TPP addresses Aboriginal Cultural Heritage values and non-Indigenous cultural heritage values (referred to as historic cultural heritage). The land use planning response to Aboriginal Cultural Heritage and historic cultural heritage differs to reflect the different ways these values are found in the landscape, recorded and managed. It also acknowledges the distinctive relationship and understanding Aboriginal people have of their heritage and aspirations for its protection and promotion.

A core practical difference is that historic cultural heritage tends to be visible, known, accepted and valued, and easily identifiable for protection, whereas much Aboriginal Cultural Heritage is often not formally identified until rediscovered, commonly in the course of development preparation. While the significance of tangible assets tend to be recognised and valued, lesser known archaeological values, research potential and intangible values associated with cultural heritage should also be recognised, protected and managed.

Land use planning should acknowledge and respect the Tasmanian Aboriginal people as being the custodians of their living and enduring cultural heritage, seeking to improve its protection and where possible supporting ongoing Aboriginal Cultural Heritage practices and custodianship. In the past the main or only emphasis has been on identifying Aboriginal Cultural Heritage in a reactive manner at the development stage, with subsequent management in accordance with the relevant state Aboriginal heritage legislation[3]. The Cultural Heritage TPP seeks to mitigate this reactive approach by encouraging the consideration of Aboriginal Cultural Heritage values proactively and more strategically when land is being designated for particular use and development.

Tasmania also has a rich source of historic cultural heritage which is represented in certain buildings, parts of buildings, places/features, precincts and landscapes. Often the best-preserved historical suburbs and towns are the places that attract us to visit, work and live.

The historic cultural heritage component of the Cultural Heritage TPP is focused on local places and precincts of historic cultural heritage values, because places of historic cultural heritage significance to the whole of Tasmania are entered on the Tasmanian Heritage Register and are protected under the provision in the *Historic Cultural Heritage Act 1995.*

[3] Currently the *Aboriginal Heritage Act 1975*, although new legislation is expected in 2024.

The contextual landscape occupied by local historic cultural heritage values and the protection of local places and precincts is multi-layered and fundamentally connected to places of State significance entered on the Tasmanian Heritage Register, the National or a Commonwealth Heritage List or on UNESCO's World Heritage List, such as the Australian Convict Sites World Heritage Property or the Tasmania Wilderness World Heritage Area. The tiered system of heritage identification, protection and management helps to recognise each level plays a unique role in telling Tasmania's cultural heritage story.

Local historic cultural heritage places and precincts play an important role in helping to define the identity and character of local communities and regional areas. They also contribute to the economic prosperity of Tasmania and local places through tourism. This justifies supporting the protection of these values for the benefit of present and future generations.

The underlying principle of the Cultural Heritage TPP is to promote early and proactive consideration of cultural heritage values in land use planning strategies and decisions to manage and protect these values more efficiently and effectively. An approach of this nature will also reduce the risk of heritage being a risk or barrier to new development.

6.0.1 Climate Change Statement

Tasmania's cultural heritage sites are located in a range of settings across the State, including but not limited to the coastal fringe of our land mass. Like other aspects of our natural and built environments, they will be impacted by climate change.

Climate change will impact environmental processes which may affect the cultural heritage values of a site. For example, archaeological sites may be compromised because of changes in soil chemistry. Changes in the water table can affect older buildings and structures, and new pest species may threaten structures constructed with organic material.

This is in addition to the better understood threats of flooding, fire, wind events, heatwaves and other forms of extreme weather events. Increased thermal stress can accelerate the deterioration process, and increased periods under water threaten structural integrity. Some sites may be permanently lost due to sea level rise.

The management of cultural heritage sites requires consideration and response to the projected changes to Tasmania's environments. Management responses require site-specific approaches and a good understanding of the projected risks from natural hazards for a given location. Other components of the TPPs support this, particularly the Environmental Hazards TPP.

While it is premature to accurately predict what, and how, cultural heritage sites might be impacted by climate change and therefore propose specific strategies to protect them, land use planning in general has a role to play by:

- providing spatial identification of cultural sites, and projected risks from natural hazards;

- ensuring the projected impacts of climate change on cultural heritage sites and practises is considered early in the planning process; and
- supporting processes to protect significant cultural heritage sites and practises.

6.1 Aboriginal Cultural Heritage

6.1.1 Application

Statewide.

6.1.2 Objective

Support the protection and Aboriginal custodianship of Aboriginal Cultural Heritage values including places, objects and practices.

6.1.3 Strategies

1. Land use planning is to:
    a) recognise, respect and accept that Tasmanian Aboriginal people are the custodians of their cultural heritage:
    b) acknowledge that Aboriginal Cultural Heritage is living and enduring;
    c) promote the protection of Aboriginal Cultural Heritage values; and
    d) support Tasmanian Aboriginal people to identify, manage and, where appropriate, continue to use and culturally identify with, Aboriginal Cultural Heritage places.
2. Encourage the understanding and consideration of Aboriginal Cultural Heritage and support the investigation[4] of land for the presence of Aboriginal Cultural Heritage places and objects where that land is proposed to be designated for use and development that could potentially harm any Aboriginal Cultural Heritage values associated with that land.
3. Avoid designating land for incompatible land use and development where investigations identify, or it is known that there are, or are highly likely to be, Aboriginal Cultural Heritage values unless it is demonstrated that the impact on Aboriginal Cultural Heritage values can be appropriately managed.

[4] Aboriginal Heritage Tasmania provides advice on investigations and management of Aboriginal Cultural Heritage and the operation of relevant Aboriginal Heritage legislation.

6.2 Historic Cultural Heritage

6.2.1 Application

Statewide

6.2.2 Objective

To support the identification and conservation of significant local historic cultural heritage buildings, part of buildings, infrastructure (for example bridges), places/features, precincts and landscapes and promote sympathetic design solutions and responses that preserve or complement those cultural heritage values, and facilitate appropriate adaptive reuse.

6.2.3 Strategies

1. Identify land that has potential archaeological local cultural heritage value or has research potential and prior to designating it for incompatible use and development that would damage the archaeological values, establish the significance of those values and how they can be appropriately managed.
2. Identify buildings, part of buildings, places/features, infrastructure, precincts and landscapes that contain significant local historic cultural heritage values, describe the significance of those values, and promote access to this information to ensure identified values are considered early in strategic and statutory planning processes.
3. Provide for the protection, and encourage the restoration of identified buildings, part of buildings, infrastructure, places/features, precincts and landscapes that contain local historic cultural heritage significance.
4. Encourage appropriate development and adaptive reuse of buildings, part of buildings, infrastructure, places/features, precincts and landscapes of local historic cultural heritage significance by promoting innovative and complementary design responses that conserves, restore and retain cultural heritage values.
5. Support the retention of appropriate surrounding settings and site context that contributes to the significance of the local historic cultural heritage values of buildings, part of buildings, infrastructure, places/features, precincts and landscapes.
6. Encourage the initiation and implementation of local heritage surveys to proactively identify and manage historic heritage places of local historic cultural heritage significance and to clearly articulate the heritage values of places and precincts listed as having local historic cultural heritage significance.
7. Encourage the preparation and publishing of conservation policies for heritage precincts; development, in-fill, and pre-development assessment guidelines; and similar guidelines for places and precincts of local significance to foster understanding and awareness of the importance of cultural heritage, and provide greater clarity, consistency, and certainty in the management of these values.

7.0 Planning Processes

7.0.1 Policy Context

The Planning Processes TPP seeks to ensure that best practice, contemporary planning processes are adopted and applied in the planning system.

The *Land Use Planning and Approvals Act 1993* (the Act) is the primary legislation controlling most of land use planning in Tasmania. It establishes the framework for the development, assessment and implementation of various statutory instruments.

As such, the TPPs are subordinate to the provisions in the Act and cannot modify the planning processes that it specifies.

The planning system also relies on processes that either sit outside the Act, or are less explicit in the Act. For example, these processes include the preparation of local plans such as settlement strategies, structure plans and precinct plans that potentially inform RLUSs and LPSs. The Planning Processes TPP can support improved processes at this level of planning.

A fundamental element of land use planning is to understand the needs, expectations and values of the community. To obtain this information planners must engage with the community. At its best, meaningful engagement in planning allows the community to discuss issues, share experiences, expand their understanding, develop empathy with competing stakeholders and help find collaborative solutions that can be expressed through strategic and statutory planning processes.

However, not all people within the community share the same needs, expectations and values. The role of planning is to fairly and transparently evaluate these competing demands to deliver outcomes in the best interest of the broader community, balancing social, environmental and economic considerations. Strategically planning land use and development lowers the risk and likelihood of land use conflict by giving a structured process to handle disagreement, providing for the more sustainable use of land and resources

To achieve this, land use planning considers a variety of opinions and complex arguments to reach a mediated outcome. In trying to address concerns and to ensure desired outcomes are achieved, planning has been criticised for over regulation and 'red tape'. The Planning Processes TPP seeks to acknowledge the issue and responds by including strategies that seek to align the degree of regulation to the scale of the impact potentially caused by the use and development.

7.0.2 Climate change statement

Resilience is the capacity to maintain function in the face of disturbance. Land use planning is a mechanism with considerable potential to improve social, economic and environmental resilience to climate change.

The scale of the transition facing the Tasmanian community is large. The impacts of climate change will not be evenly distributed amongst the community with the vulnerable being disproportionately affected. Planning processes that are collaborative, consultative, evidence based and responsive to change are essential for navigating an unpredictable future and taking care of the more vulnerable within the community.

Land use planning also plays a significant role in mitigating and adapting to climate change. Robust planning processes are required to achieve these responses. The Planning Processes TPP promotes information provision, consultation, strategic considerations of issues and collaborations between regulatory regimes, and in doing so increases the capacity of the community to understand, respond and build resilience to climate change.

7.1 Public Engagement

7.1.1 Application

Statewide.

7.1.2 Objective

To improve and promote public engagement processes to provide for the community's needs, expectations and values to be identified and considered in land use planning.

7.1.3 Strategies

1. Facilitate the community's understanding of the planning system, land use planning issues and how they might be impacted, to encourage meaningful public engagement in land use planning.
2. Promote public engagement that is fair, inclusive, respectful and genuine, allowing people to express themselves freely and strengthening their confidence in participating in land use planning.
3. Support public engagement processes, and the outcomes generated from them, that are informative and transparent.
4. Provide supporting information that adequately explains and justifies the reasons for proposed planning policies, strategies and regulation to facilitate public engagement and understanding of planning process.
5. Acknowledge that planning outcomes, derived through public engagement processes, involves compromise and trade-offs that balance the community's social, economic and environmental interests.

7.2 Strategic Planning

7.2.1 Application

Statewide.

7.2.2 Objective

To encourage the strategic consideration of land use planning issues by promoting integrated and coordinated responses that balance competing social, economic, environmental and inter-generational interests to provide for the long-term sustainable use and development of land.

7.2.3 Strategies

1. Support the application of the precautionary principle where the implications of planning decisions on the environment, now and into the future, is not fully known or understood.
2. Promote the identification, establishment and implementation of long-term land use planning priorities, that are environmentally sound, to strengthen inter-generational equity, allowing future generations to have access to the resources they need.
3. Strengthen the use of scientific-based evidence to make informed decisions about land use planning.
4. Promote the integration and coordination of land use planning with population strategies and social and physical infrastructure planning.
5. Promote collaboration and coordination between, and within, Commonwealth, State and local government to deliver integrated, efficient and effective planning outcomes.
6. Facilitate coordinated approaches between public and private investment to achieve common planning goals.
7. Adopt and implement best practice governance structures to provide strategic and innovative leadership within communities that will effectively inform land use planning.
8. Promote the regular review of land use strategies so that they remain current, adaptive and responsive to planning issues as they arise.

7.3 Regulation

7.3.1 Application

Statewide.

7.3.2 Objective

To avoid over regulation by aligning the level of regulation to the scale of the potential impact associated with use and development.

7.3.3 Strategies

1. Allow use and development that has little or no impact to proceed without requiring planning approval.
2. Reduce planning regulation to the amount necessary to reflect, manage and be proportionate to, the level of impact that might be caused by the use and development.
3. Support the maintenance of regulatory consistency unless there is a demonstrated need that warrants a more specific or different approach.
4. Encourage mechanisms that allow for timely adjustments in planning regulation for responses to, and recovery from, situations including, but not limited to, pandemic, climate change and emergency events.
5. Facilitate the coordination and rationalisation of regulation where there is consistency between planning and other regulatory regimes.

GLOSSARY

Active transport – means physical activity undertaken as a means of transport and includes travel by foot, bicycle and other non-motorised vehicles,

Activity centre – means a place that provides a focus for retail, commercial, services, employment, and social interaction in cities and towns.

Affordable housing – means rental homes or home purchases that are affordable to low-income households, meaning that the housing costs are low enough that the household is not in housing stress or crisis.

AIDR – Australian Institute for Disaster Resilience.

Agricultural land – means all land that is in agricultural use, or has the potential for agricultural use, that has not been zoned or developed for another use or would not be unduly restricted for agricultural use by its size, shape and proximity to adjoining non-agricultural uses.

Agricultural use – means use of the land for propagating, cultivating or harvesting plants or for keeping and breeding of animal, excluding domestic animals and pets. It includes the handling, packing or storing of plant and animal produce for dispatch to processors. It includes controlled environment agriculture and plantation forestry.

Agritourism – means a tourism-related experience that connects agricultural or aquaculture products, people or places with visitors on a farm, including marine farms.

Amenity – means, in relation to a locality, place or building, any quality, condition or factor that makes or contributes to making the locality, place of building harmonious, pleasant or enjoyable.

Assisted housing – means housing provided by an organisation for higher needs tenants or residents, including those with physical or intellectual disabilities, and may include associated support services.

Brownfield site – means underutilised, vacant or derelict former industrial or commercial land typically located in an urban environment and often characterised by contamination

Circular economy – means a model of production and consumption, which involves sharing, leasing, reusing, repairing, refurbishing and recycling existing materials and products as long as possible.[5]

Coastal protection work – means structure or works aimed at protecting land, property and human life from adverse impacts caused by erosion or inundation in the coastal zone.

[5] https://www.europarl.europa.eu/news/en/headlines/economy/20151201STO05603/circular-economy-definition-importance-and-benefits

Coastal Zone - means as described in section 5 of the State Coastal Policy Validation Act 2003.

Communal residence – means use of land for a building to accommodate persons who are unrelated to one another and who share some parts of the building such as a boarding house, residential college and residential care facility.

Community – means a social group with a commonality of association and generally defined by location, shared experience, or function and with a number of things in common, such as culture, heritage, language, ethnicity, pastimes, occupation, or workplace. (AIDR 2019)

Distributed energy resources – means consumer-owned devices that, as individual units, can generate or store electricity or have the 'smarts' to actively manage energy demand. This includes small-scale embedded generation such as residential and commercial rooftop photovoltaic systems (less than 100 kilowatts [kW]), non-scheduled generation (NSG, up to 30 megawatts [MW]), distributed battery storage, virtual power plant and electric vehicles.

Electricity Infrastructure - means anything used for, or in connection with, the generation, transmission or distribution of electricity including, but not limited to –

(a) electricity generating plant; and

(b) structures and equipment to hold water, or to direct, monitor or control the flow of water, for the purposes of hydro-electric generation; and

(c) powerlines; and

(d) substations for converting, transforming or controlling electricity; and

(e) equipment for metering, monitoring or controlling electricity;

Environmental Hazard – means a natural or human-made condition or event that has the potential to expose people, property, infrastructure or the environment to danger or harm.

Geodiversity – means 'the range (or diversity) of geological (bedrock), geomorphological (landforms) and soil features, assemblages, systems and processes'.[6]

Groundwater - means any water contained in or occurring in a geological formation.

Habitat corridor – means an area of natural habitat that provides connections between larger areas of natural habitat to enable movement of flora and fauna between these areas and to maintain natural processes such as pollination, seed dispersal and genetic exchange.

Housing stress – means housing costs that are over 30% of the income of a low-income household.

Land – means as defined by the Act.

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[6] SHARPLES, C., 1995a: Geoconservation in forest management - principles and procedures; Tasforests, Vol. 7, p. 37 - 50, Forestry Tasmania, Hobart, Dec. 1995. (https://nre.tas.gov.au/Documents/geoconservation.pdf)

Liveability – means the degree to which a place is suitable or good for living in.

Low-income household – means the lowest 40% of households based on income.

Physical infrastructure – means the basic physical structures required for an economy to function and survive and includes transportation networks, water supply, sewers, stormwater, waste disposal systems, power and telecommunications.

Place-making – means a collaborative process that strengthens the connection between people and the places they share, to shape the public realm in order to promote community identity and maximise shared values and aspirations.

Potentially contaminating activities – means an activity listed in Table C14.2 [of the Tasmanian Planning Scheme] as a potentially contaminating activity that is not directly associated with and subservient to Residential [Use Class].

Precautionary principle – means where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

In the application of the precautionary principle, public and private decisions should be guided by:

i. careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment; and

ii. an assessment of the risk-weighted consequences of various options.

Resource dependent – means, in the case of a use, is one that relies on being located close to the source or supply of a particular primary produce or resource.

Resilience – means the ability of a system, community or society exposed to hazards to resist, absorb, accommodate, adapt to, transform and recover from the effect of a hazard in a timely and efficient manner, including through the preservation and restoration of its essential basic structures and function through risk management. (UNDRR 2017)

Rural residential settlement– means an area of land that is characterised by a pattern of development involving residential use on larger lots in a rural or non-urban setting.

Sense of place – means the felt or meaningful character of a place that makes it distinctive as a place[7].

Sensitive use – means a residential use or a use involving the presence of people for extended periods except in the course of their employment such as a caravan park, childcare centre, dwelling, hospital or school.

Servicing infrastructure – means a type of physical infrastructure comprising a pipeline, wire, cable, electronic communications facility, conduit pipe, tunnel, tube, manhole, antenna, mast,

[7] Malpas, J., 2018. Place and Experience: a philosophical topography, Routledge, New York

designated space for rubbish and recycling collection points, or similar infrastructure, that can be used for the provision of electricity, water, gas, telecommunications or in connection with sewerage disposal, stormwater drainage, recycling and waste management, or a similar service.

Settlement – means land developed, or designated for, the concentration of occupation by human activity in urban or rural areas and which may contain a mix of land use. While predominantly referring to land developed as cities, towns and villages, it also includes land that has been modified from its natural state to provide for a mix of land uses which are not reliant upon natural resources, such as rural residential, utility and industrial uses.

Significant risk – means exposure to a level of risk that is higher than what is considered a tolerable risk level.

Social housing – means both housing provided by the government (public housing) and non-government organisations (community housing) with below-market rent prices.

Social infrastructure - means facilities and spaces where the community can access social services. These include emergency and health-related services, education and training, social housing programs, police, courts and other justice and public safety provisions, as well as arts, culture and recreational facilities.[8]

Structure plan - means a plan of a settlement, or part of a settlement, that is proposed for growth or renewal and which describes how use, development and infrastructure will be integrated in an orderly manner.

Tolerable risk – means the lowest level of likely risk from the relevant hazard:

a) to secure the benefits of a use or development in a relevant hazard area; and

b) which can be managed through:
   i. routine regulatory measures; or
   ii. by specific hazard management measures for the intended life of each use or development.

Water-Sensitive Urban Design[9] – means the integration of urban planning with the management, protection and conservation of the urban water cycle that ensures urban water management is sensitive to the natural hydrological and ecological cycles.

[8] https://www.statedevelopment.qld.gov.au/industry/infrastructure/infrastructure-planning-and-policy/social-infrastructure

[9] Council of Australia Governments (COAG), 2004, National Water Initiative