

TASMANIAN PLANNING COMMISSION

ANNUAL REPORT 2015-16



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Tasmanian Planning Commission

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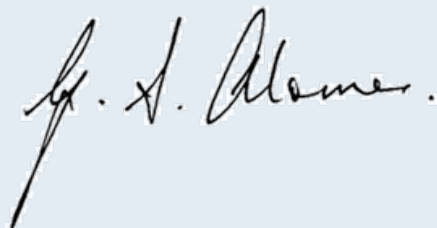
24 October 2016

The Hon Peter Gutwein MP
Minister for Planning
Level 9, 15 Murray Street
HOBART TAS 7000

Dear Minister

I have pleasure in submitting to you the Annual Report of the Tasmanian Planning Commission for the year ended 30 June 2016, in accordance with section 19 of the *Tasmanian Planning Commission Act 1997*.

Yours sincerely

A handwritten signature in black ink, appearing to read 'G. S. Alomes.', with a long, sweeping underline.

Greg Alomes
Executive Commissioner

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YEAR IN REVIEW

The Commission made solid progress in 2015/16 with the concurrent assessments of 27 interim planning schemes; draft State Planning Provisions (SPPs) under the proposed Tasmanian Planning Scheme (TPS); an increased number of planning scheme amendments and the Director of Parks' response to representations on the Tasmanian Wilderness World Heritage Area (TWWHA) Management Plan.

During 2015/16, the Minister for Planning and Local Government (the Minister) approved 128 packages of urgent amendments containing some 3,500 changes to interim planning schemes. The Commission recommended the changes following assessment of approximately 1,000 written representations made by property owners, the general public, councils and stakeholders. The majority were drafting changes to improve the operation of interim planning schemes.

Other more important changes were made in response to representations relating to property zoning and other issues that materially affected land use and development rights and opportunities. In these cases, the Commission, with the consent of the Minister, convened public hearings which enabled representors, the planning authorities and public to engage in an open, transparent and informed consideration of the issues and the public interest. The process also proved to be an efficient and timely way to address more complex and often contested planning issues.

Formal consideration of the draft SPPs and a broad range of issues raised in some 300 written representations commenced in May 2016. To enable a clear understanding of the issues and possible modifications, the Commission opted to hold public hearings. The Commission has also advised the Minister that it expects to seek an extension to the 90 day statutory assessment period to complete its report and recommended modifications to the draft provisions.

Notwithstanding this, the first stage of the transition from the interim planning scheme reform to the proposed TPS is on schedule to be completed in late 2016.

Other assessments completed in 2015/16 included a review of the Director of Parks' report on some 7,500 representations on the draft TWWHA Management Plan. The Commission also assessed 58 planning scheme amendments and 19 combined scheme amendments and planning permits.

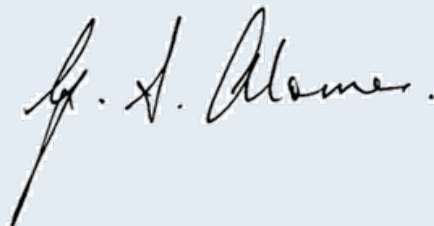
While the majority of these assessments have been completed within statutory timeframes, the Commission acknowledges that a small number of more complex scheme amendments have required time extensions to be approved by the Minister. This additional time has enabled a more comprehensive assessment process and amendments to be modified or altered to a substantial degree.

The Commission also implemented a significant organisational restructure in late 2015 in response to the transfer of planning policy functions and the development of Stage 2 of the iplan digital planning system to the Department of Justice.

The restructure involved the replacement of the Commission's Assessments Division and Strategy, Policy and Business Services Division with a flatter, team-based professional assessment, administration and digital services structure.

The Commission acknowledges and appreciates the professional and positive manner in which all staff managed the organisational change process.

Finally, I thank Commissioners, staff, councils and representors for their positive contribution and assistance over 2015/16 and look forward to maintaining this progress in 2016/17.



Greg Alomes
EXECUTIVE COMMISSIONER

COMMISSION OVERVIEW

OBJECTIVES

The Tasmanian Planning Commission (the Commission) has a statutory obligation to perform its functions and exercise its powers to further Tasmania's Resource Management and Planning System (RMPS) objectives (see Appendix 1) in a suite of RMPS legislation (see Appendix 2).

The RMPS objectives promote sustainable use and development of the State's resources and sound strategic planning. The objectives also encourage public involvement in, and shared responsibility for, resource management and planning.

An additional objective was included in legislative amendments to the *Land Use Planning and Approvals Act 1993* (LUPAA) in December 2015. The objective is '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'.

WHAT WE DO

The Commission has responsibility for a range of independent statutory assessment decision making and advisory functions under RMPS legislation.

The core function is to assess draft planning schemes and draft planning scheme amendments under LUPAA.

Legislative amendments introduced in 2010 to reform Tasmania's planning system added the assessment of interim planning schemes and planning directives.

Further legislative reforms introduced in December 2015 added assessment of draft State Planning Provisions and draft Local Provision Schedules under the Tasmanian Planning Scheme.

Other statutory functions prescribed in RMPS legislation are listed in Appendix 2.

WHO WE ARE

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

The Commission has a full-time Chair/Executive Commissioner and seven part-time Commissioners, each appointed under section 5 of the TPC Act for their particular skills, knowledge and expertise.

As at 30 June 2016, the Commission members included:

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

Commissioners Stretton and Gregg were appointed in 2015/16 following the resignations of Sandra Hogue and Brett Torossi due to work commitments. In 2015/16, Eleanor Bray and Shane Gregory were appointed as Deputy Commissioners for positions held by Commissioners Brewster and Evans respectively.

MINISTERIAL RESPONSIBILITY

The Minister for Planning and Local Government (the Minister) has responsibility for the administration of LUPAA, the TPC Act, Part 2 of the *Public Land (Administration and Forests) Act 1991* and Part 4 and section 46 of the *State Policies and Projects Act 1993*.

The Minister provides the Commission with a Ministerial Statement of Expectation every 2 years and may issue directions to the Commission. The Statement specifies the objectives of the Minister in respect of any matter relating to the functions of the Commission.

A new Statement was issued in January 2016. A copy is available on the Commission's website. With the agreement of the Minister, the Commission and the Department of Justice are preparing draft modifications to address specific matters raised by the Commission. The changes are to clarify roles and relationships with the Department in relation to planning policy and reform responsibilities.

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

The Minister for Environment, Parks and Heritage has responsibility for the administration of the *National Parks and Reserves Management Act 2002*, the *Water Management Act 1999* and the *Wellington Park Act 1993*. This includes referral of limited review tasks to the Commission in relation to draft management plans.

STAFFING STRUCTURE

The Commission is supported by a small team of professional and administrative staff employed by the Department of Justice (the Department).

In July 2015, the Commission's staff structure comprised an Assessments Division and a Strategy, Policy and Business Services Division.

In late 2015, the Commission implemented a significant organisational restructure in response to the transfer of planning policy functions and the

development of Stage 2 of the iplan digital planning system to the Department of Justice.

The restructure replaced the Assessments Division with a flatter team-based professional assessment, administration and digital services structure. The Strategy, Policy and Business Services Division was disbanded.

The Department transferred two senior planning staff from the Assessments Division and one of the eleven policy/project officers plus an administrative officer from the Strategy, Policy and Business Services Division to a newly created Planning Policy Unit. Responsibility for development of iplan Stage 2 transferred to the Director of Building Control.

The Commission has reassigned some policy/project staff to a digital planning services team and offered others opportunities to be retrained as assessment planners. Regretfully, two staff had to be listed as surplus to requirements and continued to be funded by the Commission until 30 June 2016.

The Commission acknowledges and appreciates the professional and positive manner in which all staff managed the organisational change process and their proficiency in managing the challenges and pressures of an unprecedented workload during 2015/16.

The Commission also acknowledges the significant achievements of the Strategy, Policy and Business Services Director and staff, particularly their innovative work with planning authorities and Government Agencies to develop and implement planning schemes online, the iplan website, integrated digital planning systems, regional land use strategies and local structure plans.

FINANCIAL RESOURCES

The Commission was able to manage within its budget allocation of \$4.1m in 2015/16.

The Government has allocated the Commission an additional \$200,000 in the 2016/17 State Budget.

PERFORMANCE

The TPC Act, RMPS legislation, the Ministerial Statement of Expectation and the Commission's Business Plan set out the Commission's principal performance obligations.

This Annual Report documents the Commission's activities against its five corporate goals.

- Goal 1 Develop and maintain an integrated strategic and statutory planning framework**
- Goal 2 Implement strategic planning projects**
- Goal 3 Effectively undertake assessment, review and determination functions**
- Goal 4 Facilitate key spatial data to inform evidence based decision making and policy development**
- Goal 5 Establish and maintain effective corporate and communication arrangements**

This will be the last Annual Report that refers to these goals as the Commission will prepare a new Business Plan to reflect its changed functions.

REPORT ON PERFORMANCE

OUR GOALS

Goal 1 Develop and maintain an integrated strategic and statutory planning framework

REGIONAL LAND USE STRATEGIES AND LOCAL STRUCTURE PLANS

Under LUPAA, planning scheme amendments must be consistent with the relevant regional land use strategy in the northern, north-western and southern regions. This statutory requirement provides the fundamental link between strategic land use planning and the statutory planning system.

During 2015/16, the Commission ensured all planning scheme amendments, including urgent amendments arising from representations on interim planning schemes, were consistent with the relevant regional land use strategy.

In many cases, modifications have been made to scheme amendments to ensure alignment with a regional land use strategy.

The Commission with the consent of the Minister also initiated a modification to the urban growth boundary map in the Northern Tasmania Regional Land Use Strategy as part of an assessment and hearing process for a draft scheme amendment for Hadspen.

In recent years, the Commission continued to encourage planning authorities to prepare local structure plans to provide more detailed land use policies and maps for key growth areas.

In 2015/16, local structure plans were prepared for areas such as Hadspen, and Hillwood. These plans have proven to be valuable information sources for the assessment of scheme amendments in these areas. This level of planning also enables effective integration of land use planning with transport and infrastructure planning, particularly water supply and sewerage infrastructure.

In December 2015, LUPAA was amended to recognise the role of local structure plans as an integral element of the strategic land use and statutory planning framework.

DIGITAL PLANNING SYSTEMS

A Commission priority has been to continue to develop digital planning systems in partnership with planning authorities, State Agencies and key stakeholders with related regulatory responsibilities.

During 2015/16, particular emphasis was placed on the processing of planning scheme amendments. This was supported through further development of archiving and version management systems for both text content and mapping.

Replacing paper-based systems with digital systems is integral to the efficient operation of Tasmania's strategic and statutory planning framework.

Goal 2 Implement strategic planning projects

IPLAN PROJECT

The iplan project is bringing statewide planning, development information and services together at www.iplan.tas.gov.au, transforming the way Tasmanians access planning information. The project is a partnership between the Commission, local government and State authorities.

The first stage has been to publish on the iplan website those interim planning schemes in the southern and cradle coast regions as well as the Launceston Interim Planning Scheme, using an electronic content management system.

The content management system is hosted by the Commission. Mapping for interim planning schemes has been published through the Land Information System Tasmania (LIST) and the iplan website.

The iplan website has also provided the opportunity for submissions to be made online during the public exhibition of some interim planning schemes.

The iplan enquiry service provides zoning and overlay information in response to property enquiries and is available statewide for all interim planning schemes. A more comprehensive enquiry service has also been developed to enable users to identify the zoning and planning provisions that apply for any type of development. This service is currently being trialed by

the Launceston and Hobart City Councils in readiness for statewide implementation for the Tasmanian Planning Scheme.

The statutory assessments management database implemented in 2014/15 has been successfully implemented. It provides access to information and documents relating to current Commission assessments and public hearings. An important feature is the integration between the assessments database with planning schemes. This better communicates document version information and scheme history.

The Commission updates interim planning schemes in iplan to accommodate changes resulting from scheme amendments. Providing access to planning scheme archives and document version history is also an important statutory requirement of the iplan project.

In late 2015, the Department assumed responsibility for developing Stage 2 of the iplan system which will include digital processing of development, building and other regulatory applications.

The Commission will continue to manage the iplan website and has committed to upload the Tasmanian Planning Scheme to the website.

CONTRIBUTION TO STATE GOVERNMENT INITIATIVES

The Commission contributed to State Government strategic planning, economic and infrastructure planning by providing written advice and participating in various committees and reference groups.

Goal 3 Effectively undertake assessment, review and determination functions

INTERIM PLANNING SCHEMES

At 30 June 2016, 28 planning authorities were operating with new interim planning schemes prepared in accordance with the Planning Scheme Template for Tasmania (Planning Directive No.1) and LUPAA.

All but two former planning schemes - Flinders and Sullivans Cove – have been replaced by interim planning schemes.

Apart from the Launceston Interim Planning Scheme which took effect in 2012, the remaining interim planning schemes were submitted, reviewed for compliance with LUPAA and declared by the Minister between mid-2013 to early 2016.

By 30 June 2016, all interim planning schemes had been publicly exhibited for representations and 27 planning authorities had submitted reports on representations to the Commission for consideration.

In 2015/16, the Minister, on the recommendation of the Commission, approved 128 urgent amendments comprising 3,508 changes to interim planning schemes. It is expected that a similar number of urgent amendments will be processed in 2016/17.

The following table shows the recent growth in the number of urgent amendments.

Table 1a. Urgent amendments to interim planning schemes

Draft planning scheme amendments	2012/13	2013/14	2014/15	2015/16
Total amendments assessed by the Commission under section 30IA of LUPAA	NA	NA	23	128
Number of changes implemented to interim planning schemes				3,508

The majority of changes introduced by urgent amendments have been to correct errors, anomalies and improve the operation of interim planning schemes.

A smaller number of nonetheless important changes related to the accuracy of zone translations from former planning schemes to interim planning schemes. Representations submitted from some property owners and members of the community identified that particular zone translations materially affected land use and development rights and opportunities. In these cases, the Commission with the consent of the Minister convened public hearings to enable the representors to engage directly in the assessment process.

The Commission has identified a number of cases where there has not been a like-for-like zone translation and recommended to the Minister that the translation issue to be rectified by an urgent amendment.

In cases where there has been insufficient information and evidence to demonstrate a zone translation error or a property rezoning proposal, the Commission has advised representors and planning authorities to consider use of the scheme amendment process under LUPAA.

The Commission continues to receive and consider new issues with interim planning schemes as and when identified by planning authorities or property owners.

The Commission has advised the Minister that it expects to complete the implementation of amendments to all interim planning schemes in late 2016 or early 2017.

The Commission acknowledges the cooperation and assistance provided by planning authorities, council planning staff and representors with the interim planning scheme process.

DRAFT STATE PLANNING PROVISIONS

Amendments to LUPAA introduced on 17 December 2015 provide the framework for introduction and implementation of the Tasmanian Planning Scheme (TPS).

The TPS comprises State Planning Provisions (SPPs) which set out provisions to be applied consistently across the State including Administration, General Provisions, Zones, Codes, use and development standards and Local Provision Schedule Requirements. The TPS also comprises Local Provision Schedules containing zoning maps, overlays, particular purpose zones, specific area plans and site specific qualifications for each of the 29 municipal areas in the State.

The Minister referred draft State Planning Provisions (SPPs) to the Commission in March 2016. The Commission publicly exhibited and invited written representations on the draft SPPs for 60 days during March, April and May 2016.

Approximately 300 written representations have been received identifying a broad range of issues. The Commission resolved to hold public hearings to address the issues in two stages.

PLANNING SCHEME AMENDMENTS

During 2015/16, the Commission assessed 58 applications to amend planning schemes, and 19 combined scheme amendment and development permit applications. These applications were in addition to urgent amendments implemented through the interim planning scheme assessment process.

Under LUPAA, the Commission has a statutory period of 90 days to assess and determine draft amendments or combined amendments and permits, including hearings if required. The Commission may also request extensions of time from the Minister.

In 2015/16, 42 of the scheme amendments were processed in less than 90 days and 16 required Ministerial extensions. The median number of days taken for assessments was 74 days, however the Commission acknowledges that a small number of more complex draft amendments, especially those contested by representors, required an extended period of time to finalise. In most of these instances, draft amendments were either modified or altered to a substantial degree.

Table 1b shows the total number of planning scheme amendments assessed over the past five years.

Table 1b. Draft planning scheme amendment statistics for 2015/16

Draft planning scheme amendments	2012/13	2013/14	2014/15	2015/16
Scheme amendments approved as certified	20	14	21	41
Scheme amendments approved with modifications	16	10	24	15
Scheme amendments altered to a substantial degree	0	2	4	1
Scheme amendments rejected	15	8	5	1
Percentage requiring modification or alteration to a substantial degree	31%	35%	51%	28%
Percentage assessed approved as certified	40%	41%	39%	71%
Percentage rejected	29%	24%	9%	2%
Total amendments assessed by the Commission under section 40 of LUPAA	51	34	54	58

Draft planning scheme amendments	2012/13	2013/14	2014/15	2015/16
Time taken for assessment of applications (median number of days)	101	91	94	74

Table 1c shows the total number of combined planning scheme amendments and permits assessed over the past five years.

Table 1c. Permits (Combined Permit & Amendment Process s.43 of LUPAA)

Draft planning scheme permits	2012/13	2013/14	2014/15	2015/16
Permit applications approved	3	3	3	3
Permit applications approved with modifications	10	8	14	15
Permit applications refused	7	1	2	1
Total permits finalised by the Commission	20	12	19	19
Percentage assessed confirmed	15%	25%	15%	16%
Percentage assessed and grated but rejected by council	0%	0%	0%	0%
Percentage requiring modification	50%	67%	70%	79%
Percentage refused	35%	8%	10%	5%

PLANNING DIRECTIVES

During 2015/16, the Commission completed assessments of draft Planning Directives on Statewide Codes including the Potentially Contaminated Land Code and the Road and Railway Assets Code. The Minister has made some modifications to both Codes and incorporated them in the draft SPPs under the proposed Tasmanian Planning Scheme.

In 2015/16, the Commission also recommended to the Minister that a revised Bushfire-Prone Areas Code be issued as an Interim Planning Directive to replace Planning Directive No.5 – Bushfire-Prone Areas Code 2013 (2013 Code). This action was taken after consideration of the findings of a review of the 2013 Code by the Director of Building Control and the Tasmania Fire Service.

The review found that many of the planning provisions in the 2013 Code could be more appropriately incorporated in the Building Regulations thereby

reducing regulatory duplication between the planning and building application processes for development in bushfire-prone areas.

The Interim Planning Directive (IPD No.1) was approved by the Minister and took effect in all interim planning schemes on 23 February 2016. The revised Code applies to subdivisions and to vulnerable and hazard uses, rather than to individual developments. Amendments to the Building Regulations introduced on 18 March 2016 updated protection standards for habitable buildings formerly in the 2013 Code.

IPD No.1 was publicly exhibited for representations in conjunction with the draft State Planning Provisions, which also includes an adapted version of IPD No.1.

REVIEWS OF REPORTS ON DRAFT MANAGEMENT PLANS

The Commission has limited responsibilities to review aspects of draft management plans prepared under the *National Parks and Reserves Management Act 2002 (NPRM Act)* and the *Water Management Act 1999*.

In April 2016, the Minister for Environment, Parks and Heritage referred 7,545 representations and the report of the Director of National Parks and Wildlife (Director), regarding the Draft Tasmanian Wilderness World Heritage Area Management Plan 2014, to the Commission for review under Part 3 of the NPRM Act.

The Tasmanian Wilderness World Heritage Area, declared as a World Heritage Area under the Australian Government *Environment Protection and Biodiversity Conservation Act 1999*, comprises of a variety of land tenures though primarily consists of reserve classifications under the *State Nature Conservation Act 2002*.

The Commission's review functions are narrow in scope and limited to consideration of the Director's report in response to issues raised in representations. The Commission does not have powers to approve, amend or refuse a draft management plan.

The Commission's first task was to decide whether or not to hold a hearing to assist in the review process. The Commission considered that there was adequate information available and decided at its meeting of 6 June 2016 to not hold a hearing.

The Commission finalised its report in June 2016 prior to forwarding it to the Minister.

During 2015/16 there were no other directions from Ministers regarding draft management plans under either the NPRM Act or the *Water Management Act 1999*.

OTHER ASSESSMENTS

There were no assessments of draft State Policies, projects of State or regional significance and there were no references to the Commission in relation to the future use of public land during 2015/16.

STATE OF THE ENVIRONMENT REPORTING

The Commission is responsible for the preparation of the Tasmanian State of the Environment (SoE) Report, pursuant to section 29 of the *State Policies and Projects Act 1993*.

The 2009 SoE Report concluded that the extent and quality of data available was not to a quality or sufficiently up-to-date to meet the statutory requirements for SoE reporting. In 2012, the Commission initiated a review of the SoE reporting process which identified significant concerns about the costs and benefits of the current approach.

The outcomes of the SoE review will be considered as part of the Government's planning reform program.

Goal 4 Facilitate key spatial data to inform evidence based decision making and policy development

SPATIAL DATA INFORMING EVIDENCE BASED DECISION MAKING

Digital geographic information system (GIS) mapping for declared interim schemes is published online through the Land Information System Tasmania (LIST) and iplan. Mapping has been completed for all councils with the exception of Flinders Council.

The Commission updates the digital schemes on a daily basis, to accommodate changes resulting from scheme amendments and ongoing upgrades to the state-wide cadastre.

The Commission also participates on various Government spatial information and data committees.

Goal 5 Establish and maintain effective corporate and communication arrangements

SUPPORTING THE MINISTER

The Commission provides regular advice to the Minister in relation to the Commission's activities and relevant statutory and strategic planning responsibilities and obligations.

During 2015/16 this was accomplished through Minutes and Briefing Notes.

The Commission also provided support to the Minister by responding to specific requests for draft correspondence, Question Time Briefs and Budget Estimates Briefs.

ADVICE TO AGENCIES AND STAKEHOLDERS

In 2015/16, the Commission continued to liaise with planning authorities (councils) and regional council organisations to progress initiatives under the planning reform agenda.

Commission officers also provided advice to, and participated in, a number of cross State Government agency initiatives.

Senior staff also attended workshops and seminars relating to Commission processes and land use planning matters.

SUPPORT TO COMMISSIONERS, DELEGATED PANELS AND ADVISORY COMMITTEES

The Commission provided administrative and planning support to Commissioners, delegated panels and advisory committees during 2015/16.

MONITOR AND REVIEW INTERNAL SYSTEMS AND PROCEDURES FOR STATUTORY PROCESSES

Statutory assessment processes are regularly monitored and reviewed by the Commission. The Commission has progressively transitioned its statutory assessment processes from paper based systems to a digital system.

In 2015/16, the Commission has kept its assessments administrative processes under continuous review to ensure they respond to legislative changes.

RE-PROFILING AND DEVELOPING THE COMMISSION'S SKILL-BASE

A significant priority has been to re-profile and develop the skill base of staff to better manage the Commission's increasing assessment and review workload, especially related to planning reform assessments.

Following the organisational restructure in late 2015, the Commission made a commitment to staff training and development to support the new structure and improve performance.

Professional development programs have been prepared and implemented for all staff.

In addition, policy/project staff formerly in the Strategy, Policy and Business Services Division, have been offered opportunities to be trained in assessment and related skills to better fit re-profiled positions within the Commission.

The Commission will continue to strengthen its skill base in 2016/17.

APPENDIX 1: RESOURCE MANAGEMENT AND PLANNING SYSTEM OBJECTIVES

The RMPS objectives are:

- to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity;
- to provide for the fair, orderly and sustainable use and development of air, land and water;
- to encourage public involvement in resource management and planning;
- to facilitate economic development in accordance with the objectives set out in the above paragraphs; and
- to promote the sharing of responsibility for resource management and planning between the different spheres of government, the community and industry in the State.

Each of the Acts listed in Appendix 2 include a schedule containing the RMPS objectives. There is a general requirement that undertaking the powers and functions of these Acts will promote the objectives.

Supporting the overarching RMPS objectives are additional objectives, which are specific to the land use planning process. These include:

- to require sound strategic planning and co-ordinated action by State and local government;
- to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land;
- to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land;
- to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels;

- to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals;
- to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation;
- to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;
- to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and
- to provide a planning framework which fully considers land capability.

APPENDIX 2: LEGISLATIVE FRAMEWORK

The Commission operates as an independent statutory body under the *Tasmanian Planning Commission Act 1997*.

Table 2 summarises the various legislative provisions under which the Commission operates.

Table 2. Legislative Framework

Legislative Instrument	Commission Functions
<i>Land Use Planning and Approvals Act 1993 (LUPAA)</i>	<p>Assessing:</p> <ul style="list-style-type: none"> interim planning schemes and dispensations projects of regional significance draft planning directives <p>Approving:</p> <ul style="list-style-type: none"> planning schemes and planning scheme amendments <p>Advising:</p> <ul style="list-style-type: none"> the Minister in relation to land use planning local government in relation to planning schemes <p>Planning:</p> <ul style="list-style-type: none"> for the coordinated provision of transport, and infrastructure, for land development
<i>National Parks and Reserves Management Act 2002</i>	Reviewing representations, and the report of the Director of National Parks and Wildlife, relating to draft reserve management plans.
<i>Public Land (Administration and Forests) Act 1991</i>	Inquiring into public land use.
<i>State Policies and Projects Act 1993</i>	<p>Assessing:</p> <ul style="list-style-type: none"> projects of State significance draft State Policies <p>Preparing:</p> <ul style="list-style-type: none"> the Tasmanian State of the Environment report

Legislative Instrument	Commission Functions
<i>Tasmanian Planning Commission Act 1997</i>	Establishes the constitution, functions and powers of the Commission and Commissioners.
<i>Water Management Act 1999</i>	Reviewing representations, and the report of the Secretary of the Department of Primary Industries, Parks, Water and the Environment, relating to draft water management plans.
<i>Wellington Park Act 1993</i>	Reviewing representations, and the report of the Wellington Park Management Trust, relating to draft management plans.

The Commission also has designated roles and functions under the following Acts:

- *Aboriginal Lands Act 1995*
- *Conveyancing and Law of Property Act 1884*
- *Environmental Management and Pollution Control Act 1994*
- *Forestry Act 1920*
- *Local Government (Building and Miscellaneous Provisions) Act 1993*
- *Major Infrastructure Development Approvals Act 1999*
- *Marine Farming Planning Act 1995*
- *Survey Co-ordination Act 1944*



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