

## Draft Tasmanian Planning Policies (TPP's)

Simon Roberts  
91 Lords Rd, Pelverata. 7150

[Simonrobert2@gmail.com](mailto:Simonrobert2@gmail.com)

Thank you for the opportunity to comment on the draft Tasmanian Planning Policies (TPP'S). Below are my comments and suggestions for changes that may improve the planning process.

Regards,

Simon Roberts

### Interpretation of terms.

#### Environmental

The TPP's contain a very high number of references to environmental or the environment. The interpretation of these terms is of course dependant on their context and the underlying intent of the section or phase. Examples of the use of these terms are:

- environmental, social and economic interests (pp2)
- environmental values (pp2)
- environmental hazards (pp2)
- environmental, social and economic characteristics (pp4)
- environmental, social and economic forces (pp8)
- environmentally responsible way (pp8)
- social and environmental functioning of settlements (pp10)
- environmental amenity (pp13)
- environmental weeds and disease (pp21)
- environmental values of surface and groundwater (pp23)
- environmental benefits (pp25)
- environmental quality (pp26)
- environmental and economic viability (pp32)
- environmental impacts (pp38)
- environmental, cultural heritage and land-use (pp40)
- environmental and economic outcomes (pp45)
- environmental resilience (pp56)
- environmentally sound (pp58)
- environmental degradation (pp62)

Only one of these uses "environmental hazards" is defined in the glossary and although the "environmental values" form a distinct TPP the components that this term encompasses are not clearly defined other than as five broad categories (Biodiversity; Wetlands, waterways and estuaries; Geodiversity; Landscape values; and Coasts).

There is a significant difference in the interpretation of the term "environmental" in relation to its use to describe the characteristics of the surrounding environment (the physical form and structure

of a place as perceived by a person or community) and the ecological or landscape function of a place, area, or landscape. Some examples of possible dual interpretation would be:

1.5.3 (5 e)

*Encourage higher density housing in suitable locations that:  
e) do not significantly impact environmental values and are not constrained by topography and environmental hazards.;*

1.6.3 (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.;*and

1.6.3 (7a)

*Promote subdivision design that provides a functional lot layout that:  
a) is responsive to topography, site constraints and environmental values and hazards.*

Does the term “environmental values” in these clauses relate to the perception of the inhabitants and users of these areas (ie light, open space, visual or social amenity) or to ecological impacts?

At a minimum the definition of “environmental values” should be included in the glossary and the use of the term “environmental” with other conditioning words or phrases should be reviewed to provide a more defined application of the term.

[Settlement/ existing settlement/ proposed, allocated or identified for future settlement growth/ rural residential settlements](#)

The term “settlement” is particularly problematic as it is defined in the glossary as:

*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.*

The term can be interpreted in many different ways that fit within this description. In geography settlement is described as:

*a place where people live. A settlement may be as small as a single house in a remote area or as a large as a mega city*

The Cambridge dictionary defines it as:

*a new place where few people have lived before, or the place where people have come to live*

Section 1.0.1 (Settlement Policy context) uses the term “settlements” in a way that presumes these places are distinctly definable areas. The TPP’s other than referring to cities, towns and villages (which are not defined) does not give any indication what size or density of permanent occupation is required to distinguish these areas from the general rural or diffuse residential use of land. Several of the sections within the Settlement TPP refer to their application to “existing settlements” and land

that “is proposed, allocated or identified for future settlement growth” but again there is no explanation as to how to separate these areas from other forms of residential use.

The application sections within the TPP refer to the exclusion or inclusion of “rural residential settlements” but again do not define this term. If the TPP refers to rural zonings that have a permitted (rather than discretionary) residential use this could mean any area containing Low Density Residential, Rural Living or Environmental Living zones.

Some indication of the distinction between different settlement types may be found in section 1.4 titled Settlement Types and in 1.4.3 (4) which pertains to all “existing settlements” including “rural residential”. This clause refers to “rural towns and villages” a term that does not occur in the preceding sections and so may infer that a town or village in a rural setting would be precluded from the application of Sections 1.1, 1.2 and 1.3.

Given that the application of the Settlement TPP sections rely on the distinction between “existing settlements” and land that “is proposed, allocated or identified for future settlement growth” from other areas and in particular “rural residential settlements” these terms need clarification.

## Environmental Values TPP

### 2.0.1 Policy Context

This section gives a broad outline of the natural environment (including scenic and aesthetic values) and some of the services it provides. Importantly it recognises the importance of the nature in providing goods and services that support our economy and wellbeing. Disappointingly it only obliquely recognises the intrinsic value of the natural world per se and fails to identify the important ecological services that nature provides both in terms of sustaining the biosphere and in ameliorating the deleterious impacts of human development on ecological function.

There is a recognition that protection of environmental values also supports important sectors of the economy but fails to identify the role of the planning schemes in ‘protecting and enhancing” these values as some of the State Policies require. Similarly, this section downplays the role of planning in protecting environmental values by referring to other legislative mechanisms rather than identifying mechanisms within the planning process that can avoid, reduce or ameliorate impacts on natural values and ecological processes. There is some recognition of “broad scale, cumulative effects” but these are not defined and remain enigmatic even when considering the TPP as a whole.

The TPP divides environmental values into five categories (Biodiversity; Wetlands, Waterways and estuaries; Geodiversity; Landscape values; and Coasts) and there is often some question about the relationships between these sections.

There should be an additional section added relating to “Ecosystem services” and this should have strategies that recognise, protect or enhance these services and in particular:

#### Ecosystem supporting services

- provision of habitat, nutrient cycling, soil formation and retention, water cycling; and

#### Ecosystem regulating services

- Invasive species resistance, pollination, climate regulation, disease regulation, natural hazard protection, water purification, seed dispersal, pest regulation and erosion regulation.

## 2.1 Biodiversity

The protection of biodiversity is a fundamental component of sustainable development. Protection of ‘high biodiversity values’ is a principal consideration in planning requiring avoidance, minimisation, or offsetting of impacts. The planning scheme must as far as possible align with the current understanding of threatening processes and require use and development to be curtailed or modified in order to adequately protect these values. The TPP’s must consider the relative impact of use and development against the potential loss or reduction in biodiversity particularly if a species or community is likely to become extinct. It should also consider the resilience and threats from other stressors on biodiversity such as diseases, natural disasters and climate change.

There is also only one strategy that uses the word “enhance” (2.1.3 (8)) and that is only in relation to areas that will “maximise opportunities for carbon storage”. In the current UN Decade of Ecosystem Restoration it is telling that none of strategies promotes the restoration or improvement of biodiversity values as a quid pro quo for development.

### 2.1.3 Strategies

In general this section is supported. However, it has several limits on many of the strategies by only “promoting” avoidance of impacts or “supporting” development that minimises or avoids impacts.

It is unclear what the intent of 2.1.3 (2) is by specifically referring to land clearing. Any use or development that is likely to impact high biodiversity values should only be allowed if there is clearly no alternative, there is a significant social benefit, and any mitigation or offset measures will lead to a net gain in impacted species or communities.

Remove 2.1.3(2) and replace it with:

*2. Avoid designating land for purposes that may lead to substantial land disturbance in areas identified as having high biodiversity values.*

In 2.1.3 (5) replace “Promote” with “Ensure” and “minimised, or offset” with “minimised, and offset with measures that will provide a net gain in the resilience and viability of the impacted biodiversity values.”

Replace 2.1.3 (8) with:

*8. Protect and enhance areas that provide significant carbon storage, biodiversity or ecological services with consideration of appropriate buffer areas.*

In 2.1.3 (12) remove “in coastal zones.” There are many ecosystems that are adapting to new climate conditions (particularly increased temperature) by moving further south or upwards in elevation that are not restricted to the coastal zone.

## 2.2 Waterways, Wetlands and Estuaries

Most of the strategies in this section are supported but a number could be strengthened or broadened to provide a more robust set of protections of aquatic diversity, riparian vegetation, hydrological and landscape function.

### 2.2.3 Strategies

In 2.2.3 (2) replace “and would” with “or would”. This would preclude the establishment of developments that have the potential to cause pollution but have a small footprint unless they can meet the other criteria.

In 2.2.3 (3) replace “Encourage” with “Ensure”

In 2.2.3 (6) replace “Promote” with “Ensure”.

Insert an additional strategy that states:

*xx. 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

### 2.3.2 Objective

Strongly support the principles in this section but it needs more emphasis on the role of ecological communities in the natural formation of geological features, particularly soil formation and carbon storage.

Broaden the objective by including natural geomorphic processes and vegetation communities that lead to long term carbon storage.

Modify the objective to (changes shown as strikethrough remove, additions shown in bold):

*To protect and conserve land containing high conservation value geodiversity ~~and to promote~~ **including** natural geological, geomorphological and soil processes that support broader, and more balanced, ecological functions. ~~Support the p~~~~Protection~~ **of ecological communities that provide a significant role in long term storage of carbon** ~~geological features, such as peat or saltmarshes.~~ ~~, that provide opportunities for carbon storage.~~*

### 2.3.3 Strategies

In 2.3.3 (1) replace “discourage” with “avoid”

In 2.3.3 (3) add "and promote" after “Encourage”

Modify 2.3.3 (5) to (changes shown as strikethrough remove, additions shown in bold):

*~~Support~~ Ensure the protection of geological features and ecological communities, such as peat **or saltmarsh**, that provide ~~opportunities for~~ **a long-term carbon storage function**.*

## 2.4 Landscape Values

### 2.4.2 Objective

Broaden the objective to reflect the features referred to in the strategies.

The objective should be broadened to include cultural, ecological, geological and aesthetic” landscapes and a definition of “Landscape values” should be added to the glossary.

***Landscape values** - areas of land that contain cultural, ecological, geological or aesthetic features that contribute to the the scenic value, character, liveability and identity of place.*

Modify 2.4.2 to (changes shown as strikethrough remove, additions shown in bold):

*To protect and enhance significant **cultural, ecological, geological and aesthetic** landscapes that contribute to the scenic value, character, **liveability** and identity of ~~a~~ place.*

### 2.4.3 Strategies

Assuming a definition of “Landscape values” has been inserted replace the term “significant landscapes” with “significant landscape values” in 2.4.3 (2) & (3) and the term “significant landscape” with “significant landscape values” in 2.4.3 (3) & (4).

In 2.4.3 (2) replace the term “scenic values” with “values”

## 3.0 Environmental Hazards

### 3.0.1 Policy Context

Although referred to in passing in the opening paragraph the threat to the natural environment from environmental hazards is significant (i.e. enhanced risk of bushfire, flood, landslip). Landscape planning has a role in mitigating threat by restricting use and development that may add to the risk of these processes impacting the natural environment. The planning scheme also has a role in “rolling back” inappropriate use or development as land use changes, through the application discretionary permits (and associated conditions), and as planning schemes are revised and updated.

It would be desirable to strengthen the wording in this section to recognise the role of land use planning through appropriate planning control in reducing the risk of environmental hazards on impacts to the natural environment as well as people, infrastructure, and the economy.

### 3.1 Bushfire

#### 3.1.2 Objective

Whilst clearly the planning system should consider human safety as a priority and also seek to protect property and infrastructure, it also has a role in protecting significant environmental values that may be impacted by use and development that adds to the risk of bushfire or degrades these values through bushfire mitigation (i.e. dwelling bushfire protection areas or hazard reduction burns). Providing a balance between desired use and development and ecological protection can be complex but is also an integral part of the planning system. Some recognition should be added to the objective to clarify this role.

#### 3.1.3 Strategies

As for the objective above the strategies should recognise the protection of environmental values through appropriate planning processes. Potentially an additional strategy should be inserted such as:

*XX Ensure the impacts of planning decisions requiring bushfire mitigation (including emergency backburns) will not result in an unacceptable risk to environmental values.*

And/or:

*XY 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.*

### 3.2 Landslip

This section is restricted to landslip but should also include tunnel erosion as this is also a significant environmental hazard that has a high risk of adverse impacts on infrastructure and environmental values as well as contributing to the risk of landslip.

### 3.2.2 Objective

As for bushfire the risk of landslip and tunnel erosion are likely to have significant impacts on environmental values, and in particular water quality. The objective should be revised to include the protection of environmental values from this risk.

Replace the “and” with a comma and insert “and environmental values” after “infrastructure”.

### 3.2.3 Strategies

As for the objective above the inclusion of the protection of high environmental values should be considered in the strategies.

Replace “a tolerable level of risk can be achieved or maintained” in 3.2.3 (2) and “level of tolerable risk from landslip” in 3.2.3 (3) with “the risk of harm to people, property and environmental values associated with landslip is tolerable or can be maintained”

In 3.2.3 (4) replace “people and property” with “people, property and environmental values”

In 3.2.3 (5) replace “human life and property” with “people, property and environmental values”

## 3.3 Flooding

Strongly support the principles in this section and in particular strategies 3.3.3 (7a) & (8).

## 3.5 Contaminated Air and Land

Expand this heading to include water.

### 3.5.2 Objective

Although historically associated with industrial or agricultural land use significant amounts of contamination of air, land and water is now recognised as potentially being associated with residential use. The mobile contaminants associated with urban residential use are thought to have as high or greater impact on receiving waters as a similar area of industrial use.

There is now considerable evidence that very low levels of residential development in a catchment, leading to relatively small increased areas of impervious surfaces, can significantly degrade aquatic diversity and ecological function. A fundamental component of this impact is the increased level of contaminants (nutrients and toxicants) and their efficient delivery to waterways through stormwater systems.

The long term residential use of areas that are not serviced by centralised wastewater systems is also now an emerging and serious threat to both groundwater and surface waters. Many studies have identified the threats of unsuitable or poorly maintained septic systems contributing significant levels of nutrients to groundwater and adjacent waterways. Similarly a strong correlation has been seen between septic density and faecal contamination in catchments.

Whilst this section as it stands could conceivably cover the issues of broadscale or even site impacts of residential use on land and water but it would be better understood if it identified these more distributed sources of contamination as a potentially threatening process.

### 3.5.3 Strategies

The three proposed strategies are broadly appropriate to use and development that is likely to be highly contaminating (i.e. industrial or waste treatment sites) but is mute on more distributed sources of contamination. A strategy pointing for the need to treat these more diffuse impacts at source (ie WSUD, regular maintenance or upgrades of on-site wastewater systems) would be desirable. Similarly, the restriction of residential development to areas where appropriate stormwater and wastewater treatment technology can be applied would be an important strategic consideration.