



**Submission from Tasmanian Planning Information Network (TasPIN)
Draft Tasmanian Planning Policies 2023**

To the Executive Commissioner Tasmanian Planning Commission
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TasPIN welcomes this opportunity to comment and contends that the draft Tasmania Planning Policies (TPPs) are absolutely critical. Ideally, they should have been developed before the SPPs.

We consider that the TPPs should

- identify the strategic planning issues for decades ahead;
- provide adequate policy frameworks for those issues;
- sit above and mandate implementation through the SPPs, LPS, RLUS
- lead to quality outcomes, especially with the residential standards
- ensure rigorous evaluation of the success of the TPPs
- not duplicate what is already covered by State Policies
- not be retro fitted to match the existing SPPs.

Broadly, some issues around these Draft TPPs include:

- They provide little or no guidance on how they are to be implemented through the relevant SPPs, LPS, RLUS. They must sit above and give effect to these instruments.
- The TPPs are aspirational and read well, and they can no doubt contribute to a broad strategic approach in the long term. However, we do need to know exactly how they will be implemented, especially as there are no measurable targets.
- Language is complex with terms often poorly defined. This does not make the planning system simpler, faster or fairer.
- We are most concerned that the SPPs will continue to adversely impact Tasmania's landscape; our built heritage, livable suburbs, towns and cities, our national parks and wilderness, due to lack of clear articulation between the TPPs and the SPPs.
- The SPPs should be reviewed after the TPPs are made to ensure alignment.
- The TPPs require regular independent review and rigorous evaluation of their effectiveness. Detail is needed about how effectiveness will be judged and how TPPs will be monitored.
- Wide community consultation should be part of any review process to assure it meets community needs and aspirations around the planning system.
- TPPs should focus on high-priority areas. The Act does not require TPPs to address all areas of planning. The draft TPPs add extra complexity to the system through the sheer number of objectives and strategies.



Support for other representations: TasPIN supports many of the other expert submissions which have made valuable recommendations on the Draft TPPs. In particular we strongly support the recommendations of the Planning Institute of Australia, the Environmental Defenders Office, Hobart City Council, the Aboriginal Land Council of Tasmania, the Local Government Association of Tasmania and Planning Matters Alliance Tasmania. Please see Appendix 1.

Settlement 1.0: In regards to Settlement, TasPIN does not see extension of urban growth boundaries as advisable in a situation where climate change will create an increase of hazardous events and the state needs to protect and utilize our rural food production areas and to protect our natural resources. Section 1.4.5 [p15] is flawed because it does not define agricultural land or mandate its protection, and only talks about *avoiding where possible*.

TPPs should elucidate the role of Councils Structure Plans which aim to make better planning designs with more strategic, risk averse decisions for their community. The Structure Plans could be used to implement many of the TPPs and create an effective holistic approach to Tasmanian planning

TasPIN recognizes that there will be an increase of multi-story dwellings as well as structures that cover a smaller area of land than the traditional suburban block. Planning regulations that require a percentage of green space, water sensitive design and protection of amenity are vital if these developments are to provide for the needs of residents in a changing climate. At **Section 1.6 Design** there are many very useful positive statements [p17] but despite these words about quality design, the SPPs cannot deliver. The SPPs are contrary to many of these statements. Quality outcomes must be mandated by TPPs to guide planning authorities and developers. Words like *support, encourage and promote* are too weak.

TasPIN recommends that climate change should be a separate policy with mandatory implementation guidelines. This will facilitate a co-ordinated approach to embed adaptation and mitigation into every layer of strategic planning, policy and guidance. Climate change and associated risk must be a critical consideration in coming years. Both the society and economy would be severely impacted if governments had to cover the costs of ignoring climate change due to approving developments in inappropriate areas.

Environmental Values 2.0: This TPP is very vague and provides numerous 'outs' if other values are deemed more important. One example of such an unacceptable strategy at 2.1.3.5 is "*impacts to biodiversity values will be minimised, or offset*" [p21] prioritises economy over the environment. If the TPPs are to work effectively and to the benefit of the whole community they must implement sound governance measures which protect the natural environment so that it can support future needs for healthy soils and fresh water. Furthermore, given the environmental problems that we hear about constantly, some of which were highlighted in the SoE Report 2009, the TPPs must include strategies for proactive restoration of the environment so as to provide the vital ecosystem services of the future.

Much clearer guidance is required as to when offsets would actually be meaningful, and what are the operational/implementation mechanisms that ensure offset areas are not developed in the future?

Section 2.2 [p22] does not provide sufficient protection of waterways and estuaries with regard to pollutants or damage to water catchments. **Section 2.5 [p25]** on coastal policy lacks mandatory

requirements and should support the existing *State Coastal Policy 1996*. TPP direction on how stormwater should be managed is missing.

TasPIN considers there should be clear mapping of all environmental matters in the state with reliable data also available, so planning authorities and other relevant authorities can decide if an application has met environmental standards and planning guidelines.

Environmental Hazards 3.0: This recognizes the potential hazards to sustainable living in the state and TasPIN strongly supports the incorporation of the 8 principles in **Section 3.0.1 [p27]**. Currently these 8 principles are only listed in the Policy Context Statement so they are explicitly excluded from the operative parts of the TPPs. They only provide context and cannot be used in development assessment. They should be incorporated into the TPPs and flow into the SPPs, LPS, RLUS to be implemented and enforced. The policies lack the essential guidelines for community, planning authorities and developers.

Sustainable Economic Development 4.0: TasPIN recommends development of a Sustainability Policy based on the United Nations Sustainability Goals and consistent with PESRAC recommendations. Sustainability goals must be consistent and enforced at all levels of government.

Section 4 on sustainable economic development still seems to see the role of planning as stimulating growth whereas TasPIN considers planning should observe the triple bottom line if the economy is to be truly sustainable and less affected by boom and bust cycles.

The protection of agricultural industries has obvious benefits to the community through the provision of foods and fibre and strong planning policies should protect agricultural land.

4.4.3 [p39] This TPP recognizes the values of tourism but also the negatives that can arise from the impacts of increasing visitor accommodation residences and the cumulative use by tourists of local facilities that can detract from the quality of life of local residents. Planning could be used to remedy these impacts but once again clear implementation proposals are not provided

4.7.3 part 7 and 8 [p43] outline planning strategies but fails to protect the needs of local residents. These policies are not specific enough to prevent an unreasonable effect on local communities. What is reasonable or unreasonable? What is a small scale commercial activity? Will it be based on number of customers, income, or building size? Without some clarification and guidelines for implementation these policies are likely to be abused. Economic development fails here to consider arts and culture or the economic possibilities in environmental management /remediation.

Physical Infrastructure 5.0: TasPIN recognises the critical role played by infrastructure in maintaining the health and well-being of our community and the importance of ensuring they are part of the planning process. We agree that expert advice from climate scientists and engineers should provide the data on which to base planning decisions in these matters.

TasPIN considers that the TPPs should be strategic and forward looking to effectively direct the provisions of lower order planning instruments. However, the Physical Infrastructure Policy fails to consider or provide for the significant technological innovations that are available or already under development, which reduce the need for vast network distributed infrastructures. For example, provision of local energy needs via bio-energy, which also links into circular economy thinking, and build community resilience to global supply chain shocks. In our opinion, the TPPs are very backward looking in this regard and fail to provide the required shift in thinking if we are to achieve net zero climate targets and increased community resilience to climate change.



It is important that local community has input into the planning of physical infrastructure at an early stage of the process. This applies to TPP 5 and TPP 6.

Cultural Heritage 6.0: TasPIN recognizes heritage as an essential part of the planning process in supporting a community sense of place. We recognize that other Acts provide protections in this area but this must be made clear and ensured by the planning laws and regulations.

Process 7.0: Design analysis and modelling is important in all planning schemes. We understand that other states [like NSW] have introduced fast track planning schemes and zones, somewhat like Tasmania. However, NSW also uses a design guide to reduce the development footprint. All proposed development needs a star rating on efficiencies and sustainability e.g. BASIX in NSW. Tasmania would profit from modelling and design analysis stated in the TPPs as a Strategy at 7.2.3.

Conclusion: TasPIN contends that the TPPs are not fit for purpose at this stage and should be returned to the government so they may be rewritten with careful consideration given to which policies are essential to be mandated and how they will be implemented, as per this submission, especially points on page 1.

On behalf of Tasmanian Planning Information Network [TasPIN]

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ISSUE	DRAFT TPPs	COMMENT
Poor alignment of TPPs with the SPPs.	Settlement Types 1.4 Housing 1.5 Good Design 1.6 Some very positive aspirational statements here but conflict with SPPs.	The SPPs will have to be reviewed after the TPPs have been made to ensure alignment. We do not want to see the TPPs retro fitted to SPPs. Many of the current provisions in TPS are not acceptable to the community now, and they do not prepare us for the future.
Position of TPPs in the Planning System	Need to more clearly establish that TPPs sit above and govern SPPs LPS and RLUS. Otherwise, they do not relate to and have no effect on the planning provisions of the TPS	Ensure TPPs are given effect through the RLUS, SPPs LPS. TPPs should guide planning authorities and developers, and assist with assessments.
This iteration of Draft TPPs has not been dated		Would have been useful
Terminology throughout is confusing even in Introduction/General Application. Terms need definition.	<i>Table of Operative Parts and Purpose of Operative Parts</i> General Application table - p 3 – different words to LUPAA?? How can Strategies be achieved – through SRLUS SPPs LPS?? Directions – bottom p 3 very confused	Application p 4 At 7) these are very confused. talking about <i>balanced consideration and judgement</i> etc Given the land use planning is recognized for its contested and contextual nature, and inherently wicked problems – it is unclear how such balanced consideration could be achieved without greater clarity on implementation. It is considered that the Application principles on page 4 in particular do not consider cumulative impacts of decisions at either spatial or temporal scales. Hence it is considered reasonable to expect the proposed application approach to continue the 'death by a thousand cuts' development patterns of the past, and indeed fail to deliver on the LUPAA Schedule 1 objectives by failing s2.(a), that is considering the reasonable foreseeable needs of future generations.
RLUS and SPPs to be reviewed for consistency with the TPPs		Must not retro fit to suit the existing SPPs. SPPs should be reviewed and be subordinate to TPPs
P5 How TPPs are to be implemented into LPS		What do a) and b) mean? <i>LPS must comply with each TPP direction contained in relevant strategies</i> We understand this to mean that any future LPS amendment must comply with TPPs
LGAT representation. Improve these TPPs now, before they are made. LUPAA Schedule 1 Imprecise drafting	LGAT's Statement, that TPPs are the most important planning reform in 10 years	Continual improvement is required. As with LGAT statement TPPs must align with Schedule 1 Objectives.
EDO representation		All 9 recommendations are supported
PIA representation	TPPs fail to deliver Part 2A of LUPAA 93, and will become an impediment in the planning system, preventing good planning outcomes or slowing down the assessment process for relevant subordinate instruments.	Prevention of good planning outcomes. Very cumbersome, confusing and not easily accessed by the public. All PIA recommendations at p 5 are supported.
Hobart City Council representation	References to Structure Plans 1.i.3 point 6 [p11] make clear their importance but do not outline their role in relation to statutory documents	Structure Plans are fundamental in providing guidance for the sustainable growth and evolution of our cities and towns, and bring experts and the public together.