

26 June 2023

Email: tpc@planning.tas.gov.au

Cradle Coast Authority
Email: ea@cradlecoast.com

Dear Sir/ Madam,

Representation: Draft Tasmanian Planning Policies

Thank you for the opportunity to make a representation about the Draft Tasmanian Planning Policies (TPPs)

Cradle Coast NRM (CCNRM) is the Regional Committee for Natural Resource Management for Northwest Tasmania as declared under Section 9 (2) of the **Natural Resource Management Act (2002)**. The Regional Committee has functions and powers as per s 10 (1) of the **NRM Act**, including

- (a) to identify the priorities for natural resource management for the region;
- (b) to prepare a regional strategy for the region;
- (e) to facilitate the integration of natural resource management and planning activities for the region;

The Committee also functions in a manner that furthers the objectives of the **NRM Act 2002**, which are also the objectives of the RMPS of Tasmania as specified in schedule 1 of the **NRM Act**.

In accord with these statutory functions and objective, CCNRM Committee provides the following advice on the Planning Policy.

General comments

CCNRM welcomes the leadership and vision presented in the draft TPP as a desirable step towards the achievement of purposes identified in s12(B) of the **Land Use Planning and Approvals Act 1993** and the development of a planning system in Tasmania that is inclusive, future focussed and cognisant of emerging issues of climate change, demographic transitions and regional and community growth, sustainability, cultural heritage and wellbeing.

We welcome the inclusion of planning policies on matters such as Liveability, Design, Social Infrastructure, Sustainable Economic Development Public Infrastructure and Cultural Heritage. These matters align closely to NRM strategic aims of healthy landscapes, water and biodiversity and they are critical to the overall system on which a vibrant and inclusive environment and economy is built.

We consider the draft TPPs articulates the critical link between design and wellbeing - requiring environmental and social values to be identified and their significance determined. The draft TPP's affirm a necessary requirement to protect and enhance significant landscapes that contribute to

the scenic value, character and identity of a place. They recognise that Tasmania's natural resources underpin our economic prosperity and recognise that liveable cities can encourage immigration and the retention of our young adults.

We acknowledge the synergies between the TPP, and other aspects of the Tasmanian Planning Scheme (TPS), with the current **2030 NRM Strategy for Cradle Coast** prepared by CCNRM (<https://www.cradlecoast.com/natural-resource-management/2030-nrm-strategy/>). We particularly recognise the implicit and direct links between our strategy, the TPP and the Regional Land Use Strategy and the Structure Planning aspects of the TPS. We encourage closer links between such instruments as they are all essentially part of the broader RMPS framework.

CCNRM Committee acknowledges the TPP in progressing thinking about sustainable economic development. We note objectives that are consistent with our strategies within the NRM Strategy to promote the protection and sustainable use of good quality agricultural and forestry landscapes, as well as prioritising the protection of biodiversity at the landscape scale.

Specific comments on the TPP and components:

We acknowledge the proposed TPPs are ambitious and reflect the strong will and commitment in the ministry and the SPO to reforming the planning system. We welcome this intent and offer support and cooperation through engagement of NRM Strategy and capacity where appropriate in the Planning system.

We note that while the policy has considerable detail, there are areas of duplication and it is apparent that in some areas the language or intent may be difficult to interpret and apply in the formalised and process-based framework used in the development approval process.

We suggest that the TPP be considered a pathway to support or encourage structured comment from community on planning decision taken under the RMPS. To that end ensuring procedural fairness in the policy is desirable, allowing for adaptive interpretation of policy to meet local or regional circumstances.

We are aware that there is a need for immediate action to address significant issues of biodiversity loss and landscape productivity decline. We also acknowledge the issues of balancing land use allocation with multiple stakeholders' needs and interests. We consider the draft TPPs to be a fundamental document for land use planners and landscape managers to map pathways to better decision making.

For this reason, we recommend careful review of language in the Policy to unambiguously define required outcomes and how a RLUS or TPS demonstrates compliance with the final TPP's.

We suggest that the document be reviewed with the intent to clarify and crystallise both intent and outcomes from the policies outlined. There is also value in ensuring the policies are crafted in such a way that they are clearly *strategic, efficient, focused on outcomes, evidence based, adaptable to emerging issues and allow for inclusive or partnership approaches and solutions*.

This step will ensure planners and other users of the TPP can clearly focus on new areas of thinking and approach within a planning framework.

We welcome the inclusion of matters normally outside the ambit of traditional local government planning to the TPP. This is in our view reflective of both community expectation and the broad intent of the objectives of the RMPS, LUPAA and the NRM Act. In particular we see these inclusions as

valuable in the formulation of regional land use strategies and more importantly supporting discussion with communities as they develop structure plans for local towns and districts.

We acknowledge that the Tasmanian Planning Scheme provides a pathway for land use change based on community needs and expectations, and that it is also a scheme that arbitrates the protection of land from development where other priorities or land uses are relevant.

In terms of specific policies:

Settlement.

We encourage the intent of the TPP through the Settlement Policy suite to seek sustainable outcomes for growth within the context of a conservative land use approach, seeking to maximise utilisation of land already allocated for settlement or industry rather than greenfield expansion at the expense of other land uses such as agriculture, forestry and biodiversity conservation.

CCNRM considers this approach to be consistent with our strategy, seeking to ensure the highest and best use of land and other natural resources is attained through good planning.

We welcome the elevation of climate change as a key emerging land use issue in the TPP and encourage continued study and investigation as this threat emerges to allow for adaptation in land use, and mitigation action early in any change cycle.

We note that the Settlement Policy promotes the preparation of structure plans to provide for effective planning of land use and development. We consider the structure planning process to be a valuable approach to inclusive community engagement, a forum for communities to define aspirations and preferences based on local context and need. Structure plans also provide opportunity for testing of contentious land use options such as infill development and social housing.

We encourage the establishment of policy and outcomes focussed on matters such as liveability, design, active transport, social infrastructure within the settlement policy context. We consider the community of the future will benefit from sound and evidence - based approaches to urban design and energy efficient living.

Environmental values

CCNRM strongly supports the inclusion and focus on the protection of environmental values through the TPP and as part of comprehensive delivery of the objectives of the RMPS.

We note these policies align closely with the NRM Strategy and suggest that both policy documents be considered in planning and land use decisions and in identifying integrated regional scale solutions to complex land use and economic or population growth scenarios

We encourage the inclusion of outcomes that identify environmental values, avoid designating land of significant environmental value for detrimental uses, minimising impacts and utilising instruments such as offsets or other instruments or mechanisms to mitigate impacts where no reasonable or effective alternative to the development exist.

However, we consider there is a clear and abiding need to use contemporary and appropriate information sources for the identification of land with significant environmental values as part of land use decision making. There is a risk that the use of incomplete data or failure to access current data

sources presents a risk of omission of key environmental or community values linked to existing vegetation and natural systems within a land use matrix. This risk grows with ongoing development and potential habitat loss through climate change, sea level rise, and natural disasters.

By way of example, we note that currently data layers for priority vegetation and other environmental values are not regularly updated, and factors such as habitat extent, condition and diversity may change rapidly. We suggest that data layers for environmental values be adaptively updated as new information resources appear, including from multiple sources such as the Natural Values Atlas, Atlas of Living Australia and from commissioned reports on environmental values and climate or sea level rise impacts for specific sites.

We recommend that language used in the Environmental Values Planning Policy be reviewed to provide unambiguous guidance on how a development proposal complies with the objectives and outcomes of the policy, ensuring that evidence is provided to justify how environmental values are assessed and protected.

We welcome the articulation of policy in terms of protection of waterways, wetlands and estuaries, in particular the minimisation of clearing of proximal native vegetation and protection of landform and character. We recognise through our NRM Strategy that water quality improvement planning is a practical and effective means to identify point source and landscape scale impacts on freshwater quality at the catchment scale. Such planning provides valuable input to land use planning in terms of helping to define threats and remedies for ongoing loss of water quality through poor land use choices. We consider the linkage of NRM Strategy and planning is a valuable feature of Regional Land Use Strategies under the RMPS.

We encourage the greater adoption of policy related to landscape values. Fragmentation of remaining or regenerating natural habitats and land systems is a key cause of ecosystem failure, particularly where adverse land use is introduced.

We recommend that the policy include conscious and specific protection of contiguous extant native habitat areas as part of land use planning, including the potential to provide for retention of buffer areas in adjoining land use development proposals.

We also note that through the incorporation of a functional NRM Regional Strategy, endorsed by State Government, scoping and identification of opportunities for reestablishment of critical habitat corridors and linkages in developed landscapes may be possible as part of regional land use planning. This process creates opportunities for investment as part of intelligent future focussed land use planning under the RMPS.

Environmental hazards

We note and accept the policy as put.

Sustainable Economic Development

CCNRM supports the collective treatment of economic land uses within a sustainability context. We consider that economic sustainability is inextricably linked to environmental, cultural and social sustainability, and that without consideration of all aspects, the pathway to growth is not sustainable.

We encourage the policy approach inclusive of matters that can be readily dealt with through the planning scheme and broader matters that involve more open conversations with community and

sector groups to establish a functional pathway to decision. We see this as a fundamental strength in the TPP as proposes and encourage the retention of this perspective.

In terms of specific industry policy sections,

Agricultural land

CCNRM supports and encourages the intent to protect and sustain agricultural and potentially agricultural land based on contemporary and evidence-based land capability assessments. We consider that the protection of contiguous areas and districts of agricultural land is best served by the prevention of subdivision and encroachment from urban, industrial and extractive land uses.

We note however that landscapes proscribed for agriculture, and prevented from subdivision or land use change may be impacted by reduced land value, but this is potentially a critical and pivotal function of the TPP in protecting such land for future economies.

CCNRM notes that agricultural landscapes in Tasmania are inclusive of areas of native vegetation and wildlife habitat. We consider based on solid evidence that such vegetation provides valuable and important co-benefits to agriculture and as such deserve protection under the Tasmanian Planning Scheme.

Whilst some of this vegetation is protected under other regulatory processes, there is a lack of capacity to identify and protect areas where the benefit is to agriculture, e.g., through wind shelter, water quality improvement, salinity amelioration, catchment hydrology and nutrient cycling. The recognition of priority vegetation layer mapping and appropriate planning regulations in the Agriculture Zone is recommended to provide additional awareness of the importance of native habitat and vegetation in agricultural landscapes.

Physical Infrastructure

CCNRM encourages the growth and development of options for active transport, emissions reduction and energy efficient design for future urban developments and amendments.

Aboriginal Cultural Heritage

CCNRM warmly welcomes the inclusion of aboriginal cultural and heritage perspectives to the TPP and the wider RMPS objectives.

We note that while the present policy is clear on aims, we recommend that the policy include the intent to appropriately consult with aboriginal people in Tasmania to identify how they consider their connection to country and their internationally recognised rights to self-determination and free prior and informed consent (consistent with the UN Declaration on the Rights of Indigenous Peoples and following the Uluru Statement from the Heart) can be integrated to the land use planning system.

Further, we recommend that the TPP establish strategic and statutory processes and reflect the statutory authorities interact with land use planning; and establish supporting material and processes to implement the process

The Cradle Coast Regional NRM Committee provides this information with an intention to support the continuous improvement of the Tasmanian Planning Scheme and the RMPS. We are more than

happy to provide further information or advice as appropriate and commend the formation of clear and explicit links between the TPP and the 2030 NRM Strategy.

Yours sincerely

A handwritten signature in black ink that reads "Peter Voller". The signature is written in a cursive, slightly slanted style.

Peter Voller PSM
Chair, Cradle Coast Natural Resource Management
Director, Cradle Coast Authority
Director, Natural Resource Management Regions Australia
Director, Landcare Tasmania