
From: mfoale@iinet.net.au
Sent: Sunday, 25 June 2023 9:17 PM
To: TPC Enquiry
Subject: Draft Tas State Planning Polices - representation from Michelle Foale

Categories:

Hello TPC. Please see some comments on the draft TPPs I wish you to consider when assessing.

Today, Sunday 25/6/23, I saw the threatened Spotted Handfish off Nutgrove Beach, in the Derwent Estuary, while I was snorkelling. Right there in 1 metre of water. Off a suburban beach. Amazing. All around it was the invasive pest Northern Pacific Sea Star, eating everything in its path. I don't expect to see them ever again. This has galvanised me to comment on the TPPs. We need to do better – not just for the future human population of Tasmania, but for all of nature, for life itself.

The language of the policies is too vague and weak where it matters to me. Having worked as a planner for nearly 20 years in Tasmania (local and state government, and as a consultant), it is clear to me that developers respond to direct regulation, not to 'guidelines'. They want to make maximum profit; they are not providing a community service. The nature of Tasmania that is so highly valued by its residents is quickly being impacted upon and eroded by a planning system that does not provide enough direction, and is not strategically tight. Death by a thousand cuts.

Finally, having these overarching, small 'p' planning policies in addition to the long standing (and grossly underutilised) State Planning Policies (albeit it at the wrong end of the 'reform' process), is the opportunity to get it right for the future of Tasmania. However, these policies are not consistent with each other, they do not provide clear direction, and there are matters included that are not even part of the planning system (for egs. tourism and forestry).

The document provided by the SPO explaining how the TPPs are consistent with the State Planning Policies is a welcome attempt to acknowledge how these 2 sets of documents ought to relate. All of the comments about the *State Policy on Water Quality Management 1997 (SPWQM)* need examination by experts with some experience of the documents being referred to. It is right to highlight sections 31 and 33 of the SPWQM – these are important, but completely impotent thus far. It is agreed that the state government has not executed the SPWQM to anywhere near the extent necessary for water quality protection, and this is a matter for the state government to act upon. It also references the State Stormwater Strategy – this is a very underutilised and now out of date strategy. I would challenge you to find a Tasmanian Council stormwater engineer who knows what it is and what it is supposed to be used for. Again another matter for the state to provide support to local government on. You cannot provide such a strategy and expect planning authorities to magically enact it. For example, it is naïve of the SPO to say:

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

Response: Delivered through the State Stormwater Strategy

The SPOs response to line 33.1 under Urban Runoff: *This is a specific requirement for the consideration of erosions and stormwater controls to be addressed by 'Regulatory Authorities' through the implementation of the State Stormwater Strategy. The principle is supported through the TPPs which promote sustainable design practices, including water sensitive urban design and encouraging the design, siting and construction of buildings to positively contribute to maintaining water quality by promoting best practice stormwater management approaches.* And also with regard to the code of practice of best practice guideline ...

... Almost all work done in Tasmania towards erosion and sediment control has been done by the Derwent Estuary Program and other NRM groups. Training, guidelines, advocacy, working with the development industry – none by state government or Councils – the latter do not have the resources or time, all by non-government groups plugging the gap. The attitude about erosion and sediment controls in Tasmania is that it is a costly add on extra, not that it is actually the law under EMPCA. If the SPO, as a state government unit wants to point to the State Stormwater Strategy and state level legislation as fulfilling the requirements of the TPPs, then they ought to ensure the state government is actually supporting and enacting these matters. (Again, in above quote ‘promoting’ and ‘encouraging’ - not useful.) Pollution and sediment from the effects of rain running off (and flooding going over) land where native vegetation has been cleared and agricultural land needs urgent regulation. .

The Environmental Values TPP is very vague and provides numerous ‘outs’ if other values are deemed more important (no criteria provided). A catchment management approach would be best practice. Suggesting that regulating land use in proximity to waterways is going to protect them from impacts is naïve. Towns and cities drain to our waterways via public stormwater systems – pollution and sediment comes into the waterways, estuaries and ocean from the whole of the impervious areas of urban settlements, including roads. As the TPS SPPs are enshrining maximum impervious surfaces in the higher density zones, what will happen to all that runoff? Green-blue infrastructure / WSUD) needs to be a **required** focus going forward, and it needs to be best practice – compared to mainland states, Tasmania has *very* low experience of WSUD (design, creation / installation and maintenance) so a lot of practice is required. Allowing water to infiltrate into the ground, reducing flooding, allowing for urban trees to survive and be protected, and even more to be planted and maintained – needs water in the ground. The ‘urban stream syndrome’ is well-documented globally in towns and cities all over the world, and is extremely costly to reverse. If you don’t let some rain percolate through the ground over time to keep the base flow of your urban waterways running when its not raining, and then you seal as much ground as possible and send that water rushing into the waterways as soon as it rains - the waterways loose life, value and function, and degrade the estuaries and oceans where they meet. This TPP could provide much better and clearer content.

If the aim of the TPS was supposedly to make things more consistent, the removal of the Stormwater Code, without consulting with Councils , or support or advice on what to do without it, was disingenuous. Now we have different parallel approaches using the *Urban Drainage Act 2013*, or not (the North West), with many Councils creating their own policy on how to proceed. Very confusing and inconsistent. The opportunity for higher level TPP direction on how to actually manage stormwater would be helpful.

It is welcome that each policy has a climate change section. I would prefer there to be a strong climate change overarching policy to guide strategic planning. This would also allow all policies to come across as one voice. At the moment they are somewhat contradictory. Using our ongoing and adaptive response to the climate crisis as the driver for strategy would be wise.

I note the lovely ABC documentary recently Platypus Guardian. Very popular and a timely reminder of what we love about living in Tasmania. The message of the film for urban humans to care for nature, not just use it – to pick up litter and plant trees is good. However, the unseen overriding problem is the way we mismanage nature, including stormwater. It does not need to be like this. We are on the pathway to global ecological collapse and all of the chaos and suffering that comes with that. State Planning Policies that lead and protect is what we need. Please require the SPO to redraft the TPPs with the above in mind.

Thanks for the opportunity to comment. I would be happy to discuss my concerns.

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