

Department of Justice

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Mr Peter McGlone
Director
Tasmanian Conservation Trust
2nd floor, 191-193 Liverpool St
Hobart TAS 7000

By email: tct6@bigpond.com

Dear Mr McGlone

Land Use Planning and Approvals Amendment (Tasmanian Planning Policies) Bill 2017 and draft Tasmanian Planning Policies

Please find enclosed for your information and comment a copy of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Policies) Bill 2017* (the Bill) and draft Tasmanian Planning Policies and Overview. Also enclosed is an Explanatory Document that has been prepared to accompany consultation on the Bill and the draft Tasmanian Planning Policies.

The Bill proposes amendments to the *Land Use Planning and Approvals Act 1993* (LUPAA) to provide a mechanism for making and amending Tasmanian Planning Policies. These policies will provide strategic direction on matters of state interest within the planning system, guiding councils when they make decisions regarding development and land use planning.

The suite of Tasmanian Planning Policies will inform the planning system primarily through regional land use strategies and will also inform the first and subsequent five-yearly reviews of the Tasmanian Planning Scheme in accordance with the requirements of LUPAA. Tasmanian Planning Policies will not be self-executing, which means they will not apply directly to the determination of permit applications and related matters by planning authorities and other bodies under the Tasmanian Planning Scheme.

The key features of the Bill are that it:

- Sets out the purpose of the Tasmanian Planning Policies and the matters they may relate to (the TPP criteria);
- Provides for the Minister for Planning and Local Government to prepare draft Tasmanian Planning Policies in consultation with the Tasmanian Planning Commission (the Commission), local councils and State Service Agencies and State Authorities;
- Requires the Commission to publicly exhibit the draft Tasmanian Planning Policies and receive and consider representations;
- Requires the Commission to prepare a report to the Minister that summarises any issues raised in representations and state whether the Commission is satisfied that the draft Tasmanian Planning Policies meet the TPP criteria;

- Provides for the Minister to make, refuse or modify the draft Tasmanian Planning Policies; and
- Provides for the Tasmanian Planning Policies to be reviewed and/or amended.

The draft Tasmanian Planning Policies have been prepared to support the objectives of Tasmania's Resource Management and Planning System, as set out in LUPAA. They aim to further those objectives through the promotion of sustainable development, sound strategic planning and social and economic wellbeing, and the protection of Tasmania's natural environment and heritage values.

A suite of five draft Tasmanian Planning Policies has been prepared to allow the Government to set strategic policy direction for the planning system across a range of matters of State interest for:

- Economic Development;
- Settlement and Liveable Communities;
- Cultural and Natural Heritage;
- Hazards and Risks; and
- Transport and Infrastructure.

It is intended for the Overview and five draft Tasmanian Planning Policies to stand as a single statutory document.

It should be noted that the enclosed draft Tasmanian Planning Policies have been prepared for the purpose of consultation on the Bill. If LUPAA is amended in accordance with the Bill, these draft policies will be subject to the legislative process for making Tasmanian Planning Policies proposed in the Bill, including public exhibition, consideration of representations and the preparation of a report by the Commission.

The Bill and draft Tasmanian Planning Policies give effect to the Government's election commitment in 2014 to prepare policies that would provide guidance to councils on how to implement the new statewide planning scheme and plan for Tasmania's future land use needs.

The Department of Justice invites your comments on the Bill and draft Tasmanian Planning Policies by **Monday, 15 May 2017**.

Please email your submission to planning.unit@justice.tas.gov.au and include "Tasmanian Planning Policies" as the email subject line. You can also mail your written submission to:

Planning Policy Unit
Department of Justice
GPO Box 825
HOBART TAS 7001

Yours sincerely



Simon Overland
Secretary

7 April 2017