

POLICY POSITION STATEMENT

Draft for Discussion DECEMBER 2013

PIA Tasmanian Division

EXECUTIVE SUMMARY

The Planning Institute of Australia (PIA) is the national body representing the town planning profession. Through education, communication and professional development, PIA is the pivotal organisation serving and guiding planning professionals in their role to create sustainable communities. PIA Tasmania represents 130 town planners across the state operating in State and Local Government, Academia and Private Sector Consultancies.

PIA calls on all parties to recognise the **importance of good planning** to the overall success of the State. An effective and highly functioning planning system directly supports efficient use of scarce resources, the future prosperity of Tasmania, and the health and well-being of Tasmanians.

PIA believes that future State Governments must address these **4 critical areas**:

Policy Priorities

- Complete the Interim Planning Schemes
- Cement the role of Regional Land Use Strategies
- Create State Level Policy
- Develop Capital City/Metropolitan Plans
- Land Use Planning and Approvals Act Amendments

Structural reform

- Give policy responsibility to DPAC
- Retain TPC as an independent reviewer of planning legislation
- Directly support the retention of a graduate planning course in Tasmania

Resources

- Progressively reduce the under-funding of planning in Tasmania against national benchmarks
- Utilise PIA competency frameworks to identify and ensure adequate use of skilled planners in planning roles
- Improve value through aligning project funding for planning projects with key deliverables

Promotion of Planning in Tasmania

- Promote the efficiency of Tasmanian planners and approval systems to a national audience as a competitive advantage
- Monitor implementation of reform against current performance benchmarks
- Support for PIA to promote the profession of Planning and planners, through national initiatives such as Planning Matters

PIA believes that addressing and supporting these critical areas will ensure the current efficient system is made more effective and able to meet the micro-economic reform necessary for a healthy, prosperous and resilient Tasmania.

POLICY POSITION STATEMENT

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ABOUT THIS PAPER

Tasmania is facing a range of challenges including low population growth, high unemployment, increased freight prices and a decreasing forestry industry. This is in addition to national issues such as a rapidly ageing population, climate change adaptation, increased bushfire risk and housing affordability, decreasing manufacturing and a slowing economy. In some areas, such as dealing with the needs of ageing communities Tasmania's experience provides a useful national 'test case', with the number of Tasmania persons aged over 60 years increasing from 117,000 in 2012 to over 158,000 within a decade.

Responses to these challenges require strong cooperation and collaboration across government and by the public and private sectors.

A strategic, effective and efficient planning system is critical.

This document outlines the Tasmanian Division of the Planning Institute of Australia's core priorities for the operation and resourcing of the Tasmanian planning system and seeks in response commitments and actions from all political parties contesting the 2014 state election.

This policy position statement has been developed in the context of key national position statements and advocacy and advances strategic priorities determined by the planning sector, and endorsed by members at our State Conference.

We call on all political parties to recognise the crucial role that planning plays in the future development and success of Tasmania.

PIA will report back to our members and detail all parties' responses prior to the state election to assist informed decision making about policy commitments that will affect planning in Tasmania over the term of the next government.

We welcome your comments and your response to this document should be sent to tas@planning.org.au not later than **Monday 3rd February 2014**.

POLICY POSITION STATEMENT

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PLANNING IN TASMANIA

The Land Use Planning and Approvals Act, and more broadly, the Resource Management and Planning System provide the legal and operational framework for planning in Tasmania. The past few years has seen the initiation of a number of reforms.

They include:

- Regional Land Use Strategies
- Interim Planning Schemes, and the
- Hobart Capital City Plan/Greater Launceston Plans

While our 20 year old system continues to serve the State well, the Planning Schemes that support it are too numerous, outdated and inconsistent. The Interim Scheme process, designed to remedy this problem, has proved difficult to implement quickly and of the state-wide codes envisaged only a few have been implemented. This is largely due to historically low levels of investment in state level policy and the realisation that planning policy is complex and has broader implications in terms of risk and liability. That said, the introduction of the Single Dwelling Code across the state has been a success in removing minor development from the planning system and providing consistency across the state.

The Regional Land Use Strategies (supported by Regional Economic Development Plans and Regional Infrastructure Strategies) are another major step forward for the state towards integrated policy development. However, only the Regional Land Use Strategies are recognised as statutory documents under the RMPS and then only to the extent of informing the Interim Planning Schemes and there is little integration between regional policy documents. The regional strategies have also been formed in an absence of State level policy and subsequently with limited detailed policy analysis.

In this context PIA Tas has identified priority areas for resourcing, reform and policy development.

PRIORITY KEY AREAS FOR PLANNING IN TASMANIA

Strategic planning policy at a state and regional scale enables more efficient investments for transport, utility and service infrastructure across the public and private sectors (an example of this is the Brighton Transport Hub which integrated transport logistics, a developing industrial area, a town by-pass and led to vacated land in the inner city). PIA TAS is concerned that whilst the Regional Land Use Strategies are in place, the interim schemes are in the process of being gazetted before the state-wide codes are complete. Whilst we are impressed with the broader policy

POLICY POSITION STATEMENT

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investigation undertaken by the Department of Premier and Cabinet, but there are insufficient resources to both complete the remaining policy analysis and convert this policy analysis into the codes necessary for the incoming interim schemes.

PIA Tas believes, whilst it is important to complete the review of planning schemes to address compliance problems, greater emphasis should be placed on the ability of the planning system to support the State's strategic direction. Accordingly, it is important to amend the existing legislative structure to bind decision making to state and/or regional policy documents and incorporate a specific period for regular and comprehensive review. Further, the State should commit to the production of a suite of issues based policies based on detailed analysis. In this way the planning system will become a facilitator of development rather than red/green tape and will move its resources from being a development regulator to a development enabler.

Policy Priorities

Complete the Interim Planning Schemes

A significant amount of resource has been invested in the production of the interim planning schemes and it is our view this should remain the highest planning priority of government. The review process for interim schemes must be streamlined for the interim schemes to be introduced and reviewed in a reasonable timeframe. Ultimately this must mean both increased policy guidance from the state level concurrent with increased flexibility to allow schemes to flow through the system. The length of time for uncertainty for the industry in changing from existing, to interim, to final schemes is a significant issue and must be minimised and transitional provisions put in place.

The absence of state-wide planning codes is a major problem for the interim schemes. Of the 15 codes identified by the Tasmanian Planning Commission only two are complete despite three northern interim schemes being gazetted by the Minister themselves incorporate 15 regional codes (including codes on Scenic Management, Acid Sulphate Soils, Recreational Open Space, Airports Impact Management and Local Heritage which are not on the above Commission's list). This is likely to lead to interim schemes that have been gazetted and reviewed then having further major amendments as new codes are introduced. Accordingly, in completion of the Interim Schemes, the need for a full, consistent set of State Planning Codes remains a high priority.

If there is a change of government and subsequently changes to the planning system it is imperative that appropriate transitional arrangements are made to avoid a dual system and the uncertainty created by revisiting recently approved schemes.

POLICY POSITION STATEMENT

Draft for Discussion DECEMBER 2013

Cement the role of Regional Land Use Strategies

The Regional Land Use Strategies are the most important step the state has taken in terms of strategic policy in many years. They are limited in their function, as their legislated role is restricted to informing interim planning schemes, but they are considered in a wider context in the industry. The Regional Land Use Strategies could be significantly improved in terms of format and detailed policy consistency, and should reflect detailed infrastructure modelling. The northern and southern strategies are currently being amended but these changes are limited to avoiding problems with specific interim schemes and corrections.

PIA believes that the Regional Land Use Strategies should be a mandatory consideration of decision makers, in particular the TPC. There should also be a specific review program for the Regional Land Use Strategies, which incorporates the latest census, Taswater infrastructure modelling and hazard modelling data. The review should ensure that the revised strategies achieve as much policy consistency as possible and are based around a standard template. There should also be consistency between the Regional Land Use Strategies and the Regional Economic and Infrastructure Strategies.

Create State Level Policy

State level policy leads to clearer articulation of aspirations and goals, whilst bringing whole of government endorsement and support.

The current planning system is designed to have a suite of state issues based policies which are then implemented through planning directives into planning schemes. State Policies were also designed to have a wider role outside the planning system to guide the decision making of government departments. There are currently only three State Policies (excluding the National Environmental Protection Measures) the last of which was approved in 2009. The introduction of Regional Plans for Economic Development, Land Use and Infrastructure represents a competing system of policies which are far more diverse in their coverage of current issues. Detailed policy assessment on individual state-wide issues is also currently being developed broadly under the policy umbrella of the Regional Land Use Strategies.

There has been reticence by Government to single issue State Policies and greater reliance on Regional Land Use Strategies and issue specific state-wide planning codes (such as the Bushfire Code) to fill this policy void. However, the Regional Land Use Strategies do not reflect a State Policy direction beyond the existing State Policies and the objectives of the Land Use Planning and Approvals Act.

PIA's view is that government should amend the process for creation of State Policies and commit to creating a suite of policies set the broad policy direction for all areas of government. State policies

POLICY POSITION STATEMENT

Draft for Discussion DECEMBER 2013

should not be set in stone, but also undergo regular review based updated information. Accordingly, the policies should also include yearly Performance indicators/Targets/Performance Measures and be followed by detailed implementation plans which direct how the policies will be achieved.

Note to Members: Whilst the current RMPS system is set up around individual issue State Policies, this runs contrary to moves towards integrated policy approaches that are used in some other states. It also leaves the awkward situation of having regional strategies which cover a wide range of issues and even under an optimistic scenario having State Policies which address only a portion of issues in the those strategies. The alternative approach is a single comprehensive state level policy which sets the policy direction for all areas of state interest and in turn guides the Regional strategies. Your comments on this are welcome.

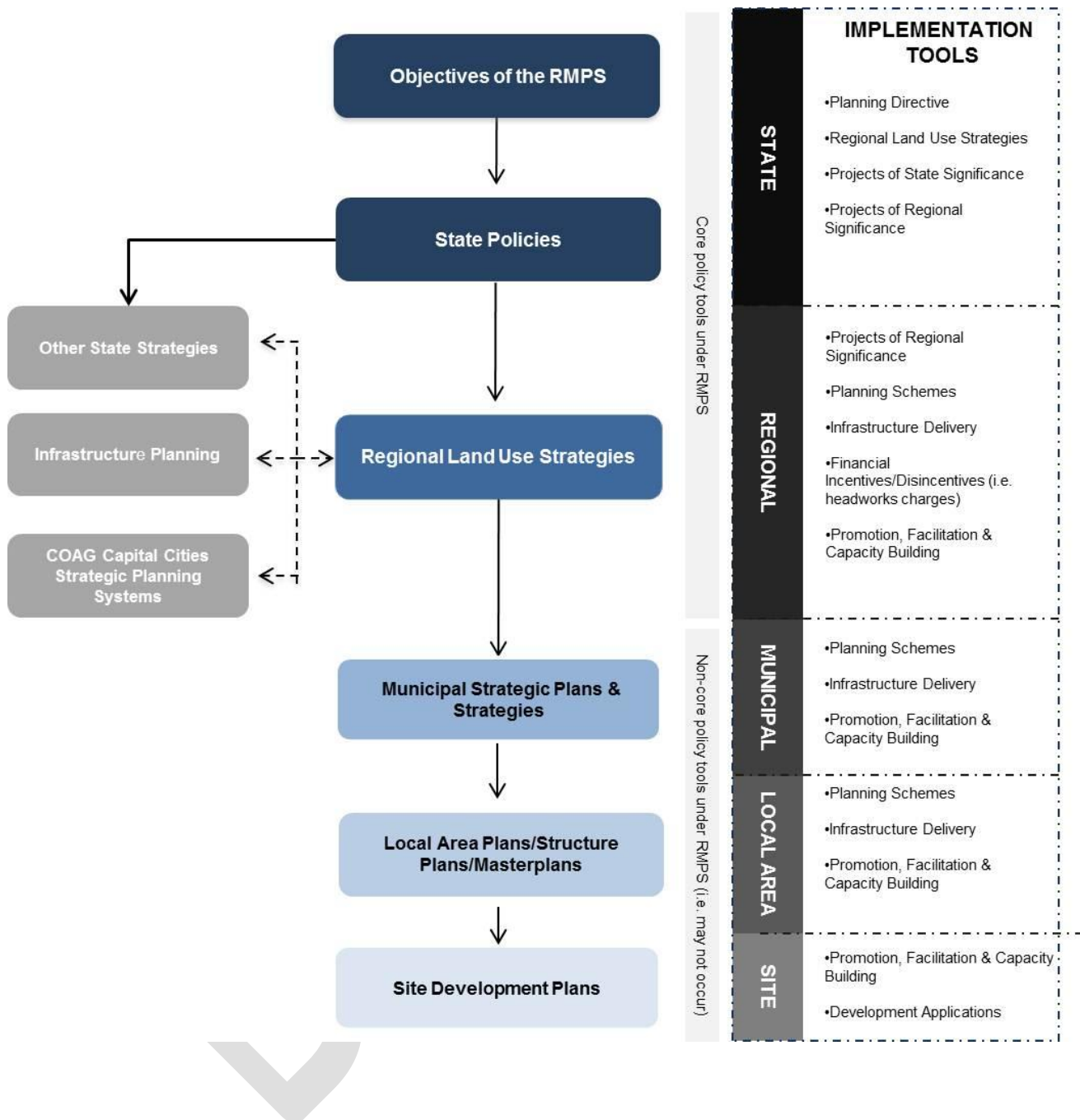
Capital City/Metropolitan Plans

Metropolitan Plans are a key tool to coordinate the planning of our cities which incorporate a number of LGA's. We currently have a metropolitan plan for Greater Hobart which has been in draft form following public consultation for over a year. A Greater Launceston Plan is currently underway and in its final stages. Both the Hobart and Launceston plans are likely to be completed after the planning schemes they are supposed to influence are complete.

PIA accepts the metropolitan plans may need to be completed after the current planning scheme reforms are complete, however the metropolitan plans remain of significant merit given the economic importance of our two cities. As such, they should be programmed for completion at the conclusion of the planning scheme reform and given statutory weight through the Regional Land Use Strategies.

POLICY POSITION STATEMENT

Draft for Discussion DECEMBER 2013



POLICY POSITION STATEMENT

Draft for Discussion DECEMBER 2013

Land Use Planning and Approvals Act Amendments

There are currently proposed amendments to LUPAA in respect of Private Certification of 'low risk' applications, combined Dispensation/Development Applications and tightening of 3rd party appeals. PIA supports these amendments in principle, but notes that these matters are of limited significance to the functioning of the states planning system.

The approvals system in Tasmania has struggled with some large and complex applications that has brought negative publicity to the planning system. The Projects of State Significance and Projects of Regional Significance have received little use largely because of the lack of certainty with the triggers to their application and the absence of 'end to end' timeframes in these assessment processes. PIA believes both legislative paths should be reviewed against the scale of projects typical in Tasmania, with the objective of increasing both the speed and quality of decision-making for important projects and certainty for investors.

Structural reform

The amalgamation of the TPC and the Planning Policy Unit was intended to increase resource availability and increase synergies between policy and scheme review functions. From PIA's perspective this arrangement is not successful and has led to diminishing policy resources and policy derived from statutory compliance considerations rather than wider policy analysis. Some detailed policy analysis has been successfully undertaken by DPAC in relation to hazard management and through the Regional Land Use Strategies. PIA believes the policy function should be relocated to DPAC and the TPC retained as an independent reviewer of planning legislation.

The current PIA accredited University Planning Course in Tasmania is critical to supplying the planners of the future and to sustain planning reforms into the future. This course is under threat due to changing priorities in the University and any assistance the government can provide to ensure the course remains accredited would be appreciated.

Resources

The Productivity Commission Benchmarking report identified that planning in Tasmania was extremely under-resourced relative to other jurisdictions spending just \$1.70 per head as opposed to other states which ranged from \$12-\$15 per head. The current reform agenda will not succeed

POLICY POSITION STATEMENT

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unless it is adequately resourced and the gains we have made in terms of the Regional Land Use Strategies will be lost without maintenance of these documents to ensure their relevance.

As a guide and based on the Productivity Commission figures State government should resource at 0.5 FTE staff per 10,000 people (approx 30 staff) as opposed to the current at 0.2FTE staffing levels. State Government expenditure on planning activities should be approximately \$10-12 per head of population. Council resourcing should continue current 2 FTE staff per 10,000 head of population with expenditure of \$21 per head population which is already on par with other states. To ensure qualified and experienced planners are operating in the Tasmanian system a minimum of 75% FTE should be eligible for PIA membership, and 35% eligible for CPP status.

Specific planning projects must be allocated specific funding that is attached to deliverables.

Promotion of Planning in Tasmania

Relative to other states planning in Tasmania is a good news story. Tasmania has the second fastest application processing rate in the country and has the lowest development assessment fees. The figures below are before the planning scheme reforms are implemented.

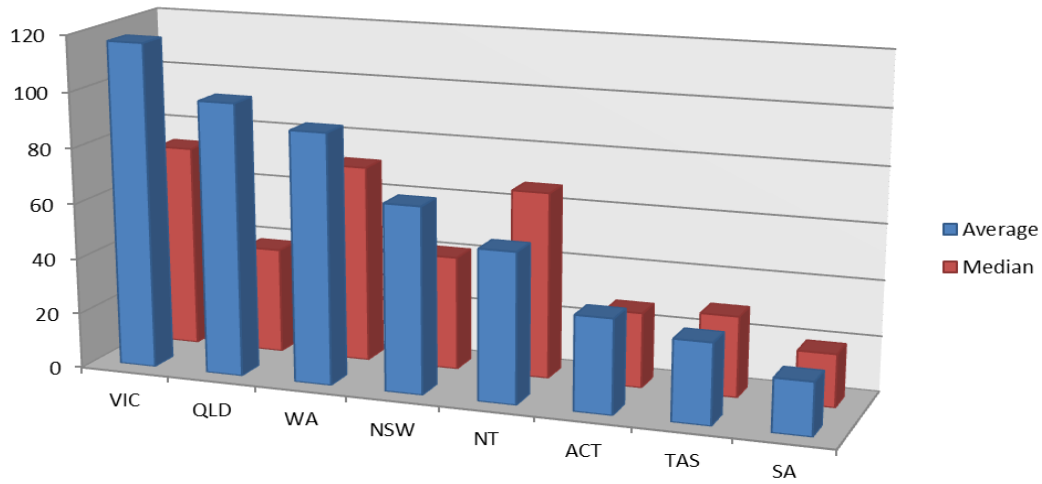
- Mean approval time for all DAs (statutory days) = 28 days
- Mean approval time for all DAs (calendar days) = 49 days
- Median approval for all DAs (calendar days) = 35 days
- Applications approved within statutory period = 85%
- Percentage of DAs appealed = 3.2%
- Percentage of DAs appealed by 3rd Parties = 1%
- Percentage of appeals mediated = 83%
- Percentage of all DAs appealed by 3rd parties and not mediated = 0.2%

Whilst these are average figures they do show the overall performance of the planning system is unlikely to significantly increase in speed and that appeal numbers are low. In PIA's view this message is not well publicised and individual projects are often misrepresented in the media as having planning difficulties when often there are external factors at play. This is not to suggest the system could not be improved, but that performance gains are more likely to be made by targeting larger more complex projects. Such good performance statistics, without the reforms in place, highlights that great care needs to be taken so that the reforms do not diminish these current levels of performance.

POLICY POSITION STATEMENT

Draft for Discussion DECEMBER 2013

Average and Median Approval Times for all Applications



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