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## MULTI-PURPOSE

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 Your ref:

6 June 2008

Review of Planning System  
 GPO Box 1691  
 HOBART TAS 7001

RECEIVED  
 10/6/08

Dear Sir,

**Re: Review of Planning System in Tasmania**

The Tasman Council makes the following comments in relation to the review of the planning system:

- The Resource Management and Planning Appeals Tribunal (RMPAT) and the Resource Planning and Development Commission (RPDC) need to remain as separate entities. It is considered that they perform different roles and need to remain independent of each other. However it is considered that the hearing of representations to planning scheme amendments currently conducted by the RPDC should become part of the function of RMPAT.
- RMPAT should become less of a court with more emphasis placed on the consideration of the planning merits of matters and less on legal points. In other words it should be less formal, allowing parties to make submissions without the need for legal proofs of evidence and with less emphasis on costs. The requirements for costs should be tightened up so that except under exceptional circumstances all parties should bear their own costs. The tribunal should also have the power to correct minor matters. For instance where a planning authority has made a mistake in the advertising procedure (eg. failure to notify a property) rather than invalidating the appeal, the Tribunal should be able to direct that the matter be re-advertised.
- It is considered that there needs to be a change to the Act to require a public hearing of all planning scheme amendments whether or not representations are received. Presently the RPDC has the discretion to hold a hearing where there are no representations received but rarely exercises this discretion. It would make the amendment process more transparent if all amendments were subject to a public hearing.
- It is considered that the role of the RPDC should be changed from that of an authority that polices planning authorities to one that has a role in assisting planning authorities. The Commission should be working collaboratively with Councils to prepare planning schemes and amendments.

Yours faithfully,

**Frank Darke**  
**Planning Manager**

*Defendants of the past... visionaries for the future.*