

**From:** [Anna & Michael](#)  
**To:** [Have Your Say](#)  
**Subject:** Submission to the Tasmanian Planning Commission Review  
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To the Department of Justice,

SUBMISSION TO THE  
TASMANIAN PLANNING COMMISSION REVIEW

General comment:

Although I do not have much direct experience of the Tasmanian Planning Commission, its value as an independent advisory body was made apparent to me as a result of my submission regarding the proposed new Natural Assets Code in the draft Statewide Planning Scheme. As a professional ecologist and past environmental consultant, I submitted that the draft Natural Assets Code considerably weakens the ability of councils to protect essential environmental functioning of our local landscape, to the extent that there would be very little that the Code could actually protect at all (only some species and communities that are already highly threatened, and those not everywhere). The Tasmanian Planning Commission, after many hearings, provided advice to the Planning Minister that he should consider major revisions of the draft Code. While the Minister rejected much of their advice, he did add to the Code that the Priority Vegetation Layer should include “native vegetation of local importance”. This is potentially of great benefit, as it allows councils to protect native vegetation that contributes to wildlife corridors and habitat, climate change adaptation, scenic protection, and more, and this is currently playing out as each municipality presents its draft Local Provisions Schedule.

This is one example of the importance of an independent and skilled Tasmanian Planning Commission.

We must have a planning system that has some separation of powers, and the ability for reasoned and informed argument supporting environmental and community concerns, to counter the near-overwhelming financial and political power that pro-development forces can exert.

The Tasmanian Planning Commission currently appears to be able to seek and absorb information from a wide variety of experts, and has the strength to make decisions which may be unpopular with powerful people. This is essential for our democracy, and for maintenance of a society that provides for all our people as well as the environment that is too often ignored or abused.

Comments relating to Terms of Reference:

1. STRUCTURE

- It is essential the Tasmanian Planning Commission is able to continue to perform its role as an independent decision maker and advisory body in a fair, just, efficient and effective manner.
- While I have had no other particular experience with the Tasmanian Planning Commission, Launceston Heritage Not Highrise, of which I am a member, has had recent

experience with the Resource Planning and Management Appeal Tribunal and found it to be a most effective and fair-minded body and believe that that is characteristic of the current Tasmanian Planning Commission.

- The functions and powers of the Tasmanian Planning Commission should be expanded and current powers used more often e.g. public hearings should be mandatory and not discretionary.
- The Commission should have a policy role so that they can advise on regional Planning Strategies and Tasmanian Planning Policies in general.
- The Commission should maintain the State of Environment Reporting Function. However this appears to have lapsed in recent years and the Commission should be provided with necessary funding and facilities to ensure it can independently perform this essential function. SoE reporting, if not done by the Commission, would presumably be done by DPIPW or EPA, and this cannot, unfortunately, be guaranteed to be independent of political influence.
- In order for the Commission to be able to effectively implement holistic integrated planning laws and policies in Tasmania there must be an end to exemptions such as Forestry on public land, Private Timber reserves, Aquaculture, Mining explorations, Dams, utilities, Agriculture etc.
- The Commission should maintain its role in policy development.
- It is essential the Commission maintains its role in public participation in planning.
- It is essential that the Commission decision making process is evidence based or merit based and NOT influenced by political pressure or influence

## 2. CONFLICT OF INTEREST

- If there are representatives of State Agencies or bodies, such as TasWater and State Growth, there should also be representatives of environmental agencies, such as from DPIPW, CSIRO, EPA or non-government organisations.
- It is important that individuals who are members of the Commission do not bring unduly pro-development views to influence Commission decisions. It is of the utmost importance the Commission is able to, and to be seen to, present fair and balanced views, opinions and decisions.

## 3. ONGOING STRUCTURE:

- The Commission should be adequately resourced, not just financially but in staff. Without proper resourcing it is simply not possible for the Commission to perform its role. This should include resources for conducting State of the Environment reporting.

Yours sincerely

Anna Povey

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