

Tasmanian Planning Policies – Scoping Paper Submissions

No	Name	Position	Organisation
21	Andrew Kos	Senior Policy Officer	Mission Australia
22	Sophie Underwood	State Coordinator	Planning Matters Alliance Tasmania
23	Connie Digolis	CEO	Mental Health Council of Tasmania
24	Jo-Anne Kelder		
25	Pamille Berg AO		
26	Ross Lovell	Manager City Planning	Clarence City Council
27	Roger Cooper	Senior Planning Advisor	Housing Industry Association Ltd
28	Michelle Riley	Municipal Planner	West Tamar Council
29	Catherine Prideaux		
30	Jean Symes		
31	William Harkness	Development Manager	Housing Choices Tasmania Limited
32	Heather Brown	Secretary	Huon Valley Dog Walking Association
33	Lucinda Shannon	Deputy CEO	Womens Health Tasmania
34	Jennifer Godfrey		
35	Darren McPhee	Tamar Estuary and Esk Rivers Program Manager	NRM North
36	Neil Shephard		Neil Shephard & Associates
37	Tom O'Connor	Senior Planning and Assessment Officer	Bushfire Risk Unit Tasmania Fire Service
38	Mervin Reed	Chartered Financial Adviser	Tasmanian Private Wealth Advisers Pty Ltd
39	Sushila Desai		
40	Nepelle Crane	Chief Executive Officer	NRM South

Scope of the draft Tasmanian Planning Policies

Submission



**MISSION
AUSTRALIA**

Scope of the draft Tasmanian Planning Policies

Introduction

Mission Australia is a national Christian charity motivated by a shared vision of an Australia where everyone has a safe home and can thrive. Since 1859, we have been standing alongside people in need across Australia, offering real hope that has lasting impact.

In the 2019-20 financial year, we supported close to 170,000 individuals through almost 500 programs and services across Australia.¹ This included nearly 18,500 individuals in Tasmania supported through 36 services including community services (children and families), early learning, employment solutions, housing and disability services (Local Area Coordination and Early Childhood Early Intervention).

In 2009 Mission Australia established Mission Australia Housing, a Tier 1 Community Housing Provider. In 2013 we took over the management of a portfolio of 500 social housing homes for Housing Tasmania in Clarendon Vale and Rokeby and this year we will add a further 680 social housing homes to manage in Warrane, Mornington, Risdon Vale, Chigwell, Midway Point, Sorell, Orford, Triabunna, Swansea and Bicheno.

A crucial purpose of Tasmania's planning system is that all Tasmanians will have adequate and appropriate housing that meets their needs. The existing framework of generic planning for residential settlements does not provide for the category of social and affordable housing, which are components of our diverse housing mix. The *Tasmanian Planning Policies Scoping Paper* does not mention social and affordable housing. If social and affordable housing is included in the *Tasmanian Planning Policies* (TPPs), then Tasmania will have the vital planning mechanisms to ensure everyone can have the home they need.

Summary of recommendations

Alongside ShelterTAS and other organisations, we recommend that:

- Social and affordable housing is recognised in the TPPs as an issue in its own right within the Liveable Settlements topic.

When considering implementation into strategic planning of a Liveable Settlements TPP covering the issue of social and affordable housing, we also recommend that:

- The use of the Economic Feasibility Tool form part of the strategic planning considerations of the proposed social and affordable housing TPP.
- The government consider the implementation of inclusionary zoning strategies.

¹ Mission Australia (2020) Annual Report: 2019-20, accessible at:
<https://www.missionaustralia.com.au/publications/annual-reports/annual-report-2020>

Social and affordable housing

The TPP Scoping Paper does not mention social and affordable housing. This needs to change. We urge the government to update the draft TPPs to include social and affordable housing to ensure sufficient provision of housing suited to health, well-being and economic needs of Tasmanian households.

Benefits of social and affordable housing

The wellbeing of Tasmanian communities is dependent on safe, secure and affordable housing for everyone. Having a home is critical for people's mental and physical health, their education and employment prospects, and their ability to meaningfully participate in the community.

For people facing disadvantage and at risk of homelessness, or already experiencing homelessness, the need for social and affordable housing is critical. When someone does become homeless, they require effective responses to help them quickly exit homelessness and, if necessary, access ongoing assistance with health, wellbeing, education, employment and other issues.

Social housing is an important piece of social infrastructure in Australia that serves both a social and economic purpose and contributes to the effective functioning of society.² Rolling out construction of social homes can help create jobs and stimulates the economy.³

Social and affordable housing in Tasmania

Social and affordable housing are described in the *Tasmanian Affordable Housing Strategy 2015-25* in the following terms:

Social housing: is a broad term used to capture both housing provided by the government (public housing) and non-government organisations (community housing) with below-market rent prices. Affordable housing: refers to rental homes or home purchases that are affordable to low income households, meaning that the housing costs are low enough that the household is not in housing stress or crisis.⁴

Social housing is delivered by not-for-profit organisations and the State Government, who provide affordable rental homes for people on lower incomes, using an income-based rent model (no more than 30% of income). This housing remains as an asset in the social housing system in the long term. Affordable housing is also predominantly delivered by not-for-profit organisations and the State Government. To improve the delivery of quality social and affordable homes on an economic model

² Infrastructure Australia, 2019, *Australian Infrastructure Audit 2019: Chapter 6, Social infrastructure*, accessible at <https://www.infrastructureaustralia.gov.au/sites/default/files/2019-08/Australian%20Infrastructure%20Audit%202019%20-%206.%20Social%20Infrastructure.pdf>

² Deloitte, 2020, *The social impacts of COVID-19, Reset not restart: Taking advantage of a crisis for social change*, accessible at <https://www2.deloitte.com/content/dam/Deloitte/au/Documents/Economics/deloitte-au-dae-social-impact-of-covid-19-100820.pdf>

³ SGS Economics and Planning, *Economic Impacts of Social Housing Investment*, 2020, accessible at: <https://www.communityhousing.com.au/wp-content/uploads/2020/06/20200197-SHARP-Final-ReportSGS.pdf?x59559>

⁴ https://www.communities.tas.gov.au/_data/assets/pdf_file/0014/30254/AHS%20Strategy%20Final.pdf

that is different from mainstream residential development, the TPPs needs to include a specific category for social and affordable housing.

The need for social and affordable homes is increasing across Tasmania. As of August 2021, there are 4,367 applications for social housing, and this number continues to grow.⁵

As noted in the 2017 TPP consultation draft:

When securely housed in homes appropriate to their needs, Tasmanians have a greater opportunity for increased economic and social participation. Land use planning is critical to the development and delivery of a diverse range of housing, consistent with the changing needs of the Tasmanian community.⁶

Social and affordable housing should be included in the TPPs as a priority to ensure decision-makers and planners plan appropriately for the housing needs of the whole community, especially people on lower incomes who need affordable rental homes.

The inclusion of social and affordable housing will contribute to offsetting the factors contributing to the housing crisis in Tasmania such as increased rental costs resulting from low vacancy rates and availability of suitable private rental accommodation.

Recommendations

Alongside ShelterTAS and other organisations, we recommend that:

- Social and affordable housing is recognised in the TPPs as an issue in its own right within the Liveable Settlements topic.

Implementation into strategic planning

When considering implementation into strategic planning of a Liveable Settlements TPP covering the issue of social and affordable housing, Mission Australia recommends consideration of two further policy ideas: the Economic Feasibility Tool for housing planning, and a framework for mandatory inclusionary zoning.

Social housing planning tool

Mission Australia is a founding member of the Constellation Project.⁷ Constellation has worked with the Tasmanian Government to co-design an Economic Feasibility Tool to assist the government in

⁵ https://www.communities.tas.gov.au/housing/tasmanian_affordable_housing_strategy/reporting

⁶ https://planningreform.tas.gov.au/_data/assets/pdf_file/0003/628239/Tasmanian-Planning-Policies-and-Overview-Consultation-Draft-April-2017.pdf

⁷ The Constellation Project was founded in 2018 by the Australian Red Cross, the Centre for Social Impact, Mission Australia and PwC Australia, with a vision to end homelessness in a generation. It's now a thriving collaboration, combining the knowledge, resources, networks and influence of people from the business, research, government and community sectors. Constellation seeks to generate practical solutions, such as MIZ, to improve outcomes for people at risk of or experiencing homelessness.

addressing homelessness and develop efficient funding solutions to enhance and significantly increase social and affordable housing supply.

The tool is based on local demographic and housing user profiles, land and construction costs, financing terms and project economic benefits. It automatically calculates the total cost of creating new housing, including the debt repayment profile and any equity funding gaps to be met by private sector investment. Decision makers and analysts have access to a dashboard showing the total unmet housing demand and construction need, 10-year projections of cash flow, debt repayment profiles, total sources/uses of funds and economic costs, benefits and savings.

The tool allows for calculation of housing needs at the state, regional and local levels. For each area, it outlines investment options based on the level of housing demand while also assisting with Strategic Asset Management planning and proactive procurement. It gives the government a better understanding of housing demand, where they are able to determine what types of housing are most required based on existing and future construction. This informs their strategic planning and modelling of costs.

We recommend that the use of the Economic Feasibility Tool form part of the strategic planning considerations of the proposed social and affordable housing TPP.

Planning reform to boost social and affordable housing

Mission Australia supports inclusionary zoning strategies that facilitate communities where all forms of housing are embraced. We recommend that the government consider the work of The Constellation Project on a National Framework for Mandatory Inclusionary Zoning (MIZ).

MIZ has not been consistently and coherently applied at a large scale in Australia. It has been taken up in pockets: for example, in NSW a form of MIZ has existed in designated zones in the City of Sydney for more than 20 years. However, because of their very limited application and small requirements, these schemes have yielded only 750 affordable rental homes over more than two decades.

What is really needed is a National Framework to coordinate the efforts of governments, developers and CHPs to use MIZ to generate affordable housing at scale. This would bring a level of consistency and clarity to its application not previously seen in Australia. It is important to note that a National Framework does not mean identical implementation in all locations. The Australian planning system is intricate and nuanced across multiple jurisdictions. A National Framework needs to be flexible for regulatory, project and local market context.

What we want to see arising from these efforts are communities where social, affordable and market housing are integrated together to provide a sustainable and inclusive neighbourhood for people from all walks of life.

Recommendations

When considering implementation into strategic planning of a Liveable Settlements TPP covering the issue of social and affordable housing, we recommend that:

- The use of the Economic Feasibility Tool form part of the strategic planning considerations of the proposed social and affordable housing TPP.
- The government consider the implementation of inclusionary zoning strategies.

Conclusion

Thank you for the opportunity to contribute to the consultation on the TPP Scoping Paper. We urge you to include social and affordable housing in the TPPs as an essential step towards ensuring that our clients, and all Tasmanians have the homes they need. It will bring a vital planning focus to this essential housing sector.

From: [Have Your Say](#)
To: [Planning Unit](#)
Subject: FW: PMAT Comment on the Scope/Content and Structure of the draft Tasmanian Planning Policies (TPPs)
Date: Friday, 22 October 2021 8:35:03 AM
Attachments: [↳](#)

From: Sophie Underwood
Sent: Wednesday, 20 October 2021 7:53 PM
To: Have Your Say <HaveYourSay@justice.tas.gov.au>
Subject: PMAT Comment on the Scope/Content and Structure of the draft Tasmanian Planning Policies (TPPs)

To Whom It May Concern,

RE: Scope/Content and Structure of the draft Tasmanian Planning Policies (TPPs)

Thank you for the opportunity to comment on the Tasmanian Government's [Tasmanian Planning Policies Scoping Paper for draft TPPs](#), which is out for public comment between the 8 September and 22 October 2021, also see [here](#)

Strategic statewide policies are the missing component of the Resource Management and Planning System and are critical as they provide the [intention](#) of the planning system

While PMAT's preference is for the development of State Policies (SPs) rather than TPPs – as SPs provide for a whole of Government approach and are more transparent as they are signed off by the Tasmanian Parliament - we do welcome efforts to develop strategic policies. Having two strategic layers is also confusing thus it would be beneficial for you to explain the relationship between the SPs and TPPs.

The TPPs, although creating another layer of complexity to the planning system, are important as they will influence the future of Tasmania by shaping the planning system

The TPPs will inform both the upcoming review of the Tasmanian Planning Scheme and Tasmania's three Regional Land Use Strategies. For example, the review of the State Planning Provisions (SPPs) is due to commence in March 2022

From reading your documentation, we understand that the Tasmanian Planning Policies will set out **what we need**; the Regional Land Use Strategies will show **where that need should be located** and the Tasmanian Planning Scheme will outline **how this may be achieved and provide the appropriate zoning in the Local Provisions Schedule**. It would be useful to further provide an explanation of **need** and how you are defining **need**. Public consultation should also be part of any new legislative framework for the development of the Regional Land Use Strategies. Presently, there is no guarantee of public comment on these critically important strategies.

Another concern is that holistic integrated planning is not possible in Tasmania as key land uses are currently exempt or partly exempt from Tasmania's planning laws. For example mining, dams, forestry (public and private land) and aquaculture sit wholly or partly outside the planning system. This is why PMAT's Principle 5 of our [Platform](#) calls for integration: **Principle 5: Integration: Provide an integrated assessment process across all types of developments (including mining, forestry, aquaculture, dams and tourism developments) on all land tenures (including reserved land (e.g. national parks), public land allocated to timber production (formerly known as state forest), and the marine environment) which includes consistent provision of mediation, public comment and appeal rights.**'

As per Schedule 1 of the *Land Use Planning and Approvals Act 1993*, which includes encouraging public involvement in resource management and planning, we respectfully request that the Tasmanian Government dedicate more resources to community education and engagement regarding the importance of the TPPs, and why it is critical for the community to have their say on the TPPs. It is our understanding that nationally, Tasmania allocates the lowest amount of resources for strategic planning.

Simply placing documents on a website and advertising in local papers, is not enough to create community engagement and discussion on such critically important policies for Tasmania's future well-being.

It is noted that the Minister for Planning's recent media release, [Giving Tasmanians an opportunity to help set the direction of future planning policies](#), September 2021, stated (emphasis added) that *Together with other reforms currently underway, the TPPs will help us deliver an efficient and up-to-date state-wide planning system that reflects our collective vision for Tasmania's future*. It will be difficult for the Tasmanian Government to state that the TPPs reflect a collective vision, if the community does not understand the planning system, where the TPPs fit into that system, let alone not engaging with their development.

We also respectfully request that the Tasmanian Government **listen and respond** to community feedback in line with, for example, the [United Nations Brisbane Declaration on Community Engagement](#) also see [here](#). This Declaration was developed in 2005 at the first United Nations Conference on Community Engagement. The Declaration presents a robust definition of Community Engagement and principles for defining what makes for good engagement.

Also, what are your priorities for TPP development? As public engagement is a key part of the planning process (including TPP development) we would suggest that that the Public Engagement in Planning Processes TPP is one of the first to be developed.

We look forward to the Tasmanian community being invited to have their say on the actual content and implementation statements when the new draft Tasmanian Planning Policies are released for public exhibition in early 2022.

Yours sincerely,

Sophie

Sophie Underwood
State Coordinator - PMAT
E
M
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State Coordinator - Planning Matters Alliance Tasmania
Convener - Freycinet Action Network



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By email: haveyoursay@justice.tas.gov.au

20 October 2021

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Yours sincerely,

Sophie

Sophie Underwood
State Coordinator - PMAT

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The Planning Matters Alliance Tasmania

The [Planning Matters Alliance Tasmania](#) (PMAT) is a growing network of almost 70 community groups from across Tasmania advocating for a strategic, sustainable, transparent and integrated planning system which will serve to protect the values that make Tasmania a special place to live and visit.

PMAT considers that, to achieve the best future for Tasmania and all Tasmanians, the planning system must be underpinned by six key principles, which are outlined in our founding [Platform](#) document. Principle 2 relates to 'strategic vision', hence we have a special interest in planning policy development:

PMAT Platform Principle 2: Strategic Vision: Establish and implement a community endorsed, sustainable, long-term strategic vision for Tasmania.

Our Platform states that the vision should include social, economic and environmental goals and should be supported by community endorsed state and/or regional policies on a wide range of issues such as affordable housing, biodiversity, fire management, climate change, coastal development, energy efficiency, equity, health, infrastructure, population, public transport, residential amenity, good design, social inclusion, visual amenity, wastewater and water quality.

PMAT would also like to see the development of a community driven values based planning system which serves to protect Tasmania's unique and special natural environment, heritage, lifestyle and democracy.

Strategic Statewide Policies – the missing component of the Planning System

Strategic statewide policies are the missing component of the Resource Management and Planning System.

One of PMAT's founding concerns was that the Tasmanian Planning Scheme was developed in the wrong order and in a policy vacuum. That is the vision for Tasmania needed to be captured through community consultation (i.e. through the development of State Policies), and THEN a planning scheme developed to implement that vision. See PMAT's presentation [here](#) given at the Planning Institute of Australia Conference 2018 entitled '*State Policies - developing a vision to deliver community will*'.



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The TPPs have the potential to provide some long awaited policy direction to the Tasmanian Planning System – which is welcome. However, PMAT will continue to advocate for development of SPs to address the most important issues facing Tasmania. A mix of SPs and TPPs will deliver the best results for the planning system and Tasmania's future.

What is the Difference between State Policies and Tasmanian Planning Policies?

The main difference is that SPs are signed off by the Tasmanian Parliament and provide a whole-of-government approach on particular issues. Whereas the TPPs are signed off by the Planning Minister and affect Tasmania's land use planning system only. See the difference between SPs and TPPs in more detail [here](#).

It is noted that the TPPs must be consistent with SPs.

State Policies

PMAT's preference is for the development of SPs as they:

- Set a clear vision and priorities for Tasmania's future;
- Provide whole-of-government strategic policies on various issues e.g. Settlement, Transport and Infrastructure;
- Are intended to create consistency in planning and development decision-making, so must be considered when making a planning scheme, and can be written in a manner that is self-executing (that is, it can be an offence to not comply with a SP, regardless of what a planning scheme says);
- Must be approved by parliament, following consultation with the public and assessment by the Tasmanian Planning Commission and
- SPs have longevity, as they have survived successive Governments.

The development of a full suite of SPs stopped around 2009. We only have three SPs which relate to the protection of agricultural land (*State Policy on the Protection of Agricultural land 2009*), coastal development (*State Coastal Policy 1996*) and protection of water quality (*State Policy on Water Quality Management 1997*).



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Tasmanian Planning Policies

The TPPs are a new part of the planning system introduced in 2018. PMAT helped secure eight amendments to the *Land Use Planning Approvals Amendment (Tasmanian Planning Policies and Miscellaneous Amendments) Bill 2018*, which passed with tri-partisan support in the Tasmanian Parliament in November 2018.

The amendments PMAT helped secure enhanced accountability and transparency by increasing the role of Parliament, the Tasmanian Planning Commission and the community in the development of Tasmanian Planning Policies.

Although PMAT's preference is for the development of SPs [we welcomed](#) efforts to develop strategic policies.

Tasmanian Planning Policies may relate to:

- the sustainable use, development, protection or conservation of land;
- environmental protection;
- liveability, health and wellbeing of the community; and
- any other matter that may be included in a planning scheme or a regional land use strategy.

As the Tasmanian Government's [Tasmanian Planning Policies Scoping Paper for draft TPPs](#) states (emphasis added) '**The TPPs will articulate the fundamental vision and principles upon which all planning decisions and future changes in land use will be based.**'

The TPPs must also further the Resource Management and Planning System Objectives, as outlined in Schedule 1 of the [Land Use Planning and Approvals Act 1993](#).

The Tasmanian Government states on the Department of Justice website:

'The TPPs are being developed to provide the first comprehensive, high-level policy framework for the planning system. The TPPs will shape the future for Tasmania through informing strategic land use planning and the planning rules in the Tasmanian Planning Scheme. The TPPs will also guide the comprehensive review of the 3 regional land use strategies in line with the recommendations from the [Premier's Economic and Social Recovery Advisory Council \(PESRAC\)](#) report released in March 2021. The TPPs will cover important issues not just for planners and decision makers, but for all Tasmanians.'



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Have Your Say

To help the community respond, the Tasmanian Government invited us to consider the following five questions with regard to the scope/content and structure of the TPPs:

1. Do you agree with the scope of proposed TPP topics?
2. Do you agree with the scope of the proposed TPP issues?
3. What other topics and/or issues do you think the TPPs should cover?
4. Do you agree that climate change should be integrated into all relevant TPPs?
5. Do you think that the proposed template is appropriate?

Please see our comments below which address these questions. The questions have been combined where appropriate.



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Do you agree with the scope of proposed TPP topics? What other topics do you think the TPPs should cover?

Page 9 (Figure 1) of the [Tasmanian Planning Policies Scoping Paper for draft TPPs](#), September 2021, outlines proposed topics that the TPPs could cover.

What topics should the TPPs cover?

LUPAA describes the minimum content required in order for the TPPs to guide future strategic land use planning through the regional land use strategies and the Tasmanian Planning Scheme.

To further the LUPAA requirements, draft TPPs should be developed for each of the following topics:

TPP Topic	Issues (to be addressed under each TPP Topic)
Environmental Protection	<ul style="list-style-type: none"> Biodiversity – flora and fauna habitat protection, weed management, fire management Waterways and wetlands – water quality Catchment management Coastal processes and landforms Applying the precautionary principle
Hazards and risks	<ul style="list-style-type: none"> Natural hazards – bushfire Flooding Landslide Sea level rise coastal inundation and erosion Acid sulphate soils Man-made hazards – emissions, contaminated land, soil quality/risks
Economic Development	<ul style="list-style-type: none"> Industry and business Tourism Agriculture Mining and minerals Use and development in the coastal zone
Liveable Settlements	<ul style="list-style-type: none"> Planned and contained settlements Pleasant places to live – amenity and avoiding land use conflicts Integrating land use and transport Health and wellbeing – recreation and open space opportunities Community – health services and education
Heritage Protection	<ul style="list-style-type: none"> Aboriginal heritage Cultural heritage Landscape heritage – scenic protection, including tourist routes
Infrastructure to support the economy and create liveable communities	<ul style="list-style-type: none"> Airports / Sea ports / Railways Roads, car parking, cycleways and walkways Public transport Telecommunications Electricity and energy Irrigation, water, sewerage and stormwater Waste management
Public engagement in planning processes	<ul style="list-style-type: none"> Consultation Strategic planning Ongoing review

Tasmanian Planning Policies Scoping Paper for draft TPPs – September 2021



Figure 1 – Proposed topics and issues the TPPs could cover.

Source: The [Tasmanian Planning Policies Scoping Paper for draft TPPs, September 2021](#), page.9.



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General Comments

Planning should be for well-being and prosperity and not just growth

Principle 1 of [PMAT's platform](#), which 66 community groups have now signed onto, states that '*Community and Environment: Prioritise the health and well-being of the whole community, the liveability of cities, towns and rural areas, and the protection of the natural environment and cultural heritage*'. PMAT's Strategic Plan 2021 – 2023 also states that '*PMAT's vision is for Tasmania to be a global leader in planning excellence. We believe best practice planning must embrace and respect all Tasmanians, enhance community well-being, health and prosperity, nourish and care for Tasmania's outstanding natural values, recognise and enrich our cultural heritage and, through democratic and transparent processes, deliver sustainable, integrated development in harmony with the surrounding environment*'.'

Gender-inclusive Language

The TPPs should use gender-inclusive language as for example set out in the [United Nations Guidelines for gender-inclusive language in English](#). Using such statements as 'man-made hazards' should be replaced with for example 'human-made hazards' or 'artificially-made hazards'.

Language to be consistent with the *Land Use Planning and Approvals Act 1993*

Given that the TPPs seek to further Part 1 and Part 2 objectives set out in Schedule 1 of the [Land Use Planning and Approvals Act 1993](#), the TPP's language should be consistent with the language of these objectives. See example next.

Economic Development

It is suggested that the topic name 'Economic Development' be replaced with 'Sustainable Development' so it is consistent with Part 1 and Part 2 objectives set out in Schedule 1 of the [Land Use Planning and Approvals Act 1993](#) which focuses on 'sustainable development' rather than 'economic development'. Sustainable development could also adopt of circular economy principles. According to the [United Nations Economic Commission for Europe](#) for example, circular economy refers to a new and inclusive economic paradigm, which aims to minimize pollution and waste, extend product lifecycles and enable broad sharing of physical and natural assets.



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Suggested New Planning Policy Topics

Six new TPP topics are suggested, which are outlined in more detail below: Human Health and Well-being TPP, Ecological Restoration TPP, Scenic Landscape Protection TPP, Good Design TPP, Sustainable Transport and Mobility TPP and Monitoring, Evaluation and Reporting TPP.

Human Health and Well-being TPP

It is suggested that a new 'Human Health and Well-being' TPP topic be included. Given its overarching importance, an SP might however, be the best approach. See details in the section below.

Ecological Restoration TPP

The restoration and rehabilitation of degraded land is an important tool in dealing with climate change impacts and loss of biodiversity. This policy is seen as additional to an Environmental Protection Policy as it focuses with improving degraded land to reduce climate change impacts and reverse biodiversity loss rather than just protecting remaining values. Environmental restoration has the capacity to increase habitat area for native species, improve water quality by reducing runoff and providing natural filtration, provide linkages between areas of intact vegetation, provide natural pest control, engaging people with nature and empowering them to be part of repairing the environment. It would also help raise the standards of conservation land management across Tasmania.

An Ecological Restoration TPP would also help further the objectives of the [UN Decade on Ecosystem Restoration \(2021 – 2030\)](#), which aims to prevent, halt and reverse the degradation of ecosystems on every continent and in every ocean. We should also be aiming for ecological integrity and resilience across the landscape – known as *landscape continuum*.

The Society for Ecological Restorations published the [National Standards for the Practice of Ecological Restoration in Australia](#), should also be incorporated into all land use across Tasmania.

Scenic Landscape Protection TPP

It is suggested that a new 'Scenic Landscape Protection' TPP topic be included.

The 2003 State of the Environment Report for Tasmania is still relevant today as it made the following statements about Tasmania's scenic landscapes. These demonstrate the importance of our scenic landscapes to our natural values, economy and well-being:



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'Scenic landscape includes the properties of the land, such as landform, landcover and land use, arising from a number of natural and cultural processes. Landscape has much to contribute to the debate on sustainable development in Tasmania because it is integrated and people focussed.'

Maintaining the condition of scenic landscape values is important for Tasmania because:

- *There are strong cultural ties to landscape and feelings for the visual beauty of the mountains, lakes, coasts and forests of Tasmania are a common bond among people.*
- *The landscape values of the State remain a major drawcard for the State's tourism industry and these landscapes should be managed as a key component of tourism infrastructure.*
- *Landscape values have an association with environmental and natural resource quality: the values that people typically appreciate in a landscape are often also important ecologically. In other words, protecting landscape values can also help to protect a range of other environmental services.'*

'Tasmania's landscape is highly diverse and noteworthy for its spectacular beauty—shaped by geological forces, influenced by extremes of climate, mantled in a range of vegetation types and modified by the activities of humans. Landscape has much to contribute to the debate on sustainable development in Tasmania because it is integrated (it spans land tenures and land uses) and people focussed (we all enjoy a good view).

The condition of scenic landscape values is important for Tasmania because of the following.

- *Protecting landscape values can sometimes help to protect a range of other environmental services. Landscape values often have an association with environmental and natural resource quality: [They also provide for connectivity being natural areas which are important for gene flow and protection/enhancement of biodiversity]. The values that people appreciate in a landscape are often also important ecologically.*
- *There are strong cultural ties to landscape and feelings for the visual beauty of the mountains, lakes, coasts and forests of Tasmania are a common bond among people.*
- *There are links between healthy landscapes and healthy lifestyles through the recreational opportunities they provide.*
- *The landscape values of the State remain a major drawcard for the tourism industry and these landscapes should be managed as a key component of tourism infrastructure.'*

'Landscape inventories—linked to planning and development controls—provide the means to plan to avoid or lessen the impacts on landscape values arising from changes to the ways society uses or manages its land resources.'



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Good Design TPP

Tasmania should include an integrated design policy for the built environment such as for example the NSW [Better Placed Policy](#). This statewide built environment design policy was released by the Government Architect NSW (GANSW) in 2017. GANSW '*provides strategic design leadership in architecture, urban design and landscape architecture.*'

As part of this Good Design TPP approach, the Tasmanian Government should also reinstate the State Architect position. In 2009 Peter Poulet was announced as Tasmania's first government architect. The Australian Institute of Architects said at the time "[The state architect will help ensure good design outcomes for all major public and private projects in Tasmania, notably the Hobart waterfront](#)". Unfortunately, the position was not reinstated by the Liberals when they took government in 2014.

Tasmania is the only Australian state or territory that does not have a Government Architect. See the Government Architects Network of Australia [here](#). This is all the more concerning given the unprecedented amount of development taking place across Tasmania.

The NSW Better Placed Policy, for example, '*....seeks to capture our collective aspiration and expectations for the places where we work, live and play. It creates a clear approach to ensure we get the good design that will deliver the architecture, public places and environments we want to inhabit now and those we make for the future.*'

GANSW's Better Placed, as per the below, defines seven objectives for good design: Better fit (contextual, local and of its place), Better Performance (sustainable, adaptable and durable), Better for community (inclusive, connected and diverse), Better for people (safe, comfortable and liveable), Better working (functional, efficient and fit for purpose), Better value (creating and adding value), Better look and feel (engaging, inviting and attractive).

A Good Design TPP should also consider the natural environment and provide for interaction between the natural world and our built environments. This can have multiple benefit in terms of providing a connection between people and nature, providing recreational spaces, providing urban habitat for common flora and fauna species, providing shade and temperature regulation benefits.



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OBJECTIVE 1. Better fit contextual, local and of its place	OBJECTIVE 2. Better performance sustainable, adaptable and durable	OBJECTIVE 3. Better for community inclusive, connected and diverse	OBJECTIVE 4. Better for people safe, comfortable and liveable	OBJECTIVE 5. Better working functional, efficient and fit for purpose	OBJECTIVE 6. Better value creating and adding value	OBJECTIVE 7. Better look and feel engaging, inviting and attractive

Source: <https://www.governmentarchitect.nsw.gov.au/policies/better-placed>

Sustainable Transport and Mobility TPP

It is suggested that a new ‘Sustainable Transport and Mobility’ TPP topic be included. Transport and mobility deserve their own TPP rather than including it as part of ‘Infrastructure to support the economy and create liveable communities’. The new Sustainable Transport and Mobility TPP could include various issues, which are outlined in the section below. ‘Transport’ would include any forms of transport e.g. cars, buses, bicycles etc. ‘Mobility’ refers to smaller transport devices such as e-scooters, skateboards, rollerblades, electric chairs and scooters and other disability aids.

Monitoring, Evaluation and Reporting TPP

It is suggested that a new ‘Monitoring, Evaluation and Reporting’ TPP topic be included. Consistent with other statutory planning in Tasmania, such as the monitoring, evaluation and reporting of the management effectiveness of the Tasmanian Wilderness World Heritage Management Plan, Tasmania’s resource management and planning system should also be evaluated to ensure it is furthering Part 1 and Part 2 objectives set out in Schedule 1 of the [Land Use Planning and Approvals Act 1993](#).

Monitoring, evaluation and reporting also applies to planning schemes. As the Planning Institute of Australia states [here](#) ‘Planning schemes should have performance evaluation criteria to determine whether the policy of the scheme is working or whether changes are required. This provides an objective basis to judge the performance of the scheme in implementing the intended policy, and is a basis to refine and review the scheme.’

The Monitoring, Evaluation and Reporting TPP should also be linked to State of the Environment Reporting both at the State and National level.

Under the *State Policies and Projects Act 1993* Tasmania must release a State of Environment Report (SoE) every five years and the Minister must table it in Parliament. So far, three Tasmanian State of



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the Environment reports have been prepared: 1997, 2003 and 2009. The SoE reports provide a strategic view to shape policy and action. **However, it has been twelve years since the last SoE was released.**

The Australian Government also conducts a comprehensive review of the [state of the Australian environment](#) based on twelve environmental themes: Air quality, Antarctica, Biodiversity, Climate, Coasts, Extreme events, Heritage, Indigenous knowledge, Inland water, Land, Marine and Urban environments. The next National SoE report is due in early 2022.



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Do you agree with the scope of the proposed TPP issues? What other issues do you think the TPPs should cover?

Page 9 (Figure 1) of the [Tasmanian Planning Policies Scoping Paper for draft TPPs](#), September 2021, outlines suggested issues that the TPPs could include. The *issues* are outlined under each *topic*.

Suggested New Policy Issues

The proposed issues, as per Figure 1, need expanding. The new suggested issues below for example further Part 1 and Part 2 objectives set out in Schedule 1 of the [Land Use Planning and Approvals Act 1993](#).

Environmental Protection TPP

This TPP topic should also include the following new issues:

- Geodiversity and geoconservation
- Air quality
- Soil protection – erosion, salinity
- Ground water
- Animal pests and diseases
- Weed management and diseases
- Maintenance of ecological processes and genetic diversity
- Coastal processes and landforms should include coastal and estuarine

Ecological Restoration TPP

This proposed TPP topic should include the following issues:

- Standards and guiding principles
- Restoration, Revegetation and Rehabilitation
- Restoring and providing landscape scale connectivity
- Improving ecological integrity and resilience

Hazards and Risks TPP

This TPP topic should also include the following new issues:

- Erosion, not just associated with sea-level rise
- Heatwaves



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- Droughts

Sustainable Development TPP

This proposed TPP topic should include the following new issues:

- The circular economy

Liveable Settlements TPP

This TPP topic should also include the following new issues:

- Population
- Public or social housing and affordable housing
- Commercial and residential indoor air quality
- Food security
- Outline the minimum amenity for residential developments
- Social inclusion
- Neighbourhood character
- Urban greening/street trees/canopy cover targets

TPP issues could also be consistent with the [2021 Australian Liveability Census](#) which, over the last five years, has asked over 40,000 Australian residents what is most important to them in their ideal neighbourhood.

The top 15 liveability values in order of importance are:

1. Elements of natural environment are retained or incorporated into the urban fabric as way to define local character or uniqueness
2. General condition of public open space
3. Walking/jogging/bike paths that connect housing to communal amenity
4. Sense of personal safety
5. Access to neighbourhood amenities
6. Local businesses that provide for daily needs
7. Sense of neighbourhood safety
8. Landscaping and natural elements
9. Quality of public space
10. Protection of the natural environment
11. Access and safety of walking, cycling and/or public transport
12. Locally owned and operated businesses



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13. Sense of belonging in the community
14. Connectivity
15. Sustainable urban design

Heritage Protection TPP

The TPP topic includes Aboriginal heritage, which is welcome. However, there should be further review and discussion around the need for Aboriginal heritage values to be included in development assessment. At present, under the provisions in the Tasmanian Planning Scheme, there is no provision for impacts on Aboriginal heritage to be considered in a development assessment. The practical effect of this is that proposed developments cannot be appealed on the basis of Aboriginal heritage. It is reasonable to expect, that Aboriginal heritage is treated in the same way as European heritage. **There is a State Planning Provision for European heritage but not for Aboriginal heritage.**

Sustainable Transport and Mobility TPP

This proposed TPP topic should include the following issues:

- Roads, bike and car parking, cycleways and walkways
- Public Transport

Public Engagement in Planning Processes TPP

Given that the objectives of the resource management and planning system of Tasmania are to provide for the **fair**, orderly and sustainable use and development of air, land and water, this TPP topic should include the issues of **transparency, fairness and independence**.

Principle 3 of PMAT's Platform, which is now supported by 66 community groups from across Tasmania, also highlights the importance of transparency and independence within the planning system: '*Transparency & Independence: Ensure that planning and decision-making processes are open and transparent (e), and overseen by an independent commission, with appeals heard by an independent tribunal.*'

Monitoring and Evaluation TPP

This proposed TPP topic should include the following issues:

- Review
- Targets/Indicators
- SoE Reporting



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Do you agree that climate change should be integrated into all relevant TPPs?

The Intergovernmental Panel on Climate Change (IPCC) is the UN body for assessing the science related to climate change and is the world's most authoritative body on climate science.

In August 2021, the most comprehensive climate report ever released by the IPCC entitled '*Climate Change 2021: The Physical Science Basis. Contribution of Working Group I to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change*' was declared a "code red for humanity", by United Nations secretary-general Antonio Guterres. As the [Tasmanian Planning Policies Scoping Paper for draft TPPs](#) states, climate change '*is a complex issue that will have impacts on all aspects of our community, economy and environment. The development of the TPPs provides a unique opportunity to properly integrate the principles of climate change adaptation and mitigation into Tasmania's land use planning system.*'

At minimum, we would like to see the creation of a specific climate change TPP, integrated into all other relevant TPPs, to ensure reduction of emissions of greenhouse gases, and mitigation of the impacts of the climate crisis and disruption on the Tasmanian community. Given the enormity and importance of climate change, the development of a Climate Change SP is also essential.

State Policies for Climate Change and Human Health and Well-being

Given the magnitude of issues that the Tasmanian community is likely to face living with the climate crisis, there should also be a dedicated Climate Change SP. A Climate Change SP would ensure, in theory, an internally consistent whole of Government approach to one of the biggest issues ever to face Tasmania.

The same can be said for Human Health and Well-being. It is interesting to note that around 2019; The Heart Foundation released a [DRAFT for a State Policy for Healthy Spaces and Places](#). The purpose of the Policy was '*To encourage the use and development of land that builds healthy communities through the provision of healthy spaces and places in the built environment of Tasmanian cities and towns.*' Its objective was '*To create healthy spaces and places which provide equitable access to opportunities for active living, active travel and healthy food.*'

It is suggested the Tasmanian Government adopt this State Policy.



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Legislated Greenhouse Gas Emission Target and its Practical Effect

Whether climate change is an SP or a TPP or both, the climate change policy should refer to Tasmania's legislated greenhouse gas emissions target. It should then also detail how the State Planning Provisions and the Regional Land Use Strategies will be practically required to achieve this target.



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Do you think that the proposed template is appropriate?

Page 8 (Figure 2) of the *Tasmanian Planning Policies Scoping Paper for draft TPPs*, September 2021, outlines the suggested TPP template.

An example of what a TPP might look like

To assist in determining the range of topics and issues that the TPPs should cover, it is important to understand what form they will take and how they will be incorporated into the other parts of the planning system. To achieve this, each TPP should have a clear statement of intent and implementation.

The proposed TPP template includes the following components:

TPP Topic	The name of the particular topic covered by the TPP
Issue	Sets out the particular issue(s) under the TPP Topic
Objective	Describes the broad intent of what the issue aims to address
Strategies	Describes how the objective will be achieved – there may be multiple strategies
Implementation Statements	Describes how each individual strategy will be delivered into the planning system, either through strategic planning such as regional land use strategies, or through statutory planning in the Tasmanian Planning Scheme (State Planning Provisions and Local Provision Schedules)

Appendix I provides an example to illustrate the proposed template and structure of a TPP.

Together, the TPPs will be an integrated suite of land use planning policies and objectives, organised under logical themes: like a book with several chapters, rather than a series of stand-alone documents. They will also include guidance for their implementation into the planning system.

The TPPs will not apply to individual development applications.



Figure 2 - Proposed TPP template.

Source: The Tasmanian Planning Policies Scoping Paper for draft TPPs, September 2021, page.9.



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Implementation Statements

In 2017, the Department of Justice released indicative draft TPPs that were prepared as part of the public consultation on the *Land Use Planning and Approvals Amendment (Tasmanian Planning Polices and Miscellaneous Amendments) Bill 2017*. The indicative draft TPPs are available at [Tasmanian Planning Policies and Overview - Consultation Draft April 2017](#).

Since the indicative 2017 draft TPPs, the proposed 2021 TPP template includes a new component entitled 'Implementation Statements'. This new layer is supported. However, there is no guarantee how each TPP will be implemented. It is also unclear, how each strategy will be implemented through the Tasmanian Planning Scheme.

Monitoring and Evaluation

We would also support the creation of an additional component of the TPP template that would sit below the *Implementation Statements*, entitled something like *Monitoring and Evaluation*. This new component could potentially outline performance evaluation criteria (including agreed targets) to determine whether the policy is working or whether changes are required. Agreed targets for example would provide the basis for monitoring and evaluation.

20 October 2021

Via email: haveyoursay@justice.tas.gov.au

Mental Health Council of Tasmania (MHCT)
Response to the Tasmanian Planning Policies scoping paper

MHCT welcomes the opportunity to provide a response to the Tasmanian Planning Policies scoping paper. MHCT is the peak body for community managed mental health services in Tasmania. We represent and promote the interests of our members and work closely with government and agencies to ensure sectoral input into public policies and programs.

In response to the Tasmanian Planning Policies (TPPs) scoping paper, MHCT suggests that social and affordable housing should be included as a core issue under the 'Liveable Settlements' topic. The purpose of Tasmania's planning system is that all Tasmanians will have adequate and appropriate housing that meets their needs. If social and affordable housing is included in the Tasmanian Planning Policies, then Tasmania will have the vital planning mechanisms to ensure everyone can have the home they need.

Social and affordable housing is an essential piece of planning policy because it provides safe and stable homes for vulnerable Tasmanians. As of December 2020, there were 3813 active applications for public and social housing in Tasmania, and priority applicants were waiting an average of 54 weeks to be housed. As the peak body for community managed mental health services, MHCT recognises that access to stable, safe and secure housing is a fundamental determinant contributing to mental wellbeing. Research into the relationship between housing and homelessness identifies that experiences of homelessness can trigger, exacerbate and magnify mental health issues.^{1 2}

Land use planning is critical to the development and delivery of a diverse range of housing, consistent with the changing needs the Tasmanian community. When social and affordable housing is named in the Tasmanian Planning Policies, decision-makers and planners will be able to plan appropriately for the housing needs of the whole community, especially people vulnerable to homelessness.

For further discussion on any aspects of this response, please contact MHCT.

Yours sincerely,

Connie Digolis
CEO
Mental Health Council of Tasmania

References

¹ Brackertz N, Wilkinson A & Davison J 2018. Housing, homelessness and mental health: towards systems change. AHURI Research Paper, Australian Housing and Urban Research Institute Limited, Melbourne.

² CHP (Council to Homeless Persons) 2018. [Housing Security, Disability and Mental Health](#)

From: [Have Your Say](#)
To: [Planning Unit](#)
Subject: FW: SCOPE & STRUCTURE OF THE TASMANIAN PLANNING POLICIES
Date: Friday, 22 October 2021 8:38:45 AM

From: Jo-Anne Kelder
Sent: Thursday, 21 October 2021 12:34 PM
To: Have Your Say <HaveYourSay@justice.tas.gov.au>
Subject: SCOPE & STRUCTURE OF THE TASMANIAN PLANNING POLICIES

Hi,

I am writing to affirm and endorse the PMAT submission to this consultation.

Jo-Anne Kelder

From: [Have Your Say](#)
To: [Planning Unit](#)
Subject: FW: Scope/Content and Structure of the draft Tasmanian Planning Policies (TPPs)
Date: Friday, 22 October 2021 8:29:39 AM
Attachments: [image001.jpg](#)

From: Pamille Berg
Sent: Friday, 22 October 2021 7:34 AM
To: Have Your Say <HaveYourSay@justice.tas.gov.au>
Subject: RE: Scope/Content and Structure of the draft Tasmanian Planning Policies (TPPs)

TO: Department of Justice
Office of Strategic Legislation and Policy
GPO Box 825
HOBART TAS 7001

To whom it may concern:

Thank you for the opportunity to comment on the Tasmanian Government's Tasmanian Planning Policies Scoping Paper for draft TPPs.

I have read carefully and endorse the submission of the Planning Matters Alliance Tasmania (PMAT) to the Department on this Scoping Paper.

PMAT's proposal of six new Tasmanian Planning Policy topics reflects the extreme urgency of making right decisions for the whole of the community in the reviews next year of the State Planning Provisions (SPPs) and the three Regional Land Use Strategies.

All of us in Tasmania are facing a world climate crisis which is not only a renewable energy or carbon problem. As described in a recent scientific journal article by ecologists Megan K. Seibert and William E. Rees,

*Plunging biodiversity and climate change, along with air/land/ocean pollution, deforestation, desertification, incipient resources scarcity, etc., are the inevitable consequences—indeed, parallel symptoms—of the same root phenomenon: the spectacular and continuing growth of the human enterprise on a finite planet. H. sapiens is in overshoot, exploiting ecosystems beyond their regenerative and assimilative capacities (Seibert & Rees, “Through the Eye of a Needle: An Eco-Heterodox Perspective on the Renewable Energy Transition”, in the journal *Energies* (July 2021)).*

The policies which will be set for the future in the coming review of the three Regional Land Use Strategies to be guided by the TPPs on such topics as the required maintenance of all arable land for agriculture will determine such fundamental outcomes as whether Tasmanians have food security in the short and longer term, rather than being dependent upon an increasingly unreliable and unworkable long-distance transport and distribution systems.

The government's actions in the next phase of drafting these TPPs could not be more critical for our collective future. We look forward to the release of the next draft for comment.

Yours sincerely,

M. Pamille Berg AO

Pamille Berg AO Hon. FRAIA
Director

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Enquires: DF
Your ref: REQ2021-044400
In reply please quote:

20 October 2021

Planning Policy Unit
Director – Mr Brian Risby

Email: haveyoursay@justice.tas.gov.au
Cc.

Dear Mr Risby

SCOPE OF TASMANIAN PLANNING POLICIES

I refer to the Minister's letter received 14 September 2021 relating to the above.

It is understood that the Policies will:

- Establish the strategic principles guiding development and content of the regional land use strategies,
- provide the context for future reviews of the State Planning Provisions (SPPs), and
- guide the spatial application and development of the Local Provisions Schedules (LPS).

In this context the proposed TPP topics provide a suitable framework but it is submitted that the scope of the issues should be expanded to ensure suitable guidance is provided on the following important planning matters:

- Specify the scope and consideration of structure planning exercises required to support rezoning and development of Specific Area Plans.
- Provide policy direction on the desired form of urban development. The critical urban planning issue facing growth cities like Clarence is the form of urban growth. Specifically, urgent changes to SPP subdivision standards and residential controls are required. The current controls are 1970s style urban sprawl design, whereas connected, legible and sustainable neighbourhoods can only be delivered through contemporary planning controls. This need not require extensive new work – there are many Australian examples that could be adapted. However, this urgent change can best be guided through planning policy, which identifies the desired attributes of subdivision design.
- The *Environmental Protection Policy* appropriately addresses “Applying the precautionary principle”. Equally, this should also be covered in the *Hazards and risks* and *Heritage Protection* policies.
- Residential standards/form for Residential types other than SD's and MD's specifically bulk/scale on larger development sites such as those catering for retirement villages, residential care and

apartment blocks. These developments have the potential to significantly impact surrounding character and amenity. Accordingly, opportunity should be taken to provide guidance on the management of streetscape impacts, visual permeability through the site, landscaping, private (and potentially public) open space, and siting (including the capacity for surrounding road network to absorb visitor parking, rubbish collection and postal delivery services).

- The Economic Development policy should consider activity centre function and hierarchy at the regional and local level and provide guidance on the scale and appropriateness for out of centre commercial use and development. This policy would benefit from guidance on urban design treatments recognising location, function and context.

This policy should also recognise the presence, role and function of the Hobart International Airport. The airport contributes not only as a transport/freight service (as identified in the Infrastructure Policy) but also as a commercial/industrial hub in its own right. This should be recognised in terms of its potential contribution and impact on the surrounding land/uses.

Additionally, feedback was specifically requested on whether climate change should be integrated into all relevant TPPs. It is considered that the broad scope of this issue warrants its own topic which could be reflected as appropriate in each of the relevant TPPs. The policy position/outcomes of this TPP could be used to establish/justify elements of other policies such as settlement pattern, transport solutions and the impact on natural hazards and natural assets.

Thank you for the opportunity to provide comment. Please let me know if you would like any more information.

Yours sincerely

Ross Lovell
MANAGER CITY PLANNING



HOUSING INDUSTRY ASSOCIATION

Housing Australians



Draft Tasmanian Planning Policies

October 2021



contents

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Housing Industry Association contacts:

Stuart Collins
Executive Director, Tasmania
Housing Industry Association
30 Burnett Street
North Hobart TAS 7000

ABOUT THE HOUSING INDUSTRY ASSOCIATION

The Housing Industry Association (HIA) is Australia's only national industry association representing the interests of the residential building industry.

As the voice of the residential building industry, HIA represents a membership of 60,000 across Australia. Our members are involved in delivering more than 170,000 new homes each year through the construction of new housing estates, detached homes, low & medium-density housing developments, apartment buildings and completing renovations on Australia's 9 million existing homes.

HIA members comprise a diverse mix of companies, including volume builders delivering thousands of new homes a year through to small and medium home builders delivering one or more custom built homes a year. From sole traders to multi-nationals, HIA members construct over 85 per cent of the nation's new building stock.

The residential building industry is one of Australia's most dynamic, innovative and efficient service industries and is a key driver of the Australian economy. The residential building industry has a wide reach into the manufacturing, supply and retail sectors.

Contributing over \$100 billion per annum and accounting for 5.8 per cent of Gross Domestic Product, the residential building industry employs over one million people, representing tens of thousands of small businesses and over 200,000 sub-contractors reliant on the industry for their livelihood.

HIA exists to service the businesses it represents, lobby for the best possible business environment for the building industry and to encourage a responsible and quality driven, affordable residential building development industry. HIA's mission is to:

"promote policies and provide services which enhance our members' business practices, products and profitability, consistent with the highest standards of professional and commercial conduct."

HIA develops and advocates policy on behalf of members to further advance new home building and renovating, enabling members to provide affordable and appropriate housing to the growing Australian population. New policy is generated through a grassroots process that starts with local and regional committees before progressing to the National Policy Congress by which time it has passed through almost 1,000 sets of hands.

Policy development is supported by an ongoing process of collecting and analysing data, forecasting, and providing industry data and insights for members, the general public and on a contract basis.

The association operates offices in 22 centres around the nation providing a wide range of advocacy, business support services and products for members, including legal, technical, planning, workplace health and safety and business compliance advice, along with training services, contracts and stationary, industry awards for excellence, and member only discounts on goods and services.

1. INTRODUCTION

Thank you for inviting HIA to participate in your public consultation of the draft **Tasmanian Planning Policies (TPPs)**.

Informing HIA's submission in this matter are:

- *Tasmanian Planning Policies and Overview Consultation Draft, April 2017* (draft TPPs).
- *Tasmanian Planning Policies Scoping Paper for Draft TPPs, September 2021* (Scoping Paper).
- Existing State Policies.
- *Tasmania's Affordable Housing Strategy 2015-2025, September 2015*.

As outlined in the Scoping Paper, “*the TPPs are required to be consistent with any State Policies created under the State Policies and Projects Act 1993 – currently the State Coastal Policy 1996, State Policy on the Protection of Agricultural Land 2009, State Policy on Water Quality Management 1997 and the range of National Environmental Protection Measures.*”

It is therefore understood that there must be a strong correlation between State Policies and the draft TPPs. Drafting TPPs that do not have synergy to existing State Policies is like putting the ‘cart before the horse’ and can lead to ambiguity, inconsistency and adverse outcomes.

A simple gap analysis (refer to Appendix 1) identifies that TPPs in the areas of **Economic Development, Settlement and Liveable Communities, Transport and Infrastructure** have virtually no association with existing State Policies.

We see this as a major shortcoming in the process because without leading legislation in the areas of economic development, settlement/place making, transport and infrastructure, associated new TPPs carry no statutory weight.

HIA urges the government to put this process on hold until appropriate State Policies are implemented following the usual consultation. Notwithstanding this, HIA is prepared to provide feedback on some of the TPP drafting currently open for public comment.

HIA urgently requests that Government undertakes a thorough review of urban land supply in Tasmania and considers all reasonable opportunities to increase land supply to meet current and future demand for housing. This includes through infill, brownfield and greenfield development, increasing the supply of detached, multi-unit, affordable and social housing.

At Parliament in March 2021, Minister for Housing Roger Jaensch stated “*Currently there are around 5000 hectares of privately owned, vacant, residential zoned land across Tasmania which could deliver around 60 000 lots for residential development, but for various reasons it is not being used. That is why we will now take immediate action to remove barriers and costs to activate this land and put it to work housing Tasmanians.*”

HIA notes that the Minister identified the need for every lever to be pulled across the market to provide more supply and capacity to meet current and future housing demand.

HIA would be pleased to get together with Government and other key industry stakeholders to workshop opportunities for urban expansion and new housing supply in infill, brownfield and greenfield areas to deal with land shortages and the housing affordability crisis currently being experienced in Tasmania.

2. COMMENTS ON THE DRAFT TASMANIAN PLANNING POLICIES

We have reviewed the draft TPPs in the areas of:

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

HIA submits the following comments on aspects of these draft TPPs.

Economic Development

Objective 3 of Agriculture broadly referring to “agricultural land” should instead refer to “prime agricultural land” or “productive farmland” which encapsulates the land strategic planning should protect.

HIA’s view is zoned agricultural land that has limited or no productive value to the Tasmanian economy should not be quarantined from other uses that are either complimentary to agriculture or could potentially be rezoned for other rural or urban purposes.

Sub-prime or marginal agricultural land may have soil issues, soil erosion or unfavourable climactic conditions for agricultural uses. This land may be better served for other purposes with a rational such as rural and urban development opportunities where there is a strong business case.

The protection of high value agricultural land as opposed to all agricultural land will also create certainty about which agricultural land carries the highest protection.

Settlement and Liveable Communities

Strategies 1.2 & 3.2 at Urban Development and **Housing** respectively refer to controlling urban development through the use of “urban growth boundaries”.

As per HIA’s *Managing Urban Land Supplies Policy (2007)*, HIA has a longstanding opposition to urban growth boundaries (UGB) as a means of managing urban land supplies. Where UGBs are in place, there should be a transparent and regular review process that does not rely on legislative change or Parliamentary consideration but rather involves consultation with the community and housing industry. A copy of this policy is attached to this letter.

Rather than adopting *permanent* settlement boundaries, HIA would like to see Government’s commitment to a review process of the boundaries over time, to cater for population growth with consideration of naturally progressive expansion of urban areas in an appropriate manner.

Strategies 1.3 & 3.3 refer to prioritising “infill and brownfield development over greenfield development” and limiting “new or expanded residential development in green-field” respectively.

These strategies are considered prejudicial to a properly informed and strategic land use review process whereby suitable greenfield and/or peri-urban land is able to contribute to the current supply shortage of serviced urban land in Tasmania. Accordingly the strategy mix should be amended as follows:

Amended strategy 1.3 “*Consider infill, brownfield and appropriate greenfield development to ensure efficient use of land.*”

Additional strategy at part 3 “*Consider urban expansion into greenfield areas close to transport corridors, infrastructure and services.*”

Delete strategy 3.3 “~~Limit new or expanded residential development in green field, agricultural and rural areas.~~”

It is recommended that at **Housing** part 3 a strategy be added to inject peri-urban land (i.e. land located in an area immediately adjacent to a city or urban area) into the mix for increasing housing supply in a controlled and appropriate way.

Peri-urban land often has unique and valued attributes that contribute to its rural character but is located close to existing services and infrastructure where some housing supply may be suitable. An appropriate new strategy at part 3 is:

“Provide for development close to established and well serviced settlements that have capacity for growth having regard to complex ecosystems, landscapes, agricultural and recreational activities.”

Strategy 3.4 under **Housing** promotes and facilitates “a diversity of housing types and densities in and around urban centres or activity centres”. While this is a sound strategy it could go further and include reference to “strategic infill sites” as a target to increase housing supply.

Planning Minister Roger Jaensch is known to support medium and higher density infill projects in and around the Hobart suburbs, which is to be encouraged under the *Metro Plan* of the *Hobart City deal*. This is a sound planning initiative that could be applied to strategically located infill sites in the major urban areas of the State. Accordingly, strategy 3.4 could be amended to read:

“Promote and facilitate a diversity of housing types and densities in and around urban centres, strategic infill sites or activity centres.”

Objective 3 refers to delivering affordable housing to meet current and future community needs. The draft TPPs fail to provide a clear direction for delivery of affordable housing, which can be achieved in partnership with industry.

As per HIA’s *Subsidised Affordable Housing Policy (2007)*, HIA supports the following options for developers and builders to enter into on a voluntary basis, to increase the delivery of affordable housing:

- Increasing industry’s land supply and development rights for affordable housing.
- Voluntary supply of affordable housing in a development in exchange for agreed or negotiated development bonuses which are relevant to the particular site and location.
- Innovative funding mechanisms to ensure greater government buy in on private development (one such suggestion being a subsidy scheme with homebuyers taking on a 70% mortgage; with HIA noting the Government’s *HomeShare scheme* is consistent with this action).
- Increasing the opportunity for ‘joint venture’ partnerships with industry.
- Provisions of tax and levy concessions for developers (nothing that one such scheme could be a Covid-19 stimulus to drive up housing supply to meet the current pressure put on Tasmania’s population growth).

It is the responsibility of governments to provide social housing infrastructure from general revenue and not place the burden on new home buyers. A copy of HIA's *Subsidised Affordable Housing Policy (2007)*, is attached to this letter.

Further to this, HIA proposes a new strategy at part 3 in relation to formally engaging with industry in the cooperation of increasing affordable housing supply:

"Engage and collaborate with the private sector to increase affordable housing supply through land release, increased development rights, agreed development concessions, joint venture partnerships and tax relief stimulus."

We note the affordable housing policy *Tasmania's Affordable Housing Strategy 2015-2025, September 2015* was written pre Covid-19 and should be reviewed concurrently with the process to legislate the TPPs.

HIA would be pleased to get together with Government and other key industry stakeholders to workshop opportunities for urban expansion and new housing supply in infill, brownfield and greenfield areas to deal with land shortages and housing affordability issues currently being experienced in Tasmania.

Transport and Infrastructure

Strategy 7.4 at Water Supply, Waste Water Treatment and Urban Drainage refers to incorporating "water sensitive urban design principles into the planning and delivery of new developments."

Water sensitive urban design (WSUD) is considered appropriate for medium to large scale projects e.g. three or more dwellings. We therefore suggest the strategy be extended to State "developments of three or more dwellings".

The draft TPPs fail to provide any guidance on **car parking** provision. HIA advocates for sustainable outcomes particularly where practicable by growing alternative forms of transport that reduce the reliance on private motor cars. Government and industry must commit to investing in public transport, cycling, car sharing, etc. On a case-by-case basis it will be appropriate to provide fewer on-site car parking spaces, particularly in city centres and along major public transport corridors.

Under **objective 1 of Integrated Transport and Land Use Planning**, we suggest including additional strategies to address car parking provision and to encourage the expansion of alternative forms of transport, as follows:

"To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality."

"To support sustainable transport alternatives to the motor car."

General comments

We note the Scoping paper calls for a review of adaptation and mitigation principles towards **climate change action and Covid-19 recovery** being incorporated into the TPPs.

HIA supports initiatives in these areas that make a positive contribution to the housing sector and notes that the National Construction Code (NCC) review 2022 is considering changes to the



Building Regulations that address the contribution new housing makes towards climate change impacts via construction standards and energy efficiency ratings.

As per HIA's *Subsidised Affordable Housing Policy (2007)*, HIA supports Covid-19 recovery policy stimulus for developers and builders to build more affordable housing through land supply, generous development rights, agreed development bonuses and joint venture partnerships.

HIA reserves the right to make further comment on climate change action and Covid-19 recovery initiatives once final TPPs are drafted for another round of public comment.

3. CONCLUSION

In conclusion, the key points of HIA's submission are:

- The draft TPPs process is premature to implementing appropriate and effective leading State Policies. This review should not precede a review of State Policies.
- HIA calls for a thorough review of urban land supply in Tasmania including infill, brownfield and greenfield development to meet escalating demand for urban land and housing supply.
- Under **Agriculture** “prime agricultural land” should distinguished from “agricultural land” so that non-productive farmland is not unnecessarily quarantined from appropriate new uses.
- Under **Urban Development** and **Housing** rather than adopting *permanent* urban growth boundaries, HIA would like to see Government’s commitment to a review process of the boundaries over time, to cater for population growth with consideration of the naturally progressive expansion of urban areas in an appropriate manner.
- Under **Urban Development** and **Housing** strategies should not be prejudicial to a properly informed and strategic land use review process whereby suitable greenfield and/or peri-urban land is able to contribute to the current supply shortage of serviced urban land in Tasmania.
- Under **Housing** the use of strategic infill sites should also be encouraged to increase the diversity and density of housing required to meet demand.
- Under **Housing** HIA encourages Government to innovate and collaborate with the private sector to increase *affordable housing* potentially through Covid-19 recovery economic stimulus through land release, increased development rights, agreed development concessions, joint venture partnerships and tax relief stimulus.
- Under **Water Supply, Waste Water Treatment and Urban Drainage** policy for water sensitive urban design (WSUD) is considered appropriate for medium to large scale projects e.g. three or more dwellings.
- Under **Integrated Transport and Land Use Planning** additional strategies are required to address car parking provision and encourage the expansion of alternative forms of transport in Tasmania.
- National Construction Code via NCC 2022 should be the leading legislation to address climate change mitigation through the construction standards.

HIA wishes to thank the Department for the opportunity to comment on the draft TPP's and related matters. We look forward to further involvement in the consultation process as this work progresses.

Please do not hesitate to contact **Roger Cooper** – Senior Planning Adviser on rcooper@hia.com.au or should you require anything further.



Subsidised Affordable Housing

Policy Background

- Housing quotas imposed on new development are a tax on new housing the costs incurred by developments in subsidising a particular form of housing tenure must invariably be borne by the new home-buying public and not the general community. This is inequitable and unfair.
- Commonwealth and State Government funding of public and affordable housing is not keeping up with community needs. Governments are increasingly shifting the burden of funding new affordable housing to the private sector rather than confronting the challenges of supply as a broader community issue requiring funding from general rates and taxes.
- State and local governments are increasingly looking towards affordable housing quotas to solve their own targets for publicly provided and supported housing, as well as to increase the supply of affordable housing.
- A holistic and sophisticated approach to the issue of providing increased levels of affordable housing and solving the housing affordability crisis is essential.

Policy Issues

- Affordable housing levies usually require the provision or replacement of housing in exchange for the granting of rezoning or development consent.
- The requirement is usually met by either payment of a monetary contribution to the consent authority, providing a defined ‘quota’ of affordable housing within a project or negotiating an additional floor space or other development entitlement for the provision of ‘affordable’ housing as part of a total project.
- Housing is largely a private sector activity and, as such, is driven by market forces. Many developments and builders already contribute towards providing affordable housing, based on their price positioning at the lower end of the market. If social housing is required then it is the responsibility of governments to provide such infrastructure from general revenue.
- Inclusionary zoning policies and affordable housing quotas add costs to an already over-taxed and over-regulated housing industry. The housing quota concept is flawed and inequitable as any costs incurred by developments in subsidising a particular form of housing must invariably be borne by the new home-buying public, who are least likely to be able to afford this impost. This in effect, further exacerbates housing affordability problems.

HIA’s Policy Position on Subsidised Housing

- HIA does not support mandatory inclusionary housing policies or affordable housing quotas imposed by Governments as they do not address the underlying root causes of the housing affordability problem. They provide only minuscule and random relief to what is a much larger community issue that requires a whole of community solution.
- House price increases have occurred as a result of multiple factors including increasing regulatory requirements, constrained land supply, increasing taxes and charges, cumbersome zoning and development approval processes. These items should all take priority for governments to address.

- Provision of social housing is the responsibility of government and should be adequately funded using general rates and revenue, not by placing the burden on new home owners.
- HIA remains committed to finding feasible and effective solutions to support the delivery of affordable housing stock. Whilst the industry is often unfairly targeted, it is actively contributing to the overall affordable housing solution.
- Governments should look to pursue appropriate options for funding and delivering affordable housing solutions.
- HIA supports the following options for developers and builders to enter into on a voluntary basis to increase the delivery of affordable housing units:

1. Increasing land supply and development rights for affordable housing

All governments should proactively enable land supply for affordable housing by auditing their own surplus land supply and selling it for the purpose of industry delivering the desired quota of affordable housing. Authorities should also issue suitable development rights over that land to a social housing authority, private community housing provider or industry member for the purposes of building and supplying affordable housing.

2. Voluntary supply of affordable housing in a development in exchange for agreed or negotiated development bonuses which are relevant to the particular site and location

Any development bonuses granted to assist with the supply of affordable housing must be nominated by, and agreed to by, the developer. It is industry's experience that many current development bonuses offered do not allow for a product that can be reasonably offered to a target market in a given area. Incentives for developers could include bonuses on heights, plot ratio and density requirements, car parking, a faster planning process or other planning scheme concessions, all of which should be guaranteed through relevant project specific planning provisions after a developer agrees to undertake a project, to ensure the project is financially viable and can proceed to be built.

3. Innovative funding mechanisms to ensure greater government buy in on private development

Government agencies should subsidise the housing product for low income earners. The homebuyer would finance part of the mortgage (perhaps 70 per cent) with the 'equity authority' being state or local government financing the remainder. Deferment on the payment on the full market value at the time of purchase assists with increasing the supply of affordable housing and the housing industry is the deliverer of the product on the ground.

4. Increasing the opportunity for 'joint venture' partnerships

Local or state government can partner with a willing private developer to build and manage a project where there is a component of affordable housing that must be made available with strict arrangements around the management of homes into the future to avoid profiteering. Industry is the deliverer of product on the ground.

5. Provision of Tax and Levy Concessions for Developers

Tax concessions should be offered to developers willing to agree and provide an affordable housing component to their development. Relevant tax concessions could be provided in the form of stamp duty or other concessions such as sale price on the land or an exemption from state based infrastructure contributions and other relevant property taxes.



Managing Urban Land Supplies

Policy Background

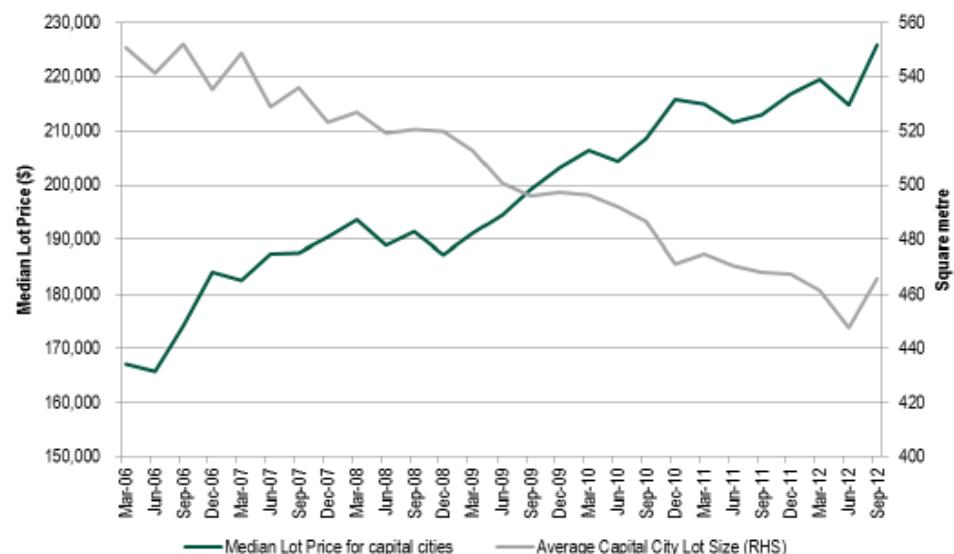
- It is vital that Governments maintain an adequate supply of land for housing in both Australia's major cities and regional centres.
- This is because demand pressure for housing that is affordable from all demographic sectors will continue.
- The continued growth of our major cities is therefore inevitable and governments must reasonably plan for this.
- In many areas state governments have introduced policies designed to curb urban sprawl which has seen an increase in medium density dwellings and apartments.
- But adequate long term land supplies for infill and greenfield housing should be an essential element of every state government policy.

Policy Issues

- Metropolitan Strategies have attempted to manage urban growth but generally they have supported and encouraged consolidation within existing urban areas, actively limiting urban growth.
- Urban Growth Boundaries (UGBs) are also a key strategy employed by state governments to manage urban growth.
- As a result increasingly of UGBs, landowners and governments either withhold or control the supply of land to the private development market.
- Over time, average lot sizes have decreased, whilst average lot prices have continued to rise.

Median Lot Price and Lot Size

Source: HIA Economics



HIA's Policy Position on Managing Urban Land Supplies

1. The primary function of Government in planning for future housing supply should be:
 - a. to streamlining the planning process;
 - b. to provide key infrastructure to facilitate well planned residential growth; and
 - c. to ensuring adequate land supply to meet growing demands for new housing.
2. The development and implementation by government of metropolitan strategies in consultation with industry is supported to manage growth and provide certainty of land supply.
3. Government strategies should be long term to create certainty of land supply and seek to create an appropriate mix of allotments in good locations at an affordable cost.
4. Metropolitan strategies must identify a rolling minimum of 15-25 year forward land supply (to be reviewed every 5 years) to meet long term demand.
5. Within this long term strategy land supply, government should work with industry to ensure adequate land with development approval to meet short term demand (e.g. 5 year supply).
6. State and Territory Governments should regularly report on the number of allotments available at key stages of the subdivision process being:
 - a. Zoned for urban development (prior to subdivision planning approval)
 - b. Subdivision (Planning) Approval
 - c. Subdivision Works (Operational) Approval
 - d. Subdivision Completion Approval
7. HIA opposes urban growth boundaries (UGB) as a means of managing urban land supplies.
8. Where UGBs are in place, there should be a transparent and regular review process that does not rely on legislative change or Parliamentary consideration and involves consultation with the community and the housing industry.
9. Governments should ensure metropolitan strategies have a focus on implementation and communication with communities so there is a clear expectation of the type of residential development that may be allowed in an area.
10. Governments should identify, promote and actively support the identification of infill land available for residential development.
11. The State Government's role in developing land should be limited to supplying housing which is affordable or which meets the needs of disadvantaged within the community or requires the state to act in a facilitation role to deliver complex redevelopment projects.



Appendix 1 – HIA Gap Analysis for Leading State Policies (Draft Tasmanian Planning Policies, October 2021)

Table 1. Draft / Aspirational TPPs (as exhibited)

State Policies	Protection of Agricultural Land (Limited relevance)	Protection of Agricultural Land (Limited relevance)	Coast Water Management Quality Environmental Protection	Coast Water Quality Management Environmental Protection	(Nil reference)
Draft TPPs	Economic Development <ul style="list-style-type: none">• Industry, commercial, business• Agriculture• Tourism• Extractive industries	Settlement and Liveable Communities <ul style="list-style-type: none">• Urban development• Open spaces• Housing• Community and social infrastructure	Cultural and Natural Heritage <ul style="list-style-type: none">• Aboriginal heritage• Historic cultural heritage• Natural heritage	Hazards and Risks <ul style="list-style-type: none">• Natural hazards• Risks to water and soil quality• Emissions, hazardous uses and contaminated land	Transport and Infrastructure <ul style="list-style-type: none">• Integrated transport and land use planning• Road and rail networks• Ports and intermodal hubs• Passenger transport• Energy• Waste and resource recovery• Water supply, treatment and urban drainage• Telecommunications



Appendix 1 – HIA Gap Analysis for Leading State Policies (Draft Tasmanian Planning Policies, October 2021)

Table 2. TPPs with gap analysis of State Policies

State Policies	Protection of Agricultural Land Economic Development	Protection of Agricultural Land Settlement, the Built Environment and Heritage Cultural and Natural Heritage	Coast Water Quality Management Environmental Protection	Water Quality Management Transport and Infrastructure Economic Development Settlement, the Built Environment and Heritage	
Draft TPPs	Economic Development	Settlement and Liveable Communities Add: <ul style="list-style-type: none">• Designated growth areas• Strategic infill sites• Peri-urban development• Affordable housing	Cultural and Natural Heritage	Hazards and Risks Cultural and Natural Heritage	Transport and Infrastructure Add: <ul style="list-style-type: none">• Car parking

State policies to add

Proposed TPP sub-policy areas

Our Ref: LP.PLA.9

Enquiries: Michelle Riley
Phone : (03) 6323 9300
Fax : (03) 6323 9349

21 October 2021

Department of Justice

Email: haveoursay@justice.tas.gov.au

Dear Sir / Madam

RE: Scoping Paper for draft Tasmanian Planning Policies (TPPs)

Thank you for providing the opportunity to provide comments on the Scoping Paper for draft TPPs.

Relationship of TPPs with a LPS

It is noted on page 7 that the TPPs do not have a role in assessing development applications. However, as the LPS criteria detailed in section 34 of the Act states an LPS must satisfy the relevant criteria in relation to the TPPs, an assessment of a request to amend the LPS is likely to consideration of the TPPs. It is recommended that this clarified through the implementation statements in the TPPs.

Clarification is also requested as to the process required if, once the TPPs are effective, a LPS is found to be inconsistent with a TPP.

What topics should the TPPs cover?

The list of topics provided in the scoping paper appears to be comprehensive.

Council is very supportive of the approach to integrate climate change considerations as topics and lenses through each of the TPPs. Specifically, climate change should be considered in the RLUS and through statutory planning including the State Planning Policies and the Local Provisions Schedules.

In statutory planning consideration should be given to how Planning Schemes can facilitate adoption of new and emerging best practice design requirements to meet future climate projections (eg. stormwater and drainage requirements for more frequent and intense rainfall events). In the RLUS consideration should be given to how future residential growth meets adaptation requirements for Climate Change in respect to natural hazards (eg. floods, bushfire, landslip, coastal inundation and erosion etc).

Stormwater management and development control with respect to future growth and development is a key priority for Council. It is recommended that consideration be given to elevating stormwater to a

separate TPP or similar to climate change be included as a topic under 'Environmental protection', 'Hazards and risks', and 'Infrastructure to support the economy and create liveable communities'. Consideration should also be given to how the TPPs can facilitate the use and/or adoption by Councils of the "*Tasmanian Policy for Stormwater in New Developments*" currently being developed through LGAT.

While it is acknowledged that the COVID-19 recovery initiatives are important to support the economy, the benefit of specifically identifying these initiatives in a land use planning context is unclear.

Appendix 1 – example draft TPP

Section 12B of the *Land Use Planning and Approvals Act 1993* (the Act) details the requirements of TPPs and in particular that they should set out the aims or principles that are to be achieved or applied by the TPS and Regional Land Use Strategy. It is recommended that the TPPs be drafted with consistent terminology as used in section 12B or provide clear direction as to which parts are the aims or principles.

The examples provided refer to implementation into strategic planning and statutory planning. Both essentially refer to how the TPPs should be reflected in the policy documents. The benefit of differentiating between implementation into strategic planning or statutory planning is unclear.

It is recommended that the subheadings could refer to implementation into the RLUS, SPP or LPS without attempting to differentiate between strategic or statutory planning. Further, clearly identifying mandatory requirements and recommended, or best practice approaches would be of benefit.

West Tamar looks forward to the opportunity to provide feedback on the draft TPPs when they are released for formal consultation.

If you would like to discuss this matter further please contact me on [REDACTED] or by email to [REDACTED]

Yours faithfully

Michelle Riley
MUNICIPAL PLANNER

From: [Have Your Say](#)
To: [Planning Unit](#)
Subject: FW: Submission on: Scoping Paper of the Draft Tasmanian Planning Policies (TPPs)
Date: Friday, 22 October 2021 8:36:23 AM
Attachments: [PMAT Submission TPPs Oct 2021 FINAL.pdf](#)

-----Original Message-----

From: Catherine Prideaux
Sent: Thursday, 21 October 2021 9:56 AM
To: Have Your Say <HaveYourSay@justice.tas.gov.au>
Subject: Submission on: Scoping Paper of the Draft Tasmanian Planning Policies (TPPs)

To whom it may concern.

I hereby endorse the content of the attached submission of /Planning Matters Alliance Tasmania/ as my personal submission on the Scoping Paper of the Draft Tasmanian Planning Policies (TPPs).

Thank you for the opportunity to comment.

Regards
Catherine Prideaux

From: [Have Your Say](#)
To: [Planning Unit](#)
Subject: FW: Submission on Scoping Paper on draft TPP - endorsement of PMAT submission
Date: Friday, 22 October 2021 8:35:26 AM
Attachments: [PMAT Submission TPPs Oct 2021 FINAL.pdf](#)

From: Jean Symes

Sent: Wednesday, 20 October 2021 9:35 PM

To: Have Your Say <HaveYourSay@justice.tas.gov.au>

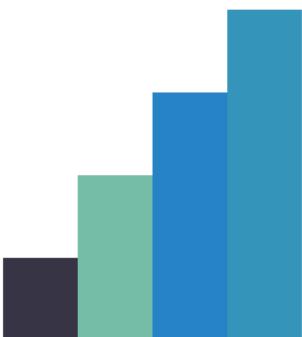
Subject: Submission on Scoping Paper on draft TPP - endorsement of PMAT submission

In response to the Scoping Paper on the draft Tasmanian Planning Policies, I would like to endorse the submission by Planning Matters Alliance Tasmania (attached).

Thank you,
Jean

Jean Symes

DATE	Thursday 21 October 2021
TITLE	Submission by Housing Choices Tasmania to the Department of Justice in relation to the: Tasmanian Planning Policies Scoping Paper
EXECUTIVE SPONSOR	Kim Bomford General Manager Housing Choices Tasmania
AUTHOR & PRIMARY CONTACT	Will Harkness Development Manager, Housing Choices Tasmania
ORGANISATION	Housing Choices Tasmania Level 7, 39 Murray Street Hobart TAS 7000



Introduction

Housing Choices Tasmania (HCT) commends the Tasmanian Government on seeking community and stakeholder feedback in the development of the Draft Tasmanian Planning Policies (TPPs). It is critical that Tasmania has an overarching strategic framework to allow for future growth to be sustainable and community focused. Housing Choices Tasmania is delighted to have the opportunity to contribute to the development of the TPPs.

About Housing Choices Tasmania

It is **Our Vision** that all people are affordably housed in neighbourhoods that support life opportunities.

It is **Our Mission** to provide affordable homes across Australia, working with partners to create resilient and inclusive neighbourhoods.

Housing Choices Tasmania is an independent not-for-profit housing provider that delivers high quality, accessible and affordable housing for people who struggle to find a suitable home in Tasmania's challenging private rental market.

Housing Choices Tasmania is part of the Housing Choices Australia Group, which is one of the largest Community Housing Providers in Australia. Housing Choices Australia also operate in Victoria, South Australia, New South Wales and Western Australia.

Housing Choices Tasmania has been operating in Tasmania for 11 years. We are now one of Tasmania's largest Community Housing Providers following the first management transfer of 1,174 Housing Tasmania (HT) dwellings under the State Governments *Better Housing Futures* initiative in 2014. We now own and/or manage close to 1,600 dwellings state-wide. On 8 November 2021 our portfolio will increase to over 2,000 dwellings with the transfer of a further 475 HT dwellings.

Further to the activities of tenancy and property management, HCT plays a significant role in the supply of new social and affordable housing. To this end we are directly impacted by the issues experienced under the current Planning Schemes.

We have a highly skilled development team with expertise and qualifications in urban planning, construction, property development, architecture and finance. Our extensive development expertise combined with proven experience has enabled our organisation to deliver over 177 new dwellings across the state in the last five years with a further 358 in the pipeline for delivery by 30 June 2023.

Housing Choices Tasmania is a Tier One Registered Housing Provider under the National Regulatory System for Community Housing, having completed our fifth successful compliance assessment. We take pride in how we deliver services. Our highly respected place-based housing management services and partnerships assist our most vulnerable residents to access support and services and to sustain their tenancies.

Current Housing Context

Tasmania continues to experience a chronic shortage of affordable rental options for people on low and moderate incomes. We have seen the number of social housing dwellings lagging as population increases, especially as Tasmania becomes increasingly popular in terms of tourism, higher education enrolments, property investment and retirement. The 2019 Report on Government Services (ROGS) states that: “over the past decade, the number of social housing dwellings [nationally] has increased by 29 930 (or 7.4%) - well behind population growth of 11%”. With these pressures it is apparent that the housing continuum is experiencing increased demand from cohorts that have previously been served by a different housing product. This has seen those who may have traditionally been able to enter the private rental market shut out. Increasing the supply at an affordable and social product point will alleviate that pressure notwithstanding the need for continued efforts across the housing spectrum.

Since 2014, the number of applicants on Tasmania’s Social Housing Register has grown by over 42%. Our social housing wait list now sits at around 4,460 applicants. Within this, applicants wait 58 weeks on average before being housed, with most allocations made to ‘priority’ applicants who have high and/or complex needs. ‘General’ applicants can wait up to two years or more for an allocation.

Similarly, the level of homelessness has also grown. The 2011 Census recorded an estimated 1,579 Tasmanians experiencing homelessness. Since then, the number of people seeking support from specialist homelessness services has increased by 28%. Services also report an ever-increasing bottleneck for people trying to exit supported accommodation due to the lack of affordable and/or social housing.

HCT’s Response to the proposed TPP Topics

Given the huge demand for affordable and social housing, HCT believe that this issue should be acknowledged and addressed within the Tasmanian Planning Policies. Social housing is a critical infrastructure, as it is needed to support growth, enable social coherence, protect the vulnerable and contribute to civil society.

Housing Choices Tasmania suggest that social housing as an **Issue** could fit within a number of the TPP topics; the key one being **Liveable Settlements**. Housing for people on low incomes, or with complex needs including physical or intellectual disabilities should be incorporated into all housing settlements.

Social housing is also relevant to **Economic Development**, as affordable housing is necessary to support the creation of new jobs, provide a platform from which people can participate in training, education and employment opportunities and to support growth within the state.

Furthermore, we believe that the issue is applicable to the **Infrastructure to support the economy and create liveable communities**’ topic. Affordable housing is a key infrastructure that supports communities, and therefore needs to be planned and incorporated into development in the same way that public transport and roads are considered.

Suggested mechanisms to support social housing

One of the fundamental challenges that community housing providers face is creating a balance between the creation of good quality, affordable homes and the level of funding/ongoing revenue streams available to do so.

There are significant and increasing costs associated with housing development which, when combined with tightly constrained budgets, makes it incredibly difficult to deliver quality, affordable, social housing that meets the standards of liveability required. Housing Choices Tasmania propose that mechanisms be incorporated into the TPP's and Planning Scheme that facilitate reduced costs in the development of housing owned by community housing providers and Housing Tasmania. These cost reduction mechanisms could be both administrative (subsidised planning application fees and building levies), but additionally could relate to planning requirements for social housing – such as number car parking spaces required or a relaxation of the maximum building envelope.

Another possibility to assist with the delivery of social housing could be to establish planning provisions that reduce the period that a project will be under planning assessment. If development applications could be expedited through the planning process, this would provide more certainty for community housing providers and reduce overall project costs. For context, in Victoria, planning scheme clause 52.22 was recently updated to include a number of provisions to allow planning exemptions for community housing, limit the scope of permit assessment for specified dwellings and to exempt applications from notice and review requirements. A similar provision could be considered for the Tasmanian planning scheme.

Please see below table, where Social and Affordable Housing is proposed to be incorporated into three TPP Topics. A number of mechanisms have been included as an example of how policies could translate into exemptions or discretions.

TPP Topic	Issue	Mechanisms/Strategies
<i>Economic Development</i>	<ul style="list-style-type: none">• Industry and business• Tourism• Agriculture• Mining and minerals• Use and development in the coastal zone• Social and affordable housing	<ul style="list-style-type: none">• Reduce planning application fees for community housing providers.• Reduce building levies for community housing providers.• Accelerated planning assessment time frames for community housing providers.
<i>Liveable Settlements</i>	<ul style="list-style-type: none">• Planned and contained settlements• Pleasant places to live – amenity and avoiding land use conflicts• Integrating land use and transport• Health and wellbeing – recreation and open space opportunities• Community – health services and education• Social and affordable housing	<ul style="list-style-type: none">• Greater planning discretion in relation to minimum car parking requirements (this is a significant cost and takes away from potential green space)• Exemptions on minimum lot size for sub-divisions.• Greater discretion on setbacks and building envelopes for community housing providers.

<i>Infrastructure to support the economy and create liveable communities</i>	<ul style="list-style-type: none"> • Airports / Seaports / Railways • Roads, car parking, cycleways and walkways • Public transport • Telecommunications • Electricity and energy • Irrigation, water, sewerage and stormwater • Waste management • Social and affordable housing 	
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Conclusion

Housing Choices Tasmania is appreciative of the opportunity to provide input into the TPP Draft, we consider this to be an important step in ensuring that the ambitions of the Tasmanian community are captured within the state planning framework.

Housing Choices Tasmania believe that social housing should be described individually within the Tasmanian Planning Policies, so that strategies to encourage the development of such projects can be reflected in the planning scheme. Housing Choices Tasmania would be pleased to be involved in any further consultation or engagement on the development of the TPPs.



huondogwalkers@gmail.com

PO Box 186, Huonville, TAS 7109

**SUBMISSION TO THE HON. ROGER JAENSCH, MP,
TASMANIAN MINISTER FOR LOCAL GOVERNMENT AND PLANNING
RELATING TO THE DRAFT TASMANIAN PLANNING POLICIES**

We support the LUPAA requirements for the draft TPPS and we have some specific points to make regarding the following issues relating to **Liveable Settlements**. Our particular concerns are **Planned Settlements, Health and Wellbeing** and **Community**.

Introduction

Australia has one of the highest rates of pet ownership in the world at over 50% and the most popular pets are dogs. A higher percentage of Tasmanian households than any other state in Australia have at least one dog as a pet, at 44%. Consequently, it is essential that all future planning policies take this into consideration when making provision for the **Liveability, Health and Wellbeing** of the Tasmanian community.

As noted by the RSPCA the four main benefits of pet ownership are:

- 1) Relational – Love and affection.
- 2) Life is generally better.
- 3) Happiness – Pets are a source of fun.
- 4) Pet ownership improves mental health and wellbeing.

These points are particularly true for older people who form a larger proportion of the population of Tasmania than in other states. It is also well known that dogs can be a lifeline during difficult times and that dog owners are five times more likely to know their neighbours than non dog owners.

Given the importance of dog ownership in enhancing the physical and mental health of their owners, thus saving the State significant health costs, we suggest that the Local Government Division of the Department of Premier & Cabinet consider the following planning points so that the Local Government Division can address them promptly.

Housing:

Given the recent increase in house prices in Tasmania home ownership is becoming impossible for many people. Consequently, many Tasmanians are turning to the rental market, which is marginally more accessible. However, there are still housing shortages throughout the state.

While property damage by households with pets is no more likely than for those without pets and pet owners are frequently longer-term tenants, it is much more difficult to find a rental if you have a pet.

Pets, especially dogs, contribute to the mental and physical welfare of their owners, especially the elderly. However, the RSPCA estimates that up to 30% of national pet surrenders are due to rental restrictions.

Point 1: In order to address the current housing shortage, facilitate development of communities of affordable housing which are pet friendly, as a matter of urgency.

Point 2: Take steps to encourage all landlords to make rental properties pet friendly.

Facilities for Dog Walking:

The nearest dog park is one of the major facilities which brings people together on a regular basis. Meeting other dog lovers there may be the only social interaction a person experiences in a day. Consequently, it is important that all future developments incorporate open space which may be developed into fenced dog parks or which provide open park space where dogs can be walked and other activities can take place. John Turnbull Park at Lenah Valley is an excellent example of such a space.

It is also essential that all new developments incorporate footpaths and walkways both to access the parks and to facilitate the taking of exercise for both dog owners and non dog owners. An excellent example of such a walkway is Skinners Creek Track in Huonville bisecting a recently built-up area as it does. Such walkways are also more enticing than roadside footpaths when going to the shops and other destinations.

Wellways.Org regularly conducts dog walks as part of Mental Health Week as an extremely effective method of enhancing connections between members of the community.

Point 3: Ensure that developed areas all have access to open spaces and walkways.

Pedestrian Safety:

Current legislation in Tasmania permits cyclists to ride on footpaths unless specifically forbidden by signage. Where two lanes are provided, cyclists are expected to take the left-hand lane and pedestrians the right-hand lane, however that is not always made clear.

Cycles are also legally required to have at least one effective brake and a bell, horn, or similar device in working order to alert other path users of their presence. At night they are also required to have a white front light which is visible for 200 metres and a red rear light plus a reflector which are visible for 50 metres. Unfortunately, at present, there seems to be no means of enforcing these requirements resulting in significant danger to other users unless cycle ways are fenced off from walkways.

Point 4: Ensure that walkways are safe for pedestrians by legally enforcing safety requirements for cyclists as a matter of urgency or providing separate cycleways and walkways.

References:

- **RSPCA Knowledge Base 2021**
- **Australian Bureau of Statistics.**
- **Jess Adams – Why Dogs Can Be A Landlord’s Best Friend Too.**
- **Katrina Ward, Animal Behaviourist.**
- **V. Jackson – People, Pets and Planning.**
- **Hobart Community Legal Service Inc.**



Women's Health Tasmania

Submission on the
scope of the draft of
the *Tasmanian*
Planning Policies

20th October 2021



EQUITY
CHOICE
IMPACT

About Women's Health Tasmania

Women's Health Tasmania (WHT) is a universal service, available to all women in Tasmania. It seeks to increase the range of services, and its reach, to women vulnerable to inequitable health outcomes due to social or economic determinants. This is because WHT acknowledges the impact of societal influences such as income, education, gender, sexual orientation, ethnicity, disability and isolation on health outcomes, and seeks to reduce the negative effects of these factors on individual women.

WHT is part of a national network of women's health centres. It is a health promotion charity funded by the Tasmanian Department of Health and Human Services, guided by the World Health Organisation's definition of health – "Health is a state of complete physical, mental and social well-being, not merely the absence of disease or infirmity".

WHT provides a safe, supportive environment for women. It is run by women, for women, and aims to promote positive health outcomes by providing a diverse range of services, taking a holistic approach. This perspective on women's health has seen WHT at the forefront of preventative health in Tasmania.

WHT's vision is for Tasmanian women to be informed, supported and active decision makers in their own health and well-being. As a result, WHT has also been a key advocate on issues such as a woman's right to make informed choices about her health. Our leadership has been evident in a wide range of health policy, in social justice and gender equity. WHT consistently advocates on behalf of women with both State and Commonwealth governments, on a range of legislation and policies impacting on women's health. In recent years, WHT has broadened its service delivery component by undertaking outreach activities, offering a state-wide information telephone line and using electronic technologies. It currently provides services to women from 74 different postcode areas.

WHT continues to provide direct services to individual women and to advocate for, and promote, the health and well-being of all Tasmanian women. Our knowledge and expertise is based on 30 years' experience working with, and for, the women of this state.

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Submission from Women's Health Tasmania to the Tasmanian Planning Policies consultation paper

Women's Health Tasmania (WHT) is a state-wide health promotion service. Our mission is healthy Tasmanian women. We provide health promotion activities and projects. We are also a key voice for women's health in Tasmania and undertake policy development, advocacy and sector development.

We use the WHO social determinants model of health to guide our work. We see health as a holistic state of wellbeing that is determined by "the conditions in which people are born, grow, work, live, and age, and the wider set of forces and systems shaping the conditions of daily life."¹

The women of Tasmania are diverse. Every day we see how factors such as income, education, gender, geography, visa status, family violence and resources create different experiences of health and wellbeing for women. Health inequity is a concerning and growing issue in contemporary Tasmania.

As outlined by Minister Jaensch, the TPP is a vital mechanism through which emerging issues in the Tasmanian community and the impacts of global change can be addressed. COVID-19, climate change, and social and economic inequity have significant impacts on our health as individuals and the health of our communities.

Our work with Tasmanian women shows that affordable, safe, and stable housing must be improved if our communities are to be healthy. Liveable settlements enable the communities and individuals in them to live healthy lives. Affordable housing is an equity issue, and it is also a health issue.

A gender responsive approach to planning creates housing and settlements that provides opportunities for women and people of all genders to experience and settle into safety and build healthy, meaningful lives within communities.

For example, gender responsive planning thinks about designing spaces and places

- that are child and family friendly so that women and others who raise children can move around spaces with ease.
- that are safe for women who may have experienced family violence
- that can be responsive and provide safety to women's experiences of public harassment and intimidation because of their gender.
- that have gender inclusive facilities such as toilets so that people of all genders, including transgender and gender diverse people, can access the right toilet for them.
- that consider the social and economic factors that result in women's economic inequality, especially across the lifespan.

The foundation to gender responsive planning is first providing access to affordable housing.

A crucial purpose of Tasmania's planning system is that all Tasmanians will have adequate and appropriate housing that meets their needs. The existing framework of generic planning for residential settlements does not provide for the category of social and affordable housing, which is an essential piece of our diverse housing mix. If social and affordable housing is included in the

¹ World Health Organisation, *Social Determinants of Health* (2021). https://www.who.int/health-topics/social-determinants-of-health#tab=tab_1

Tasmanian Planning Policies, then Tasmania will have the vital planning mechanisms to ensure everyone can have the home they need.

Over the past five years we had noticed an increase in women presenting at our drop-in service during housing crisis.² Housing insecurity and homelessness issues are a regular feature of women who present to our service for counselling, drop-in support and in our state-wide health survey.

In 2020, we undertook consultation with two cohorts of Tasmanian women who were experiencing or at risk of homelessness: women who had experienced homelessness directly, and women who were 55 years or older and who were at risk of homelessness.

A range of issues emerged that paint a clear picture of why we need affordable housing to be considered at every level of planning for Tasmania's future. When we look closely at the issues that related to women's housing issues and homelessness a detailed and urgent picture comes into focus of the pressing need for all levels of government to address housing in nuanced and gender responsive ways.

Sufficient affordable housing stock is vital if women and their children are to be given the best opportunities to be safe and healthy and to participate in community life.

A key word in understanding the experience of women who are homeless is scarcity. This experience of scarcity has significant impacts on mental and physical health and can result in delays in seeking health care.

Currently, there is inadequate public, social and community housing to meet the needs of women and their families. The women in our consultation, 60% had been homeless for over 12 months and some for more lengthy periods.

Women leaving family violence situations are extremely vulnerable when the housing system does not make adequate provisions for them

One woman we spoke to told us what it was like to leave a family violence situation, to enter into a shelter and then to be left with extremely limited options for where to go next. She was heavily impacted by shelter restrictions on length of stay.³ For her, she expressed feeling stuck, powerless and without choices.

"And then hearing "8 weeks" of accommodation, you've got 8 weeks, you've got to find somewhere in 8 weeks. Each week I feel like I'm not getting any further... I'm stuck in this one little spot, and I'm not going back, I'm not going forward, I'm just swaying back and forth, in this one little spot. I don't know where I'm going to go."

² Flanagan, J., 2019. Homelessness and Tasmanian women. *Parity*, 32(9), pp.51-52.

³ Since our report some shelters have moved to providing longer timeframes for women. For more information about restrictions on length of stay see Lucinda Shannon and Jen Van-Achteren, *Talking to Women about Homelessness* (2020). Women's Health Tasmania.<https://www.womenshealthtas.org.au/sites/default/files/resources/talking-women-about-homelessness-tasmania-2020-report/talking-women-about-homelessness-tasmania-2020-report.pdf>

The woman who gave us this quote was a young mum with kids. She'd been proactive in seeking private rentals. When we spoke to her, she had put in over 20 applications for private rentals and was viewing rental properties every few days. However, all her applications had been knocked back. She found herself in the difficult position of needing to find another place to go after the shelter accommodation ended, but not having private options and being uncertain when transitional accommodation may become available. In the lead up to staying in the shelter she had spent time in brokered accommodation in a caravan park and living in overcrowded dwellings with her children.

These kinds of experiences have profound impacts on health. This young woman talked about moving to temporary accommodation and this meant she was no longer geographically close to her family GP. As a single parent, with young kids and relying on public transport, it put in more barriers to getting to her GP. Moving around also took her away from the resources in her local area such as family, friends and community supports. Against this backdrop, the young woman was also experiencing grief from the death of a family member.

The young woman was grateful for temporary accommodation and the support she had received but spoke of a sense of being overwhelmed by the difficulties that housing uncertainty presented her.

“...being in this horrible situation where I’m not knowing when or how, or how long it’s going to take for me to get a house and being a mum every day... it’s very overwhelming sometimes. Sometimes I think it would just be easier to [die]... Does another life have to be lost for someone to just do something about it?”

The key barrier for this young woman was financial. Private rental accommodation was not affordable for her. She was priced out of most suitable private options and when something did come up within her budget she was competing against many others. She was on the priority list for public housing and had applied for community housing but she had a strong sense that she was in competition against others for those options too.

The lack of housing options for women gave them a sense of being fundamentally disempowered and unable to control their lives or provide for their families. This had a profound impact on mental health. Self-harm and suicidal ideation were mentioned by a number of the women we spoke to and was directly related to the inability to find an affordable, stable house.

Housing scarcity also impacts on people who have experienced incarceration.

In Tasmania, many women are in prison on a sentence of less than 6 months. Women who are incarcerated for 6 months or more have access to exit planning with a Tasmanian Prison Service Planning Officer, but women who are on shorter sentences may not have the same access to this.⁴ This means that women on short sentences often exit without an adequate plan and into homelessness.

⁴ Iona Johnson. *Just Support Project Report: Throughcare for women exiting Mary Hutchinson Women’s Prison: towards a gender responsive approach*: (2017). Women’s Health Tasmania. Accessed at <https://www.womenshealthtas.org.au/sites/default/files/resources/just-support-project-report/justsupportprojectreport.pdf>

One woman we spoke to for our research had spent the last 2 years going in and out of the women's prison on short sentences. Collectively she spent 12 months of the last 2 years in gaol but because none of her sentences were 6 months long, she didn't have access to case management services that could help her plan her exit and connect strongly with housing services.

The cycle of recidivism that she described to us exacerbated by housing scarcity. Her experience of homelessness involved considerable couch surfing with people who used drugs and an ex-partner who was abusive. Drug use made rough sleeping and not having somewhere safe to stay easier.

For this woman, the cycle of returning to goal became a way to take a break from homelessness.

"... I sort of realized I was doing dead time, you know, just for basically nothing. It used to be a sort of relief to go to jail. One, I'd get off the drugs and two, it was a comfort in having a roof and three meals."

In Australia, women over 55 years of age are the fastest growing group of people vulnerable to homelessness.⁵

In Tasmania, 115 women 55+ were estimated as homeless on census night and 43% of them were temporarily staying with friends.⁶ The actual number may be greater than this as older women's homelessness is often described as 'hidden' because older women may not acknowledge or define their situations as being ones of homelessness and they are often out of sight from the community.⁷

Older women are more likely than men to experience, or be at risk of, homelessness for the first time later in life.⁸ A significant element of the risk for older women is the cumulative effects of financial inequality over their lifetime.

At retirement superannuation is on average \$157,050 for women compared to \$270,710 for men.⁹ Further, superannuation is only mentioned as the main income source for 10% of retiring women in comparison to 25% of men.¹⁰

Anglicare's Rental Affordability Snapshot (outlining the percentage of available housing for different cohorts) reveals the low and declining amount of rental housing affordable for older single women.

⁵ Patterson K, Proft K, & Maxwell J. 2019, Older women's risk of homelessness: Background Paper: Exploring a growing problem, Australian Human Rights Commission, Sydney, p14.

⁶ Australian Bureau of Statistics 2018, Census of Population and Housing: Estimating homelessness: State and territory of usual residence, Sex by age of person, 2016, Cat. No. 2049.0

⁷ Australian Association of Gerontology 2018, Things to Consider when working with older women who are experiencing, or at risk of, homelessness, Melbourne, p8. <https://www.aag.asn.au/documents/item/2236>

⁸ Ibid.

⁹ Patterson K, Proft K, & Maxwell J. 2019, Older women's risk of homelessness: Background Paper: Exploring a growing problem, Australian Human Rights Commission, Sydney, p8.

¹⁰ Australian Bureau of Statistics 2013, Retirement and Retirement Intentions, cat. No 6238.0 <http://www.abs.gov.au/ausstats/abs@.nsf/cat/6238.0>

In 2018 less than 2% of rental housing was affordable and appropriate for a single person on an Age Pension.¹¹ In 2020 it is less than 1%.¹²

At the time of analysis, even with the short lived COVID supplements older single women on Jobseeker payments would have access to less than 1% of the housing stock.¹³ When these were cut on 1st December 2020, 0% of the housing stock was affordable.¹⁴

In particular, the women we spoke to in our research described how living with the risk of homelessness impacted their health. The women described to us how they put off seeking medical care to save money and how mental health problems grew under the shadow of stress and uncertainty.

Women, mental health and housing scarcity

Our consultation with women revealed concerning mental health impacts for women who were experiencing homelessness and those at risk of homelessness. Women told us the appearance of new mental health issues and the exacerbation of pre-existing conditions.

Women told us that being homeless, whether that was couch surfing, staying in overcrowded dwellings, or living in brokered accommodation or shelters took a huge toll on their mental health. Women spoke of the “stress” of living without stability. The experience of being homeless often brought a ‘juggling act’ of competing demands as women tried to address their children’s needs, their own needs as well as obligations from support services around being ‘active’ in seeking housing. The experience of seeking housing involved the demoralising experience of applying for numerous private rentals only to be knocked back or languishing on the ‘priority’ housing Tasmania list. These experiences in themselves could add to a sense of disempowerment, sadness, and a loss of hope.

Beyond this, the shame and stigma of homelessness and of needing to ask for help around housing could be a barrier to accessing mental health services.

The women we spoke to also told us how they had to ‘put off’ addressing mental health presentations that arose from grief, sexual assault, and family violence. Women spoke of not having a safe or stable place to settle and begin the process of healing. Safety is crucial to addressing trauma.¹⁵ Mental health concerns should be addressed when they arise, and people need to have choices and options around accessing mental health support. There is a significant cost to the individual, the community and health services when medical care is delayed.

¹¹ Anglicare Australia 2018, 2018 Rental Affordability Snapshot, Canberra, p4

<https://www.anglicare.asn.au/docs/default-source/default-document-library/final---rental-affordability-snapshotb811d9309d6962baacc1ff0000899bca.pdf?sfvrsn=4>

¹² Anglicare Australia 2020, Rental Affordability Special Update, Canberra, p6.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Bessel Van Der Kolk, *The Body Keeps Score: Mind, brain and body in the transformation of trauma*. (2014). Penguin Books. Pages 351, 352.

Women's experience of homelessness and of being at risk of homelessness show we need urgently more affordable housing. Without access to permanent, safe and affordable homes women and their families suffer a range of health consequences.

The *Tasmanian Planning Policies Scoping Paper* does not mention social and affordable housing.

We recommend that:

- social and affordable housing is recognised in the *Tasmanian Planning Policies* as a **topic** in its own right under the **Liveable Settlements** heading
- short stay accommodation is added as an **issue** in the **Economic Development** section

Social and affordable housing are described in the *Tasmanian Affordable Housing Strategy 2015-25*:

Social housing: is a broad term used to capture both housing provided by the government (public housing) and non-government organisations (community housing) with below-market rent prices.

Affordable housing: refers to rental homes or home purchases that are affordable to low income households, meaning that the housing costs are low enough that the household is not in housing stress or crisis.¹⁶

Social and affordable housing is delivered by not-for-profit organisations and the State Government, who provide affordable rental homes for people on lower incomes, using an income-based rent model (no more than 30% of income). This housing remains as an asset in the social housing system in the long term. To improve the delivery of quality affordable homes on an economic model that is different from mainstream residential development, the *Tasmanian Planning Policies* need to include a specific category for social and affordable housing.

The need for social and affordable homes is increasing across Tasmania, and the waiting list for social housing in Tasmania is growing. As at August 2021, there are 4 367 applications for social housing, and this number keeps going up.¹⁷

When securely housed in homes appropriate to their needs, Tasmanians have a greater opportunity for increased economic and social participation. Land use planning is critical to the development and delivery of a diverse range of housing, consistent with the

¹⁶ https://www.communities.tas.gov.au/_data/assets/pdf_file/0014/30254/AHS_Strategy_Final.pdf

¹⁷ https://www.communities.tas.gov.au/housing/tasmanian_affordable_housing_strategy/reporting

changing needs the Tasmanian community.¹⁸

When social and affordable housing is named in the *Tasmanian Planning Policies*, decision-makers and planners will be able to plan appropriately for the housing needs of the whole community, especially people on lower incomes who need affordable rental homes.

While the inclusion of social and affordable housing in the *Tasmanian Planning Policies* is our main priority, we also note the growth in short stay accommodation is one of the factors contributing to the housing crisis in Tasmania. More and more residential properties are converted to short stay accommodation in all regions of Tasmania.¹⁹²⁰ The growth in short stay accommodation means that it will continue to impact current and future housing and community needs. We suggest that it is appropriate to include short stay accommodation in the scope of the *Tasmanian Planning Policies*.

Thank you for the opportunity to contribute to the consultation on the *Tasmanian Planning Policies Scoping Paper*. We urge you to include social and affordable housing in the *Tasmanian Planning Policies* as an essential step towards ensuring that our clients, and all Tasmanians have the homes they need. It will bring a vital planning focus to this essential housing sector.

The *Tasmanian Planning Policies Scoping paper* does not mention social and affordable housing or short stay accommodation. This needs to change. We urge you to update the draft *Tasmanian Planning Policies* to include social and affordable housing and short stay accommodation.

For further information, please contact:

Lucinda Shannon

Deputy CEO

Women's Health Tasmania

¹⁸https://planningreform.tas.gov.au/_data/assets/pdf_file/0003/628239/Tasmanian-Planning-Policies-and-Overview-Consultation-Draft-April-2017.pdf

¹⁹ <https://cbos.tas.gov.au/topics/housing/short-stay-accommodation-act>

²⁰ Women's Health Tasmania Submission to the Select Committee on Affordable Housing (2019).
<https://www.womenshealthtas.org.au/sites/default/files/resources/submission-select-committee-housing-affordability/submission-select-committee-housing-affordability.pdf>

Department of Justice Office of Strategic Legislation and Policy

GPO Box 825

HOBART

TAS 7001

By email: haveyoursay@justice.tas.gov.au

21 October 2021

To Whom It May Concern,

RE: Scope/Content and Structure of the draft Tasmanian Planning Policies (TPPs)

Thank you for the opportunity to comment on the Tasmanian Government's Tasmanian Planning Policies Scoping Paper for draft TPPs, available for public comment from 8 September to 22 October 2021.

With reference to the questions in the Scoping Paper 2021 (page 11), I agree with the scope of the proposed TPP topics and issues, and I believe that climate change should be integrated into all relevant TPPs. The proposed template is useful as a guidance framework, but there are three areas about which I am concerned:

1. While TPPs are an important influence in the development of the planning system, they adds an extra layer of complexity to the planning process and they are not as transparent as a State Policies, which are signed off by the Tasmanian Government. The relationship between State Policies and Tasmanian Planning Policies is not made clear in the Scoping Paper.
2. The issue of public comment and community engagement is not adequately addressed in the Scoping Paper. Public involvement in resource management and planning is recommended in the Land Use Planning and Approvals Act 1993, (Schedule 1) yet most Tasmanians are unaware of the importance of the TPPs and of the need to have a say. If TPPs are to 'help us deliver an efficient and up-to date state-wide planning system that reflects our collective vision for Tasmania's future.' (Minister for Planning, media release, September 2021) then the community must understand the planning system, where the TPPs fit into that system and must be engaged with their development. Currently this is not the case.
3. While the template in the Scoping Paper lists issues to be addressed in TPPs, the reality is that many key land uses are exempt or partly exempt from Tasmania's planning laws. This includes mining, dams, forestry and aquaculture and some tourism. The planning process cannot be effective if developments in these areas are not integrated into the assessment process.

I look forward to the Tasmanian community being invited to have their say on the actual content and implementation statements when the new draft Tasmanian Planning Policies are released for public exhibition in early 2022.

Yours sincerely,

Jennifer Godfrey



20 October 2021

Department of Justice
Office of the Secretary
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**RE: Tasmanian Planning Policies – Scoping Paper for draft TPPs
Stormwater management**

To the Planning Policy Unit,

The Tamar Estuary and Esk Rivers (TEER) Program provides the following submission on the Tasmanian Planning Policies Scoping Paper for draft TPPs.

The TEER Program was established in 2008 to provide a coordinated management approach for the investment in activities to protect, maintain and restore the health of the kanamaluka / Tamar estuary and Esk river catchments.

The TEER Program is a regional partnership between agencies with a statutory responsibility for waterway management and includes five local governments in the catchment: City of Launceston, West Tamar Council, Meander Valley Council, Northern Midlands Council, George Town Council; as well as the Environment Protection Authority, Department of Health, NRM North, Hydro Tasmania, TasWater and TasPorts. The program works closely with a range of stakeholders across industry, government, business, research partners, and community groups to coordinate activities that reduce pollutants entering waterways and to understand and advise on waterway health and management.

In 2015, the TEER Program developed a Water Quality Improvement Plan (WQIP) identifying opportunities for improvement in water quality in the kanamaluka / Tamar estuary and Esk rivers. The TEER WQIP evaluated pollutant loads from stormwater and recommended feasible actions to improve stormwater quality. Recent investment in water quality improvements in the kanamaluka / Tamar and its catchment, through the River Health Action Plan, has included investigation and remediation of urban stormwater cross connections and water quality monitoring at stormwater outfalls. Water quality results from this project demonstrate substantial pollutant concentrations in many locations, highlighting the need to improve the quality of stormwater entering the receiving environment.

This submission relates to the effective management of stormwater, in particular stormwater quality. Stormwater quantity and quality must be appropriately regulated to meet the stormwater objectives set under legislation and statutory instruments, including the *Urban Drainage Act 2013* and

subordinate stormwater system management plans, the State Policy for Water Quality Management, and the State Stormwater Strategy 2010. Responsibility for managing stormwater sits with councils in their role as planning authorities under the *Land Use Planning and Approvals Act 1993* (LUPAA) and as stormwater service providers under the *Urban Drainage Act 2013* (UDA). As the new Tasmanian Planning Scheme (TPS) is rolled out by councils across the state there is little clarity or consistency for managing stormwater, as the provisions regulating stormwater impacts from development are limited.

The indicative draft TPPs submitted as part of the public consultation on the Land Use Planning and Approvals Amendment (Tasmanian Planning Policies and Miscellaneous Amendments) Bills 2017 contain several objectives and strategies that relate to the management of stormwater:

Natural Heritage

Objective: To assist in the protection of, and minimise adverse impacts on waterways, coasts, the marine environment and sites of geoconservation significance, their natural processes and environmental values.

- 3.3 Ensure riparian and littoral buffers are sufficient to protect natural and riparian values, and limit development adjacent to buffers to minimise soil loss, and the erosion and sedimentation of waterways and wetlands.

Risks to soil and water quality

Objective: To support the maintenance of the environmental values and productive capacity of Tasmania's water and soil resources.

- 2.2 Avoid, or manage appropriately, land use and development that would impact on soil and water quality, particularly in significant water resource catchments.
- 2.3 Promote effective stormwater management and water sensitive urban design.

Water Supply, Waste Water Treatment and Urban Drainage

Objective: To plan for the effective, efficient, sustainable and safe delivery of reliable water supplies, including drinking water, waste water collection and treatment and urban drainage.

- 7.3 Ensure drainage from developed areas is safe, minimises environmental impacts and protects against flooding and erosion.
- 7.4 Incorporate water sensitive urban design principles into the planning and delivery of new developments.

However, the indicative draft TPPs in the scoping paper do not yet contain implementation statements as to how these strategies and objectives will be achieved. The TPS does not include a stormwater management code; it has limited or no provisions relating to stormwater quality and what stormwater related provisions it does have are limited in scope.

A stormwater code was considered during the development of the State Planning Provisions (SPPs) and the Draft State Planning Provisions Report (2016) notes that the limited time available for assessment of the draft SPPs resulted in a recommendation from the Commission to modify clause 6.11.2 to facilitate management of stormwater. However, it was also acknowledged that the regulatory regime for stormwater manages drainage more effectively than stormwater quality. The Commission recommended that further consideration be given as to whether the SPPs require a code or further provisions to better manage stormwater quality, and that this be included by amendment to the SPPs, which is supported by the TEER Program.

Given the lack of clarity and consistency for stormwater management in the TPS, southern and northern councils have been working collaboratively with the Derwent Estuary Program, the TEER Program and the Local Government Association of Tasmania (LGAT) to develop standards, guidance and policies that can be adopted by councils to achieve some consistency across the state. However, it is the view of the TEER Program that inclusion of a stormwater code under the State Planning Provisions (SPPs) would provide definitive guidance to establish council policies for stormwater management, achieve consistency across the state, and clarify the approach to implementation of objectives and strategies related to stormwater management in the draft TPPs.

On this basis, I urge you to include a stormwater code in the TPS as part of the ongoing planning reform processes.

Regards,

Rolph Vos

Chair, Tamar Estuary and Esk Rivers (TEER) Program



**NEIL SHEPHARD
& ASSOCIATES**

Planning and Development Consultants

TASMANIAN PLANNING POLICIES SCOPING PAPER – Submission - Prioritising housing and related care facilities for an ageing population

Background

Tasmania has a large, aged population that is growing dramatically in proportion to other age groups. The increasing impost on public health, welfare and housing are matters that have not been addressed in public policy, notably in the area of strategic land use planning and development.

The Regional Land Use Strategies do not adequately recognise the potential issues, nor do they provide any policy direction or guidance for local planning.

The SPPs do not distinguish aged person's housing from ordinary residential Use and Development. There is no recognition of the different requirements for amenity and health care.

There is nothing in the RMPS that acknowledges the need to plan for an ageing population, or to facilitate or encourage provision of appropriate housing and facilities.

In the 1980s NSW introduced a State Environmental Planning Policy that provided guidelines and 'fast-track' provisions that overrode the provisions of local planning schemes, allowing priority to retirement villages, aged persons accommodation and related aged care facilities.

The Tasmanian Government has introduced a number of Planning Directives, including PD 6 in 2018 which deals with Visitor Accommodation. This illustrates the ability of Government to prioritise Policy areas and translate them into statutory planning instruments. The TPP initiative should be used to provide the same direction and implementation for housing and related care facilities for an ageing population.

Template example

The following example, using the template provided in the Scoping Paper shows how a TPP for aged persons housing and related care facilities could be implemented into the planning system.

NEIL SHEPHARD BA, MTCP(Syd), MPIA(Fellow), CPP

20 October 2021

Tasmanian Planning Policy: Liveable Settlements

Issue: Ageing population

Objective: Ensure a sufficient supply and choice of residential accommodation and care for an ageing population.

Strategies:

1. Recognise the amenity and health requirements that differentiate retirement housing and aged care facilities from other traditional forms of residential accommodation.
2. Provide flexibility to allow for emerging alternatives for retirement housing and aged care facilities.
3. Promote integration of retirement housing and aged care facilities.

Implementation into Strategic Planning:

The Regional Land Use Strategy (RLUS) is to provide policy statements and guiding principles for how each level of the settlement hierarchy is to respond through local planning to the provision of retirement housing and aged care facilities.

Implementation into Statutory Planning:

A State Planning Directive to be prepared similarly to that currently in existence for Visitor Accommodation. The Planning Directive could provide parameters for Exemptions, Acceptable Solutions and/or alternative Performance Criteria.

AND/OR

The SPPs could be amended to differentiate between the Residential Use class and Retirement Village and Aged Care Use classes. Some consideration could be given to allowing integrated Retirement and Aged Care Facility to enjoy preferred Use status.



Tasmania Fire Service

Bushfire Risk Unit

File No: AD162-02

Planning Policy Unit
Department of Justice
haveyoursay@justice.tas.gov.au

Attn: Brian Risby

Dear Brian,

RE: SCOPING PAPER FOR DRAFT TASMANIAN PLANNING POLICIES

Thank you for the opportunity to provide a submission in response to the abovementioned scoping paper. Tasmania Fire Service (TFS) welcomes the opportunity to provide input into what is arguably the most significant reform to the Tasmanian planning system in 25 years.

The Tasmanian Planning Policies (TPPs) will establish a high-level policy framework within Tasmania's planning system. It is understood they will provide strategic direction on matters of State and public interest to guide the future evolution of the regional land use strategies and the Tasmanian Planning Scheme.

The Planning Policy Unit's scoping paper seeks input on the scope and format of the TPPs. TFS's primary interest relates to planning policy as it relates to use and development in bushfire-prone areas, and this is the focus of this submission.

Planning for bushfire

To put the TPPs into context, it is necessary to consider the role of land use planning in the context of bushfire risk and what functions it ought to perform.

Bushfire is Tasmania's most prevalent natural hazard and a source of recurring risk to life, property, the environment and the economy. Effective bushfire risk mitigation is therefore an essential undertaking for governments, businesses, the private sector and individuals. It is a shared responsibility that requires a range of strategies. The Tasmanian State Government in particular has a significant role to play in bushfire risk mitigation, having ultimate responsibility for a diverse range of functions including emergency management, infrastructure, planning and building.

The critically important role of land use planning in the context of prevention and preparedness has been reiterated time and time again in bushfire enquiries over the past 25 years, most recently by the Royal Commission into National Disaster

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Arrangements (Commonwealth of Australia, 2020). It is recognised internationally through the Sendai Framework for Disaster Risk Reduction (United Nations, 2015) and nationally through the National Strategy for Disaster Resilience (COAG, 2011).

Land use planning can reduce the impact of bushfire in several ways. It can prevent certain use and development in high risk areas, limit the potential exposure of built assets, improve resistance and facilitate efficient and safe emergency responses. It is notable that evidence over recent decades consistently shows that the strongest determinant of property loss from bushfire is still proximity to the hazard (not construction standards, or any other criterion). Land use planning provides the means through which to secure appropriate siting and separation from hazards early in the development process.

Conventional risk mitigation strategies (including development controls) are aimed at mitigating risks where people and property have been placed in a situation of hazard exposure. Strategic planning on the other hand enables the degree of hazard exposure to be appropriately managed at the outset, therefore providing more economically viable and effective risk management outcomes.

Conversely, when planning fails to adequately address the risk of natural disasters it becomes a conduit for inappropriate use and development in at-risk areas. The outcome is unacceptable risk to life, property, the economy and the environment, increased costs for governments (associated with response and recovery) and a weakening of the link between risk and asset prices. Importantly, the risks stemming from inadequate planning will persist long into the future and therefore have an intergenerational dimension.

To put this in a historical context, governments have traditionally underinvested in bushfire risk mitigation and consequently been forced to overinvest in emergency response and recovery. This legacy is reflected in the prevalence of existing vulnerable communities and the ongoing challenges the built environment presents for emergency services. Furthermore, the economic costs associated with natural hazards in Australia are increasing annually and have become a growing, unfunded liability for governments (Productivity Commission, 2015). Deloitte Access Economics (2017) estimated that in Tasmania, the total economic cost of natural disasters will increase by approximately 200% between 2016 and 2050. The outcomes of major bushfire disasters can be at least partially attributed to historical planning decisions that have failed to adequately consider risks.

In light of these legacy issues, governments in recent decades have sought to shift from the traditional focus on response and recovery towards prevention and preparedness. As part of this shift, it is critical that future land use planning prevents market decisions that deliver short term benefits to individuals but catastrophic medium and long-term consequences to communities.

Effective planning for bushfire requires an integrated system of policies and development standards, complemented by building regulation. Broadly speaking:

- **State planning policy** provides the means to establish high level principles and directions that underpin land use planning;

- **Strategic planning** has the most latitude to avoid or mitigate risk exposures at a landscape scale, if guided by a clear policy framework;
- **Statutory planning** can be used to avoid and mitigate risks by controlling what uses are permissible and by prescribing development standards that optimise site layout and ensure appropriate vegetation management, access and water supplies; and
- **Building controls** can prescribe minimum construction standards for bushfire protection to reduce building vulnerability.

The effectiveness of statutory planning and building controls of course is also reliant on correct application of standards and ongoing compliance post-construction, both of which are significant ongoing challenges in Tasmania.

An over-reliance on any one of the abovementioned measures is likely to result in sub-optimal outcomes. For example, strategic planning has great potential to avoid or minimise exposure to bushfire hazards but will not be effective without a clear policy framework to guide it. This is reflected in the current regional land use strategies: there is little consistency on bushfire policy between the three documents and arguably none have had a significant effect on planning outcomes in bushfire-prone areas. At the other end of the spectrum, building controls have an important role in reducing vulnerability of built assets but offer the least scope to avoid or minimise risk exposures.

The need for an integrated system of controls is recognised at the federal level through National Strategy for Disaster Resilience (COAG, 2011), to which the Tasmanian Government is a signatory. The Strategy requires that all levels of land use planning and building control take into account risks to social, built, economic and natural environments and emphasises the particular importance of strategic planning.

The majority of Australian states and territories have now implemented the abovementioned hierarchy of controls, including state policies to drive strategic and statutory planning in bushfire-prone areas (refer to **Appendix A**). At present, Tasmania is heavily reliant on building regulations, meaning the potential benefits of strategic and statutory planning are largely unrealised.

The TPPs present a timely opportunity to improve the way in which Tasmania plans for bushfire. If done well, we believe they will lead to improved planning outcomes that will benefit many generations of Tasmanians into the future.

Scope of Tasmanian Planning Policies

The proposed scope of topics to be addressed in the TPPs, as outlined in the Planning Policy Unit's Scoping Paper are supported by TFS.

The following points are provided to assist the Planning Policy Unit to establish the scope of the TPPs relating to bushfire risk. Some of these principles could also be expanded to apply to other types of natural hazards.

- **Protection of human life**

The protection of human life should be a stated priority when considering competing objectives. Planning outcomes that place other priorities, whether they be economic or environmental, over life protection should not be accepted. For instance, this may mean avoiding development in areas where bushfire risk mitigation measures are incompatible with environmental objectives.

- **Bushfire hazard identification**

A principle that should be explicit in the TPPs is that planning instruments must identify bushfire-prone land. Bushfire-prone areas need to be identifiable in planning schemes because it allows owners, industry and regulators to make informed decisions.

Hazard mapping should be based on the best available information to ensure they remain fit for purpose.

- **Risk assessment**

It is critical that bushfire risks are considered early and at all stages of the land use planning process and that planning is informed by contemporary science-based modelling and analysis. This is a key principal that is reflected in other State jurisdictions in Australia.

Consideration of risks should start with strategic planning and be followed by appropriate statutory planning development controls. Importantly, at the strategic planning stage it is appropriate that bushfire risks be considered at a landscape scale before decisions are made on preferred growth areas, zone changes and other scheme amendments that would affect future use and development.

It may be appropriate that the TPPs (or supporting material) outline specific risk factors that should be considered as part of a strategic level assessment.

- **Risk treatment**

Prioritising risk treatments in the following order is consistent with best practice and will improve the effectiveness of planning:

1. Avoid exposure to hazards;
2. Reduce exposure to hazards;
3. Reduce vulnerability to hazards;
4. Prepare for and facilitate appropriate response;
5. Prepare for and facilitate appropriate recovery.

Risk avoidance is always the best outcome where possible. At the strategic level, the identification of new growth areas should seek to avoid bushfire hazards, or avoid an unacceptable level of exposure, where possible. As well as directing new greenfield development to more appropriate locations, it can also mean avoiding the intensification of uses where it would lead to

undesirable cumulative impacts (this is discussed further in this submission under the heading ‘cumulative impacts’). At the statutory planning level, this may (for example) mean limiting the potential for new vulnerable and hazardous uses in bushfire-prone areas.

Where it is not practicable to avoid the risk, planning must mitigate risks to a tolerable level by reducing exposure, reducing vulnerability and facilitating effective emergency responses and recovery. At a strategic level, this could be implemented through regional land use strategy policies and through structure/master planning of new development areas. Relevant considerations may include:

- The potential exposure to bushfire hazards and likely fire scenarios;
- The relative vulnerability of future land uses and their location relative to the hazard;
- The siting of important community infrastructure relative to the hazard;
- The proposed density of future development;
- The degree to which the proposed development patterns minimise community exposure (e.g. length of urban interface);
- The suitability of access networks and water resources to facilitate efficient and safe emergency actions;
- The controls that can be used to ensure ongoing compliance.

An example of how risk mitigation can be integrated into strategic planning can be seen in the proposed rezoning and Country Club Specific Area Plan that is currently being considered by the Tasmanian Planning Commission (Draft Amendment 4/2020). Input was sought from Tasmania Fire Service early in the design of the concept master plan that informed the SAP. The resultant design incorporated:

- A perimeter open space zone to provide additional separation from the surrounding bushfire hazard and with multiple access points to facilitate firefighter access;
- Provision of a through-road network with multiple evacuation routes;
- Concentration of higher lot densities away from the urban interface;
- Locating land for future retirement living (vulnerable use) whereby its exposure is reduced by the combination of the perimeter open space zone and an adjacent fuel reduced area under a bulk transmission line (it is noted that the siting of the retirement living land could have been improved even more by moving its location further north).

At a statutory planning level, subdivision design and building siting can be optimised, as far as is practicable within the limitations of the development site. It is noted that at present, the Bushfire-Prone Areas Code provides basic minimum standards but does not require best practice.

How governments manage recovery from disasters is another important consideration, although possibly of lesser relevance to the TPPs. Historically, the combination of existing use rights and political pressure for governments to stimulate rebuilding has had the effect of recreating original risk exposures.

A more strategic approach to recovery would allow communities to ‘build back better’, however this is not directly a land use planning issue. Statutory planning can support recovery by ensuring temporary housing can be efficiently delivered to support disaster-affected communities (Planning Directive No.7 is a good example).

- **Cumulative impacts**

The cumulative effects of planning decisions on risks must be a key consideration. Many existing areas were developed before bushfire risk was well understood – existing unsatisfactory risk exposures should not be exacerbated by changes to zoning or development standards.

For example, the draft Clarence Local Provisions Schedule recently sought to rezone land at Mount Rumney, Geilston Bay and Sandford from Rural Living (Area B) to Rural Living (Area A). This which would have reduced the minimum lot size from 2ha to 1ha within existing low density settlements. In Tasmania Fire Service’s [submission](#) to the Tasmanian Planning Commission we advised:

- The proposed zone changes would be conducive to dispersed small subdivisions, many of which would need to be internal lots reliant with long and/or shared private accesses;
- The increased lot yield would have intensified the use of – and reliance on – existing sub-optimal access and water infrastructure;
- The cumulative effects of the zone changes would exacerbate existing unsatisfactory risk exposures to residents and emergency personnel;
- Therefore, the proposed zone changes were not acceptable from a community risk perspective and the additional risk exposure should be avoided;
- Should Council seek to pursue the intensification of development in these areas, it should be done as a separate scheme amendment process following analysis of risk exposure, infrastructure capacity and investment in risk mitigation options.

The Commission accepted this advice and subsequently rejected the proposed zone changes in their [decision](#) of 1st September 2021.

- **Climate change**

Climate change is of course an important factor that needs to be considered. It is expected that the prevalence of dangerous fire weather will continue to increase in the coming decades across much of Tasmania.

At present, Tasmania’s development standards for bushfire do not factor in future climate change. There is a need for further policy work to be undertaken to determine what time horizon should inform planning policy (for example, should we be planning for potential fire conditions 50 years from now or should an even longer view be adopted?). When this benchmark is known, there is also a need for further data analysis to establish the appropriate Fire Danger Index (FDI) values that should be used for planning purposes.

It is considered appropriate that the TPPs require consideration of future climate change and that decisions are based on the best available science.

Format of Tasmanian Planning Policies

The proposed format for the TPPs is considered acceptable. A strength of the proposed approach is that it provides clear direction as to how the strategies are to be implemented via strategic and statutory planning. It is recommended that each objective and strategy be numbered for ease of reference.

As climate change will likely be relevant to a broad cross-section of the TPPs, we agree it is appropriate to integrate climate change adaption and mitigation principles across the policy suite.

If TFS can provide any advice or further information in support of the development of the TPPs, please contact Tom O'Connor (Senior Planning & Assessment Officer) in the first instance on [redacted] or at [redacted]

Yours sincerely,

Chris Collins
MANAGER – BUSHFIRE RISK MITIGATION

20 October 2021

Cc

Reference list

Deloitte Access Economics 2017, *Building resilience to natural disasters in our states and territories*, Australian Business Roundtable, Sydney,
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APPENDIX A – ELEMENTS OF BUSHFIRE PLANNING FRAMEWORK (JURISDICTIONAL COMPARISON)

	NSW	VIC	QLD	WA	ACT	NT	SA	TAS
State planning policy	Ministerial Section 9.1 Directions includes broad directive for planning to conform with Planning for Bushfire 2019. Part 4 of PBP includes provisions for strategic planning.	Victorian Planning Provisions – s.13.02.1S Bushfire Planning provides strategic policy direction.	State Planning Policies – State Interest Policies for Natural Hazards, Risk and Resilience provides strategic policy direction.	State Planning Policies - SPP 3.7 Planning in Bushfire-prone Areas provides strategic policy direction.	ACT Planning Strategy provides policy direction. Limited policy direction for natural hazards.	No policies.	State Planning Policies - SPP 15 Natural Hazards provides strategic policy direction.	No policies.
Regional / strategic planning	Strategic bushfire risk assessment required for planning proposals, rezoning, master planning, structure planning, preparation of local planning instruments etc.	Strategic bushfire risk assessment required for rezoning, master planning and structure planning.	Strategic bushfire risk assessments required to inform the preparation of new, amended and revised planning instruments.	Strategic bushfire risk assessment required for rezoning, master planning, structure planning, major tourism facilities etc.	Bushfire risk assessment required to inform structure planning and concept planning for with new land releases.	Regional land use plans do not currently consider bushfire.	Regional plans provide high level policy guidance for natural hazards to inform the preparation of new, amended and revised planning instruments.	Regional land use strategies provide minimal policy guidance for natural hazards.
Statutory planning	Planning requirements for risk mitigation apply for a broad range of use and development including subdivisions, buildings and particular land uses. These are provided in PBP 2019.	Planning requirements for risk mitigation apply to a broad range of use and development including subdivisions, buildings and particular land uses.	Planning requirements for risk mitigation apply to a broad range of use and development including subdivisions, buildings and particular land uses. Requirements can differ between areas mapped as Very High, High, and Medium Bushfire Intensity.	Planning requirements for risk mitigation apply to a broad range of use and development including subdivisions, buildings and land uses.	Planning requirements for risk mitigation apply to proposed residential development and subdivision.	No requirements for bushfire.	Planning requirements for risk mitigation apply to a broad range of use and development including subdivisions, buildings and particular land uses. Requirements differ between areas mapped as High Risk, Medium Risk, Urban Interface, Regional and Outback areas.	Minimal planning requirements for risk mitigation (applicable to subdivision, vulnerable and hazardous uses only). No controls for majority of use and development.
Building control	Construction standards (NCC)	Construction standards (NCC)	Construction standards (NCC)	Construction standards (NCC)	Construction standards (NCC)	Construction standards (NCC)	Construction and water supply standards (NCC, Ministerial Building Standard MBS 008)	Risk mitigation requirements (including construction standards) applicable via Director's Determinations.

Submission by Mervin C Reed in respect of the proposed Tasmanian Planning Policies

I refer to your public exposure draft of the proposed Tasmanian planning policies and their coverage.

My concerns are strategic and about deliverables.

Firstly, I believe that the current environmental protection arrangements are dealt with more properly under the Environmental Protection Act, and will cause people using the Land Use Planning Act, to have to prepare approval applications for both organisations involved, one being the land use planning act Planning Authority in the area concerned, and the other being the Environmental Protection Authority.

This been serious staffing increases for both organisations. This adds substantial costs to the users of the service being the general public and voters.

If the government wishes to streamline matters then the first segment regarding environmental protection, needs to be not a Tasmanian Planning Policy but a Tasmanian Environmental Protection Policy and should not be encompassed in this policy intent.

For example, the impact on catchment Management is entirely the function of water managers from various government agencies, and has very little to do with the planning schemes, as the legislation covering water management presently overrides The Land Use Planning Act, as it should.

The management of our drinking water and our Hydro schemes is not a matter for a Planning Authority.

On balance the rest of the proposed Tasmanian Planning Policies appear to be extensions of normal planning processes, already taken into account by local government.

However, it will give some more complex and unneeded structure to consider a wider range of impacts upon the development of land use.

I now turn to the law of unintended consequences, and the utilisation of the Tasmanian Planning Policies, by groups who wish to shutdown development or constrict the use of the private capital.

If the Tasmanian planning policies are relative to the needs of the communities, then the policies cannot be like the present Northern and Southern land use planning policies, documents that are completely out of date, and constrict the provision of land for housing and for supporting the liveable communities concept.

These policy documents some 12 or 13 years old are a classic example of planning stupidity, and are held onto because nobody wants to admit that they are useless.

Without major surgery and a complete change in the focus of land use policies, the planning system in Tasmania, will continue to make life more difficult for first home owners, than it should be.

I now turn to my second concern, which is the question of hazards and risks, and the fundamental issue here is who is responsible?

The landowner whether it be private or public is ultimately the only person responsible, but to try and make land use planning some sort of filter is nonsensical.

This gets back to the issue of The Planning Authority, versus the Environmental Protection Authority.

You have to make up your mind as to where the responsibility rests for determination of these matters, or otherwise all you're simply doing is adding another layer of costs, that ultimately the consumer in whatever form, will have to bear.

If these questions of hazards and risks are not left to sit with the landowner, then the whole issue is quite simple, in that this particular component of the topics will be much larger constriction on development than you might imagine.

Capital is like water, and it finds its own level.

Public servants have no understanding of the formation of capital, or the time/cost structures that impact development of land and facilities.

Indeed, the government is now finding out that its program of divestment of liabilities to contractors, is seeing those contractors tell the government that it doesn't want to work for it as it is not in their best interest to do so.

Shock horror, but the reality is why would somebody put their business at risk for some public servant, who wishes to defray liability absolutely, and at the same time pay bottom dollar for the work to be done.

The work doesn't get done.

So therefore, in relation to hazards and risks, landowners do the normal things such as soil testing; investigation of contaminated land; understanding of the impact of coastal inundation and erosion; landslip; flooding; and certainly now natural hazards such as bushfires.

Even now most planning authorities require landowners to provide bushfire management plans with every development application of land not you build upon.

Lastly, I turn to the underlying policy assumptions the further regulation is necessary, or indeed welcomed as some sort of breakthrough?

The government made substantial inroads to modernising the planning systems and schemes across Tasmania over the last five years.

These games are now in place and are being used effectively by Planning Authorities and the private sector and other landowners now understand implicitly the level of detail and supporting investigations required, for each application.

Further increased detail, simply adds costs to the proponent, adds costs to the assessment process by Planning Authorities, which is then passed on by way of fees back to the proponent, and ultimately the consumer.

It's nice to assess all of these things and have a view about them all, but it's also nice to actually run planning scheme on a state-wide basis where everybody is treated equally, and you're not jacking up costs for some intellectually valid reason, that has no real impact on the outcomes for the average Tasmanian citizen.

When you have government agencies that are responsible for most of the TPP topics, with already functional and highly detailed legislation, (and I reflect

here on the new BioSecurity Act which is seen as a national model), then what place does planning have been this space, and the answer is not much.

I therefore think the scope of the TPP's needs to be constricted and there needs to be an analysis completed of the economic impact of this proposed regulation increase.

If it cannot provide more efficiencies, better outcomes, and a lower cost within the whole framework of planning and why is this been undertaken?

If you can't deliver outcomes from the present agencies of government with multiplicities of Act's of Parliament the cover all the present TPP topics, then you should say so.

Adding another layer of regulation, to what is already a very complex process does not deliver the outcomes you're seeking.

To conclude I have some serious concerns about the validity of this approach, about how it has been thought through; and about the impact this will have on slowing down the economic activity across Tasmania.

It will also generate into government agency conflict, on a functional basis.

I therefore think at this stage further refinement of the topics is necessary to remove the overlaps that now exist which will generate increased costs to the community.

Mervin C Reed FAICD FCHFP AAFA AAIM JP
Chartered Financial Adviser

From: [Have Your Say](#)
To: [Planning Unit](#)
Subject: FW: Tasmanian Planning Policies
Date: Friday, 22 October 2021 8:39:04 AM

From: Sushila Desai
Sent: Thursday, 21 October 2021 1:00 PM
To: Have Your Say <HaveYourSay@justice.tas.gov.au>
Subject: Tasmanian Planning Policies

To whom it may concern

RE: Scope/Content and Structure of the draft Tasmanian Planning Policies (TPPs)

Thank you for the opportunity to comment on the proposed Tasmanian Planning Policies.

I wish to endorse the comprehensive submission made by PMAT, which reflects what I also believe are sensible points raised.

I would also like to see the creation of a specific Climate Change TPP, integrated into all other relevant TPPs, to ensure reduction of emissions of greenhouse gases, and mitigation of the impacts of the climate crisis and disruption on the Tasmanian community. Given the enormity and importance of climate change, the development of a Climate Change SP is essential.

I look forward to public consultation in due course.

Regards

Sushila Desai

Department of Justice

Email: haveyoursay@justice.tas.gov.au

21 October 2021

To Whom it May Concern,

Submission on the Scope of the draft Tasmanian Planning Policies (TPPs)

NRM South's role in southern Tasmania is to guide and enhance the management of natural resources by working with a range of partners to drive effective on-ground action, collaborative projects and support the community with knowledge and information. The work undertaken by NRM South intersects environmental and primary production priorities. Our established partnerships with government, industry, non-government organisations and the community drive our organisational effectiveness and priorities across the southern natural resource management (NRM) region.

In collaboration with NRM North and the Cradle Coast Authority we are currently finalising a 2030 Tasmanian Regional NRM Strategy. The Strategy identifies regional priorities within three themes, Land, Water and Biodiversity. We have identified key principles which include:

- Stewardship (promoting and enabling growth and the uptake of knowledge, capability and practices which support the natural environment and productive landscapes to sustain productivity, profitability, and healthy functioning).
- Risk and resilience (avoiding and resisting impacts, and recovery without loss of economic, social, or environmental functional capability or capacity).
- Influence (working with planners and policy developers to inform regional environmental and agricultural initiatives at state and federal levels).
- Aboriginal culture and knowledge (appropriately and respectfully recognising and engaging with Tasmanian Aboriginal people to share natural resource management knowledge, perspectives, and practices).
- Participation (actively establish and nurture partnerships and collaborations as the preferred operating arrangement for the planning and implementation of regional, cross regional and local NRM programs, projects, and activities).

The Tasmanian NRM Strategy, incorporating identified southern regional priorities, is relevant to the Tasmanian Planning Policies (TPPs). Through stakeholder engagement undertaken to inform Strategy development and relevance, our organisation has identified key issues of importance to our region and stakeholders that are also relevant to the TPPs.

Summary of key points

- NRM South supports the proposed scope and topics, with specific suggestions for improvements as outlined below.
- NRM South supports a sustainable growth model.
- Topics should be considered in a holistic manner, to better manage impacts of development. Sustainability should be treated as a holistic and cross-cutting view, which is fundamental to economic growth and is applied across the TPPs. This would complement broader messaging and positioning of Tasmania as clean, fresh, beautiful, and natural.

- ‘Cultural and Natural Heritage’ and ‘Hazards and Risks’ could be developed as overarching policies as they are relevant across all planning matters and for economic development. The State’s cultural and natural values contribute to the uniqueness of Tasmania and are a significant attraction for tourism and our produce.
- Greater integration of TPP issues across topics to address and better manage cumulative impacts would be of benefit. As topics are currently “siloed” there may be challenges in prioritisation for competing purposes and this could be addressed by integrating issues across topics.
- Biosecurity, including the introduction and spread of pests, weeds and diseases is a significant threat to a variety of industries and natural values. The TPP scope may be improved by including biosecurity as an issue.
- Climate change will impact all TPPs in some manner. This may arise through events such as increased drought, storms, fire risk or natural disasters, or longer-term impacts such as changed weather patterns or sea level rise. As such, climate change should be integrated across all TPPs.
- Whilst the template may be useful in providing advice, it is important that policies are implemented, and existing legislation is recognised. For example, the State Water Quality Act recommends implementation of the State Policy on Water Quality Management 1997.

Economic development TPP

The approach to prioritise brownfield sites over greenfield sites is supported.

The scope of the TPP would be improved by:

- ensuring there is provision for mixed-use of agricultural land, to facilitate establishment of improved agri-business/agri-tourism e.g., cellar doors, rather than just agricultural production facilities.
- providing a mechanism to recognise or encourage development that conserves natural capital, such as establishing tree shelter belts to reduce impacts of erosion, which results in indirect economic benefit.
- recognising the economic value of sea fisheries (wild caught and farmed), through a reference to these industries in either agriculture or extractive industries.
- outlining a specific strategy focussing on the management of biosecurity impacts such as weeds and pests on adjoining agricultural land.
- including clear plans for remediation, or limiting impact to associated natural or cultural values, in the Extractive Industries strategies.
- including a tourism strategy addressing the need to manage growth in a manner that prevents impacts to the Tasmanian brand and cultural and natural values of the state. For example, the pressure on Tasmania’s reserves (including the Tasmanian Wilderness World Heritage Area, National Parks and Reserves) is increasing significantly due to tourism in its various forms, which can damage natural values and increase the costs of managing the reserves. If the tourism pressure is not managed strategically and carefully there will be irretrievable damage to the values that make Tasmania unique.
- including a tourism strategy that strives for well-considered, sensitive and sustainable developments that recognise and protect the natural and cultural values, and also do not impact on the amenity for other users.

Settlement and liveable communities TPP

The scope of the TPP strategy would be improved by recognising:

- connectivity between remnant native vegetation for ecological protection in urban development (this is only addressed in open spaces)
- sustainable principles in housing (in architecture).

Cultural and natural heritage TPP

The scope of the TPP strategy would be improved by:

- reviewing the strategies in relation to Aboriginal heritage in consultation with Aboriginal groups.
- recognising relevant legislation such as the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.
- Including a strategy describing how “ecologically sustainable development” will be achieved and address issues such as cumulative impacts, climate change, biosecurity issues.

Hazards and risks TPP

The scope of the TPP strategy would be improved by including:

- innovative and sensitive engineering in new developments to adapt to future projected risks.
- an approach to manage the unregulated and unmonitored removal of groundwater.

Transport and infrastructure TPP

The scope of the TPP strategy would be improved by considering:

- all types of potential public transport (existing or future technology) to reduce the number of private cars on the road.
- biosecurity measures for all transport hubs, particularly Ports and Intermodal hubs, to reduce the spread of weeds, pests, and diseases into both our agricultural and natural areas.
- a mechanism to enable Passenger and Active transport to be responsive to new technology.
- the suitability and scale of existing wastewater treatment, prior to development.
- Water sensitive urban design *and* engineering.
- river health, including water quality, which needs to be addressed at the catchment management level.

Thank you for the opportunity to provide comment. If you have further queries, please contact Cindy Hull at

Yours sincerely,

Nepelle Crane
Chief Executive Officer
NRM South