

Dear Minister Jaensch,

Thank you for the opportunity to comment on the Bill. Please note that I am responding on behalf of both Waratah-Wynyard and Circular Head Councils.

We can see the benefits in the changes proposed in the Bill in expediting the review of draft LPSs and future amendments, but we do foresee some challenges in the implementation of the amendments. These challenges are discussed below, under a series of sub-headings.

Outstanding issues notice - These notices are likely to result in a lack of clarity during community consultation. Any lack of clarity reduces the integrity of the consultation, and may result in increased representations due to the uncertainty of Council's LPS proposing one thing, and the Commission proposing another through the notice. Increased representations will lengthen the hearings, thus impacting on the delivery of the Tasmanian Planning Scheme.

Changes to s35E(3) and 40J(3) - The changes that expand the range of issues that representors can raise could drag the hearings to a standstill. Taking all zoning translations back to first principles could mean that the hearings for each Council's LPS will equate to hundreds of planning scheme amendments hearings, which currently take one to two days each. The Commission will need to consider a method of streamlining such matters through the hearings, such as grouping like representations together.

Notice to relevant agencies – this will require additional work in preparing planning scheme amendments. There are a few State agencies showing a greater interest in planning decisions lately, so this will increase the need for consultation during the preparation of a planning scheme amendment. This is by no means insurmountable, but is it necessary? Council would suggest that these agencies had been consulted during the drafting of an RLUS, state policies and planning schemes, and as the amendment is required to be consistent with the same legislation, there is limited need for further input. Regardless, it is acknowledged that this amendment is likely to proceed, and the listing of relevant agencies within the regulations is seen as beneficial.

Waratah-Wynyard and Circular Head Councils are supportive of the other proposed amendments, and believe that they will achieve their desired outcomes.

We support the changes to streamline the assessment and approvals processes, but encourage the department and Minister to be mindful of how these changes will be implemented, and fully consider the consequences of the amendments. Saving time through one step of the process may slow down the following step, and result in lengthening the overall process.

We are happy to discuss these comments in further detail.

Thanks,
Ashley

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