



Planning in Tasmania

A very brief introduction

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Resource Management and Planning System (RMPS)

- *Land Use Planning and Approvals Act 1993*
- *State Policies and Projects Act 1993*
- *Environmental Management and Pollution Control Act 1994*

RMPS does not cover ...

Development not on private land

- *Development on reserved land (e.g. national parks)*
- *Forestry*
- *Aquaculture*

Strengths of RMPS

“Sustainable development”

Open and transparent process

- *Development proposal clearly defined and this information made available to public*
- *Public comment prior to Council making decision*
- *Documentation relating to decision made public*
- *Appeal rights if unsatisfied with decision*

Planning Jargon

Discretionary use

- Council may approve it (i.e. Council exercises its discretion), and *LUPAA* requires that Council advertise the proposal for comment and provides the right to appeal the approval

Permitted use

- Council must approve it – the proposal will not be advertised and there will be no opportunity for public comment or appeal

What is changing ...

1. *Tasmanian (statewide) Planning Scheme*
2. *Development on reserved land*
 - *No longer “discretionary”*
 - *Loss of requirements for public consultation from management plans*
3. *Major Projects legislation*
 - *Over-height hotels in Hobart*
 - *Cradle Mountain Cable Car*
 - *Mount Wellington Cable Car*

Tasmanian (statewide) Planning Scheme

- *Changes to legislation passed state parliament in 2015 but Statewide Planning Scheme does not take effect until Local Provisions Schedules are finalised*
- *Greater Ministerial discretion – lesser role for:*
 - *Tasmanian Planning Commission*
 - *Councils*
 - *The public*
- *Interim Planning Schemes introduced in 2015*
- *Main components of Statewide Planning Scheme are:*
 - *State Planning Provisions*
 - *Prepared by Tasmanian Planning Commission*
 - *Made by Minister 22 February 2017*
 - *Local Provisions Schedules*
 - *Prepared by individual Councils*
 - *Coming shortly!*

Semantics

Reform

- *Dismantling of Tasmania's once-exemplary planning system to facilitate development*

Rules (regarding development assessment) have not changed

- *Yes, but the “rules” apply only to discretionary developments – the SPPs have reclassified many controversial development proposals from “discretionary” to “permitted”*

Many of the “changes” already in effect

- *In Interim Planning Schemes*