

Key LGAT Activity – September 2015

- *The Association is pleased to congratulate City of Clarence's Mayor Doug Chipman on his successful election as our new President. Mayor Chipman returns from overseas in early October and we look forward to working with him to further the interests of the Local Government sector and the communities it serves.*
- *We are also very pleased to welcome Dion Lester to the LGAT Secretariat Team as its new Policy Director. Having worked with most Tasmanian councils in his former role within Pitt & Sherry's Planning and Environment Group, Dion has a solid understanding of the contemporary issues facing the Local Government sector and brings considerable experience as a practitioner and team leader to his new role. We are thrilled to have him on board!*

Issue in Focus

The Land Use Planning and Approvals (Tasmanian Planning Scheme) Amendment Bill 2015 was tabled in the Lower House on Thursday 24th September. It is likely to be debated in mid October. The draft Bill makes a number of amendments to the current Act in order to provide for the establishment of the Tasmanian Planning Scheme.

On behalf of member councils, LGAT has raised concerns regarding certain provisions of the draft Bill, most notably the intention to reduce the timeframe for assessing permitted use and development applications from 28 to 21 days. This comes after the Government had already reduced the timeframe from 42 to 28 days last year.

Notwithstanding the concerns raised by LGAT to date regarding the reduced timeframe, the State Government's position remains unchanged. The Association will therefore be writing to and lobbying the Legislative Council, seeking that the current 28 day timeframe remains. All Mayors will be provided with a copy of the correspondence sent to the Legislative Council so that they are in a position to then further support the issues raised on behalf of the sector with their local Legislative Council Member.

Key Outputs/Outcomes

- Code of Conduct Amendment Bill successfully passed through both houses of Parliament.
- Kingborough, Central Highlands, Circular head, Glenorchy and Kingborough received Healthy Community Grants.

Policy/Project Activity

- Continued advocacy regarding planning reform including several meetings of and teleconferences for the Technical Reference Group to the Planning Taskforce as well as the Taskforce itself.
- LGAT is continuing to work closely with councils and the Department of State Growth on the State-funded project assisting councils to assess their critical bridge infrastructure in order to facilitate strategic heavy vehicle access networks.
- LGAT made a submission to the Joint Select Committee on Preventative Health.
- NRM Review submission.
- Preparation of briefs for the incoming President.
- Progression of an MOU between LGAT and Local Government Managers Australia (Tasmania).
- Significant Standards Panel activity.

Training and Workforce Development

- Another successful general manager's workshop which included presentations from the Planning Taskforce, NBN Co, Public Health, and Clean Energy Finance Corp.
- Continued to monitor Tasmanian Councils job vacancies
- Planning for Mayor's workshop, General Meeting, Breakfast forums and the 2IC Forum, Chinese cultural awareness training.
- Redrafted the 'Tasmanian Local government Workforce Report' 2015 to make some adjustments and corrections from council feedback. This public report will be published on the LGAT website.

Communication

- LGAT News Magazine September Edition
- *The Pulse* newsletter

Media

- Board of Inquiry
- Code of Conduct Bill
- LUPA Amendment Bill/TPS
- Magazine articles, opinion piece regarding role of Local Government
- New Prime Minister/Financial Assistance Grants
- Regional Bodies
- Screened 'Think Big Work Local' council careers TV advertisement on commercial channels and SBS, reaching around 75% of the Tasmanian adult audience 3 times. As well as promoting council careers the advertisement helps to raise awareness of the important role councils play.

Meetings

- 2016 LGAT Annual Conference - venue scoping
- Australian Local Government Association's (ALGA) State Policy Directors' Meeting
- ALGA Board Meeting
- ALGA Roads and Transport Advisory
- ALGA teleconference re tourism
- ALGA/State Associations' teleconference re natural disaster funding
- Carolyn Ferrier - EPA re Environmental Dispute Mediation Service – program development process/issues to feed into Employee Assistance Program design.
- Community Road Safety Grants Assessment Panel
- Department of Premier and Cabinet's (DPAC) Local Government Health and Wellbeing Forum
- DPAC Safe Haven Planning Workshop
- DPAC Land Use Planning and Approvals Act Amendment Bill
- Greens Shadow Minister for Local Government and Planning regarding Land Use Planning Amendment

- Improving Access Working Group
- Infrastructure Tasmania
- Institute for Public Administration Australia's (IPAA) Annual General Meeting and planning session for 2015 Vic/Tas Executive Forum
- Institute for Public Works and Engineering Australia (IPWEA) and Local Government Managers' Association (LGMA) re November asset management forum planning
- Labor Shadow Minister for Local Government and Planning regarding Land Use Planning and Approvals Act Amendment Bill and Code of Conduct Amendment Bill.
- LGAT Assist Board Meeting
- LGAT CEO meeting with Central Highlands and Kingborough Councils
- LGAT CEO meeting with Minister Gutwein re Planning Reform
- Local Government Association of Queensland (LGAQ)/LGAT teleconference re training materials
- Local Government Division regular monthly meeting
- Local Government Division re Strategic Action Plan Implementation
- LGMA Tas Board Meeting
- LGMA Communications Special Interest Group
- LGMA re LGAT/LGMA MoU
- Marc White (Goanna Energy) re update on energy billing check
- Meeting with Northern Council on energy efficient street lighting project - management options
- Meeting with CEOs of the three Regional Authorities
- Meeting with the Treasurer's Office regarding implementation of proposed liquor licensing legislation
- Nomenclature Board meeting
- Office of the Tasmanian Economic Regulator (OTTER) Customer Consultative Committee Meeting
- OSOM Project technical reference group meeting
- OSOM Project steering committee meeting
- Page Seager re LGAT's Workplace Behaviour Policy suite
- Planning Taskforce Technical reference group
- Policy and Projects meeting
- Premier's Local Government Council (PLGC) Officials Meeting
- Regional council meetings (South, North East and North West) re OSOM heavy vehicle access routes and bridge assessments project (OSOM Project)
- Resilience and Recovery sub committee of State Emergency Management Advisory Group
- Richard Mulligan re Community Telco Contract. Richard provided an update on the range of councils that had signed up for new telecommunications contract arrangements under National Procurement Network
- State Emergency Service (SES) Recovery and Resilience Sub-committee meeting
- SES re Natural Disaster Resilience Grants Program potential application

- Staff Operational Review Meeting
- State Growth re OSOM Project
- State Resilience Awards Judging moderation
- Tasmania Fire Service re SES Funding Model
- Tasmanian Climate Change Office re implementation of the Office's Forward Action Plan
- TasCOSS CEO
- TasNetworks Customer Council 2nd Quarterly Meeting
- Tasplan CEO and Chair
- Volunteering Tasmania presentation and overview of the CREW system

A MESSAGE FROM THE MINISTER

“The current regionally based approach to planning isn’t working with different rules for different areas making the system complex and difficult to navigate.

That is why we are introducing a new Tasmanian Planning Scheme which will take a statewide approach. This will result in consistency across regions.

Currently, across the three regions, there is only around 15 per cent consistency in respect of planning schemes across the state. Under the Tasmanian Planning Scheme, there will be around 80 per cent consistency statewide, providing more clarity and certainty for everyone.

This is all about creating a planning system that is fairer, faster, cheaper and simpler that will make it easier to invest in Tasmania, encouraging more economic development and job creation.

One statewide planning system will provide confidence for those looking to invest and expand.

It means housing providers, developers, designers, planners, and builders who operate across different council areas from Bicheno to Queenstown, Devonport to Dover, will not need to use a set of different rules for each place.”



Hon Peter Gutwein MP
Treasurer
Minister for Planning and
Local Government

What consultation has there been?

While in Opposition we announced an intention for a single statewide planning scheme in 2011, and subsequently took the policy to the 2014 election where it was overwhelmingly endorsed by the Tasmanian people.

Following the election, the Tasmanian Liberal Government formed the Planning Reform Taskforce, comprising key council, business and other key stakeholders, to consult and advise on the formulation of the legislation.

The draft legislation itself was released in June 2015 and subject to a six-week period of public consultation.

To ensure feedback is provided to stakeholders who provide commentary on the draft legislation, a number of meetings have been held to provide updates on the amendments to the draft legislation in line with responses.

What has been the process for drafting the Tasmanian Planning Scheme?

The process that has been underway for the drafting of the State Planning Provisions of the Tasmanian Planning Scheme is the most comprehensive consultative process ever undertaken in planning.

It is the first time that stakeholders including Local Government have been asked to work collaboratively on each section of the State Planning Provisions.

Two Technical Reference Groups have been created to provide technical advice and bring together, for the first time at a state level, land use planning and infrastructure provision:

- Planning Technical Reference Group that has nine local government planners, three from each region representing urban and rural councils.
- Infrastructure Technical Reference Group comprises nine infrastructure providers that cover hard infrastructure, transport, energy, water, port and marine, Infrastructure Tasmania and Local Government.

There are three consultative groups covering the following community interests:

- Community Sector Consultative Group
- Business and Industry Consultative Group
- Environment and Historic Heritage Group

Regular briefings are held with the three regional council groups, key State Government agencies and specialised interest groups to test the veracity of the drafting of the State Planning Provisions.

What role will Councils have?

Local Government is fundamental to the success of the Tasmanian Planning Scheme and, together with State Government, forms a strong partnership in ensuring the community has confidence in the Planning Scheme.

Councils will still determine the zone maps, lists and overlays of the Codes for their municipal areas. Councils will also remain the planning approval bodies.

What will be different?

Instead of the current around 15 per cent commonality across regions, there will be around 80 per cent commonality. No longer will each council have its own planning scheme there will be one scheme with consistent rules.

The legislation also changes the way that planning rules are prepared and who has responsibility for preparing them.

The planning directive process will be replaced with a more transparent and comprehensive set of State Planning Provisions that will be given effect once each council has prepared its zoning maps and other local provisions.

The State Planning Provisions can be amended and reviewed in a more timely and open way to the current planning directives.

What will stay the same?

The legislation retains the role of local councils as planning authorities, determining what zones are appropriate in their areas and their capacity to propose local variations to the State rules where these can be justified.

The role of the independent Tasmanian Planning Commission also remains the same in providing a review and advisory function on both the State and local parts of a planning scheme.

The Commission will have a role in reviewing the State Planning Provisions and in approving the Local Provisions Schedules.

This is in parallel to its current roles in assessing Draft Planning Directives and the current interim planning schemes that set out the zoning of land.

When will a single statewide planning scheme be in place?

The Tasmanian Planning Scheme will be in place by the end of 2017.

A proposed timeline is outlined below, subject to enabling legislation being passed by both Houses of Parliament in 2015:

- December 2015: Draft State Planning Provisions provided to the Minister;
- February – June 2016: Minister directs exhibition / Tasmanian Planning Commission considers representations/recommends to Minister;
- July 2016: Minister declares State Planning Provisions and notifies in Gazette – directs Councils to prepare Local Provisions Schedules;
- From July 2016: Local Planning Authorities prepare Local Provisions Schedules: review zone maps, Particular Purpose Zones (PPZ) and Specific Area Plans (SAP) and Site Specific Qualifications based on criteria for variations. Councils can consult informally with communities. Proposed PPZs and SAPs - determine overlays and lists to apply State Planning Provision Codes where needed – are publicly exhibited and assessed by the Tasmanian Planning Commission (TPC); and
- From early to around mid-2017: TPC approves and Council gives notice. The Tasmanian Planning Scheme becomes operational in each municipality as its Local Provisions Schedule is made.





Will there be any flexibility to allow for geographic differences in regions?

Yes. The Government recognises that a set of state provisions that provide for most situations across all Councils, will not be appropriate for identified and unique places.

Local councils will each have Local Provision Schedules and councils will continue to provide for areas unique to their municipal area, such as Hobart's Royal Hobart Hospital, Launceston's Seaport and Devonport's Homemaker Centre.

What checks and balances will be in place to ensure proposed developments are appropriate for use?

The Local Provision Schedules will be assessed by the independent Tasmanian Planning Commission.

While local councils are expected to engage with their local communities in preparing the zone maps, they will also be required to exhibit the Schedules and seek representations formally as part of the approval process set out under the legislation.

The community will have the opportunity to raise issues with the Tasmanian Planning Commission.

These are two critically important opportunities for community members to have their say in planning outcomes that may impact on their rights and the amenity of their communities.

Similarly, the Commission will determine the need and merits of any variations and exceptions to the State Planning Provisions that are proposed as Particular Purpose Zones, Specific Area Plans and Site Specific Qualifications.

Will this mean any changes to appeal rights?

The legislation retains the public involvement in making representation about what zones apply to land through the preparation and assessment of the Local Provisions Schedules.

The legislation doesn't make any changes to the way individual developments are assessed or what appeal rights and processes follow from councils decisions on development applications.



Where can I get more information?

For more information on the Tasmanian Planning Scheme please contact Mary Massina, Executive Chair of the Planning Reform Taskforce - Email: mary.massina@stategrowth.tas.gov.au or Phone: (03) 6165 5262.