Our Ref: DJL|LO|LR

11 December 2025

Mr Anthony Reid
Director – State Planning Office
Department of State Growth

via email: spo@stateplanning.tas.gov.au

Dear Anthony

Revised Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2025

Thank you for the opportunity to provide a submission on the Revised *Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2025* (the Revised Bill). This submission has been prepared by the Local Government Association of Tasmania (LGAT) on behalf of Tasmanian local government in collaboration with our members; all 29 councils.

LGAT is incorporated under the *Local Government Act 1993* and is the representative body and advocate for local government in Tasmania. Where a council has made a direct submission to this process, any omission of specific comments made by that council in this submission should not be viewed as lack of support by LGAT for that specific issue.

The local government sector again rejects the Revised Bill. We acknowledge the intent to improve decision-making transparency and consistency and welcome the removal of the Minister's referral power. However, we remain concerned about the necessity, efficiency, and clarity of the proposed Development Assessment Panel process (DAPs).

Overwhelmingly, our sector questions the need for this legislation.

The Revised Bill's *Background Report for Consultation, October 2025*, notes on page 6 in response to this concern:

> *"The need for providing the alternative pathway has been demonstrated at length in past reports. The principal justification is that the contested role of Councillors as a planning authority responsible for determining development applications against the provisions of the planning scheme can be at odds with their political role in representing the interests of their constituents."*

It is not clear which "past reports" have demonstrated at length the need for an alternative pathway. As the Government's own Development Assessment Panels Framework Position Paper in 2023 said, "*Despite the statistical evidence there remains a perception that some Councils are less supportive of new development than others*…".

The 2023 Position Paper goes on to acknowledge that Tasmania's existing development assessment process is working well, "*being one of, if not the fastest in the country"* when it comes to applications.

The need to provide this alternative pathway has not been demonstrated.

In response to the 2024 draft Bill the Tasmanian Planning Commission said in their submission that the local government sector already administers development assessment processes efficiently and that this new process will:

- Add further layers to an already complex planning system,
- Require the duplication of administrative and technical functions, and
- Result in a more expensive planning system.

The need for and value of DAPs, given the existing processes that can deal with these applications in a more timely manner, is unclear. Even the *Background Report for Consultation, October 2025*, page 14, admits that "*the proposed process is principally in response to a small number of applications that have been refused on the basis of social prejudice"*. No data has ever been provided to clarify the number of impacted applications, whether the relevant applications were appealed or what timeframe, or cost benefit would have been achieved, had those applications been subjected to the proposed process.

The Future of Local Government Review Board reported that only about one per cent of discretionary applications across the state go to appeal and the determinations made by elected representatives "*were no more likely to be appealed than those by council officers*".

In the absence of evidence to the contrary, the assertion that "*the contested role of Councillors as a planning authority …. can be at odds with their political role in representing the interests of their constituents"* remain little more than hollow rhetoric.

Significant resources by both State and local government and individuals have been channelled into this process which is only in response to a small (and unknown) number of applications. The need for what remains an overly complex process is unclear and therefore unjustified. It is also noted that the detailed operation of the Bill remains largely unchanged, despite past submissions from councils which have highlighted detailed problems, which makes us question the veracity of the consultation.

The diverting of precious planning resources across state and local government to address multiple attempts at this reform comes at a cost during a critical time in the development of our planning system. While we welcome the recent long overdue release of the Tasmanian Planning Policies and draft Southern Tasmanian Regional Land Use Strategy, there still remains significant further work to be done on our planning system. The fact is our current system has never been properly resourced, nor implemented as intended in the legislation, which makes the desire to introduce more complexity, and therefore more effort, into the system somewhat baffling.

The local government sector stands willing to work with the Government on the desperately needed improvements to our planning system, but the current DAP proposal is certainly not one of them.

Please contact me if you have any questions or would like further information, at dion.lester@lgat.tas.gov.au or 03 6147 3740.

Yours sincerely



Dion Lester
Chief Executive Officer