Local Government Association Tasmania

Our Ref: ME | MP

13 September 2024

Sean McPhail
Acting Director
State Planning Office
Department of Premier and Cabinet

Via email: yoursay.planning@dpac.tas.gov.au

Dear Mr McPhail

Improving Residential Standards in Tasmania Draft Report

Thank you for the opportunity to provide a submission on the Improving Residential Standards in Tasmania Draft report.

The project is a significant for Tasmania, and councils are eager for its outcomes to assist their regulatory work. This is particularly for development assessment, which is critical to ensuring we deliver quality and contemporary housing options and liveable communities. We commend the State Planning Office (SPO) and consultants in their work in developing draft recommendations for the project. We are especially grateful for the SPO's additional local government engagement efforts.

Our submission is focused on broader issues that have a statewide basis or are the combined position of Tasmanian councils. We have left the specific elements and options within the report to councils to comment on, with their substantial planning expertise they are best placed to understand the local implications.

Issues difficult to regulate on a statewide basis

As this project, and the Tasmanian Planning Scheme (TPS) in general, get down to finer and more specific details, they start encountering issues that are very difficult and perhaps even inappropriate to regulate on a statewide basis. An example of this is waste and recycling storage and servicing requirements.

Different councils have different waste management services to residents. Not all councils or all properties have a kerbside food organics and garden organics (FOGO) or recycling service. These services have specific bin requirements and the different housing options must respond to this, for example medium or higher density housing.

The TPS must provide councils and proponents with clear performance objectives that can be addressed with specific development design responses. The details of best practice for consistency will need to be captured within an easy-to-use source, such as LGAT's Tasmanian Development Manual Project. Other needs can similarly be addressed in this way, such as streetscaping, landscaping, other servicing and local urban design needs. Councils can then condition specific requirements on development permits.

Importantly, using non-statutory, non-mandatory guidelines can also be useful in cases where a mandate is not yet clear for a consistent statewide statutory approach. A non-statutory guideline can be developed first, adopted and implemented by early adopter councils (typically those with high growth demands), refined through practice, before ultimately informing a statewide approach through the TPS, if appropriate. This can help both state and local government collaboratively implement a continual improvement approach in our planning system.

We recommend that the Draft Recommendation Report make note of this alternate regulatory pathway that sits alongside and supports the TPS for specific residential standards issues that are difficult to determine on a statewide basis.

Managing the Impact of short stay accommodation on housing

Local government has resolved that action must be taken on the short stay market's impact on the housing market, described in LGAT submissions[1] and General Meetings[2,3]. We are finalising for public release, a comprehensive Local Government Housing Position Statement and will provide this to the SPO as soon as possible. Short stay is a matter of high importance to local government because of its impact on housing supply. Local government is focused on whole-of-home short stays, with home sharing of a room or ancillary dwelling not having a noticeable impact on the housing market.

The Draft Recommendations Report only briefly considers and makes recommendations on the issue (p. 10, 22 and 92), particularly in relation to dwelling demand and use standards. Visitor accommodation and its impacts on housing appear very relevant to the considerations of sections 1.3 (*Why review Tasmania's residential standards*), 1.4 (*Tasmanian Planning Scheme*), and 1.6 (*Project scope*). There is a key question whether whole-of-home short stay accommodation is residential or non-residential, when in effect it is commercial use in a residential zone. It is not clear where this issue will be addressed in the broader State Planning Provisions (SPPs) Review.

[1] See: LGAT Submission – Tasmanian Housing Strategy Exposure Draft
[2] See: March 2024 LGAT General Meeting agenda and minutes
[3] See: September 2024 LGAT General Meeting

Tasmanian councils want the impact of converting houses into short stay accommodation to be managed properly by the Tasmanian Planning Scheme. The objective would be to deconflict residential and short stay uses, and direct visitor accommodation to appropriate areas. This requires recommendations on what the levels of assessment (permitted, discretionary, prohibited) in each zone should be for visitor accommodation, but also the standards within residential zones for that land use.

We strongly recommend that the report make recommendations for how the conflict between short stay accommodation and the simple use of houses for homes be managed. Alternatively, it might flag it for specific review within the SPPs Review. This is an important action in addressing Tasmania's housing crisis.

We support and welcome this significant work and investment. Please contact Michael Edrich if you have any questions or would like further information, at michael.edrich@lgat.tas.gov.au or 6146 3740.

Yours sincerely



Dion Lester
CHIEF EXECUTIVE OFFICER