

1 September 2021

Department of Justice  
Office of the Secretary  
GPO Box 825  
HOBART TAS 7001

Via email: [haveyoursay@justice.tas.gov.au](mailto:haveyoursay@justice.tas.gov.au)

Dear Sir / Madam

***Draft Housing Land Supply Amendment Bill 2021***

Thank you for the opportunity to provide a submission to the *Housing Land Supply Amendment Bill 2021*. This submission has been prepared by the Local Government Association of Tasmania (LGAT) on behalf of the local government sector. 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 the LGAT for that specific issue.

Our members strongly support robust, well-planned initiatives to improve housing supply and affordability, to improve the health and wellbeing of their communities. This is particularly important for the most vulnerable in our communities, who are the most affected by housing insecurity and unaffordability. However, Tasmania's councils are concerned with proposals that seek to bypass strategic planning and good development practice. It is this mode of development that often leaves a long-term and intergenerational legacy of poor social, economic and environmental outcomes in local communities. It is for this reason, and learning from the development mistakes of the past, that land use planning exists today. We note that the Bill maintains consultation with planning authorities to ensure some connection with the strategic planning undertaken and in development at councils.

Parliamentary scrutiny and a statement of reasons also add quality to any proposed Order tabled. It is assumed that the Minister's statement of reasons for the proposed Order would include justification against the assessment criteria, however this requirement should be made explicit. The assessment criteria can be improved in rigour by requiring an assessment of the misalignment between the proposed Order and any planning instruments, including the relevant regional land use strategy and planning scheme. Clarification around what a rezoning that is "*as far as practicable*" consistent with the regional land use strategy means, and where the boundary of this "practicable" consistency is, would also add rigour to the assessment of the proposed Order.

It is good to see the draft Bill consider the specific conditions of our remote communities, in this case, to allow proposed Orders to consider land on Flinders Island. Whether or not this results in good outcomes on the ground is highly reliant on implementation and the extent to that any Orders are made with sound land use planning practices.

Ultimately, it is the firm conviction of LGAT and Tasmania's councils that the real way to answer land use planning and development regulation's role in housing supply is not to bypass or override it, but to adequately resource the timely strategic planning needed to ensure a dynamic and responsive system of development regulation. There is only so much that the localised rezoning of the *Housing Land Supply Act 2018* can achieve. That is why we are maintaining our call<sup>1</sup> on the Tasmanian Government to update Tasmania's regional land use strategies without delay, as they have the potential to improve suitable land supply without compromising good development practice.

It is unfortunate that land use planning in the housing supply discourse has been used as an overly simplified and politically expedient target for attack, rather than building a holistic picture of all the causes of housing insecurity, unaffordability and supply constraints, and addressing these meaningfully. Zoning and development regulation are really only the first step in the development pathway of a habitable house. A focus on these ignores many other critical steps and barriers along the road to secure housing for all Tasmanians. These include accessible financing, construction industry capacity and timely delivery, development approval workforce challenges, infrastructure network capacity and timely delivery, land banking by development businesses, the reluctance of private ownership to release land that is dramatically increasing in value in a constrained market, the lack of diversity of housing products to economically cater for the varying needs of Tasmanians, amongst other constraints to housing security. This crisis must be addressed systemically.

If you have any questions or would like further information, please contact Michael Edrich at [michael.edrich@lgat.tas.gov.au](mailto:michael.edrich@lgat.tas.gov.au) or on (03) 6146 3740.

Yours sincerely



Dion Lester  
**CHIEF EXECUTIVE OFFICER**

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<sup>1</sup> See LGAT 2021 State Election Priorities: <https://www.lgat.tas.gov.au/member-services/lgat-advocacy/state-election-2021>