

SPPs Review issues scoping consultation report

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Executive summary

Introduction

The purpose of this report is to explain how analysis of the 163 submissions received in the scoping consultation process from 25 May to 12 August 2022 has informed the first five yearly review of the State Planning Provisions (SPPs).

Background

The current drafting of the SPPs came into effect as part of the Tasmanian Planning Scheme (TPS) on 2 March 2017. The SPPs are currently in effect across 21 municipalities in the State and will come into effect in the remaining areas following the approval of each council's Local Provisions Schedule (LPS).

The SPPs are being reviewed for the first time, with the process occurring in two stages over approximately two years. Regular review of the SPPs is both a statutory requirement and best practice; ensuring they remain contemporary and fit-for-purpose and respond to emerging planning issues and pressures.

The *Land Use Planning and Approvals Act 1993* (LUPA Act) requires 5 yearly review of the SPPs. This review commenced in May 2022 with the public release of the SPPs Scoping Paper and supporting information for comment. The SPPs will also be reviewed for consistency with the Tasmanian Planning Policies (TPPs) once they are made in late 2023.

Analysis

Analysis of the submissions from community, industry, local government and State Agencies and authorities suggests a broad scope of issues and potential revisions to the SPPs. These ranged from specific technical matters to deeper operational reviews and policy matters, and comments on the planning system generally. It also revealed there are large parts of the SPPs that are operating well and don't need detailed review.

Issues within the scope of the SPPs review were sorted using specialist knowledge of key principles for determining regulatory settings, planning scheme drafting principles, the history of the current SPPs, and the broader policy and regulatory framework.

Action groups and projects

The analysis considered a range of appropriate responses which led to categorising issues into 7 Action Groups proposed to progress the SPPs review, including:

- potential amendments to the SPPs,
- identifying projects to consider relevant matters in more detail,
- opportunities for further planning guidance documents, and
- when no further action is appropriate.

These will assist with improving and understanding the SPPs and the planning system.



The general approach of allocating issues into Action Groups, and then into projects within the Action Groups, breaks the SPPs review into manageable portions that can be actioned in a logical and efficient sequence. This has helped to identify a balanced work program to the end of 2024. Remaining aspects will be reconsidered after that.

Each project will be progressed separately in the short, medium and longer timeframe for the SPPs review. The most commonly used provisions and those addressing urgent issues will proceed first. These include several topics within the Action Group 1 project, and the Action Group 2 Improving Residential Standards in Tasmania project which have already commenced. The remainder of Action Group 2 projects will be staggered in the medium term. Action Group 3, 4 and 6 projects will commence in the longer term after the other relevant reviews and reforms are resolved, such as assessment and finalisation of the TPPs. Action Group 5 and 7 do not result in further action during this SPPs Review.

The second stage of the SPPs Review will include a review for consistency with the TPPs once made. The analysis has identified several projects that will occur after the making of the TPPs as part of Action Group 3, including a review of the Natural Assets Code and the broader provisions on vegetation and natural values management. Further refinement of the Action Group 3 projects will occur following the making of the TPPs, such as considering the broad range of measures to address climate change.

The Action Group 4 projects will be informed by the outcomes of current government initiatives and reforms, like review of the *Aboriginal Heritage Act 1975*, and review of the Reserve Activity Assessment process for reserved land. The outcomes of these initiatives and reforms will inform the need for any complementary SPPs amendments.

There are a variety of Action Group 6 projects to provide improved planning and design guidance to assist regulators and other users of the SPPs. These include:

- the new Planning in Tasmania website,
- improved guidance and background information on the SPPs and the planning system,
- Design Guidelines for Medium Density Residential Development, and
- Local Government Association of Tasmania's Development Manual project.

The Action Groups and projects within them, with intended commencement times, are listed Table 1 below, and in Appendix 2. Appendix 1 provides a more detailed summary of all the issues raised and responses to them, including allocation of Action Groups.



Consultation

The consultation strategies employed for developing project recommendations or amendments will ensure that issues and response options are thoroughly investigated by engaging different tiers of input at appropriate times through the process from development to approval. The SPPs work program will be staggered to provide appropriate time for meaningful input from technical reference groups and wider stakeholders.

All SPPs amendments resulting from the SPPs Review work program will follow the procedures available under Part3, Division 2 of the LUPA Act. This includes the opportunity for public comment and for the independent Tasmanian Planning Commission to consider SPPs amendments. Some amendments will progress as minor amendments under the criteria in section 30NA of the LUPA Act or interim amendments under section 30NB of the LUPA Act.

Responses to some key points raised in submissions

The Action Group and project approach is further explained in relation to some themes that submissions particularly focused on such as:

- the suite of urban residential zones, with mixed views on specific changes to the provisions;
- implementing strategic, best practice planning and urban design principles
- considering climate change in the planning system;
- Natural Assets Code operation and application of the priority vegetation area overlay;
- guidance for interpretation of particular provisions and consistent approaches to assessment;
- suggested new zone, code, or other specific provision to manage development or support particular industries.

Other considerations and keeping up to date on the SPPs Review

Finally, with the SPPs review occurring over a 2 year period, there are methods to include new matters raised and refine the work program as the SPPs Review progresses. Along with consideration of some parallel matters under LUPA in relation to the SPPs Review, and how to keep informed as the work program progresses.



Table 1: Action Group and project summary

Action Group and project	Indicative commencement
Action Group 1 <i>First round of stand-alone SPPs amendments for issues that can be actioned</i>	
Preparation of Action Group 1 SPPs Amendments <ul style="list-style-type: none"> - Preparation of a group of SPPs amendments to address stand-alone or well resolved issues such as operational matters and clarifying and improving requirements. 	Commencing June 2023
Action Group 2 <i>More complex issues that require further investigation or research project</i>	
Improving Residential Standards in Tasmania <ul style="list-style-type: none"> - Consider improvements to the residential use and development standards in the urban zones, including subdivision and parking requirements for residential use 	Commencing June 2023
Review of subdivision standards <ul style="list-style-type: none"> - Consider improvements to the development standards for subdivision, incorporating relevant requirements from the <i>Local Government (Building and Miscellaneous Provisions) Act 1993</i> 	Commencing during 2023
General review of hazard codes <ul style="list-style-type: none"> - Consider improvements to the operation of the hazard codes 	Commencing during 2023
Landslip hazard mapping update and review of Landslip Hazard Code <ul style="list-style-type: none"> - Implement updated landslip hazard mapping and consider improvements to the operation of the Landslip Hazard Code 	Commencing during 2023
Review of Parking and Sustainable Transport Code <ul style="list-style-type: none"> - Consider improvements to the Parking and Sustainable Transport Code, including improved requirements for car, motorcycle and bicycle parking and end of trip facilities 	Commencing during 2023
Implementation of the Tasmanian Strategic Flood Mapping Project (TSFMP) and review of Flood-Prone Areas Code <ul style="list-style-type: none"> - Implement statewide flood-prone area mapping and a new Flood-Prone Areas Hazard Code, including integration with the Coastal Inundation Hazard Code 	Commencing after SES Flood Mapping Project more detailed risk mapping format completed in 2024
Review of Signs Code <ul style="list-style-type: none"> - Consider improvements to the operation of the Signs Code 	Commencing after approval of all LPSs in 2024
Review of Attenuation Code <ul style="list-style-type: none"> - Consider improvements to the Attenuation Code, particularly the detailed attenuation distances 	Commencing after approval of all LPSs in 2024
Review of Landscape Conservation Zone <ul style="list-style-type: none"> - Consider improvements to the Landscape Conservation Zone, including the general operation of the zone requirements and application of the zone in LPSs 	Commencing after approval of all LPSs in 2024
Review of Scenic Protection Code <ul style="list-style-type: none"> - Consider improvements to the Scenic Protection Code, including the suggested revised code included in the submissions from the SPPs Review scoping process 	Commencing after approval of all LPSs in 2024



Review of Local Historic Heritage Code <ul style="list-style-type: none"> - Consider improvements to the development standards in the Local Historic Heritage Code 	Commencing after approval of all LPSs in 2024
Action Group 3 <i>Issues for actioning following the making of TPPs which will give policy context</i>	
Broad review of the SPPs for consistency with approved TPPs <ul style="list-style-type: none"> - Undertake general review of the SPPs for consistency with the TPPs, once approved 	Commencing after approval of TPPs in 2024
Review of Natural Assets Code and the provisions for vegetation and natural values management <ul style="list-style-type: none"> - Consider improvements to the Natural Assets Code, including the scope and application of the priority vegetation overlay and the exemptions 	Commencing after approval of TPPs in 2024
Review for alignment with council roles and legislation for infrastructure <ul style="list-style-type: none"> - Consider improvements to the SPPs to better align with council roles and legislation for infrastructure, including infrastructure contributions and requirements for stormwater management 	Commencing after approval of TPPs in 2024
Action Group 4 <i>Issues subject to other government initiatives which are expected to result in recommendations for change or provide a broader investigation of the issue</i>	
Review of the Aboriginal Heritage Act 1975 (conducted by Aboriginal Heritage Tasmania, Department of Premier and Cabinet) <ul style="list-style-type: none"> - To inform any complementary amendments to the SPPs to align with the new legislation 	SPO keeping a watch on progress until completion informs next actions
Review of Reserve Activity Assessment process (conducted by Parks and Wildlife Service (PWS), Department of Natural Resources and the Environment Tasmania) <ul style="list-style-type: none"> - To inform any complementary amendments to the SPPs for the management of reserved land, particularly the operation of the Environmental Management Zone 	SPO keeping a watch on progress until completion informs next actions
Renewable Energy and Climate Change projects (conducted by Renewables, Climate and Future Industries Tasmania (ReCFIT), Department of State Growth) <ul style="list-style-type: none"> - To inform any amendments to the SPPs for the assessment of renewal energy developments and further responses to climate change 	SPO keeping a watch on progress until completion informs next actions
Action Group 5 <i>Issues outside the scope of SPPs Review – No SPPs amendment proposed</i>	
*No projects	



Action Group 6 <i>Non-statutory measures for improving SPPs guidance – No SPPs amendment proposed</i>	
New Planning in Tasmania website (under development by SPO, Department of Premier and Cabinet) <ul style="list-style-type: none"> - To provide greater information resources for improved understanding of the Tasmanian planning system, including detailed information of the Tasmanian Planning Scheme and SPPs, and direction to other specialist guidance information published by other entities. 	Website launch in June/July 2023
Improved guidance and background information on the SPPs <ul style="list-style-type: none"> - To provide improved guidance and information on the SPPs to assist with interpretation and implementation 	Commencing during 2023 with guidance material to be developed and improved over time
Development Manual project (being prepared by the Local Government Association Tasmania (LGAT) with funding support from the State Planning Office) <ul style="list-style-type: none"> - To provide a broader range of design guidance for development in Tasmania, including subdivisions, and to provide further assistance to council planners for consistent planning assessments and standard permit conditions 	LGAT commencing during 2023
Design Guidelines for Medium Density Residential Development (being prepared by the Department of State Growth under the Greater Hobart Plan) <ul style="list-style-type: none"> - To provide design guidelines for a variety of medium density residential developments, including apartments, and inform the Improving Residential Standards in Tasmania project 	Department of State Growth commenced May 2023
Action Group 7 <i>Issues that initial assessment has determined do not need action – No SPPs amendment proposed</i>	
*No projects	



Acronym list

The following acronyms and abbreviations are used in this report:

Commission	Tasmanian Planning Commission
EPA	Environmental Protection Authority
IPS	Interim Planning Scheme
LAO	Local Area Objective
LGAT	Local Government Association of Tasmania
LGBMP	<i>Local Government (Building and Miscellaneous Provisions) Act 1993</i>
LPS	Local Provisions Schedule
LUPA Act	<i>Land Use Planning and Approvals Act 1993</i>
MRT	Mineral Resources Tasmania
NRE	Department of Natural Resources and Environment Tasmania
PPZ	Particular Purpose Zone
PWS	Parks and Wildlife Service Tasmania
ReCFIT	Renewables, Climate and Future Industries Tasmania
RLUS	Regional Land Use Strategy
RMPS	Resource Management and Planning System of Tasmania
SAP	Specific Area Plan
SES	State Emergency Service
SPPs	State Planning Provisions
SPO	State Planning Office
SSQ	Site-specific Qualification
THR	Tasmanian Heritage Register
TPPs	Tasmanian Planning Policy
TPS	Tasmanian Planning Scheme
TSFMP	Tasmanian Strategic Flood Mapping Project



Introduction and purpose of this document

The purpose of this report is to explain how analysis of the comments received in the scoping consultation process from 25 May to 12 August 2022 has informed the first five yearly review of SPPs. The report outlines the proposed actions to progress the SPPs review, including:

- potential amendments to the SPPs,
- identifying projects to consider relevant matters in more detail, and
- opportunities for further planning guidance documents.

These will assist with improving and understanding the SPPs and the planning system.

The scoping consultation started off the first five yearly review of the SPPs, and was the first opportunity for public comment in the process. This significant review is the first of its kind in Tasmania. There has never been a requirement to undertake a full review of a planning scheme on such a regular statewide basis.

This report builds on the 'Summary of key Issues Raised in SPPs Scoping Consultation' (the summary report) published in September 2022.

This report provides:

- a summary of the issues raised in submissions and responses (Appendix 1),
- more detail about how the submissions were analysed, including categorisation into seven Action Groups and related projects (Appendix 2),
- information on the first Action Group 2 project, the Improving Residential Standards in Tasmania project (Appendix 3), and
- a list of submitters (Appendix 4)

All of the submissions are available for viewing on the [Planning in Tasmania website](#)¹.

The next steps in the SPPs review work program will be implementing the proposed actions over the next 2 years.

Background to SPPs Review scoping consultation

Tasmania is in the last stages of the most significant planning reform program for 30 years. This includes full introduction of a single statewide planning scheme (the Tasmanian Planning Scheme), a suite of state planning policies (the Tasmanian Planning Policies), an improved regional planning framework, and comprehensive reviews of the three existing regional land use strategies.

¹ <https://planningreform.tas.gov.au/planning-reforms-and-reviews/review-of-the-state-planning-provisions>



The SPPs came into effect on 2 March 2017. They were assessed by the independent Tasmanian Planning Commission (the Commission), which included extensive public exhibition and twenty five days of public hearings.

The SPPs are the statewide set of consistent planning rules in the Tasmanian Planning Scheme (TPS) and play a key role in how the use, development, and conservation of land in Tasmania is managed. The SPPs contain the planning rules for 23 zones and the 16 codes in the TPS, along with the administrative, general, and exemption provisions. The SPPs are used to assess applications for planning permits.

The TPS consists of the SPPs and the Local Provisions Schedule (LPS) for each municipal area in the State. The SPPs set out the structure for an LPS. The LPS is the set of planning maps and lists that show how the SPPs are applied to land. The LPS may also contain local planning rules that only apply to a part of the municipal area, these are called:

- local area objectives (LAOs),
- specific area plans (SAPs),
- particular purpose zones (PPZs),
- and site-specific qualifications (SSQs).

The SPPs adopted the structure established by *Planning Directive No. 1 – The Format and Structure for Planning Schemes* (17 February 2016) on which all interim planning schemes were based. The content in the zones and codes built on the interim planning schemes and altered some elements, such as the application of the rural zones.

The Minister for Planning accepted the majority of the recommendations made by the Commission when it assessed the SPPs in 2016. Some were deferred to this review. These matters will be further tested through the current SPPs review process with additional policy consideration against the Tasmanian Planning Policies (TPPs).

Around three quarters (72%) of local governments have transitioned to the TPS. The remainder will come into effect when their LPS has been assessed and approved by the Commission. The SPPs have been in effect in some local government areas for nearly 3 years, and some parts of the SPPs are also already in effect in the remaining interim planning schemes.

Under the *Land Use Planning and Approvals Act 1993* (LUPA Act), the SPPs must be reviewed every five years. The first five yearly review commenced in May 2022 with the SPPs review scoping consultation process.

The LUPA Act also requires that the SPPs be reviewed against the Tasmanian Planning Policies (TPPs) once they are made. The TPPs are currently being prepared and a draft has been lodged for independent review by the Commission. The draft TPPs are now on public exhibition for comment closing on Monday 26 June 2023. [More information on the draft TPPs assessment process is available on the Commission's website](https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/draft-tasmanian-planning-policies)².

² <https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/draft-tasmanian-planning-policies>



The SPPs are being reviewed for the first time with the process occurring in two stages over approximately two years. Regular review of the SPPs is not only a statutory requirement but also represents best practice to ensure they remain contemporary and fit-for-purpose and keep pace with emerging planning issues and pressures.

The TPS is one part of the Tasmania's planning system, also referred to as [Tasmania's resource management and land use planning system \(RMPS\)](#). More information about each part of the RMPS [is available on the Planning in Tasmania website](#)³.

What is included in the review?

The review considers the SPPs component of the Tasmanian Planning Scheme. It identifies the provisions of the SPPs that may require review, and if there is a need for any new provisions in the SPPs to clarify and improve the operation of the SPPs. All parts of the SPPs are subject to the review.

It is important to note that this review does not include other parts of Tasmania's planning system such as the:

- Local Provisions Schedules (LPSs);
- Regional Land Use Strategies (RLUSs);
- Tasmanian Planning Policies (TPPs);
- State Policies; or
- the broader planning framework within the LUPA Act and associated legislation.

These other parts of the planning system are subject to their own separate review processes.

Additional background information on SPPs review

More information about the SPPs Review can be found on the [Planning in Tasmania website](#)⁴. The [SPPs Review – Scoping Paper – May 2022](#)⁵ (the scoping paper) was released to seek broad comment to help scope the SPPs Review. Other supporting documents released with the scoping paper included a [Summary of issues previously raised on the SPPs](#)⁶ (issues previously raised) and the [Review of Tasmania's Residential Development Standards – Issues Paper](#)⁷. All of the issues previously raised will become part of future analysis.

³ <https://planningreform.tas.gov.au/planning/tasmanian-planning-scheme-at-a-glance>

⁴ <https://planningreform.tas.gov.au/planning-reforms-and-reviews/review-of-the-state-planning-provisions>

⁵ https://planningreform.tas.gov.au/__data/assets/pdf_file/0011/660908/SPPs-Review-Scoping-Paper-May-2022.pdf

⁶ https://planningreform.tas.gov.au/__data/assets/pdf_file/0003/660927/State-Planning-Provisions-Review-Summary-of-Issues-Previously-Raised-on-SPPs.pdf

⁷ https://planningreform.tas.gov.au/__data/assets/pdf_file/0004/655168/Residential-development-standards-review-Issues-Paper-April-2022.pdf



Consultation process

The SPPs review scoping consultation period was open from 25 May to 12 August 2022. In response to requests for additional time, the original two month consultation period was extended for a further two weeks. After that period, numerous late submissions were accepted upon individual request, until early September 2022.

There were 163 submissions received, providing both general comments and specific requests for changes to be made on a wide range of topics. A list of those who made submissions is included at Appendix 4. All of the submissions are available for viewing on the [Planning in Tasmania website, SPPs Review page⁸](#).

For comparison, 303 representations were received in 2016 when the SPPs were first formally exhibited for assessment by the Commission.

Analysis of issues raised in submissions

Overview of analysis

All submissions were read and summarised into a list of issues. The issues previously raised on the SPPs and issues from council reports under section 35G of the LUPA Act were added into the list of issues. At this stage, submissions were sorted under general themes and the contents or clauses of the SPPs.

A summary of key points raised in the submissions was published in the summary report. Appendix 1 of the summary report summarised the issues raised and Appendix 2 listed those who made the submissions. The summary report did not indicate any response to the matters raised in submissions.

The initial analysis highlighted key areas of concern as well as the considerable breadth and depth in the range of issues raised. Some were comments on the planning system generally, from the high level objectives in LUPA Act and State Policies, or elements of best practice strategic planning, through to requests for new provisions or clarifications, and detailed comments on drafting specific clauses in the SPPs. The sorting process also highlighted the parts of the system that are not causing concern. A summary of the key points raised in the submissions and how they will be addressed through the SPPs work program through projects identified for action is included below.

The next stage of analysis considered all items in submissions in more detail. This led to further refining the list of issues and considering all possible appropriate responses. Suggestions were analysed individually and holistically to identify the best pathway to address the issues behind them.

After thorough consideration, the issues and responses were allocated to 7 Action Groups for progressing the review over the next two years.

Finally, given that local council planners are the main users of the SPPs, the draft approach

⁸ <https://planningreform.tas.gov.au/planning-reforms-and-reviews/review-of-the-state-planning-provisions>



was workshopped with them during March 2023. Their feedback was incorporated into this report. Discussions have also taken place with representatives from the Planning Institute of Australia (Tas Division) to outline the approach.

Methodology for identifying responses to submissions

The analysis considered a range of appropriate responses which led to categorising into the 7 Action Groups. The first sort considered if the issue was within or outside the scope of the SPPs Review. For example, matters that were beyond the scope of what a planning scheme controls, or were subject to other parts of the planning system, were identified as outside the scope.

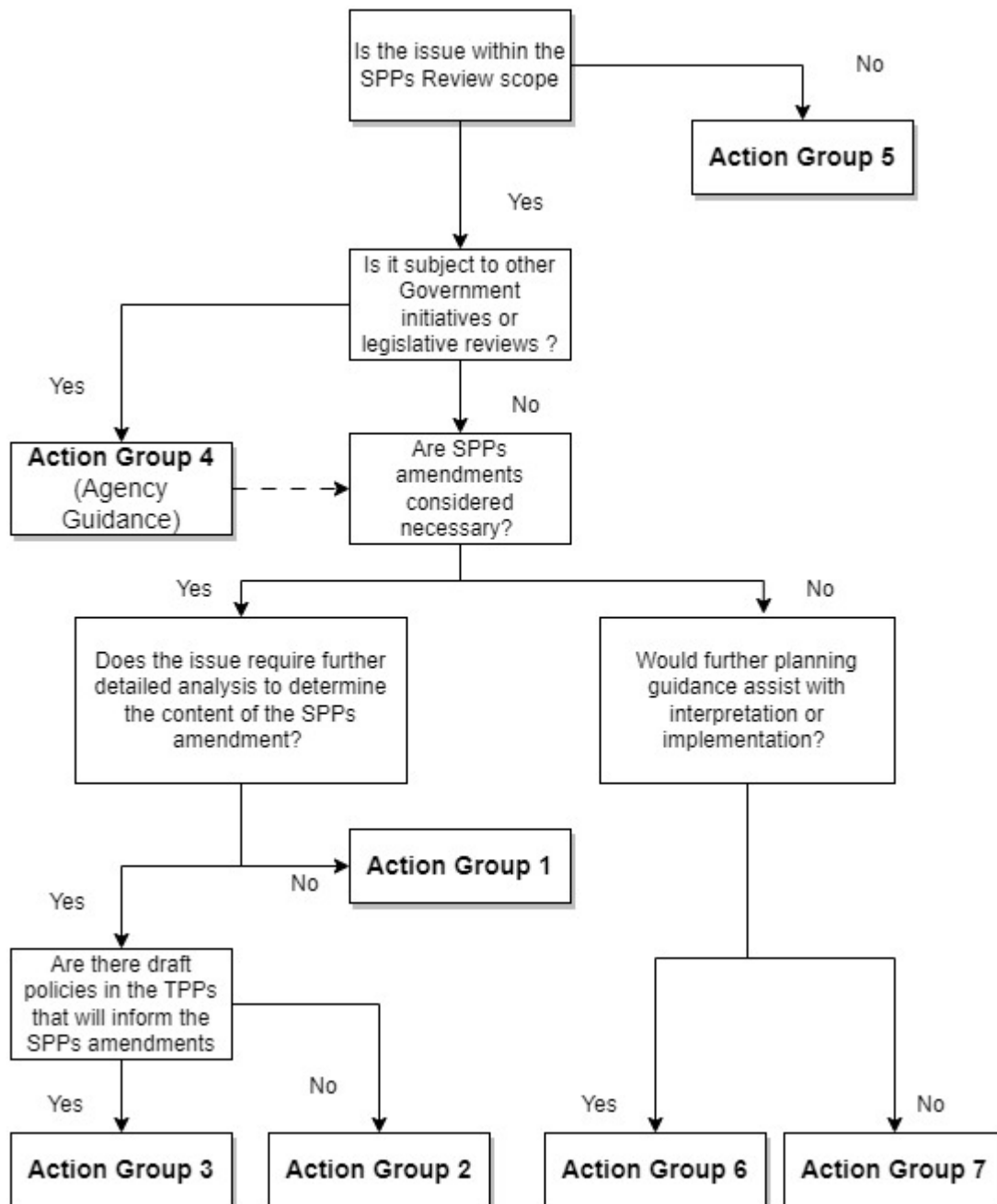
Issues within the scope either related to the detailed content of the SPPs or covered general planning issues related to the SPPs. Further analysis of these issues determined:

- whether they are subject to other Government initiatives or legislative reviews;
- whether SPPs amendments were required, or whether further planning guidance would assist with interpretation or implementation of the SPPs; and
- If SPPs amendments were considered necessary, they were further sorted into:
 - well understood stand alone matters;
 - complex matters needing further investigation; or
 - matters to be informed by final TPPs policy.

The methodology for analysis of submissions is summarised in Flowchart I.



Flowchart I: Methodology for analysis of submissions



Key principles for regulation and operational settings in the SPPs

To decide if amendments were required to the SPPs, consideration was given to some key principles originally used for the drafting of the SPPs. Some of these principles have been included in the draft Tasmanian Planning Policies (TPPs) in section 7.0 Planning Processes Regulation, particularly section 7.3 Regulation. (The [draft TPPs can be viewed on the Commission website](#)⁹ along with information about the TPPs assessment process. Background information on the TPPs development is also available on the [Planning in Tasmania website](#).¹⁰)

Key principles for reviewing the SPPs and assessing potential changes to planning regulation are:

- setting the amount of regulation proportionate to the level of impact caused;
- allowing use and development with little or no impact to proceed;
- coordinating and rationalising regulation for consistency with other regulatory regimes administered by State and local government, to avoid duplication;
- the SPPs need to be applicable and relevant across the State, but don't need to cover every situation, they are designed to work with the LPSs in the Tasmanian Planning Scheme and the LAOs, PPZs, SAPs and SSQs that deal with the locally unique matters;
- in a hierarchy of planning controls, zoning is the primary mechanism for managing use and development in conjunction with codes and LPS provisions;
- regular review and improvement are undertaken to: gather evidence of how regulatory settings are performing; manage emerging issues; and implement contemporary best practice.

These principles also recognise that the planning scheme is only one of a range of strategic and statutory measures for planned use and development of land to be addressed.

These principles are used to inform the objectives and drafting of any new regulatory measure. The drafting of the SPPs is also informed by detailed drafting conventions established by the Commission in *Practice Note 5 – Tasmanian Planning Scheme drafting conventions* and established legal drafting conventions.

Any drafting changes must work with the overarching legal and regulatory framework, operation settings, and existing assessment mechanisms in the SPPs. A use or development proposal is assessed according to the policy, operation setting, or pathway appropriate for

⁹ <https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/draft-tasmanian-planning-policies>

¹⁰ <https://planningreform.tas.gov.au/home>



the impacts and scale of the issues involved. Provisions in the planning scheme provide five pathways:

- Exempt
- No Permit Required
- Permitted
- Discretionary
- Prohibited

It is important that the operational settings and policy pursued by the SPPs are carefully considered and are kept under regular review. Specialist knowledge of the history of the current SPPs and the broader policy and regulatory framework has informed how the issues have been allocated to Action Groups.

Allocation of Action Groups

The general approach of allocating issues into Action Groups, and then into projects within the Action Groups, breaks the SPPs review into manageable portions that can be actioned in a logical and efficient sequence. This has helped to identify a balanced work program to the end of 2024. Remaining aspects will be reconsidered after that.

The seven proposed Action Groups are summarised in Table 2 below.

The Action Groups will lead to amendments to the SPPs, projects to analyse issues in more detail, and options for improved planning guidance to help people better navigate the planning system, or identify where no SPPs amendment is an appropriate response to issues raised.

Table 2: Proposed Action Groups 1-7 for assessment of issues or other responses

Action Group	Description
Action Group 1	First round of stand-alone SPPs amendments for issues that can be actioned
Action Group 2	More complex issues that require further investigation or research project
Action Group 3	Issues for actioning following the making of TPPs which will give policy context
Action Group 4	Issues subject to other government initiatives which are expected to result in recommendations for change or provide a broader investigation of the issue
Action Group 5	Issues outside the scope of SPPs Review – No SPPs amendment proposed
Action Group 6	Non-statutory responses through developing planning guidance material – No SPPs amendment proposed
Action Group 7	Issues that initial assessment has determined do not need action – No SPPs amendment proposed



Action Groups 1 - 4 are for issues to be investigated for potential SPPs amendments. The work program will prioritise amendments to resolve the most common and well understood issues first with a sequence of actions that provide appropriate time for meaningful input, manage the workload of reforms, and make efficient use of available resources. Action Group 4 may result in SPPs amendments but will depend on the outcomes of other government initiatives and legislative reforms.

Action Groups 5 – 7 are for issues that will not result in an SPPs amendment because they are either outside the scope of the SPPs review, are more readily addressed through development of guidance material to assist statutory assessments or through the State's strategic planning system reforms (e.g. TPPs and regional planning framework), or where a change is not considered necessary to the SPPs.

Projects under Action Groups

Projects have been identified under Action Groups to analyse complex issues and inform draft SPPs amendments or other actions. Each project will be progressed separately in the short, medium and longer timeframe for the SPPs review. The most commonly used provisions and those addressing urgent issues will proceed first. This includes the Improving Residential Standards in Tasmania project (Action Group 2) and preparation of Action Group 1 SPPs amendments. The remainder of Action Group 2 projects will be staggered in the medium term. Action Group 3, 4 and 6 projects will commence in the longer term after the other relevant reviews and reforms are resolved. Project planning for the various projects will be based on available resources and consultation strategies.

Consultation

The consultation strategies employed for developing project recommendations or amendments will ensure that issues and response options are thoroughly investigated by engaging different tiers of input at appropriate times throughout the process. The SPPs work program will be staggered to provide appropriate time for meaningful input from technical reference groups and wider stakeholders.

The intention for each Action Group or response pathway is explained separately in more detail below, with examples of issues and project topics allocated to the action group, and how it can be implemented.

A detailed list of issues, responses and allocation of Action Groups is provided in Appendix 1. The projects within Action Groups and indicative commencement dates are summarised in Appendix 2.

Preparation and assessment of draft SPPs amendments under LUPA

All SPPs amendments will follow the procedures available under Part 3, Division 2 of the LUPA Act. This includes the opportunity for public comment and for the Commission to consider SPPs amendments. Some amendments will progress as minor amendments under the criteria in Section 30NA of the LUPA Act or interim amendments under section 30NB of the LUPA Act. The process for preparation and assessment of draft SPPs amendments under the LUPA Act is summarised in Flowchart 2 below.



Before the formal assessment process by the Commission begins, preparation of draft SPPs amendments under Part 3, Division 2, Subdivision 2 of the LUPA Act by the State Planning Office (SPO) on behalf of the Minister includes preparing terms of reference and consultation within local and State government, as well as a number of administrative tasks. A minimum five weeks intergovernmental consultation period is included. The preparation period to produce a draft amendment suitable for public exhibition will depend upon the complexity of issues and sequence of consultation involved.

Once prepared, the Commission may consider whether a draft SPPs amendment should be treated as an ordinary SPPs amendment, a minor amendment of the SPPs, or an interim SPPs amendment and advise the Minister.

A minor amendment of the SPPs can be for specific matters under section 30NA of the LUPA Act, such as correcting an error where the public interest will not be prejudiced. These amendments are not subject to public consultation before approval.

After the first draft is agreed by the Minister, preparation of ordinary draft SPPs amendments will involve independent assessment by the Commission, including public exhibition, public hearings and recommendations to the Minister for Planning. The public assessment process followed by the Commission is set out in the LUPA Act. This process includes a 6 week public exhibition period, and the Commission must provide recommendations to the Minister within 90 days or an agreed longer period.

A draft SPPs amendment can come into effect sooner, as an interim SPPs amendment, where it is in the public interest to urgently address an issue under section 30NB of the LUPA Act, such as for reasons relating to a natural hazard. The Minister must consider the Commission's advice in determining whether to bring an interim SPPs amendment into operation. The draft amendment on which the interim amendment is based follows the ordinary amendment assessment process by the Commission, including public exhibition and hearings. The interim amendment is then replaced by the finally approved SPPs amendment.

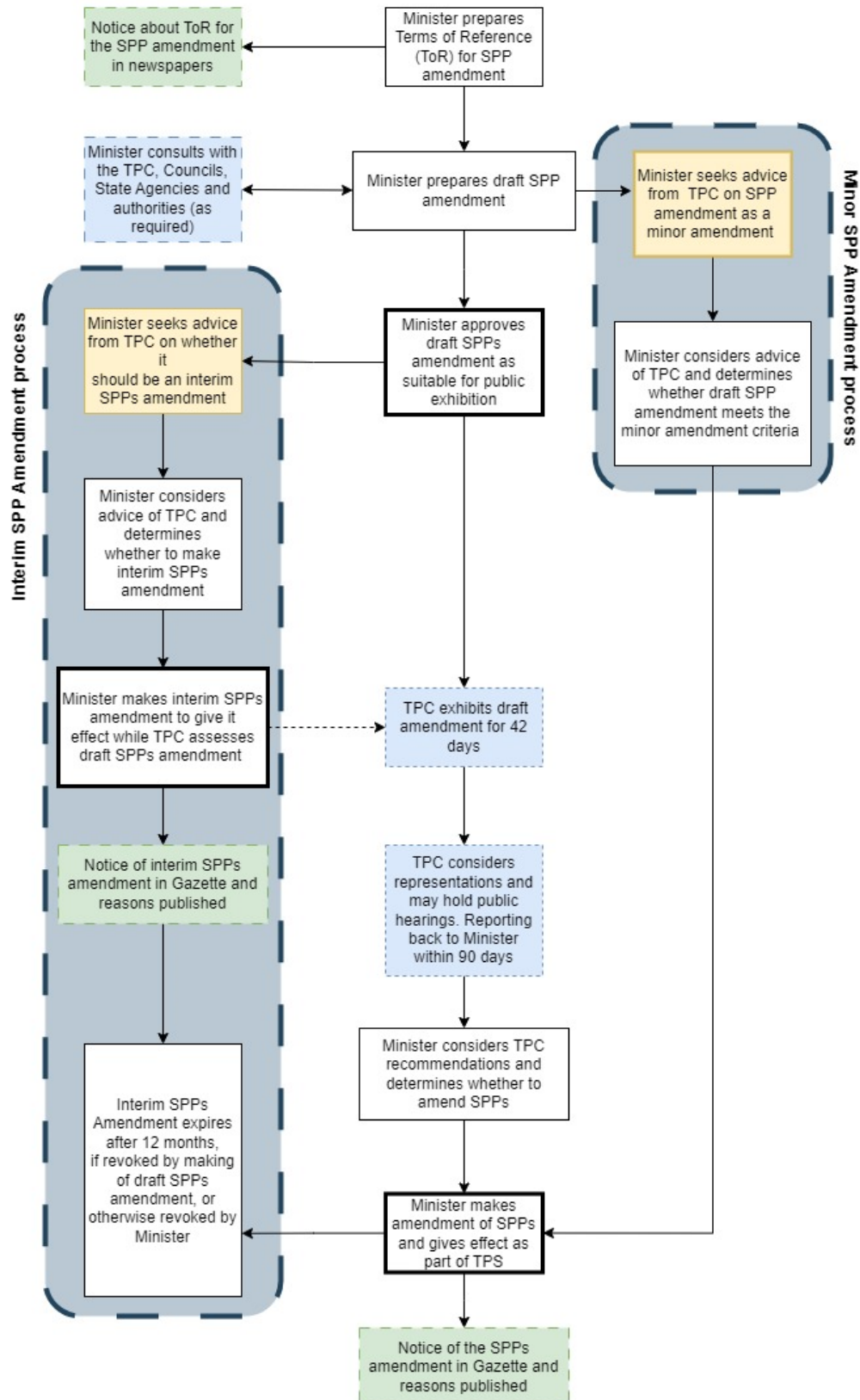
More information about the SPPs amendment process is available on the [Commission website](https://www.planning.tas.gov.au/data/assets/pdf_file/0003/588900/Flowchart-SPP-amendment-process-July-2017.PDF)¹¹.

¹¹ https://www.planning.tas.gov.au/data/assets/pdf_file/0003/588900/Flowchart-SPP-amendment-process-July-2017.PDF



Flowchart 2:

Preparation and assessment of draft SPPs amendments process under LUPA



Seven Action Groups explained

Action Group 1:

First round of stand-alone SPPs amendments for issues that can be actioned

What it is for ...

Action Group 1 is for issues where specific changes could clarify and improve the operation of the SPPs provisions. The issues are generally well understood and ready to progress as stand-alone SPPs amendments. Drafting of an amendment is expected to refine the issue further and produce a draft amendment ready for progressing through the relevant SPPs amendment process under Part 3, Division 2 of the LUPA Act.

Issues allocated to the Action Group 1 process for development as SPPs amendments include:

- Clarifications to a variety of the definitions at clause 3.0 and the exemptions from requiring a planning permit at clause 4.0, on topics such as: roads and access, stormwater, fire protection, electricity, and solar energy infrastructure, vegetation management, home-based business and childcare, display homes, employment training centre, sensitive use, secondary residence, decks, and demolition;
- Clarifying the operation of general provisions for adjustment of a boundary, land filling and retaining walls not categorised into a use class, vegetation clearing on adjoining zones for bushfire hazard management, and sheds on vacant sites at clause 7.0;
- Considering the need to clarify landscaping requirements for industrial and commercial zones at clauses 17.0, 18.0 and 19.0;
- Considering clarifications or improvements to some standards in rural and agriculture zones for farm and seasonal worker accommodation, agritourism based uses, setbacks, and excision and consolidation of lots;
- Considering the need to clarify the operational requirements, exemptions or definitions and update references to legislation in some codes:
 - C3.0 Road and Railway Assets Code
 - C4.0 Electricity Transmission Infrastructure Protection Code
 - C10.0 Coastal Erosion Hazard Code
 - C11.0 Coastal Inundation Hazard Code
 - C13.0 Bushfire-Prone Areas Code
 - C14.0 Potentially Contaminated Land Code
 - C15.0 Landslip Hazard Code
 - C16.0 Safeguarding of Airports Code
- Considering revising the template for Specific Area Plans at clause LPI.0

The project within this Action Group and its indicative commencement date is summarised in Appendix 2. This project will lead to assessment of draft SPPs amendments under the LUPA



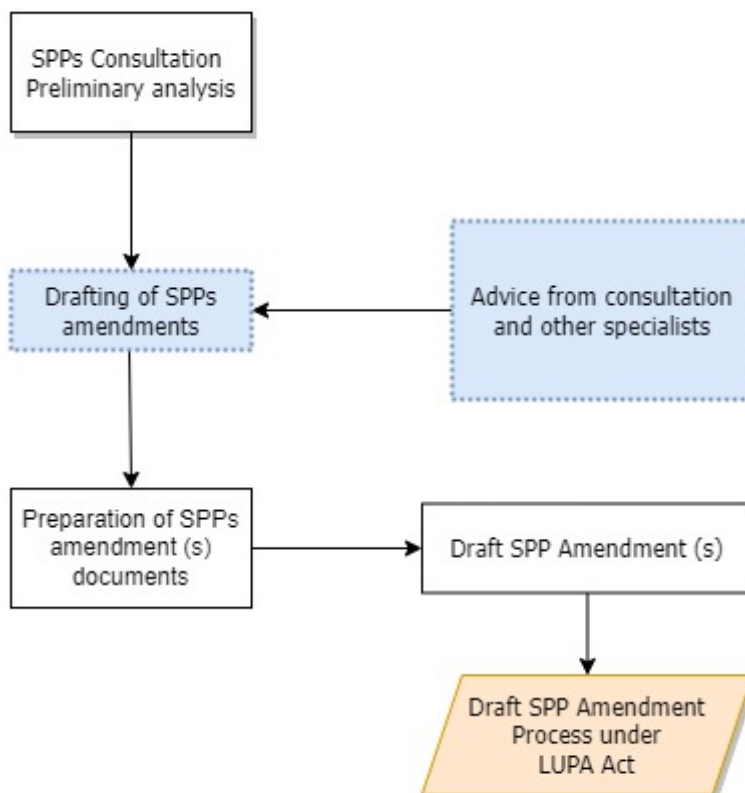
Act as described in Flowchart 2. A more detailed summary of the issues being considered within Action Group 1 is listed in Appendix I.

Implementation...

For Action Group 1, issues will be compiled into common topics or bundles of draft amendments that will be drafted with assistance from reference groups focused on each topic. Then broader feedback on these draft amendments will be sought following the normal SPPs amendment process under the LUPA Act. The Action Group 1 implementation process is shown in Flowchart 3 below.

As projects progress under other Action Groups it is likely some further operational matters will be identified for clarification using the Action Group 1 approach, so that they progress in a timely manner.

Flowchart 3: Action Group 1 implementation process



Action Group 2:

More complex issues that require further investigation or research project

What it is for ...?

Action Group 2 are a set of complex or interrelated issues that analysis has identified as having potential to deliver improvements across a number of sections in the SPPs, improving the operation of the SPPs as a whole.



These complex issues need to be investigated in more detail using a project approach to further scope the topic, gather data, case studies and best practice examples to provide thoroughly considered recommendations for a suite of SPPs amendments.

The separate project topics identified for Action Group 2 responses are:

- Improving Residential Standards in Tasmania
- Review of subdivision standards
- General review of hazard codes
- Landslip hazard mapping update and review of Landslip Hazard Code
- Review of Parking and Sustainable Transport Code
- Implementation of the Tasmanian Strategic Flood Mapping Project (TSFMP) and review of Flood-Prone Areas Code
- Review of Signs Code
- Review of Attenuation Code
- Review of Landscape Conservation Zone
- Review of Scenic Protection Code
- Review of Local Historic Heritage Code

These projects and their indicative commencement dates are summarised in Appendix 2. These projects will lead to assessment of draft SPPs amendments under the LUPA Act as described in Flowchart 2. A more detailed summary of the issues being considered within Action Group 2 projects is listed in Appendix 1.

Implementation...

The Action Group 2 projects will be resourced by the SPO, sometimes in partnership with other government agencies, and may involve engaging consultants to provide detailed analysis and recommendations. The recommendations will inform SPPs amendments and any other responses. All the projects will have tailored stakeholder consultation plans including specific project technical reference groups. The Action Group 2 implementation process is shown in Flowchart 4 below.

The Improving Residential Standards in Tasmania project is the first Action Group 2 project to get underway. In April 2023 the SPO sought tenders from suitable consultants to research and provide recommendations for changes to the SPPs urban residential zones, and the residential standards in business and mixed use zones.

Prioritising an early start to this project acknowledges that the residential standards are some of the most commonly used standards in the SPPs. It is particularly important they are kept under regular review given the need for increased housing supply, a greater range of housing types, and more accessible and affordable housing.

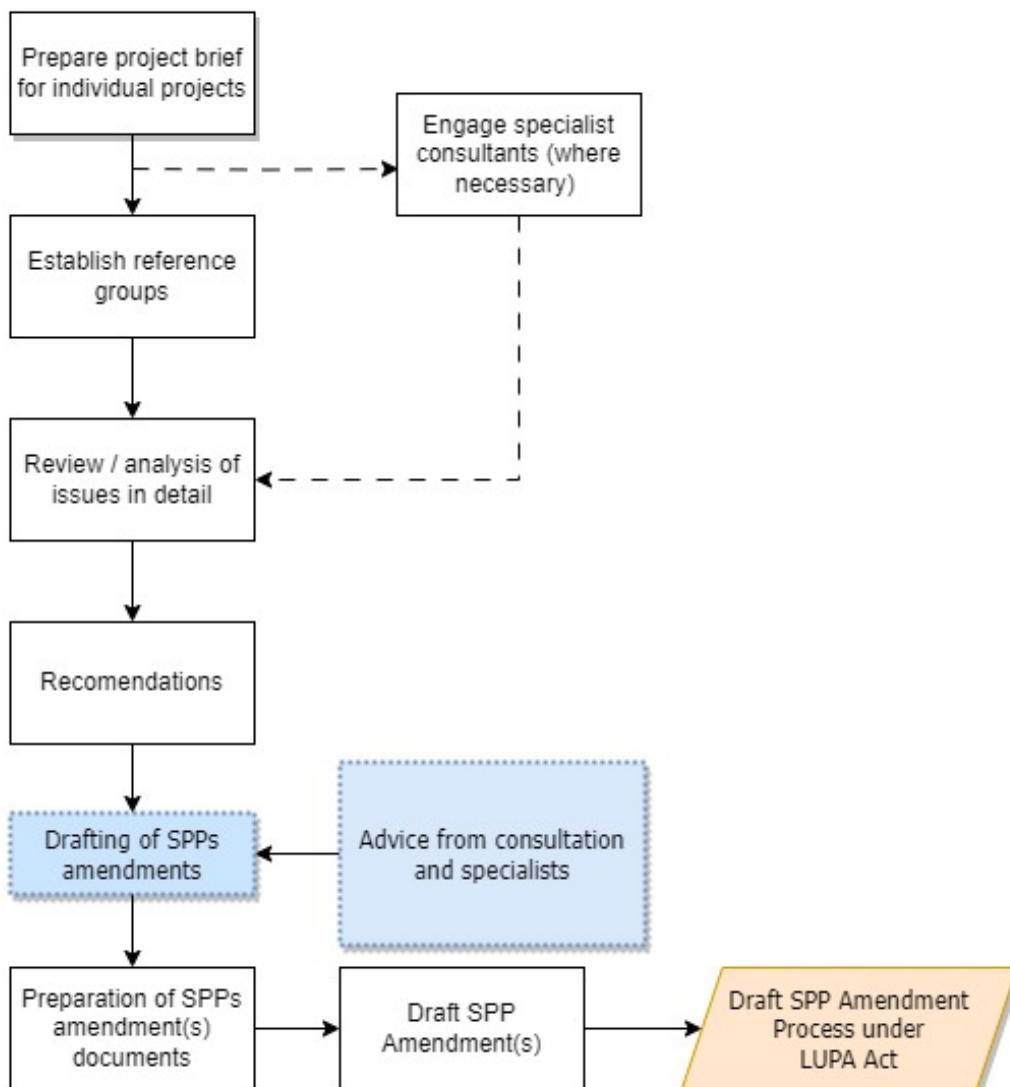
The project builds upon background studies commenced in 2020, the Medium Density Residential Development Standards project, and from other government initiatives such as the Greater Hobart Plan implementation and the Design Guidelines for Medium Density Residential Development. More information on the project is available in the project brief for the Improving Residential Standards in Tasmania project in Appendix 3.



Many of the Action Group 2 projects will be commenced by the SPO during 2023 including: Review of subdivision standards, General review of hazard codes, Landslip hazard mapping update and review of Landslip Hazard Code, and Review of Parking and Sustainable Transport Code. Implementation of the Tasmanian Strategic Flood Mapping Project (TSFMP) and review of Flood-Prone Areas Code will be done in two stages: first making new mapping in the current 1% AEP format available in 2023, then commencing a broader review of the Flood-Prone Areas Hazard Code operation after a more detailed risk mapping format for the SPPs is completed by the State Emergency Service (SES) likely in 2024.

The projects involving detailed review of the operation and implementation of Landscape Conservation Zone, Attenuation Code, Scenic Protection Code and Local Historic Heritage Code will commence after approval of all LPSs in 2024. Feedback from assessment and implementation of LPSs will better inform these reviews. This will also avoid complicating the current draft LPS assessments being undertaken by the Tasmanian Planning Commission.

Flowchart 4: Action Group 2 implementation process



Action Group 3:

Issues for actioning following the making of TPPs which will give policy context

What is it for...?

Section 30T of the LUPA Act requires that the SPPs are consistent with the TPPs. Recognising that the State's first TPPs will be made in late 2023, this has been referred to as Stage 2 of the SPPs Review. A broad review of the SPPs will identify any changes required for implementation of the TPPs. In addition to this broad review project, the scoping consultation analysis identified key issues needing responses based on detailed policy settings to be clarified in the draft TPPs, all these projects are allocated to Action Group 3.

The separate project topics identified so far for Action Group 3 responses are:

- Broad review of the SPPs for consistency with approved TPPs;
- Review of Natural Assets Code and the provisions for vegetation and natural values management; and
- Review for alignment with council roles and legislation for infrastructure, including infrastructure contributions and requirements for stormwater management.

These projects and their indicative commencement dates are summarised in Appendix 2. A more detailed summary of the issues being considered within Action Group 3 projects is listed in Appendix 1.

The need for a detailed review of the Natural Assets Code and the broader provisions for vegetation and natural values management is a key point emerging from submissions. A review of the Natural Assets Code has also been recommended in some of the council LPS reports under section 35G of the LUPA Act. It was also recommended by the Commission in its report on the draft SPPs in 2016. The Commission's recommendations related to operational and mapping issues which were addressed through modifications to the SPPs prior to their approval, and delivery of statewide priority vegetation mapping funded by the State Government. Further review of the Code was deferred until a clarified policy position could be delivered through the TPPs.

The draft TPPs provide detailed policy positions on environmental values, in particular section 2.0 Environmental Values. Implementation of the TPPs will inform potential changes in the approach to management of natural values, including those occurring within the Agriculture Zone. It is important that the detailed policies are finalised through the TPPs assessment process to inform the need for revisions to strategic planning systems and the SPPs. It is also important that all LPSs are in place to streamline any future amendments to the SPPs, especially if these were to trigger a review of zone or code application in LPSs.

Another project that will benefit from the completion of the TPPs is a review for alignment with council roles and legislation for providing infrastructure. In particular, this will link to issues raised in submissions around improving management of stormwater in conjunction with the *Urban Drainage Act 2013* and monetary infrastructure contributions tied to development. The draft TPPs include a number of policies on stormwater management and



the facilitation of developer contributions to service new use and development.

The broad review project for implementing the TPPs will include addressing some of the general submissions received such as ensuring:

- Furthering the objectives of the RMPS set out in Schedule 1 of the LUPA Act, and consistency with each State Policy;
- Strategic planning measures coordinate with statutory planning, including how the planning system will respond strategically to the complex matters connected with climate change;
- The need for suggested new codes or provisions, such as for the management of stormwater and geoheritage, is reviewed against the final policy direction on such matters.

Implementation...

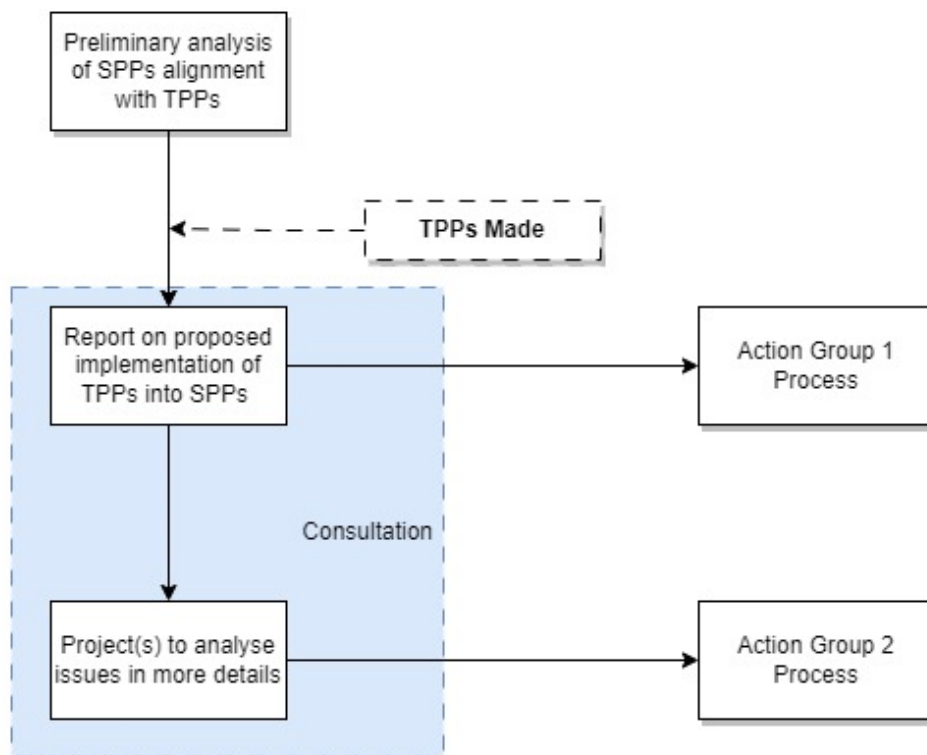
Clearly the final detail of the approved TPPs needs to be known before the Action Group 3 projects can take place. The Action Group 3 implementation process is shown in Flowchart 5 below. Action Group 3 projects are likely to identify further SPPs amendments to be developed through the Action Group 1 and Action Group 2 processes described in Flowchart 3 and Flowchart 4. Both these processes lead to assessment of a draft SPPs amendment under the LUPA Act shown in Flowchart 2. Further refinement of the Action Group 3 projects will occur following the making of the TPPs.

The draft TPPs have been lodged with the Commission for assessment and are currently on public exhibition for comment. It is expected that the Commission's assessment will conclude with approval of the TPPs in late 2023. If so, Action Group 3 projects will commence in 2024. More information about the TPPs assessment process is available on the [Commission's website](https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/draft-tasmanian-planning-policies)¹².

¹² <https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/draft-tasmanian-planning-policies>



Flowchart 5: Action Group 3 implementation process



Action Group 4:

Issues subject to other government initiatives which are expected to result in recommendations for change or provide a broader investigation of the issue

What is it for...?

Action Group 4 is for a range of issues subject to other Government review processes and initiatives. These other government reviews and initiatives will inform the need for any changes to the SPPs, or broader policy or regulatory change outside the scope of the SPPs review. These will in turn provide insight into how issues are further pursued either directly through Action Group 1 projects to develop SPPs amendments or Action Group 2 projects to investigate issues further. It is expected that:

- Review of the *Aboriginal Heritage Act 1975* by Aboriginal Heritage Tasmania will inform any complementary amendments to the SPPs to align with the new legislation;
- Review of the Reserve Activity Assessment process by Parks and Wildlife Service (PWS) will inform any changes to the SPPs for management of reserved land, particularly operation of the Environmental Management Zone; and
- Renewable Energy and Climate Change projects by Renewables, Climate and Future Industries Tasmania (ReCFIT) will inform any changes for the assessment of renewable energy developments, such as wind farms, and further responses to climate change.

These projects and their indicative commencement dates are summarised in Appendix 2. A more detailed summary of the issues being considered within Action Group 4 projects occurring outside the SPPs Review is listed in Appendix 1.

Implementation...

It is too early to work on any changes to the SPPs before the outcomes of other government reviews and initiatives are known. These matters will be kept on a watching brief to be reassigned to another Action Group process once the other government initiatives conclude, likely in 2024.



Action Group 5:

Issues outside the scope of SPPs Review – No SPPs amendment proposed

What is it for...?

Action Group 5 is for issues raised that analysis has determined are outside the scope of the SPPs review. The purpose of the SPPs Review is to clarify and improve the SPPs, and is limited to matters that can be addressed through planning schemes, or are within the scope of what the LUPA Act provides for the SPPs.

Some matters raised in submissions were broad, were related to planning processes outside the SPPs and do not have a direct bearing on their drafting and operation. These cannot be considered within the SPPs review as they will not inform a potential amendment. Aspects of some of these broad issues may be addressed through Action Group 2 projects, such as the Review of subdivision standards. Other matters could be progressed at a strategic planning level or in other broader reforms, or relate to the remaining interim planning scheme or LPS.

Issues raised that will not be considered in the SPPs Review because they are outside the scope allocated to Action Group 5 include:

- Changes to Interim Planning Schemes or Local Provisions Schedules including reviewing zone application to support the interests of specific land owners or industries, drafting of special provisions in an LPS, or mandatory application of certain codes;
- Changes to the LUPA Act, or to processes governed by any other Act including: timeframes, public consultation, appeal rights, the SPPs amendment process, establishing and maintaining electronic copies of planning instruments, and reviewing actions by statutory management authorities;
- Provisions to force improvements or maintenance to an existing building;
- Development of new mapping or other digital spatial modelling tool (Digital Twin) technology for use in the planning system.

Some issues had aspects that were both in and out of the SPPs review scope. For example, the suggested legislative change for infrastructure contributions reform were outside the scope, but opportunities for improved integration between council roles and the legislation around stormwater and public open space are within the scope. Similarly, the airport NASF guidelines about building height and noise exposure are within the scope, but others were not.

A more detailed summary of the issues allocated to Action Group 5 is listed in Appendix I.

Implementation...

Generally, matters outside the scope of the SPPs Review can be progressed through other paths, such as strategic planning, among other broader government reforms, or under different legislative processes, they are not able to be progressed through the SPPs Review.



Action Group 6:

Non-statutory measures for improving SPPs guidance - No SPPs amendment proposed

What is it for...?

Action Group 6 is for issues where an SPPs amendment is considered unnecessary, and options are available to introduce further planning guidance to assist regulators and other users of the SPPs.

Submissions suggested that a variety of guidance documents and techniques could be used to aid assessment and useability by providing background and clarification about the intent of some provisions.

The Action Group 6 projects addressing these issues will include:

- The new Planning in Tasmania website being developed by SPO to improve understanding of the Tasmanian planning system, including more detailed information on the Tasmanian Planning Scheme and the SPPs and by directing users to specialist guidance information published by key agencies such as Business Tasmania, Building Control, or Mineral Resources Tasmania;
- Improved guidance and background information on the SPPs by SPO preparing background notes on the intent of some clauses to improve interpretation and implementation, to be published in steps as issues are resolved or SPPs amendments are approved over time;
- Development Manual project being prepared by the Local Government Association of Tasmania (LGAT) to provide a broader range of technical design guidance for development in Tasmania, including subdivisions, and to further assist council planners with consistent planning assessments and standard permit conditions;
- Design Guidelines for Medium Density Residential Development being developed by the Department of State Growth under the Greater Hobart Plan.

These projects and their indicative commencement dates are summarised in Appendix 2. A more detailed summary of the issues being considered within Action Group 6 projects is listed in Appendix 1.

Implementation...

The improvements in clarity and operation of the SPPs through Action Group 6 projects are expected to build in response to completion of other Action Group projects over the course of the SPPs review.



Action Group 7:

Issues that initial assessment has determined do not need action – No SPPs amendment proposed

What is it for...?

Action Group 7 is for issues where analysis has determined that no SPPs amendment is required.

Issues allocated to Action group 7 include:

- Submissions in support of parts of the current SPPs;
- Submissions that terms and definitions should be included, changed, or clarified when:
 - The term is not currently used in the SPPs;
 - The Macquarie Dictionary definition for a term is considered a sufficient basis for interpretation;
 - The term or phrase is traditionally used in legal drafting to express a certain meaning;
 - The drafting is the same as that in a State Policy so cannot be changed because SPPs must be consistent with State Policies as required by the LUPA Act;
- There is already a mechanism included in the SPPs that achieves the suggested outcome;
- Where it was determined that the need for proposed change is not currently demonstrated, or the issue was not supported.

A more detailed summary of the issues allocated to Action Group 7 is listed in Appendix I.

Implementation...

Allocation to Action Group 7, when a need for proposed change is not currently demonstrated, may result from limited information to support the suggested change. No further action is expected on these matters, but the issue may be revisited in a future review, or through examination of issues within the other Action Groups, when greater understanding and evidence has been gained.

It is expected that a benefit of continuing use of SPPs will be gaining broader experience and developing a thorough understanding of the SPPs operation and implementation among professional planners and the community.



Responses to some key points raised in submissions

The following provides a summary of some key points raised in the submissions and how they will be addressed through the SPPs work program and projects identified for action. A more detailed summary of the submissions describing the full range of issues and responses is contained in Appendix 1 and a summary of projects for action through the SPPs review work program is contained in Appendix 2.

SPPs operating well

The scoping consultation revealed there are large parts of the SPPs that are operating well and don't need detailed review. There were very few, if any, issues raised about the suite of business, commercial, mixed use, village, future urban and major tourism zones, the suite of industrial, port, and utilities zones, the suite of community, recreation, open space zones, the rural living zone, or the electricity and telecommunications infrastructure codes.

Support for issues previously raised

Many of the known issues previously raised, as outlined in the scoping paper, were commented upon in detail in the submissions, suggesting most are current issues for further investigation through relevant Action Groups and projects as detailed in the report above and Appendices.

Residential zones review

Submissions particularly focused on the suite of urban residential zones in response to the scoping paper and supporting information on residential development standards and medium density residential development. There are mixed views on many of the specific changes to residential zone provisions raised, issues include differentiating between residential zones, use standards to promote a variety of housing stock, and new subdivision standards. New codes for apartments, amenity standards, and neighbourhoods are also suggested.

These issues are recognised as a major focus of the SPPs review. The variety of opinions and complexity of the issues within the urban residential zones (General Residential Zone, Inner Residential Zone, Low Density Residential Zone) and related business and mixed use zones (Urban Mixed Use Zone, Local Business Zone, General Business Zone, Central Business Zone) require further detailed investigation, so are assigned to Action Group 2. The Improving Residential Standards in Tasmanian project has already begun. This project is prioritised acknowledging that the residential standards are some of the most commonly used standards in the SPPs. It is important that they provide for appropriate levels of amenity, an increased housing supply, a greater range of housing types, and more accessible and affordable housing through urban residential zone provisions or even introduction of a new zone. More information on this project is available in the project brief at Appendix 3.



Strategic and best practice planning

The foreshadowed residential zone review attracted many related comments on implementing best practice planning and urban design principles such as liveable communities, active transport, social and affordable housing, increased dwelling density, residential amenity, and local character.

The majority of these are general suggestions, stating goals that could apply across all parts of the planning system. While some have statutory implications, others are more readily pursued through strategic planning to coordinate development at the state, regional, and local levels. The broad goals overlap with the policy settings and drafting principles that will be included in the Tasmanian Planning Policies (TPPs), so have been allocated to action Group 3 for broad review of SPPs for consistency with the approved TPPs.

Some more specific goals have been allocated to the relevant separate Action Group 2 research projects particularly:

- Improving Residential Standards in Tasmania project for exploring options to support best practice residential objectives; and
- Review of subdivision standards project for clarifying the operation of subdivision within the planning system generally.

Some of the suggested changes for urban residential development also relate to improving codes in the SPPs such as through tailored parking provisions. This will be addressed through an Action Group 2 project for detailed review of the Parking and Sustainable Transport Code for investigating options to support infrastructure for active transport, particularly bicycles, and a variety of housing types.

Other initiatives allocated to Action Group 6 projects for improving planning and design guidance, such as the Design Guidelines for Medium Density Residential Development project, will also support the implementation of best practice planning principles.

Climate change

Climate change is emphasised in submissions as an overarching issue to be integrated into the planning system. Review of some particular standards is requested in the suite of natural hazard codes.

The broad ranging issues concerning planning for climate change are addressed in the draft TPPs. These will give context to how issues are integrated into the planning system through strategic planning mechanisms, or through the SPPs. Therefore the Action Group 3 project for broad review of the SPPs for consistency with approved TPPs will be the main way to consider climate change. Other Action Group 2 projects for updating the Landslip hazard mapping, implementing new statewide flood-prone area mapping, and general review of the hazard codes will also make sure the SPPs provisions are responsive to emerging issues.



Natural Assets Code

A common issue, in many submissions, is application and operation of the Natural Assets Code, particularly requesting broader application of the priority vegetation area overlay, and related matters in the suite of zones facilitating agriculture, rural industries, and protection of environmental values.

The draft TPPs provide detailed policy positions on environmental values, including those occurring within the Agriculture Zone that will inform the need for revisions to strategic planning systems and the SPPs. Therefore, a review of Natural Assets Code and the provisions for vegetation and natural values management is allocated as a priority project in Action Group 3 to commence following the making of the TPPs.

Interpretation and assessment guidance

Some of the matters raised do not relate directly to the provisions of the SPPs. Clearly implementation of the SPPs is still relatively new, with matters raised about general interpretation and consistent approaches to assessment in many submissions.

Some submissions from the community and industry groups request general guidance and communication on the SPPs and the planning system that can be understood by people who are not professional planning specialists.

Generally, these matters are allocated to Action Group 6 for projects that will not propose SPPs amendments but will provide guidance and information on the planning system through the new Planning in Tasmania website project.

The submissions from professional planning consultants and councils raise technical planning matters concerned with clarifying the detailed operation and assessments under the SPPs provisions, including deciding discretionary applications, requirements for expert reports, exemptions, definitions, subdivision standards, contributions for infrastructure, open space, and social housing, related legislation, and administrative processes for approvals.

There are also specific requests to review some of the application and operative provisions in codes for protecting heritage and scenic values, and for dealing with hazards or amenity issues such as bushfire, coastal erosion and inundation, flood, airports, road and rail, attenuation distances and signs.

The variety of responses to these matters is reflected across the 7 Action groups and numerous specific projects within them as explained above and in Appendix 1 and Appendix 2. Each of the projects will include consultation with stakeholders which will improve understanding of the issues by participants, assisting with interpretation and implementation of SPPs provisions even before any SPPs amendments are made.



Suggested new provisions

Submissions perceived gaps in the SPPs where a new zone, code, or other specific provisions are suggested to manage development. There are suggestions for a number of soil and water management provisions such as stormwater, land filling and excavation, dispersive soils, acid sulphate soils, geodiversity, and karst landscapes. Other suggestions were to manage windfarm siting and Aboriginal cultural heritage.

A few comments were targeted at provisions for supporting particular industries such as: agricultural production, agritourism, seasonal workers, accommodating workers in remote areas, marine farming (aquaculture), forestry, whisky production, and artist's studios.

Major changes to the operation or policy within the SPPs, such as inclusion of a suite of new provisions, are generally allocated to Action Group 3 for consideration after the TPPs are made to give high level policy context. Responses to the variety of other new provisions suggested are spread across the 7 Action groups and numerous specific projects within them as explained above and in Appendix 1 and Appendix 2.

What other considerations will be included in SPPs review ?

The SPPs Review will also include a range of other considerations that arise over the next 2 years. Some will result from full introduction of the TPS and the LPS assessment and the Commission's recommendations on the council reports under section 35G of the LUPA Act. New issues may also arise from progressing the various Action Groups, or other issues identified by those administering the SPPs

I can't find a response to an issue I raised in my submission

The issues and responses discussed in this document are a summary and may not cover all details in submissions. Through the process of analysis and summary, some issues may now be listed under different topics than they were originally raised, a key word search of the document and Appendix I (using Ctrl F keys) is recommended to assist with finding topics of interest. The detail may be read in full copies of the submissions, available on the [Planning in Tasmania website](#), [SPPs Review page](#)¹³.

Note that the responses in this document and Appendix I only reflect the submissions made, a rigorous process for preparation and drafting of SPPs amendments including consultation will ensure that the detail of the original submissions and all elements of the planning scheme are fully considered. Future analysis and new information may result in some issues or sub-issues moving between Action Groups as the SPPs Review projects progress. More information on the SPPs Review is available on the [Planning in Tasmania website](#)¹⁴ or by contacting the SPO at stateplanning@dpac.tas.gov.au.

¹³ <https://planningreform.tas.gov.au/planning-reforms-and-reviews/review-of-the-state-planning-provisions>

¹⁴ <https://planningreform.tas.gov.au/home>



New matters raised since the scoping consultation

During the course of the SPPs review there may be new matters about improvements to the SPPs raised with the SPO directly, through progressing other Actions Groups, or through parallel planning processes. Where possible these will be included for consideration in the relevant SPPs project or amendment process under Action Groups 1- 4. It is important that the SPPs are subject to continual improvement.

Interim Planning Schemes (IPS) or Local Provisions Schedule (LPS) matters

The major planning reform to introduce the new statewide Tasmanian Planning Scheme (TPS) is expected to conclude during the course of the SPPs Review. There are currently 21 LPSs approved where the TPS is in operation, and there are 8 IPSs still operating in municipalities while the LPS is still under assessment. Amendments to LPSs or IPSs can continue to occur during the SPPs Review, information about the IPS and LPS amendment process is available on the [Tasmanian Planning Commission website](#)¹⁵.

There are a few submissions to the SPPs Review scoping consultation that requested review or changes to zoning at specific sites in a Local Provisions Schedule (LPS) that cannot be addressed by the SPPs review. The application of zones or codes in an LPS should be discussed with the local council responsible for administering the LPS. If a draft LPS has begun exhibition for public comment, information about the LPS assessment process is available on the [Tasmanian Planning Commission website](#)¹⁶.

Section 35G report matters

As part of the public exhibition and approval process for a draft LPS, section 35G of the LUPA Act provides for a planning authority (council) to advise the Commission if it thinks that a provision of the SPPs should be altered. This is ongoing as each LPS is assessed for approval under the LUPA Act.

So far, the [Commission has advised the Minister on section 35G matters raised by Meander Valley Council](#)¹⁷ concerning the operation of exemptions with electricity transmission infrastructure and the Natural Assets Code. The Commission has not provided an opinion to the Minister on any other section 35G matters raised by other councils but has provided the SPO with a summary of section 35G matters. These matters were included in the background document, [Summary of issues previously raised on the SPPs](#)¹⁸. The SPO considers most of the section 35G matters have also been raised in the SPPs scoping consultation submissions, some submissions referred to the Meander Valley section 35G recommendations directly, others simply repeated the same issues. The SPO will include consideration of those section 35G matters that have been raised and any future recommendations from the Commission, within the relevant project plan for Action Group 1, 2 and 3 matters.

¹⁵ <https://www.planning.tas.gov.au/assessments-and-hearings/assessment-and-review-processes>

¹⁶ <https://www.planning.tas.gov.au/>

¹⁷ https://www.planning.tas.gov.au/__data/assets/pdf_file/0005/590324/Notice-under-section-35G2-Natural-Assets-Code-and-Clause-4-Exemptions-30-June-2020.PDF

¹⁸ https://planningreform.tas.gov.au/__data/assets/pdf_file/0003/660927/State-Planning-Provisions-Review-Summary-of-Issues-Previously-Raised-on-SPPs.pdf



How to keep up to date on the SPPs review projects

The SPPs review scoping consultation is the start of the five yearly SPPs review process and the first of many opportunities to get involved as the Action Group 1-4 projects progress as outlined in this report.

To receive updates about Tasmania's planning system you can check the [State Planning Provisions review](#)¹⁹ page on the Planning in Tasmania website, [register for SPO's newsletter](#) via email, or contact the SPO at stateplanning@dpac.tas.gov.au

¹⁹ <https://planningreform.tas.gov.au/planning-reforms-and-reviews/review-of-the-state-planning-provisions>



Appendix I

SPPs Review Issues Scoping Consultation – Summary of Issues and Responses



Appendix 2

SPPs Review Issues Scoping Consultation - Action Group and Project summary table



Appendix 3

Improving Residential Standards in Tasmania project brief



Appendix 4

List of submissions:

1. Bronwyn Clarke
2. West Coast Council
3. Tasmanian Planning Commission
4. Thomas Mistry
5. TasWater
6. (withheld name from publication)
7. Anna Povey
8. Heart Foundation
9. Lisa and Scott Willet
10. Craig Vertigan
11. Circe Alditheral
12. Peter and Doreen Wileman
13. Stephen Anstee
14. Robyn Lewis
15. Bicycle Network Tasmania
16. Kristine Ancher
17. Simon Castles
18. Cycling South
19. Di Elliffe
20. EPA Board
21. Finders Council
22. Glenorchy City Council
23. Pamille Berg
24. TasFire
25. Tasmanian Whiskey and Spirits Association
26. Property Council of Australia
27. Dorothy McCartney
28. Huon Valley Council
29. Tanya Harley
30. Launceston Airport
31. Anne Boxhall
32. Miles and Ann Harrison
33. Ciaran Toman
34. Forest Practices Authority
35. ERA Planning
36. Tasmanian Land Conservancy (TLC)
37. Elizabeth Shannon
38. Hobart City Council (HCC)
39. West Tamar Council



40. Anne-Marie Loader
41. Keisha Zygmant
42. West Tamar Landcare Group
43. Catherine Nicholson
44. Fiona Brine
45. Estelle Ross
46. Michelle Foale
47. Northern Midlands Council
48. Tasmanian National Parks Association
49. Brenton Hosking
50. Ann Layton-Bennett
51. Heritage Council
52. a & b Housing Industry Association Ltd (HIA)
53. Central Highlands Council
54. Anna Blake
55. Cathy Williams
56. Australian Plants Society Tasmania
57. Angela Hanly
58. Burnie Airport
59. Tasman Council
60. Conservation Landholders Tasmania
61. Catharine Errey
62. Supporting Our Loongana Valley Environment (SOLVE)
63. Department of Natural Resources and Environment Tasmania (NRE)
64. Gwenda Sheridan
65. Daniel Steiner
66. Break O'Day Council
67. Mount Stuart Residents Inc
68. a & b Southern Midlands Council
69. Tasmanian Active Living Coalition
70. Australian Institute of Architects
71. Kelly Sims
72. Freycinet Action Network
73. Aboriginal Land Council of Tasmania
74. TasNetworks
75. Wilfred Hodgman
76. Burnie City Council
77. a & b RMCG
78. George Town Council
79. Australian ICOSMOS
80. Central Coast Council
81. Lynette Taylor
82. Sorell Council
83. Greg Pullen
84. Barry Williams



85. Purcell
86. Tricia Ramsay
87. Australian Mobile Telecommunications Association
88. City of Launceston Council
89. Tasmanian Conservation Trust (TCT)
90. Future Common
91. TMEC (Tasmanian Minerals, Manufacturing and Energy Council)
92. Department of Health
93. Launceston Heritage Not Highrise (LHNH)
94. Gray Planning
95. King Island Council
96. Jim Collier
97. Malcolm Crosse
98. Linda Collier
99. Dr Carolina Bouten-Pinto
100. Leigh Murrell
101. Ingrid Coleman
102. Tasmanian Ratepayers' Association
103. Seymour Community Action Group Inc
104. Rosny Hills Friends Network Inc
105. Wayne Burgess
106. Victoria Wilkinson
107. Regional Development Australia
108. Cradle Coast Authority
109. Ship Inn Stanley
110. Anthony Salt
111. a & b & c Jullian Koshin
112. TasPIN
113. Wynne Russell
114. Stephen Cameron
115. SES (Tasmania State Emergency Service)
116. Allison Green
117. Circular Head Coastal Awareness Network
118. Stephen Pilkington
119. NRM North
120. Metal Science Technologies Pty Ltd
121. Sam Humphries
122. John Toohey
123. Robin Thomas
124. Helen Tait
125. Heritage Protection Society
126. Austra Maddox, Rosemary Scott and Margaret Taylor
127. Environmental Defenders Office
128. Meander Valley Council
129. Huon Valley Zoning Association



- I30. Mel O'Keefe
- I31. Brighton Council
- I32. Waratah-Wynyard Council & Circular Head Council
- I33. Victoria Onslow & William Phillips Onslow
- I34. Mary McNeill
- I35. Christina Bishop
- I36. Dom Fowler
- I37. Department of Communities
- I38. TasRail
- I39. Cultural Heritage Practitioners Tasmania (CHRT)
- I40. Shelter Tas
- I41. Josh Graeme-Evans
- I42. Irenelnc
- I43. Bob Simmons
- I44. Glebe Residents' Association
- I45. South Hobart Sustainable Community
- I46. Jenny Cambers-Smith
- I47. David Ridley
- I48. NE Bioregional Network
- I49. Howrah Hills Landcare Group Inc
- I50. Planning Matters Alliance (PMAT)
- I51. Kingborough Council
- I52. Anne Harrison
- I53. Birdlife Australia
- I54. Terra Firma Planning
- I55. (a & b) PDA
- I56. Andrew Ricketts
- I57. Gayle Newbold
- I58. Clarence City Council
- I59. (a & b) Department of State Growth
- I60. Planning Institute of Australia (PIA)
- I61. Local Government Association of Tasmania (LGAT)
- I62. Devonport City Council
- I63. Environmental Protection Authority (EPA)





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