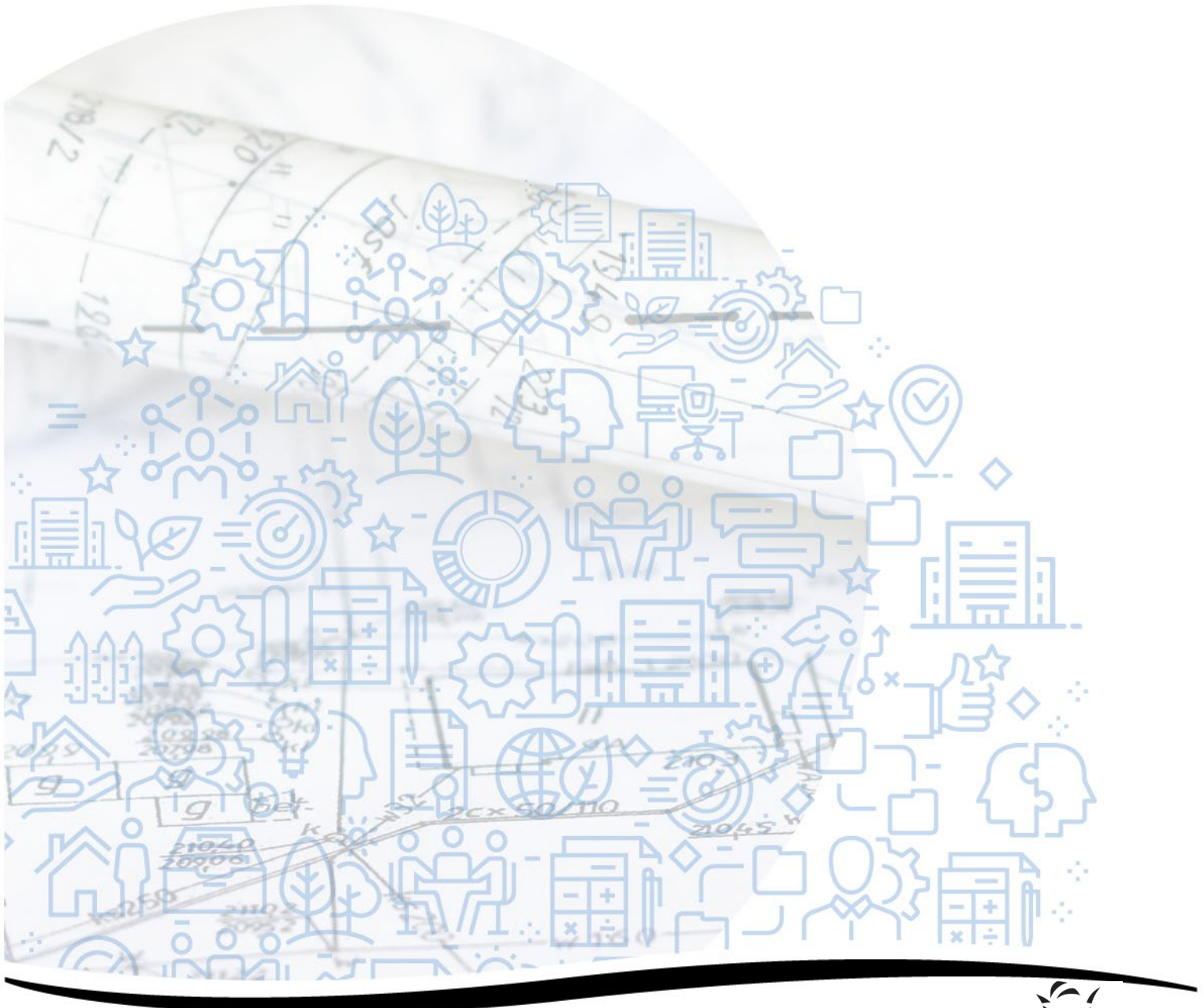


Draft Tasmanian Planning Policies

Background Report and Explanatory Document



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1.0 Introduction

The Background Report (the report) has been prepared by the Department of Premier and Cabinet's State Planning Office (SPO) to accompany the draft Tasmanian Planning Policies (TPPs).

The *Land Use Planning and Approvals Act 1993* (the Act) establishes the provisions under which the TPPs may be prepared, made, amended, implemented and reviewed.

The TPPs are intended to establish high-level strategic policy directions that will be delivered through the Regional Land Use Strategies (RLUS) and the Tasmanian Planning Scheme (TPS). The Act also requires consideration of the TPPs during the declaration and assessment of major projects under Division 2A of the Act and apply to a housing land supply order made or amended under Part 2, Division 1 of the *Housing Land Supply Act 2018*.

Section 12C(3) of the Act provides for:

(3) The Minister, by notice to the Commission, may –

- a) provide to the Commission a draft of the TPPs; and*
- b) direct the Commission to undertake public exhibition in relation to the draft of the TPPs.*

In accordance with section 12C(3) of the Act, the Minister has given notice to the Tasmanian Planning Commission (the Commission), providing a copy of the draft TPPs and directing it to undertake public exhibition of the draft TPPs.

The section 12C(3) notice signifies the commencement of the independent review and assessment process undertaken by the Commission. This process includes a public exhibition period of 60 days, with the opportunity for anyone to make representations on the draft TPPs and the holding of public hearings in relation to matters raised in the representations.

The Commission is required to provide the Minister with a report on the draft TPPs within 90 days of the completion of the exhibition period. Section 12F(3) of the Act requires the Commission to prepare a report in relation to the draft TPPs that contains:

- (a) a summary of the issues raised in the representations in relation to the draft of the TPPs; and*
- (b) a statement as to whether the Commission is satisfied that the draft of the TPPs meet the TPP criteria; and*
- (c) a statement as to whether there are any matters of a technical nature, or that may be relevant, in relation to the application of the TPPs to –*
 - i. the Tasmanian Planning Scheme; or*
 - ii. each regional land use strategy –*

if the TPPs were made under section 12G(2) in terms of the draft of the TPPs.



The Minister may make, or refuse to make the TPPs, after considering the report provided to him by the Commission.

This report provides background information regarding the process and development of the draft TPPs to inform both the statutory assessment of the draft TPPs by the Commission and to support public engagement during the exhibition period.

1.1 Glossary

The following acronyms and abbreviations are used in this report.

TPP	–	Tasmanian Planning Policy
Act	–	<i>Land Use Planning and Approvals Act 1993</i>
Commission	-	Tasmanian Planning Commission
RLUS	–	Regional Land Use Strategy
RMPS	-	Resource Management and Planning System
TPS	–	Tasmanian Planning Scheme
SPP	–	State Planning Provision
SPO	-	State Planning Office
LPS	–	Local Provisions Schedule
PESRAC	–	Premier's Economic and Social Recovery Advisory Council

1.2 Consultation

When the Minister is preparing the TPPs, the Act requires two rounds of consultation. This is specified in section 12C(2) of the Act that states:

The Minister must consult with –

- a) the Commission; and*
- b) the planning authorities; and*
- c) the State Service Agencies, and the State Authorities, as the Minister thinks fit –*

in relation to the intention to prepare a draft of the TPPs and a draft of the TPPs.

Consultation of the intention to prepare a draft of the TPPs was undertaken in October and November 2021 with a [Scoping Paper](#) being published on the SPO's website. An invitation to comment on the range of issues and topics that the TPPs should address and other matters expressed in the Scoping Paper was extended to the parties listed under section 12C(2) of the Act and to a broader range of relevant stakeholders.



A total of 108 submissions were received during the scoping consultation. A Report on draft TPP Scoping Consultation was published on the SPO's website in April 2022. The report discussed the issues raised in submissions, summarised responses to them and provided a revised TPP structure and table of TPP topics and issues that formed the basis for more detailed drafting of the TPPs.

Targeted consultation was undertaken between April and August 2022. Various stakeholders provided input into the initial drafting of the TPPs. Given the TPPs are intended to deliver State planning interests, the initial draft set of TPPs were firstly reviewed by State agencies. Agencies nominated a representative to liaise between the divisions within their agencies and the SPO to provide comment and recommendations on the draft TPP content to ensure the Agency's interests were reflected through the draft TPPs.

Once the agency representatives agreed that the draft TPPs were at a standard for broader consultation, sign off was sought from the Deputy Secretary Steering Committee which agreed that draft TPPs were suitable for the second round of consultation under section 12C(2) of the Act.

The SPO recommended to the Minister that the section 12C(2) consultation, regarding a draft of the TPPs, be broadened to include input from a wider range of stakeholders than that listed in the Act. The Minister approved the draft TPPs for consultation and welcomed comments from anyone who may have an interest in the draft TPPs.

On behalf of the Minister for Planning, the SPO notified the Commission, planning authorities, State agencies, those who made a submission during the scoping consultation and all the parties on the SPO's list of planning stakeholders, that the draft TPPs were open for a 6 week consultation period ending on 1 November 2022. The notice included information regarding where the TPPs could be accessed and how submissions could be made.

A link to the section 12C(2) draft TPPs and Supporting Report that informed that consultation process can be found on the SPO website.

A number of parties requested extensions of time to comment. Because the consultation period fell within the period of local government elections, planning authorities were given an extension of time until their November Council Meeting to provide endorsed comments on the draft TPPs. Other parties requesting an extension were given until the 15 November 2022.

A total of 73 submissions were received on the draft TPPs. The issues raised in the submissions have been summarised and modifications made to the draft TPPs where warranted. A summary of the issues raised and the SPO's response to them, can be found in the Report on Consultation, located on the SPO website. The outcomes from the section 12C(2) consultation has informed the preparation of a modified set of draft TPPs for independent review and assessment by the Commission.

1.3 Content and Purpose of TPPs

Section 12B of the Act sets out the 'Contents and purpose of the Tasmanian Planning Policies' stating:



(1) The purpose of the TPPs are to set out the aims, or principles, that are to be achieved or applied by –

- a) the Tasmanian Planning Scheme; and*
- b) the regional land use strategies.*

(2) The TPPs may relate to the following:

- a) the sustainable use, development, protection or conservation of land;*
- b) environmental protection;*
- c) liveability, health and wellbeing of the community;*
- d) any other matter that may be included in a planning scheme or a regional land use strategy.*

The TPPs are intended to provide a consistent, overarching policy setting for the State's planning system that will guide planning outcomes mostly delivered through the RLUSs and the TPS.

The policy setting for the current RLUSs and TPS have relied on the broad Schedule 1 Objectives of the Act and a limited number of State Policies. While the intention of the TPS was to achieve regulatory consistency, and the RLUS to deliver strategic consistency across each region, they have not been informed by a common set of planning policies. The TPPs are intended to fill that policy space and deliver a more balanced, informed and mature planning system.

The Act requires a review of the SPPs and RLUSs following the making of the TPPs, and their subsequent modification, to demonstrate consistency with the TPPs¹.

2.0 Development of the draft TPPs

2.1 Structure of draft TPPs

A draft suite of TPPs was prepared in 2017 ([click here to view](#)) at the time the amendment to the Act to provide for the necessary legislative mechanisms for the making of the TPPs, was being considered. This was intended to provide an indication of what the TPPs may comprise should the amendments be passed.

The Scoping Paper referenced the 2017 draft TPPs as an example of what the scope and structure of the TPPs might include. It also included the following TPP template and invited comment on its structure to deliver the purpose and content of the TPPs.

¹The current draft LPSs that are being assessed by the Tasmanian Planning Commission to bring the TPS into effect in each municipality are not required to be assessed as consistent with the TPPs. This avoids the current assessment processes being altered with further delays to the implementation of the TPS. All amendments to LPSs, once approved, must be assessed as consistent with the TPPs, along with any amendments to any interim planning schemes that remain in effect at the time of the TPPs being made.

TPP Topic	The name of the particular topic covered by the TPP
Issue	Sets out the particular issue(s) under the TPP Topic
Objective	Describes the broad intent of what the issue aims to address
Strategies	Describes how the objective will be achieved – there may be multiple strategies
Implementation Statements	Describes how each individual strategy will be delivered into the planning system, either through strategic planning such as regional land use strategies, or through statutory planning in the Tasmanian Planning Scheme (State Planning Provisions and Local Provision Schedules)

Table 1. TPP Template - Extract from page 8 TPP Scoping Paper

Most submissions supported the proposed template. Additional comments were that an introductory component should be included to help set the policy context for each topic.

The Scoping Paper also sought submissions on how climate change should be addressed in the TPPs. Most submissions suggested that climate change issues should be integrated with other policies and not form a stand-alone TPP. This approach was adopted in the revised TPP structure. In addition, and because it is the preeminent policy position, a separate 'Climate Change Statement' was included within the 'Principles and Policy Context' (refer to Figure 2 below) to establish context for the proceeding policies.

For further detail regarding consultation outcomes, including modifications made to the TPP structure, see the [Report on draft TPP Scoping Consultation](#).

The following table was published in the Report on Scoping Consultation and outlined a revised TPP structure.

TPP Structure	Function
Title	Identifies the TPP topic.
Principles and Policy Context	<p>Outlines any overarching principles relating to the TPP topic and provides the policy context to support greater understanding of the planning and regulatory provisions that flow from the particular TPP. It also provides an overview of State endorsed policies relevant to the TPP topic.</p> <p><u>Climate Change Statement</u></p> <p>Within the 'Principles and Policy Context' section there is a subheading called 'Climate Change Statement' that identifies the likely impacts that climate change will have on the TPP topic and describes how the responses to climate change issues are addressed and integrated within the policy content of the TPP.</p>
Policy application	Sets out any application specifications for a TPP, or part of a TPP, which may include a map to spatially define an area, a locality, land with particular characteristics, or a particular type of use or development.

Objective	Expresses what the TPP is intended to achieve and is drafted as an aspirational outcome in response to a broad land use planning issue.
Strategies	Specifies how the TPP is to achieve the objective. It is anticipated that the many of the strategies will be derived in response to the specific issues as identified in Attachment 1.
Implementation guidelines	Provides detailed guidance on how a TPP will be implemented through the SPPs, LPSs and RLUSs.

Table 2. Proposed Structure of TPPs following Scoping Consultation – (Attachment 2 of Report on Scoping Consultation)

The draft TPPs were drafted in accordance with this structure, however some modifications were made as a result of issues raised in various consultation process that led to the following modifications or qualifications:

- the ‘Principles and Policy Context’ element refers to providing an overview of State endorsed policies relevant to the TPP topic. An overview of this nature was considered to add unnecessary length and complexity to this part of the TPP without adding much value, so the concept was abandoned.
- the ‘Principles and Policy Context’ heading has been modified and shortened to ‘Policy Context’.
- The concept of specific ‘Implementation Guidelines’ for each policy has been abandoned in favour of general directions for implementation provided in a new section (that was called ‘Implementation’ in the section 12C(2) draft TPPs) referred to as ‘General Application’. For further detail regarding this modification please refer to the Report on Consultation found on the [SPO website](#).
- The ‘General Application’ section sets out the operative parts of the TPPs, provides direction on the application of the TPPs and specific directions for the application of the TPPs to LPSs.
- A ‘Foreword’ has been included to provide some overarching information on the TPPs, with references to relevant parts of the Act.
- A ‘Glossary’ has been included to assist interpretation and application of the TPPs.



The structural elements of the current draft of the TPPs, and the function of those elements, are outlined below:

FOREWORD – introductory statement and statutory background

GENERAL APPLICATION – specifies the manner in which the TPPs are to be implemented in accordance with section 12B(3)

TPP TITLE – identifies the topic that the subsequent policies address. (eg Settlement, Environmental Values, Physical Infrastructure)

- **Policy Context** – describes the context for the TPP topic to support understanding of the policy content to follow. Includes a Climate Change Statement.

POLICY HEADING – the title of the policy representing a specific issue to be addressed, which relates to the relevant TPP topic.

- **Application** – provides any requirements regarding the application of specific policies.
- **Objective** – sets out the aims of the policy.
- **Strategies** – sets out the ways that the policy objective can be achieved.

Table 3. Structure of draft TPPs.

While the structure of the TPPs includes a number of elements, the policy intent is effectively delivered through the ‘Objective’ and ‘Strategies’. As outlined above, the ‘Objective’ sets the scene for what the policy is trying to achieve. It is an aspirational aim that the TPP is seeking to achieve. The proceeding ‘Strategies’ are that part of the TPPs that establish how those aims, expressed through the ‘Objective’, are intended to be achieved or applied by the TPP.

The use of the terms ‘Objective’ and ‘Strategies’ are consistent with the 2017 draft TPPs that was used as an example to amend the legislation to provide for TPPs, is consistent with many of the State planning policies in other jurisdictions and was supported in the scoping consultation as being an effective way to express planning policy. Further discussion on the use of this terminology can be found in the Report on Consultation found on the [SPO website](#).

2.2 Topics and issues framework

The Scoping Paper introduced a list of TPP topics and issues that were subsequently modified based on submissions received during the scoping consultation. Attachment I of the [Report on draft TPP Scoping Consultation](#) provides that modified list which formed the basis for the drafting of the TPPs.



The TPP topics and issues framework was developed considering a ‘best fit’ approach and having regard to the comments received during the scoping consultation and the way similar planning issues are grouped and addressed in the RLUS or TPS.

As the drafting and consultation progressed, additional matters were identified for inclusion within the framework of topics and issues. The revised framework essentially informs the TPP table of contents as provided below:

Tasmanian Planning Policy (Topic)	Policy heading (issues to be addressed)
1. Settlement	1.1 Growth 1.2 Liveability 1.3 Social Infrastructure 1.4 Settlement Types 1.5 Housing 1.6 Design
2. Environmental Values	2.1 Biodiversity 2.2 Waterways, Wetlands and Estuaries 2.3 Geodiversity 2.4 Landscape Values 2.5 Coast
3. Environmental Hazards	3.1 Bushfire 3.2 Landslide 3.3 Flooding 3.4 Coastal Hazards 3.5 Contaminated Air and Land
4. Sustainable Economic Development	4.1 Agriculture 4.2 Timber production 4.3 Extractive Industry 4.4 Tourism 4.5 Renewable Energy 4.6 Industry 4.7 Business and Commercial 4.8 Innovation and Research
5. Physical Infrastructure	5.1 Provision of Services 5.2 Energy Infrastructure 5.3 Roads 5.4 Passenger Transport Modes 5.5 Ports and Strategic Transport Networks
6. Cultural Heritage	6.1 Aboriginal Cultural Heritage 6.2 Historic Cultural Heritage
7. Planning Processes	7.1 Public Engagement 7.2 Strategic Planning 7.3 Regulation

Table 4. Draft TPPs - Topics and Issues Framework



Each topic represents a TPP, for example, the 'Settlement TPP' or the 'Environmental Hazards TPP'. Each TPP includes a number of sub-headings, or broad issues to be addressed, that contain an 'Objective' followed by a number of 'Strategies'. For example, in the 'Environmental Values TPP' under the 'Biodiversity' sub-heading there is a single objective that is followed by a number of 'Strategies' to achieve that 'Objective'. This pattern is repeated under all of the other 4 sub-headings grouped within Environmental Values, including 'Waterways, Wetlands and Estuaries', 'Geodiversity', 'Landscape Values' and 'Coasts', all of which collectively comprise the 'Environmental Values TPP'.

2.3 Drafting of policies

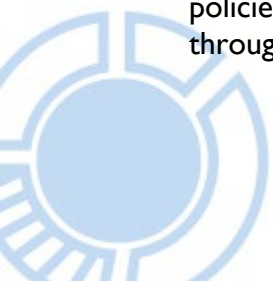
2.3.1 Policy content

An observation from all consultation processes undertaken to date has been that there are wide and varied opinions on the matters that the TPPs should address, and to what level of detail. To determine this, the following criteria has been used to help guide the range and detail of the policy content expressed through the draft TPPs, and include:

- can only deal with matters provided for in the Act;
- avoid repeating the requirements of the Act or that of other Acts;
- is to be consistent with section 12B of the Act;
- is to further the Schedule 1 Objectives of the Act;
- is to be consistent with a relevant State Policy;
- is to produce a planning outcome that can be achieved or applied through the TPS and RLUS;
- the State has a significant interest in addressing the land use planning issue;
- can only apply to matters in the future and cannot apply retrospectively to address broad scale planning issues or decisions made under a former planning regime; and
- cannot address issues that are too specific or that deliver detailed, predetermined outcomes.

The development of the policy content commenced with an overview of those matters that present reoccurring issues in planning and where a policy foundation is required to provide direction for strategic and statutory planning instruments. The policy content has also been derived through a review, consideration and response to the social, economic and environmental challenges that are facing Tasmania. This has been informed by a review of the existing RLUS where a number of the regional policies have been adopted and modified to suit statewide application. It has also been informed by a review of government policy administered through the agencies and planning policies from other States.

The TPPs do not provide a policy setting for every planning situation that may arise. They typically speak in broad land use planning terms with the intent being to provide policy guidance for the planning system. To achieve this, great care has been taken to pitch the policies in a way that is concise, balanced and, where appropriate, can deliver outcomes through strategic and statutory planning instruments.



Further detail regarding the rationale and justification for the drafting of the policy content is provided in the Policy Context section within each TPP.

2.3.2 Climate change

As discussed above, climate change policy has been integrated within each of the TPPs. The way in which this is achieved is outlined in the Climate Change Statement as provided in the Policy Context section of each TPP. Many of the strategies that achieve other planning outcomes, also support mitigation or adaptation responses to climate change. The climate change response is not always explicit in the strategies. However, the Climate Change Statement typically describes how the strategies address climate change either directly or indirectly.

2.3.3 Terminology

The TPPs include a Glossary of defined terms to assist with interpretation. Where possible, consistent terminology has been used to align meanings with other planning instruments to provide for greater consistency. New terms that have been introduced that are considered necessary to be defined by the TPPs have been included in the Glossary, such as 'Liveability', 'Social Infrastructure' and 'Sense of Place'.

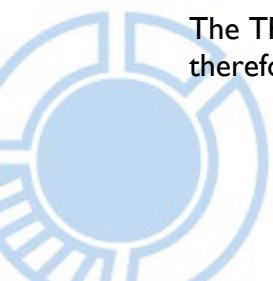
Other terms or phrases have not been explicitly defined as it is considered that their meaning is generally understood or a dictionary definition should suffice.

The TPPs have deliberately avoided making reference to use classes and zones referred to in the TPS. There are two fundamental reasons for this. Firstly, the TPPs are intentionally kept broad and high level and by referencing specific use classes and zones causes the narrowing of policy considerations. Secondly, the policy content of the TPPs will be implemented through the RLUSs and the TPS. Making broad reference to land uses categories (eg agriculture, tourism, commercial, industrial) and 'designating land' for particular purposes allows the policy intent to be applied to both strategic and statutory planning instruments. To clarify, the RLUS and the TPS can both designate land for a particular purpose however, only the TPS can zone land for a particular purpose. Speaking broadly allows the TPPs to have wider and consistent application across planning instruments.

As mentioned above, the TPPs speak in terms of broad land use categories. Most of these are well understood however, there may be instances where the use of terminology is subject to different interpretations. A specific example in the draft TPPs involves terminology used in the 'Industry' section of the Sustainable Economic Development TPP.

The strategies for 'Industry' within the draft TPPs refer to both traditional industrial uses (such as manufacturing) and industrial uses that are resource dependent (such as sawmill or abattoir). The latter is intended to capture those high impact, industrial 'type' uses that would, under the TPS, fall within the 'Resource Processing' or 'Resource Development' use classes. The reason for addressing them in the same section and collectively referring to them as 'industrial use and development' is because, from a policy context, the planning responses are similar. For instance, both are typically high impact land uses and are best separated from sensitive uses to avoid land use conflict.

The TPPs are an expression of policy, they are not a regulatory planning instrument and therefore are not drafted in a definitive or absolute way. The TPP strategies are typically



drafted with a verb at the beginning of the sentence. These are mostly expressed as encouraging verbs that help the strategies work towards achieving the aspirational outcomes expressed through the objective of the policy. The verb used helps set the direction, strength and intent of the policy statement.

2.3.4 Overlap and perceived repetition

It is acknowledged that in certain circumstances there is overlap between strategies. For example, strategy 7 of the Passenger Transport Modes policy within the Physical Infrastructure TPP includes design consideration for subdivision stating:

Provide for subdivision design that:

- a) supports efficient and effective public transport access if located within a serviceable area;*
- b) encourages walking and cycling, with provision of appropriate and direct site-through links; and*
- c) considers the subsequent, and surrounding, use and development, promoting the coordinated and efficient provision of passenger transport systems.*

Similarly, strategy 7 of the Design policy in the Settlement TPP also includes considerations for subdivision, stating:

Promote subdivision design that provides a functional lot layout that:

- a) is responsive to topography, site constraints and environmental values and hazards;*
- b) provides a convenient, efficient and safe road network;*
- c) supports efficient and effective public transport access;*
- d) provides safe active transport;*
- e) uses urban land efficiently;*
- f) provides for well-located public open space that meets the needs of the local community;*
- g) supports the intended future use and development of the lot;*
- h) provide diverse lot sizes for residential use, in appropriate locations, that supports the future provision of diverse housing choices that meets the needs of the local community;*
- i) promotes climatically responsive orientation of buildings; and*
- j) allows passive surveillance of public spaces promoting community safety.*

There are explicit and implicit similarities between the two strategies. Both explicitly refer to supporting efficient and effective public transport access. The reason for supporting the repetition in this case is because they both help deliver their respective objectives in terms of subdivision design responses to firstly, creating functional and connected urban spaces for the Settlement TPP, and secondly, supporting efficient and accessible passenger transport systems for the Physical Infrastructure TPP.

The implicit similarities are a result of subdivision design being considered through the lens prescribed by the respective objectives of each policy. Each strategy delivers a design response that satisfies their objective.



The repetition of some strategies is inevitable due to the complex nature of planning and the range of issues the TPPs are addressing. While every attempt has been made to draft the TPPs concisely, some repetition remains where it is considered necessary to reiterate consideration of particular matters and provide additional context to how each strategy contributes to achieving its objective, thereby improving the application of the TPPs.

3.0 Implementation

Section 12B(3) states that “the TPPs may specify the manner in which the TPPs are to be implemented into the SPPs, LPSs and regional land use strategies”. The draft TPPs include a ‘General Application’ section that is intended to specify the manner in which the TPPs will be implemented in accordance with section 12B(3) of the Act.

The ‘General Application’ section specifies which parts of the TPPs have operational effect. In addition, it includes directions as to how the policy content is to be applied to all planning instruments through the consideration of application principles. These application principles provide direction on a number of matters including, determining if a strategy is relevant to a particular matter, consideration and application of the range of relevant strategies to a particular matter and resolution of competing interests.

The ‘General Application’ section also includes directions that are specific to the application of the TPPs to LPSs. Section 34(2A) of the Act provides two scenarios for the application of the TPPs to an LPS based on before and after the RLUSs and SPPs have been reviewed after the making of the TPPs (sections 5A(8) and 30T(1) of the Act, respectively). Section 34(2A) of the Act states:

A relevant planning instrument satisfies the relevant criteria in relation to the TPPs if –

- a) where the SPPs and the relevant regional land use strategy have not been reviewed after the TPPs, or an amendment to the TPPs, is or are made – the relevant planning instrument² is consistent with the TPPs, as in force before the relevant planning instrument is made; and*
- b) whether or not the SPPs and the applicable regional land use strategy have been reviewed ... after the TPPs, or an amendment to the TPPs, is or are made – the relevant planning instrument complies with each direction, contained in the TPPs in accordance with section 12B(3), as to the manner in which the TPPs are to be implemented into LPSs.*

The General Application section includes two directions in accordance with section 34(2A)b) that apply to the manner in which the TPPs are to be implemented once the RLUSs and SPPs have been reviewed following the making of the TPPs.

The intention of these directions is to provide an opportunity for the decision maker to be satisfied that the SPPs or RLUSs adequately addresses the local application of the relevant

² Relevant planning instrument – means a draft LPS, an LPS, a draft amendment of an LPS and an amendment of an LPS.



TPP strategy and therefore there is no further need to determine compliance with that strategy.

An outcome of the Scoping Consultation was to include 'Implementation Guidelines' under each policy. The draft TPPs that were subject to section 12C(2) consultation included only a single 'Implementation Guideline' under the Growth policy in the Settlement TPP.

Although the initial intention was to provide specific implementation guidance, as drafting of the policy content commenced the strategies were considered to incorporate sufficient detail to guide how they might be implemented into various planning instruments. The reasons for not specifying 'Implementation Guidelines' is because there is no single way that a strategy is intended to apply and the State is more concerned with achieving the outcome rather than how the outcome is achieved.

As already discussed, the TPPs are intended to provide planning policy to guide the planning system. For that policy to be implemented through either the RLUS or the TPS requires further analysis and consideration that will influence how the planning outcome is expressed. Another reason for removing the 'Implementation guidelines' for each policy is because by specifying how a policy is to be implemented might restrict other reasonable approaches from being considered.

The Report on Consultation outlines how the implementation of the policy content can vary based on:

- the purpose of the planning instrument that the strategy is being applied through;
- the characteristics of the site, local area or region that the strategy is being applied to;
- how the consideration of the range of applicable strategies might influence the outcome of another individual strategy; and
- how local or regional policies might influence the outcome of a TPP strategy.

When applying the TPPs in certain circumstances, there may be situations where competing interests are met and need to be resolved. While attempts have been made to limit the potential for competing strategies, it is acknowledged that there may be situations where this occurs. It is not uncommon in planning to experience competing interests. Planners are often required to weigh up competing demands and justify an appropriate course of action. This is often done through the development appraisal process when applying performance criteria to a development application or applying State Policies and the RLUS to a draft LPS. The TPPs are to be applied similarly where resolution relies upon a balanced assessment based on judgement derived from evidence and influenced by local circumstances and contemporary planning practices.

The policies in the draft TPPs are not expressed in absolute terms. They have been drafted so that the policy content can be delivered in multiple ways, allowing for different approaches to be considered when weighing up competing policies.



Resolution between competing policy interests should be found through the consideration of:

- an understanding of the overall combination of interests expressed through the relevant strategies;
- a balanced assessment of all the relevant strategies;
- the objective statement when applying the relevant strategies;
- alternate ways to achieve relevant strategies;
- the locational characteristics of the land, including the scale of land that the relevant strategies are being applied; and
- the planning instrument the strategies are being applied to.

The above points have been reworked to form the basis of the General Application section to inform consideration included in the application principles.

As part of the Commission's consideration of the draft TPPs the Act requires that it:

- (a) must consider whether it is satisfied that the draft TPPs meets the TPP criteria; and*
- (b) is to consider whether there are any matters of a technical nature, or that may be relevant, in relation to the application of the TPPs to –*
 - i. the Tasmanian Planning Scheme; or*
 - ii. each regional land use strategy.....*

The Commission is therefore directed to turn its attention to the application and implementation of the TPPs and address any matters relating to this in its review and assessment of the TPPs.

Given this is the first set of TPPs to be introduced into the planning system, it is difficult to predict the range of application, interpretation and implementation issues that may arise when being applied to a range of land use planning situations. The Act provides for a 5 yearly review cycle of the TPPs and an amendment process to address issues that might arise once the TPPs are made and become operational.



4.0 Premier's Economic and Social Recovery Advisory Council (PESRAC)

The State Government has committed to developing the TPPs in line with the recommendations from the Premier's Economic and Social Recovery Advisory Council (PESRAC).

The following table sets out the recommendations from the [PESRAC Report](#) that are relevant, with a corresponding column to demonstrate how the draft TPPs support the particular recommendation.

Table 5. Alignment with PESRAC recommendations

PESRAC Recommendation	Draft TPP Response
(1) Protecting sustainability, community values and Tasmanians' well-being must continue to be at the forefront of regulatory activity.	<p>The draft TPPs support this recommendation by containing various strategies that promote the identification and protection of environmental, cultural heritage, landscape and place values. The Settlement TPP addresses improving the liveability of our cities and towns and include strategies to encourage open space networks, active transport, connection with nature and social interaction to improve our well-being.</p> <p>The TPPs will inform planning regulation through reviews of the RLUS and TPS.</p>
(8) Regional land use strategies should be comprehensively updated.	The draft TPPs provide the planning policy framework for a review of the RLUS that will be undertaken once the TPPs are made.
(9) The State Government should redevelop the 10 year Infrastructure Pipeline as a tool for identifying, and addressing, capacity and delivery constraints.	The draft TPPs provide the planning policies relating to the provision of infrastructure, supporting the redevelopment of the Infrastructure Pipeline.
<p>(32) The State Government should develop a comprehensive Tasmanian Housing Strategy and drive practical actions to deliver more sustainable housing market outcomes across Tasmania for all Tasmanians.</p> <p>The strategy should encompass:</p> <ul style="list-style-type: none"> • population growth and settlement planning; • ageing and shifts in household composition; 	<p>The draft TPPs support the delivery of the Tasmanian Housing Strategy by providing a planning policy framework that:</p> <ul style="list-style-type: none"> • considers land supply and demand analysis and population and demographic projections to determine the amount of land required by settlements within at least a 15 year planning horizon;

<ul style="list-style-type: none"> • land availability; • the interface between public and private markets; • taxes; • approvals and permitting; • sustainable housing - energy and water efficiency; • construction workforce availability; and • alignment of essential social and economic infrastructure. 	<ul style="list-style-type: none"> • acknowledges that social and affordable housing are part of the wider housing market; • promotes energy efficient design; and • locates houses in close proximity to essential social and economic infrastructure, promoting access to employment and education facilities.
<p>(38) The State Government should develop a sustainability vision and strategy for Tasmania, with ambitious goals, and concrete targets and actions.</p>	<p>The draft TPPs support sustainability principles that are applied through the strategies that will support, where relevant, the sustainability vision and strategy.</p>
<p>(39) The strategy should immediately prioritise specific frameworks for:</p> <ul style="list-style-type: none"> • decarbonising the economy; • water resource allocation, security and quality; • adoption of circular economy principles; and • ensuring a consistent and coordinated government approach to sustainability. 	<p>The draft TPPs support this recommendation by including strategies that reduce emissions, promote carbon storage, improve water quality and supports opportunities for greater economic self-sufficiency and circular economies.</p> <p>The draft TPPs provides a consistent planning policy framework to deliver sustainable use and development through the State's planning system.</p>
<p>(51) The State Government should develop a structured process for identifying high-consequence risks to which the community is exposed and develop and implement mitigating strategies for these risks.</p>	<p>The draft TPPs include strategies for the identification and mitigation of environmental hazards in response to the risks that they may pose to the community.</p>





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