

State Planning Provisions Review 2022 - Submissions 1-20

Submission No:	Name	Organisation
1	Bronwyn Clarke	Bronwyn Clarke Ceramics
2	David Midson	West Coast Council
3	John Ramsay	Tasmanian Planning Commission
4	Thomas Mistry	
5	George Theo	TasWater
6 a & b	Name withheld	
7	Anna Povey	
8	Dr Kate White	National Heart Foundation of Australia
9	Lisa and Scott Willett	
10	Craig Vertigan	
11	Circe Alditheral	
12 a & b	Peter and Doreen Wileman	
13	Stephen Anstee	
14	Robyn Lewis	'Milford'
15	Alison Hetherington	Bicycle Network Tasmania
16	Kristine Anchor	
17	Simon Castles	
18	Mary McParland	Cycling South
19	Di Elliffe	U601 The Commons Hobart
20	Andrew Paul	Board of the Environment Protection Authority

To whom it may concern

I write with the purpose of drawing attention to the need for Artists' Studios to be considered as appropriate land use within residential and rural zones. They are currently uncategorised as allowable land use and I believe the issue of allowable activity deserves strong consideration. Artists are a substantial cohort in the community and when able to establish a viable livelihood, add substantial value and dollars to the local economy.

Working from home has become a well acknowledged practice, particularly since COVID 19 has impacted the world. Planning determinations need to take this into account.

1. Size of work space

The size of an artist's work space is critical and complexly variable. The current spatial allocation for a home business in my current circumstance is 40m². This is an under estimate of the space required to undertake and house equipment for such diverse practices as the construction of sculptures, the making of ceramics, framing larger works and other arts practices.

2. Hours of opening

The hours of opening of Artists' Studio, during weekends and public holidays, needs to be reviewed. As an example, visitors to a location are likely to be touring over weekends and public holidays and there is a tourism focus on encouraging local artists to show their creative spaces as well as their finished works.

The current hours of operation identified for home businesses in some jurisdictions are half day Saturday and nil on Sundays.

3. Signage

Signage is an essential directional requirement for Artists. Removeable and relocatable signage such as A Boards, bollard covers and/or flags are appropriate methods of identifying Artists' Studios. The current recommendations around home business signage is inadequate and antiquated and do not take into account 'occasional use' to attract 'special occasion visits' or annual events such as Art Trails and private open days.

4. Local Economy

Artists are a key component of a local economy. They attract visitors and increase the spend in a locale. Special occasion events such as Long Weekends, School Holiday Art Trails, Open Day events and Festivals are activities that provide the potential for Artists to secure viable incomes and activate and give value and character to local communities

Please consider including these issues when reviewing the State Planning Provisions.

Thank you

Bronwyn Clarke

Bronwyn Clarke Ceramics
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9 June 2022

State Planning Office
Department of Premier and Cabinet
GPO Box 123
Hobart TAS 7001

yoursay.planning@dpac.tas.gov.au

Dear State Planning Office

STATE PLANNING PROVISIONS REVIEW - SCOPING ISSUES

The West Coast Council asks the State Planning Office to consider the following issues in the review of the State Planning Provisions.

First, standards and requirements for non-resident worker accommodation. Currently there are not effective guidelines for the construction of non-resident worker accommodation or work camps. This is a particular issue on the West Coast where many of our employers have over 50% of their workforce's drive-in, drive-out. It will be an increasing issue in other remote areas as the mining, renewable energy and aquaculture industries grow. There should be clear guidelines and standards for both workcamps and long-term temporary worker accommodation. These standards should focus on implementation of best practice for implementing non-resident workers into communities and on ensuring non-resident worker accommodation adds, rather than detracts, from community amenity. Other states with larger mining industries already have standards in place (such as Queensland) and these could be used as a basis for development of standards in Tasmania. An additional area of focus and one that would see Tasmania lead, would be to provide standards that support the re-use of non-resident worker accommodation. In many instances non-resident worker accommodation is designed to be non-permanent and does not offer a community benefit when the project or operation ends. This is a missed opportunity, in communities with non-resident workers where there is significant need for social and accessible housing, aged care, and tourist accommodation. The review should look at putting in place standards for non-resident worker accommodation and work camps that ensure that they can be reused for these purposes when no longer required, rather than lying dormant or being demolished.

Secondly, the review should consider the requirements and conditions for projects that are large given their context. For example, on the West Coast there are projects that could add 200 or more jobs into communities with a population of less than 900. These projects bring benefits but given the size of the change, also have negative impacts on communities that are currently not considered in the planning process.

Enquiries to: Executive Officer
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11 Sticht Street Queenstown TAS 7467



These impacts are particularly felt in housing where rents can increase over 300% in months, and in social services (including health, childcare and sport and recreation). Currently in assessing projects the environmental impacts are considered, as are the impacts on some forms of infrastructure (roads and stormwater) but impacts on local housing, and access to key social services is not. Further consideration of the impact of drive-in, drive-out employment models on highways is not considered. The review should consider the need for projects which will lead to a significant increase in workers or population to assess impacts on infrastructure, housing and other social services and allow conditions to be imposed to mitigate these impacts.

Yours Sincerely



David Midson

GENERAL MANAGER

Cc: Cradle Coast General Managers Group (C/o Gerald Monson - gerald.monson@latrobe.tas.gov.au)

Cc: Cradle Coast Authority Jenny Donovan - jDonovan@cradlecoast.com

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TASMANIAN PLANNING COMMISSION



Our ref: DOC/22/63724
Officer: John Ramsay
Phone: 61656814
Email: tpc@planning.tas.gov.au

16 June 2022

Minister Ferguson MP
Minister for Planning
GPO Box 123
HOBART TAS 7001
Email: minister.ferguson@dpac.tas.gov.au

Dear Minister

Scoping the State Planning Provisions Review

Thank you for your letter of 25 May last seeking the Commission input to help scope the 5 yearly review of the State Planning Provisions (SPPs).

The Commission recently consider your letter and its attached State Planning Provisions Review Scoping Paper.

As you are no doubt aware, the Commission may become directly involved with a review of the SPPs under a number of provisions of the Land Use Planning and Approvals Act 1993. This involvement will likely require that the Commission undertake an independent assessment of any amendments to the SPPs and to provide a report on the outcome of its assessment.

In the circumstances, the Commission is of the view that it is important to retain its independent role, and not become involved in consideration of the merits of possible planning policy changes that may be reflected in any proposed amendments to the SPPs that it will be required to consider in future.

Yours sincerely

John A Ramsay
Executive Commissioner

From: [Tom](#)
To: [State Planning Office Your Say](#)
Subject: Re: Saved to CM: State Planning Provisions review - scoping issues
Date: Monday, 4 July 2022 9:21:22 AM
Attachments: [image001.png](#)
[image001.png](#)

Hi there,

Thanks for the reply.

I believe it is for the review you mentioned.

To be honest. The whole website is extremely confusing and hard to understand.

I just want to lodge my thoughts and complaints regarding how the Huon Valley Council is blanket applying Landscape Conservation Zone in the Huon Valley Council area.

It's extremely obvious that they've completely failed to properly interpret and apply the directions from the state government in regards to this zoning. This indicates significant incompetence or malice. Both of which require investigation.

They are forced re-zoning close to 3000 properties when all other Tasmanian LGA's are primarily applying LCZ to very few properties. In the single digits in most cases.

This glaring statistical anomaly should raise red flags for even the most incompetent organisation / managing body.

So whoever is the most appropriate person for this complaint to go to would be great.

Thanks,

Thomas Mistry

On Mon, 4 July 2022, 09:08 State Planning Office Your Say,
<yoursay.planning@dpac.tas.gov.au> wrote:

Good morning Mr Mistry,

Acknowledging receipt of your submission. Could you please confirm this is for the State Planning Provisions Review – Scoping Paper?

Thank you.

Kind regards,

Julie Cullen Executive Officer

State Planning Office

Department of Premier and Cabinet

Level 7 / 15 Murray Street, Hobart TAS 7000 | GPO Box 123, Hobart TAS 7001

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 Please consider the environment before printing this message

From: Tom <thomas.mistry@gmail.com>

Sent: Saturday, 2 July 2022 3:13 PM

To: State Planning Office Your Say <yoursay.planning@dpac.tas.gov.au>

Subject: Saved to CM: State Planning Provisions review - scoping issues

To whom it may concern,

My name is Thomas Ewan Mistry. I am a home and land owner in the Huon Valley Council area.

I am a medically retired veteran who has recently bought in the area.

I am writing in regards to the distinctly unique way in which the Huon Valley Council is applying the "Landscape Conversation Zone" when compared to other council areas within Tasmania.

I believe that the Huon Valley Council is compulsorily changing close to 3000 properties within the council area from Rural zone to LCZ.

This number is many orders of magnitude higher than every other council area within Tasmania.

To me, this statistical anomaly points to a failure within the Huon Valley Council to

properly and adequately understand the scope of the Tasmanian Planning Scheme and how the state government intends for councils to apply the scheme.

This specific subject has been raised many times by members of the Huon Valley community and the Huon Valley Council has deflected and deferred their answer to the state government. Basically laying the blame at the feet of the state government. Claiming that they have simply "followed the directions of the state government". An example of this can be viewed in the recording of the most recent Huon Valley Council meeting which was held on the 29th of June and which a recording is available on the Huon Valley website. I would also suggest checking the minutes and "questions on notice" as there are also a number of questions regarding this subject. And more examples of the Council refusing to give an adequate explanation for the clear discrepancy between how the Huon Valley Council is applying LCZ vs other councils.

This underhanded tactic by the Huon Valley Council is insulting and disrespectful to the broader community. Deferring to the state government in a council meeting is completely useless as the state government obviously does not have a direct representative who can speak on their behalf at these meetings.

I have serious concerns regarding the effectiveness and capacity of the Huon Valley Council to handle this matter correctly and fairly. I do not believe that the Huon Valley Council fully understands the broader implications of forcing the zoning change for close to 3000 properties from Rural to LCZ. This move will create a huge additional unnecessary workload for the Huon Valley Council because they will all of a sudden be receiving a huge increase in planning applications and other assorted applications from properties that previously weren't required to do so because of their rural zoning. This is highly highly concerning as the Huon Valley Council is struggling to deal with it's current workload.

This change will make development and building within the Huon Valley Council area to become prohibitively expensive. The Huon Valley Council area is not a high income area and with the increasing stresses of inflation, energy costs, fuel costs etc all blowing out of proportion, the long term effects of this widespread zoning change will inevitably have economic impacts that will impact community members for an extremely long time.

Whilst I believe that the state government's intentions and goals are good and that the environment and natural values do need to be protected, I can't help but see that the Huon Valley Council area seems to have interpreted the scheme in a distinctly different way to every other council area within Tasmania.

The environment needs protecting, but people and human life should not take the backseat in that pursuit.

As well as the pursuit of environmental goals should not come at the sacrifice of incredible sums of money.

Money is the most direct representation of energy in the world. Fossil fuels, food, blood, sweat and tears are what goes into the creation of money. Needlessly wasting money in the name of saving the environment is completely insane.

Many previous members of the Huon Valley area have already decided to sell and leave the area, citing that the forced LCZ zoning is a big factor in them making that decision.

I settled on my property on the 5th of April and I am already seriously considering moving out of the Huon Valley Council area to somewhere that is more supportive of its community and has a more human-centric philosophy.

I would very seriously and passionately ask and encourage the state government to conduct a serious and detailed review into how the Huon Valley Council is applying the "Landscape Conservation Zoning" in comparison to other council areas within Tasmania.

I think that solely from the perspective of it being a statistical outlier that it would warrant at least some amount of investigation and explanation for why this statistical anomaly exists.

If the Huon Valley Council cannot adequately justify why they are applying this zoning in such a heavy-handed and widespread way in comparison to other council areas, without "blaming" the state government. Then this is indicative of some kind of failure or breakdown within their internal processes and speaks to the need for some kind of investigation even more so.

Looking at the dysfunctional history of the Huon Valley Council and the fact that the entire council has been dissolved in the near history, I believe there are significant reasons to believe that the council is no longer functioning in an effective way which best reflects the needs and desires of the council area. Combined with the fact that they continually defer responsibility for the application of the TPS and specifically LCZ to the state government this shows a complete failure in their internal processes.

If a council can't even answer a simple question about how they decided to apply LCZ to close to 3000 properties without saying "the state government made us do it" then how can we as a community trust that they are functioning at all.

The Huon Valley Council is at serious risk of causing irreversible damage to a beautiful and thriving region of Tasmania and it can be avoided entirely.

I ask that the state government please intervene in this matter as the council lacks sufficiently effective internal policies and procedures for which the community can address these issues.

The Huon Valley needs your assistance.

Thank you very much for taking the time to read my concerns,

Kind regards,

Thomas Mistry

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TW CM ref: 22/41642

1 July 2022

The Hon Michael Ferguson MP

Minister for Planning

GPO Box 123

Hobart TAS 7001

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

Dear Minister Ferguson

Scoping the State Planning Provisions (SPP) review

I am writing in response to your letter of 25 May 2022, seeking feedback on the scope for SPP review.

We have reviewed the proposed scope and do not see any need for amendments.

We look forward to providing our full input on the SPPs once the formal review process commences.

Yours sincerely

A handwritten signature in blue ink, appearing to read "G. Theo", with a stylized flourish at the end.

George Theo

Chief Executive Officer

Tasmanian Water & Sewerage Corporation Pty Ltd

GPO Box 1393 Hobart Tas 7001

Email: enquiries@taswater.com.au

Tel: 13 6992

ABN: 47 162 220 653

From: [REDACTED]
To: [State Planning Office Your Say](#)
Subject: Review of SPP, seasonal worker accommodation & fettering
Date: Tuesday, 12 July 2022 7:34:34 PM

May I request the inclusion of a 200m mandatory buffer zone between seasonal worker accommodation/ camping and neighbouring agricultural land when a "No Permit Required" or exemption is made.

When seasonal workers/ campers from a neighbouring orchard set up site next to our property in an area classified as a bushfire prone area, I asked my local council if a permit or some sort of planning was required. The campers were not provided with any toilets, cooking facilities or power, running water or fire fighting equipment. There was one access road in to this area. The local caravan parks & backpackers seemed to be a more suitable option.

The council referenced a no permit required status under resource development in an agricultural or significant agricultural zone. This interpretation differs from another council that believes a permit should be required under a different use class of visitor accommodation so the welfare & amenity of the workers is addressed. Two different interpretations of the same use. I was able to contact the business owner that manages this orchard and the campers were moved on. This cherry orchard had not previously offered camping or accommodation in the last 21 years, until now under new management.

Apart from concern for the welfare of a vulnerable seasonal workforce with some language barriers evident, and the desire of new managers to provide cheap options when the orchard has previously subdivided & sold off all dwellings, it's evident that the practices of one can fetter another in agriculture.

We live on our agricultural land and it's use for livestock, baling hay & orchard production is fettered by new use accommodation, temporary or otherwise. To be considerate we only shoot vermin of an evening when all the orchard workers have left to go home to the suburbs but under the Firearms Act we don't actually need permission from the orchard (within 200m) for shooting as they have no dwellings by choice. They do require our permission as we have a residence. Random campers near our boundary are problematic particularly if we don't know they are there.

To comply with the manufacturers directions for Ag chemicals used in orchards there is a requirement for a buffer of up to 100m from sensitive use areas when it comes to some aphicides. Not being able to apply these when required fetters our land use if campers are allowed in. If new dwellings or temporary options are approved it will impact on agricultural land use in the future.

Please consider this inclusion of a buffer zone, alternatively remove the "NPR" option from planning.

Regards
[REDACTED]

Please withhold my name from publication.

Sent from my iPhone

From: [REDACTED]
To: [State Planning Office Your Say](#)
Subject: Review of SPP, Agricultural Crop Protection & Resource Development
Date: Thursday, 21 July 2022 4:26:56 PM

A review would be of some value around the responsibility & compliance of new agricultural crop protection developments, including the scope for interpretation by local Council.

I contacted the Huon Valley Council in May 2022 to ask if a written application for new works was required or had been submitted for a proposed 2 hectare rain cover development at Castle Forbes Bay. Their response was that there had been no proposal or permit lodged with Council & that this type of work would still appear to be NPR no permit required.

Additional cabling & groundworks started to the existing bird netting structure in June with further correspondence to Council revealing a “no permit required submission” had now been requested but not completed.

Common sense with some local knowledge raised the question about what effect stormwater generated by a new 17,600 square meter non permeable roof would have even if divided into sections drained by inter-rows directly into a local creek listed on Councils Natural Assets overlay mapping. The TPS mentions the Natural Assets Code applies to development of land immediately adjacent to a watercourse.

If the DPIPW/ NRE Waterways & Wetlands works manual series 1 - 8 & Agriculture land drainage packages were read, a requirement for planning & why would have been identified. Unfortunately “best practice” is not always considered mandatory by some operators. Stormwater Quality as well as Quantity is addressed regarding contaminated agricultural run off. The Coffs Coast Council has been working on the quality of intensive agriculture run off with positive results.

The LGAT Tasmanian Stormwater Policy Guidance - Standards for Development 2021 makes Councils responsibilities clearer. “A Stormwater Management Report must accompany all developments including non residential for areas greater than 5000 square meters”. Is this optional in the Huon?

A brief conversation with a building surveyor provided references to structural compliance & notification. The CBOS Directors Dertermination identifies bird netting structures as low risk, but general requirements elevate this to notifiable when a non permeable fabric is used in rain covers, subject to AS1170. Not just the prefabricated covers, but also includes existing customised anchoring system & structure used to piggy back the new covers & cables.

There is a real mixed bag of interpretation given on the requirement of an “occupancy permit”, temporary or otherwise for these structures/ buildings and a new push on seasonal worker accommodation in tents & vehicles. If you consider occupancy of a vulnerable seasonal workforce in the bushfire season, in areas listed as bushfire prone, how is this workforce being protected?

When public funding is provided to private enterprise transparency is important. The ABC interview with Fruit Growers Tasmania in March announced the government had set aside \$2 million dollars in funding for crop protection in Tasmania. Clarity on this type of development under the TPS would be beneficial for all.

Regards
[REDACTED]

Please withhold my name from publication.

Sent from my iPhone

19 Gorge Rd
Trevallyn TAS 7250
fovey@intas.net.au
0498 800 611
13th July 2022

Department of Premier and Cabinet
State Planning Office
Yoursay.planning@dpac.tas.gov.au

re: Review of State Planning Provisions, especially improvements needed to Natural Assets Code

Dear Sir/Madam,

My submission to this review of the State Planning Provisions is that the Natural Assets Code (NAC), as it is currently written, is inadequate to the task of protecting natural assets such that it fails the objectives of LUPAA to maintain ecological processes and genetic diversity.

The Natural Assets Code needs to be clarified and strengthened, so that it more clearly protects species and ecological functioning, and the Agriculture Zone should not be exempt from the Priority Vegetation Area overlay (PVA).

I am writing as an ecologist with over 30 years' professional experience. I have spent 8 years previously as a consultant, producing many flora and fauna assessments for development applications under previous planning schemes.

Clarify and strengthen the Natural Assets Code

In 2016, the Tasmanian Planning Commission, in its Draft State Planning Provisions Report, recommended to the Minister that the NAC should be revised:

“The Commission concluded that the Natural Assets Code, as proposed in the draft SPPs, requires further work to be suitable for implementation in the SPPs.”

The Minister for Planning and Local Government, Peter Gutwein, in his Statement of Reasons (2017), responded that, apart from some minor modifications, “I do not accept that the Natural Assets Code needs to be substantially modified”. He gave little reason for his decision apart from, “omission of the code... will create uncertainty for local councils”. Since then, we have found councils having massive uncertainty from this inappropriate and ineffective code, with the majority of planning authorities expressing substantial problems with it, especially its exclusion of the PVA from Agriculture Zone (see below and attached table summarising Planning Authority commentary on PVA exclusion).

Regarding details of the problems with the NAC, I agree with the Meander Valley Planning Authority (MVPA), together with the Local Government Association of Tasmania, in their 35G notice (section 2.2) that the SPPs as written:

(I) fail the objectives of the Act to maintain ecological processes and genetic diversity;

- (2) fail to deliver its stated code purpose to 'minimise impacts on identified priority vegetation' and 'to manage impacts on threatened fauna species, by minimizing clearance of significant habitat';
- (3) fail to implement a cogent division of responsibility between agencies charged with the responsibility of regulating the management of native vegetation through the interaction between the Forest Practices System and the planning scheme and does not account for the different overarching objectives of scale, the land use practices under each system or a hierarchy of controls;
- (4) fail to outline clear responsibilities and expectations for land owners and developers so that in proposing land use and development, it is understood what the code purpose of 'minimising impacts' and 'minimising clearance' actually means. In particular, there is no foundation in data or scientific practice to determine what "unreasonable loss of priority vegetation", the fundamental premise for the operation of Section C7.6.2, actually is. Section C7.6.2 is inoperable, as it is without meaning and has no prospect of measurement. This will inevitably end in confused, inconsistent and inconclusive administration of the planning scheme provision.

I wish to commend to this review all the points about the Natural Assets Code that were made by Meander Valley Planning Authority in its 35G notice (attached to form part of my own submission here), in particular with regards to recommended changes to C6.6.2 and C7.7.2.

The Tasmanian Planning Commission characterises the MVPA approach as "species protection and management", "whereas the existing provisions might be characterised as a 'development purpose and impacts management' approach". Surely, the MVPA approach is what the public would expect of a Natural Assets Code?

One of LUPAA's objectives is to promote sustainable development, where *sustainable development* includes:

- 2.(c) (c) **avoiding**, remedying or mitigating **any adverse effects of activities on the environment**.

At this stage in human development on the planet, it is clear that our impacts continue to accumulate, and "impacts management" is not sufficient on a finite planet with continuously growing development. There is no balance in the equation between nature and destruction – nature is not gaining ground anywhere – the net effect of impacts is ongoing decline of natural systems to the point that we are facing imminent ecosystem collapse.

The Natural Assets Code needs to be rewritten in the mode recommended in the MVPA 35G notice, so that it does actually work for "species protection and management".

As the Tasmanian Planning Commission states, in its opinion about the MVPA 35G notice,

- The Commission is of the opinion that the general rationale for the alterations proposed by the MVPA **has some merit** and that the provisions of the SPPs in **C7.6.2 and C7.7.2 should be reviewed and altered**.

Further, the Commission notes that if the MVPA alternative approach is *not* used:

- (b) if the current approach is to be retained:
- the drafting of the current provisions should be reviewed and the provisions revised to achieve consistency between the relevant code purposes, the objective of the standards and the performance criteria; and

- the drafting review should include **consideration of inclusion of performance criteria** which enable specialist quantitative advice or opinion to be provided to a planning authority on any adverse impacts on native vegetation and fauna as a result of development or subdivision in areas of priority vegetation and how to minimise those impacts.

Include provisions to allow for cumulative impacts on natural assets

With regard to the inclusion of such performance criteria, it is time that Tasmania included an assessment of **cumulative impacts** of developments on natural assets. For too long, developers have argued that their own particular development does not have a significant impact on natural assets, and while there is no overarching assessment of cumulative impacts, the risk is of “death by a thousand cuts”. Note that Western Australia has recently implemented a process for recording and assessing cumulative impacts, built upon a **mitigation hierarchy** that stresses **avoiding** impacts rather than mitigating them (such as with offsets) within its “Native Vegetation Policy for Western Australia” (2022 - <https://www.wa.gov.au/system/files/2022-05/WANativeVegPol2022.pdf>)

Department of Natural Resources and Environment Tasmania recommends improvement to Natural Assets Code and/or reduction in application of Agriculture Zone

The Department of Natural Resources and Environment Tasmania (NRE), in their representation (21/12/21) regarding the Northern Midlands draft Local Provisions Schedule (LPS), note significant problems with how the Priority Vegetation Area overlay (PVA) is excluded from the Agriculture Zone, which has itself been poorly applied (I note that is the case in many municipalities, not just Northern Midlands), such that:

- “There are many land parcels proposed for the Agriculture Zone which contain areas of significant native vegetation that is habitat for threatened species (see Figure 1), ideally the zoning would allow for connectivity (biodiversity corridors) between priority vegetation areas, and between environmental management zones to better maintain the viability of threatened species populations and Tasmania’s unique ecosystems”

The NRE finds that the problems are so great that they undermine the accordance of the draft LPS with the Act:

- “To ensure the LPS is in accordance with the objectives of the Resource Management and Planning System of Tasmania (including sustainable development) as defined in Schedule 1 of the Land Use Planning and Approvals Act 1993 the Department has the following recommendations:

Amongst their recommendations for that particular municipality are broader points that are relevant to this review of State Planning Provisions, and with which I agree:

- “reduce the extent of the zone types that exclude the NAC, in particular the Agriculture Zone”.

This is evidence that the SPPs should be modified so that the Agriculture Zone is NOT exempt from the Priority Vegetation Area Overlay.

The NRE makes the general recommendation that should be applied now within the SPPs:

- “Provide clear direction on how the NAC will be regulated and what information is required for proposed developments within these areas (e.g. recent ecological surveys undertaken, biodiversity offsets provided for all impacts that cannot be avoided or mitigated).”

Agriculture Zone should not be exempt from the PVA of the Natural Assets Code

I submit that the Priority Vegetation Area overlay of the Natural Assets Code should apply to the Agriculture Zone, as critical natural assets can occur on native vegetation in this zone (as have been mapped by the Regional Ecosystem Model, and existing Natural Values Atlas records, as well as unrecorded existence of species and ecosystems) and even in some areas of cleared land (e.g. Masked Owl nests can occur in isolated paddock trees or small patches of forest). There must be a way for planning authorities to require assessment of such natural assets and some modification of proposed developments to accommodate their protection.

The current exemption denies the importance of flora and fauna assessments. If the Natural Assets Code does not apply to land, there is no allowance for a planner to request a flora and fauna assessment for developments on land zoned Agriculture. As most natural values have not been investigated on private land, apart from remote estimation of vegetation communities for TASVEG (which can often be incorrect without ground-truthing), there could be high conservation values, such as threatened species and vegetation communities, which will never be known and may be destroyed by the development. Without application of the Natural Assets Code, the last remaining thylacines could have a den in the footprint of the development and nobody would know about it.

An assessment by a qualified person could discover important natural values that could then be avoided by modifying the development.

Land that is predominantly covered by native vegetation is highly likely to support important natural values, should not be developed without an assessment, and should not be zoned Agriculture.

As almost all municipalities have now advertised their draft LPS's, it is clear that Agriculture Zone (AZ) has been applied far beyond the extent of existing developed farmland. Across the state, hundreds of thousands of hectares have been put into this zone and are thereby exempt from assessment of natural assets under the statewide planning scheme.

This is not because planning authorities have considered this an appropriate application of Agriculture Zone. On the contrary, they have been effectively forced to apply this zone where the Land Potentially Suitable for Agriculture Zone (LPSAZ) had been mapped, and they have not seen this as good planning practice.

In fact, 20 out of 29 planning authorities have articulated overwhelming issues with the exclusion of the Priority Vegetation Area from the Agriculture Zone during the rollout of the draft LPSs (see attached table with extracts from supporting reports, 35 notices and some 35F reports). Examples of comments that planning authorities have expressed:

- “The constraint of not being able to apply the priority vegetation area overlay to the Agriculture Zone has been somewhat problematic and has required the planning authority to prioritise the protection of agricultural land over natural assets or vice versa, even where it may be possible for the two to co-exist.” (Brighton)
- “The consequence of zone specific application is a discontinuity in the identification and context of significant vegetation areas. A depiction of expansive units of priority vegetation is

broken by exclusion from land assigned to a zone or zones to which the Code does not apply.” (Burnie)

- “in reality, many of the recommendations of the LPSAZ quite clearly need to be changed” (Central Highlands)
- “The decision to not allow the priority vegetation area overlay to be applied to the Agriculture Zone is problematic for allocating the Agriculture Zone.” (Derwent Valley)
- “The resultant overlay map produces a confusing depiction of priority vegetation values – a confusion that is compounded by the removal of the overlay from the zones that it does not apply to” (Devonport)
- “It is proposed to seek revisions to the Agriculture zone to allow the Priority Vegetation Overlay within the Agriculture zone through the Section 35G Notice to the Commission” (Flinders)
- “It is recognised that the above approach does create a number of difficulties. For one, there are areas of high conservation native vegetation within the Agriculture Zone that have no protection in the land use planning system” (Glamorgan Spring Bay)
- “The exclusion of certain zones is concerning. Biodiversity values can occur anywhere and zoning should not make any difference to the application of the code.” (Glenorchy)
- “The report indicated that clearing of priority vegetation will be covered under the Forest Practices Code. However, the Forest Practices Code does not consider vegetation clearing for nonagriculture use such as Visitor Accommodation.” (Huon Valley)
- “The Guidelines provide very little guidance of how this important issue should be dealt with and there is no explanation about why this decision was made and why both agriculture and protection of priority vegetation cannot co-exist” (Kingborough)
- “The operational effect of the SPPs however is that vegetation removal in areas identified as priority vegetation area in the Agriculture Zone will not be subject to any assessment where it is for a building, as clearance for building development is exempt from approval under forest practices legislation and it may not relate to threatened species” (Launceston)
- “The agricultural landscape is also peppered with natural values in a complex mosaic that to date, has been generally well managed through planning provisions that can take account of the unique circumstances that exist on each property.” (Meander)
- “Of note, the Agriculture Zone is excluded from the priority vegetation area. The Agriculture Zone will be the largest zone in the Municipality by area and this exclusion is therefore a significant land use policy expressed in the SPP. The rural/agricultural landscape throughout the Northern Midlands municipality contains significant area of priority vegetation within the municipality included in an assessment of Biodiversity Hot Spot conservation in Iftexhar et al 2014. Such areas have been generally well managed through planning provisions that can take account of the unique circumstances that exist on each property.” (Northern Midlands)
- “The decision by the Minister, through the SPPs, to not to allow the priority vegetation area overlay to apply to the Agriculture Zone is particularly problematic for allocating the AZ and seems at odds with the objectives of the Act and the STRLUS.” (Southern Midlands)
- “The exclusion of the Agriculture Zone appears to assume that all use or development, in the Agriculture Zone will be related to the agricultural use of the land, however this is not the case. A more nuanced approach to management of the State’s natural assets should be taken.” (West Tamar)
- “Applying the Priority Vegetation Area in the Agriculture Zone, except where exempt under C7.4.1 (c), would improve environmental outcomes while still ensuring clearing for agricultural purposes is permitted.” (West Tamar)

I note that the Department of Justice's consultants themselves, in the state 'Agricultural Land Mapping Project Background Report' that set the LPSAZ, acknowledged that they did not trouble themselves to consider the presence of native vegetation:

"The extent of native vegetation cover, including the presence of threatened native vegetation communities or threatened species, was not considered in the analysis of potential agricultural land. It was considered problematic to consistently and objectively incorporate such analysis into the project at a statewide scale" (page 2, Department of Justice, 2017).

If subsequent analysis of natural values was then used to adjust the AZ, this might have been an acceptable staged process, yet this has not been the case. Where the Priority Vegetation Overlay intersects with the AZ, instead of the AZ being changed to Landscape Conservation or Rural Zone, the Priority Vegetation Area overlay has been eliminated!

In a report for City of Launceston, 'Agricultural Land Mapping in the City of Launceston (AK Consultants, 2019), consultants noted that the original AZ mapping was flawed:

"The methodology used in the ALMP is necessarily conservative due to the nature of the generic state-wide decision rules and the limitations of the datasets. While this was essential to ensure appropriate zoning for land with agricultural potential the result of the ALMP **methodology means large tracts of land limited for agricultural production (other than forestry) has been mapped as unconstrained agricultural land. This is not consistent with the stated aims of the ALMP** which states 'the Rural Zone is considered appropriate for most land under broad scale forestry production given many areas have limited suitability for a broad range of other agricultural uses'".

These consultants *"recommend that a second stage of assessment be undertaken focussing on titles that were mapped as 'unconstrained' under the ALMP. We believe it **likely that these titles would be more appropriately zoned Rural rather than Agriculture.**"*

I submit here that since large natural areas across Tasmania have been zoned Agriculture instead of Landscape Conservation or Rural, the State Planning Provisions must be changed so that the PVA of the Natural Assets Code is applied to Agriculture Zone as well.

Exclusion of PVA from Agriculture Zone is inconsistent with existing laws and would lead to negative outcomes for landholders and cumulative major impacts on natural assets

An example of the major inadequacy of the current Natural Assets Code is that Agriculture Zone has been applied to almost the whole of the Northern Midlands National Biodiversity Hotspot (Tasmania's only such hotspot, out of only 15 declared Australia-wide). This declaration recognises that, amongst farmland, there are populations of important threatened species and remnants of some of the most threatened vegetation communities in Australia. Yet these State Planning Provisions would have these critical natural assets ignored.

It is important to recognise that the application of other laws in Tasmania, such as the Threatened Species Protection Act 1995 (TSPA) and Forest Practices Act 1985 and regulations, relies on knowing that developments are proposed and determining what relevant natural assets may be present. Post-hoc prosecution for breaking these laws, if an officer happens to see clearing of threatened vegetation in action, for instance, is not satisfactory for anyone.

While I acknowledge that it can be worrying and a cost for farmers to have to obtain natural values reports before progressing a development, it is possible for agriculture and protection of natural

values to coexist, provided a nuanced approach is taken, with expert advice taking account of the unique circumstances of individual properties.

Ignoring natural assets completely across hundreds of thousands of hectares of Tasmania is not the answer. Everyone thinks their own development is important and couldn't affect nature significantly, but if natural assets are not considered, then cumulative impacts on natural ecosystems are inevitable. Even while we all think the South Americans should stop clearing the Amazon, our own remarkable Tasmanian species that are not found anywhere else on Earth will be threatened by development that does not even have to consider them.

The risk for landholders of having Agriculture Zone exempt from the PVA, is that it is inconsistent with the requirements of other laws and regulations and could lead to disappointed expectations and even prosecutions. Landholders could proceed with developments that may destroy threatened species and breach the TSPA or other laws and regulations, with the potential for prosecution.

Most landholders do care about the nature of their area, and do not want to be responsible for damage, but they do not generally have the knowledge to be able to assess natural assets and the impact of their development. When flora and fauna experts are engaged, usually through requirement of a planning authority, the consultants aim to identify ways for the development to proceed while avoiding impacts on natural values.

The exemption of Agriculture Zone from Priority Vegetation Area overlays does not comply with the Land Use Planning and Approvals Act 1993 s34 (2)(c)

This aspect of the Natural Assets Codes is contrary to the objectives set out in Schedule 1 Part 1 of the Act:

1. The objectives of the resource management and planning system of Tasmania are –
 - (a) to promote the sustainable development of natural and physical resources and the **maintenance of ecological processes and genetic diversity**; ...

Sustainable development includes:

- 2.(c) (c) **avoiding**, remedying or mitigating **any adverse effects of activities on the environment**.

The draft LPSs of most municipalities have applied Agriculture Zone to hundreds of thousands of hectares of native vegetation across Tasmania, thereby effectively obliterating the Priority Vegetation Area Overlay that was mapped under the Regional Ecosystem Model and denying the application of the Natural Assets Code to this land. This is absolutely incompatible with the sustainable and ecological parts of the above objectives and so contrary to the Act.

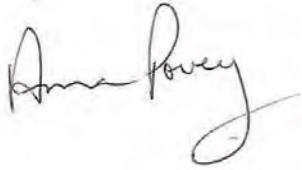
Conclusion - Strengthen the Natural Assets Code and apply Priority Vegetation Area to all zones

A Natural Assets Code with clear directions (as recommended by the Department of Natural Resources and Environment Tasmania) and a focus on "species protection and management" (along the lines recommended by Meander Valley Planning Authority), that is applied to Agriculture Zone (and all zones) would help satisfy the objectives of the Land Use Planning and Approvals Act for sustainable development.

Planning is about balancing values for all in the community and the environment with the needs of private landholders. Exempting much of the private land in Tasmania from the PVA is not balanced.

I urge the Minister to use this review of the State Planning Provisions to apply the Priority Vegetation Area overlay to all zones, including Agriculture Zone, and to improve the clarity and measures of the Natural Assets Code (as recommended by MVPA) so that it is better able to protect and manage species and ecological processes.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Anna Povey'. The signature is fluid and cursive, with a large initial 'A' and a long, sweeping tail that loops under the name.

Anna Povey



National Heart Foundation
of Australia
ABN 98 008 419 761
For heart health information
and support, call our
Helpline on 13 11 12 or visit
heartfoundation.org.au

13 July 2022

Department of Premier and Cabinet
State Planning Office
GPO Box 123
HOBART TAS 7001

Sent by email to: yoursay.planning@dpac.tas.gov.au

To whom it may concern

RE: Submission to the State Planning Provisions consultation, 2022

We welcome the Tasmanian Government's commitment to planning reform to enhance the quality of life for all Tasmanians. The way we build cities, communities and neighbourhoods underpins people's ability to be active where they live, work, play and learn. Activity-promoting built environments are therefore central to a prosperous, healthy, equitable and sustainable Tasmania.

The State Planning Provisions (SPPs) will help shape the future for Tasmania through strategic land use planning. Healthy, active and thriving communities are created and supported with the vision and efficacy of strategic policies like the SPPs.

For more than 60 years, the Heart Foundation has been fighting for Australian Hearts.

We have a vision of an Australia free of heart disease. Our mission is to prevent heart disease and improve the heart health and quality of life of all Australians through our work in prevention, support and care, and research.

As part of our work, we are committed to getting more Australians more active, more often.

The Heart Foundation is the leading national organisation advocating for environments that enable active and socially connected communities, and we have a broad range of evidence-based resources to support and inform planning for these outcomes.

Innovative solutions are urgently required to improve Tasmanians' declining health. Aligning sectoral agendas with initiatives to promote population wellbeing and health equity offers considerable scope for achieving co-benefits across sectors. A healthier population produces a productive workforce, a sustainable economy, and more resilient communities. Improved population wellbeing may also reduce government spending on health services, freeing up funds for investment elsewhere.

FEEDBACK

Prioritise physical activity through built environment infrastructure enablers to support healthy and socially connected communities. This includes:

- improving the quality of footpaths;
- provision of attractive and amenable destinations;
- active transport options (walking, cycling, scooting, e-mobility);
- quality public open space; parks; playgrounds with shade and shelter;

- connected, convenient, accessible and timely public transport options;
- opportunities to meet and interact in community spaces and places, that build a sense of place and forge vibrant and active neighbourhoods.

Creating healthy built environments

Planning and health are intimately related. People need to live in health-promoting environments to be mentally and physically well. They need places that support them to be active, socially engaged, and within easy distance to daily needs.

Cardiovascular disease (CVD) is a major cause of death in Tasmania. Nationally, one person dies from CVD every 12 minutes.¹

Tasmanians have the second highest rate of CVD in the nation. The prevalence of risk factors for heart disease in Tasmania are well above national average:²

Insufficient Exercise – 67.8% (nationally 66.1%)

Obesity – 33.6% (nationally 31.3%)

High Blood Pressure – 22.9% (nationally 22.8%)

Smoking – 17.9% (nationally 15.1%)

If adults meet the national physical activity guidelines (including 30 minutes brisk walking, 5 or more days per week), they **can reduce their risk of heart disease by as much as 35%**.^{3,4}

Where we live, work, play and learn are all key parts of our built environment and can positively or negatively impact how active we are. We know it's easier to be active in your local area if:

- your home is close to shops, schools and services so you can walk or cycle, instead of driving;
- there is supportive infrastructure such as footpaths, safe road crossings and cycle paths;
- a variety of quality spaces are within easy walking distance, such as green areas, plazas, open space and recreational facilities; and
- there is access to structured and informal activities within public spaces.

The design of the built environment can support us all to be more active and interact with others.

We suggest that this high-level overview of the rationale for creating healthy built environments be kept in mind when considering the development of the Tasmanian SPPs.

The [Tasmania Statement](#) is an important Tasmanian Government commitment to this end that provides the context for building health into planning frameworks and decisions.

The need for action to improve health and wellbeing outcomes for all Tasmanians is clear:

- Physical inactivity contributes over 20% of the burden of heart and blood vessel disease in Australia and so investing in solutions to Australia's rising inactivity levels should be a national priority. Nearly six in 10 adults, three-quarters of seniors and over eight in 10 children and young people are not active enough for good heart health. This ranks Australia among the world's most inactive nations.⁵

Commented [SH(1): Make sure terminology is consistent eg use footpath or walkway throughout

- More than 4 of every 5 Tasmanian adults are physically inactive (83.2% in Tasmania, 82.7% nationally).⁶
- Sedentary behaviour and insufficient activity are risk factors for poor health outcomes including heart disease.

Physical activity, including walking and cycling, plays an important role in reducing the risk of cardiovascular and other chronic diseases⁷ and brings with it a wide variety of benefits for physical and mental health, as well as social and community health.^{8,9}

Please find attached (Appendix 1) a list of Heart Foundation evidence-based resources that would help inform health-promoting planning in Tasmania. Furthermore, I recommend two notable resources of international credibility to inform your work:

1. The Lancet Global Health Series – *Urban design, transport and health* (May 2022)
<https://www.thelancet.com/series/urban-design-2022>
2. RMIT Centre for Urban Research - *The Healthy Liveable Communities Urban Liveability Checklist*
<https://cur.org.au/project/the-healthy-liveable-communities-urban-liveability-checklist/>

I look forward to the next iteration of this process and would be delighted to discuss any aspect of the above with you in due course. I can be contacted at kate.white@heartfoundation.org.au or on (03) 6220 2210.

Kind regards



Dr Kate White
General Manager - Tasmania
National Heart Foundation of Australia

¹ Australian Bureau of Statistics. Cause of Death 2018. 2019, ABS: Canberra.

² National Heart Foundation of Australia. Interactive Australian Heart Maps – Tasmania, 2022
<https://www.heartfoundation.org.au/health-professional-tools/interactive-heart-map-australia>

³ Australian Institute of Health and Welfare. Australia's health 2016. 2016, AIHW: Canberra.

⁴ UK Chief Medical Officers. UK Chief Medical Officer's Physical Activity Guidelines. 2019. Department of Health and Social Care: London

⁵ National Heart Foundation of Australia. Blueprint for an Active Australia. 3rd ed. 2019.

⁶ Australian Bureau of Statistics, National Health Survey 2017-18. 2018.
<https://www.abs.gov.au/statistics/health/health-conditions-and-risks/national-health-survey-first-results/latest-release>

⁷ Turrell G. et al. Do active modes of transport cause lower body mass index? Findings from the HABITAT longitudinal study. *J Epidemiol Community Health*. 2018; 72:294-301.

⁸ Armstrong T, Bauman AE and Davies J. Physical activity patterns of Australian adults: results of the 1999 National Physical Activity Survey. 2000. Australian Institute of Health and Welfare.

⁹ US Department of Health. *Physical activity and health: A report of the Surgeon General*. 1996.

APPENDIX 1

1. Healthy Active by Design (Heart Foundation)

healthyactivebydesign.com.au/

Healthy Active by Design (HABD) is the leading national design guidance for healthy built environments. It details eight design features and associated guidance that can be incorporated into cities, towns and suburbs to make them healthier and more supportive of active transport. HABD provides the best-available evidence, practical advice, checklists and case studies to help with the development of healthy neighbourhoods and communities that promote walking, bike riding and an active public life.

2. Blueprint for an Active Australia (Heart Foundation, 3rd edition, 2019)

heartfoundation.org.au/getmedia/6c33122b-475c-4531-8c26-7e7a7b0eb7c1/Blueprint-For-An-Active-Australia.pdf [PDF]

The Blueprint is the result of a collaboration between the Heart Foundation and over 50 of Australia's leading experts on physical activity, health, the built environment, transport and planning. It presents an irrefutable and urgent case for change and evidence-based actions for government and the community that can form the basis of a systems approach to addressing the major public health problem of physical inactivity.

3. What Australia Wants: Living locally in walkable neighbourhoods (Heart Foundation, 2020)

irp.cdn-website.com/541aa469/files/uploaded/What_Australia_Wants_Report_.pdf [PDF]

Overwhelmingly, Australians want to live locally in walkable neighbourhoods, with easy access to fresh, healthy food, and other everyday destinations, according to a survey of 2,895 Australians. Key findings include:

- Just over eight in 10 value having natural elements such as trees and plants.
- Eight in 10 people surveyed feel that having quality public open space close to them is very / somewhat important to them when deciding where to live.
- Nearly eight in 10 people surveyed said it's very / somewhat important to them that they can be active in their local area.

4. Active Travel to School, Urban Design Study (Heart Foundation and Architectus, 2019)

irp.cdn-website.com/541aa469/files/uploaded/Active_Travel_to_School.pdf [PDF]

Active Travel to School is an urban design study report prepared by the Heart Foundation and consultants Architectus. The report outlines how active travel to school benefits communities – and how it can be done. It examines potential street design interventions to improve access for walking and bike riding in three locations (inner urban, urban and suburban).

5. Good for Busine\$\$, The benefits of making streets more walking and cycling friendly (Dr Rodney Tolley & Heart Foundation, 2011)

irp.cdn-website.com/541aa469/files/uploaded/Heart_Foundation_Good_for_Business_2011.pdf

Written by Dr Rodney Tolley, commissioned by Heart Foundation South Australia, *Good for Busine\$\$* outlines economic and other benefits of making streets more walking and cycling friendly.

*'... a well-designed, quality street environment that promotes walking, cycling and public transport is good for business.'*¹⁹

6. Active Streets – The new normal for public space (Heart Foundation, 2020)

https://irp.cdn-website.com/541aa469/files/uploaded/PositionSnapshot_ActiveStreets-the_new_normal_for_public_space_FINAL.pdf

The Heart Foundation has published a position snapshot document calling on local government to ensure all Australians have safe streets for walking and cycling by:

- allocating extra street and footpath space for people walking and cycling to support social distancing
- reducing vehicle speeds on local neighbourhood streets
- automating street crossings to eliminate the need to touch the push buttons.

With increased numbers of people reported to be exercising in their local area, it is important to ensure sufficient space is provided to maintain social distancing (1.5 m in Australia).

Now is the time to rethink how we respond to the 'new mobility' for a healthier and more equitable future.

Read our [Active Streets – the new normal for public space position snapshot](https://irp.cdn-website.com/541aa469/files/uploaded/PositionSnapshot_ActiveStreets-the_new_normal_for_public_space_FINAL.pdf).

From: shelw@iinet.net.au
To: [State Planning Office Shared Mailbox](#)
Subject: Zoning of 68 Lakeside Road
Date: Thursday, 14 July 2022 7:27:41 PM

RE: State Planning Provisions review

Hi, I am writing to you in regard to the State Planning Provisions review that is currently being undertaken.

My husband and I have been residents of the Devonport council area our whole lives and are the current owners of 68 Lakeside Road in Eugenana. We have lived at this address since 2001. When we first moved to this address we were told, at that time, that we were zoned Rural Residential and our two neighbours properties had been subdivided off the original property. It has recently come to our attention that we are now zoned as Agricultural. Our understanding, after reading the documentation on planningreform.tas.gov.au, is that our property is not zoned correctly. According to the Tasmanian Planning Scheme- State planning Provisions 21.0 the purpose of the agricultural zone is to provide for the use of agricultural purposes on 'Prime' agricultural land. Unfortunately, our property is in no way 'Prime' agricultural land. In the 20 plus years we have lived here we have been unable to sustain any form of agriculture due to a number of limiting factors that the property possesses.

It is impossible to have any form of success with any crops here due to the steep southern aspect of the property, the poor limestone soil with large rocky outcrops and the fact that more than 50% of the property is bush. We have tried to graze but could not sustain more than two head of cattle successfully, they caused erosion as the soil was too poor to cope with their grazing. We do currently have a few miniature goats who are able to cope with the rocky, steep nature of the property but we still have to buy in hay and supplementary feed in order to maintain them as we are unable to produce enough feed. We are unable to even bale hay as the hills are too steep to mow and the grass does not grow enough anyway.

Two of our boundary neighbours are currently on properties of less than five acres and zoned as Rural Living to the best of our knowledge. The surrounding area has also been zoned as Rural Living and been substantially subdivided in the last 15 years. Prime examples of this are Kelsey Tier Rd, Bobwhite Dr, Melrose Rd and Tugrah Rd. Ideally, we would also like to be zoned as Rural Living A or B to allow us to apply to council to make our property a bit smaller and more manageable through a small subdivision. As we are getting older and have both been diagnosed with chronic medical conditions, we would like to be able to have the ability to subdivide off a small portion of 5-15 acres of agriculturally unusable land of our 50 acres of agriculturally unusable land to pay for medical expenses so we can stay in our family home.

We firmly believe if you were to come to our property to see for yourself you would see that it holds no agricultural value at all and is definitely not 'Prime'. Please feel free to contact us if you would like to inspect our property or if you have any questions.

Kind Regards,

Lisa and Scott Willett

0408 991 386 (Lisa)
0488 387 238 (Scott)
shelw@iinet.net.au

From: [Craig Vertigan](#)
To: [State Planning Office Shared Mailbox](#)
Subject: State Planning Provisions review
Date: Saturday, 16 July 2022 8:47:53 AM

I am giving my comments on the public consultation for the planning provisions in regards to bike infrastructure.

I am a regular rider to work. My work NRE has good bike parking infrastructure for staff. But the planning provisions don't provide a consistent approach to providing this level of parking infrastructure to all buildings. There are different numbers of bike parking spots for staff based on the type of industry the building caters for. This makes no logical sense. Instead it should be consistent across the board.

There should be a distinction between staff parking and public parking. Staff park should be undercover, not available to the public and secure. Public parking should be near the entrance to any public buildings and easily accessible. For apartment buildings there is also the need to have secure undercover parking spots available for each apartment.

Regards
Craig

From: [Circe Alditheral](#)
To: [State Planning Office Your Say](#)
Subject: Planning System Reform consultation
Date: Monday, 18 July 2022 11:09:23 AM
Attachments: [Nipalune sketch final.jpg](#)

Hi,

Tasmania's planning system needs to go forward, not backwards — and that means understanding world-class demonstrations, and taking on-board what has been advised in Australia.

In the planning system, Tasmania needs to be in-step with its Brand, including our uniqueness and the nature of this Land.

We can consider how to fulfil this whilst also saving money and achieving our values — this is something that is doable (and win-win), and it cannot be just a missed opportunity.

Firstly, the transport system needs to be equitable, holistic, and accessible.

This means learning from Dutch guidelines which have produced a situation where transport modes & trips are a matter of choice, with Sustainable Safety in-built — the situation means that drivers are the happiest there, as well as children (AAA) who have the freedom to develop independence; costs are also reduced due to less traffic congestion, and the cars are tools rather than a forceful money-sink to pockets and infrastructure in the long-term.

There is also a multi-functional cost-benefit from the health benefits (on people & the system) which result from some of the side-effects of this more equitable system, including walking and cycling. Modes like these (and public transport) are inherently much more efficient than cars, whilst also not producing noise and added costs without reciprocal benefit.

The model should be 'autoluw', which gives vehicles accessibility instead of dominance — this makes much more sense.

Branching off from this is urban design, which is aided by this transportation system which increases community & our values, including treating housing as a right and full of choice and variety.

This means transitioning back to a slightly older version of design in Tasmania, but with all the modern standards which ensure liveability. This treats Tasmania as our home, where we organically grow from (along with recommendations on 'constructed' environments with cohesive ecosystems & complementary architecture).

Suburbs have been transformed, as well as in the rest of Australia, NZ, the US, Canada, and the UK, into a formal urban building block, and restrictions and unnecessary red-tape have forced singular types of urban form to be created as sprawl (which increases overall prices, rather than just valuable properties).

Suburbs should be the natural attachments to the city which formed from artisans who chose to live such a lifestyle. There should be a freer density transition with more inclusive zoning, which enhances a 'village'-like feel in how we live, as well as allowing all people in varying circumstances to choose exactly the lifestyle which suits them.

The largest spectrum of course is the 'missing middle', and there is a lot of room for change.

The Greater Hobart 30-Year Plan has already reached the point of discussing these points. With demonstration of benefits, the public will be in a win-win situation all-round.

Things will be much easier however, if these things are statewide, and lobbied nationally. If these guidelines are set now, then we'll be on our way towards a better system.

We can always learn from history and be inspired from the world and our home.

Thanks.

From: [Peter Wileman](#)
To: [State Planning Office Shared Mailbox](#); [Ferguson, Michael](#)
Subject: Planning reform submission
Date: Monday, 18 July 2022 12:11:28 PM

Peter and Doreen Wileman
13A Lyall Street
Westbury
Tasmania 7303

0422074100

18th July 2022

Sir,

Submission regarding the State Planning Provisions

Tasmania's point of difference from the rest of Australia is its natural beauty and the largely unspoilt historical cities, towns and villages. All of these characteristics are under threat by the new planning scheme. Simply put, the state government are removing the right of Tasmanians to have a say in how places are developed. Each Development Application (DA) is now judged more [\[PW1\]](#) [\[PW2\]](#) by how the application fits within a set of rules that were instituted before the public had any say by the Gutwein government. Councils can only judge whether an application fits into the framework of the rules. This set of rules has greater benefits for the profit margin of the developer (often interstate developers) than the community. In fact, 'community' has little opportunity to influence a DA outcome. Each DA is judged as a distinct entity as to whether it fits within the rules that have been imposed, without reference to the surroundings, which is why Prospect is being swamped with housing unit developments one after the other, packed as tightly as possible to maximise profit (and council rates).

It is widely known that there is a housing crisis in Australia. This should not mean that developers should be allowed to develop with the effect of spoiling communities. Developments should be appropriate and protection needs to be applied to natural, scenic and heritage precincts, and the members of a community are better able to judge the suitability than an office in Hobart. A development of any number of black and orange colorbond cubes could theoretically be imposed on the main street of Ross by the current planning scheme without the residents having any say in the decision. The scheme must be changed. It appears that we must remind the government that Australia is still a democracy.

Sincerely,

Peter and Doreen Wileman

From: [Peter Wileman](#)
To: [State Planning Office Shared Mailbox](#); [Ferguson, Michael](#)
Subject: Submission re planning scheme
Date: Tuesday, 19 July 2022 9:46:38 AM

Peter and Doreen Wileman
13A Lyall Street
Westbury
Tasmania 7303

0422074100

19th July 2022

Sir,

Submission regarding the State Planning Provisions

As a resident of an historic Tasmanian town, I'm concerned with the amount, density and inappropriate design of housing development that the Meander Valley Council (MVC) are allowing to be built citing the Tasmanian Planning Scheme as leaving them no option to but allow the development.

Westbury has a relatively large number of buildings that are Heritage or National Trust listed. Using the MVC mindset, it is quite probable that these buildings and their grounds may be subject to development applications that the MVC are powerless to deny. We enjoy the open, public, green areas such as the Village Green and the Town Common that are partly bordered by housing on large blocks that may be subject to strata titling or subdivision, which would detract enormously from the current sense of the village.

Overseas, planning schemes allow for 'Ensemble' precincts, or Architectural Conservation Areas. These systems rely on the community and the local council to proclaim and maintain areas with controls over what can be built, and what materials may be used to build further buildings within the area. The whole advised by the Heritage Council. As an example of these preservation systems please see:

<https://research-repository.griffith.edu.au/bitstream/handle/10072/337823/MatthewsPUB2723.pdf?sequence=1&isAllowed=y>

I urge the minister to consider allowing such tools be applied to the Planning Provision in order to retain the charm and heritage values that is part of the reason that people choose to live in Tasmania, and part of the expectations of tourists and the continuation of the tourism industry.

Sincerely

Peter Wileman

From: [S Anstee](#)
To: [State Planning Office Shared Mailbox](#)
Subject: Bike parking
Date: Monday, 18 July 2022 7:38:38 PM

Hello

With regard to the state planning review, I would like to add my voice for more consideration to be given to bike parking.

This is both for new developments and around shopping areas.

I have found it a constant battle to find an easy/suitable place to lock up a bike where it won't interfere or fall over on accommodation areas or on the city streets of Hobart.

Thanks for your attention to this matter.

Regards Stephen

From: [Ferguson, Michael](#)
To: [Ferguson, Minister](#)
Subject: FW: Brief submission on Review of State Planning Provisions
Date: Sunday, 17 July 2022 5:34:34 PM

Dear Minister Ferguson,

Having recently experienced the inadequacies of the current State Planning Provisions first hand, and also observing the increasing use of exemptions used in particular by Government agencies to avoid proper planning controls, I wish to express my support for PMAT and their vision: “for Tasmania to be a global leader in planning excellence. We believe best practice planning must embrace and respect all Tasmanians, enhance community well-being, health and prosperity, nourish and care for Tasmania’s outstanding natural values, recognise and enrich our cultural heritage and, through democratic and transparent processes, deliver sustainable, integrated development in harmony with the surrounding environment.”

The standard of planning in Tasmania is way behind most of the rest of Australia and is currently a very long way from ‘world’s best practice’. There is no reason that this need or should continue. We have good planners here but the framework within which they are operating is not reflective of what Tasmanians want, for now or our future. The public also want more say.

I also urge you as Planning Minister to accept the Tasmanian Planning Commission’s recommendations as part of the State Planning Provisions review, unlike in 2017 when the State Planning Provisions were first created.

There is no point in having reviews if their recommendations are not accepted. It’s a waste of taxpayers’ money and voters’ goodwill otherwise, and will further erode public confidence in the way the Government operates. It’s now time to put this right and to act with confidence and integrity to remedy this situation.

Thank you and kind regards -

Robyn Lewis

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22 July 2022

State Planning Provisions Review 2022

Bicycle Network represents more than 48,000 bicycle riders nationally and is committed to making it easier for more people to ride more places more often.

Mandatory end-of-trip facilities for bike riders in new developments and retrofitted into existing buildings would be an important improvement and would help people to make the decision to ride.

The government committed to us in 2018 to working towards the goal of end-of-trip facilities in new buildings, initially through the review of the Walking and Cycling for Active Transport Strategy and more recently through the review of these provisions in conjunction with the Active Transport Strategy review.

We have also called for direction from the Tasmanian Government on the type of cycling infrastructure to be built on new and upgraded roads to enable the creation of All Ages and Abilities networks. This sort of direction should be included in planning laws so new subdivisions and road upgrades automatically include cycling facilities that the majority of the population would be happy to ride on.

Bicycle Network recently made a submission to the Tasmanian Planning Policies consultation and similar concerns are raised in this submission. We also made a submission in 2016 when the State Planning Provisions were first introduced and much of that submission is reiterated here.

Reform is needed

Our planning laws prioritise private car travel over active transport like riding and walking, which is out of step with national and international best practice.

While the majority of people travel by private car, it could be argued that is the case because our planning system makes that the easiest way to get around. If we had separated cycling facilities and secure bike parking at all destinations, then bike riding would be more prevalent.

We'd like to see more balance in the planning system to encourage cycling and walking for transport, especially for short trips, but also to link growth areas with urban centres, especially as electric bicycles mean more people are able to ride further than on conventional bicycles.

The main elements that need to change in our current planning provisions are the explicit provision of bike parking and end-of-trip facilities for employees, and for residents in multi-unit blocks.

We also need a requirement for safe cycling paths and on-road separated cycleways on new and upgraded roads.

Mechanism for delivering government visions

Our planning laws are one of the most important mechanisms governments can use to shape the way land is settled and used.

How land is used has an impact on many other areas of government responsibility.

Encouraging more people to ride bicycles can help the government achieve goals outlined in its health, road safety and environmental strategies.

- *Healthy Tasmania Five Year Strategic Plan 2022–26* – Fewer than 2 in 10 adult Tasmanians get the physical activity they need to stay healthy and only 3 in 10 of our children are not active enough. It's why the Healthy Tasmania plan has committed to "plan and build places that support health and wellbeing and physical activity" and "build infrastructure that makes walking, cycling, accessibility and public transport a safe and viable alternative to driving". It would be easier to achieve these goals if such infrastructure was required by our planning laws.
- *Towards Zero – Tasmanian Road Safety Strategy 2017-2026* – bicycle riders unfortunately appear in the serious and fatal injuries in our road toll every year. Building more separated cycleways and wide, sealed shoulders can help reduce the risk of people being hit by drivers.
- Climate Change (State Action) Amendment Bill 2021 – proposes a target of net zero emissions by 2030 and five-yearly emission reductions plans for sectors, including transport. Transitioning to electric cars will take years because of the great expense, whereas helping people to ride bicycles and electric bicycles could help us reduce emissions faster and have the lasting benefit of fewer cars on the road creating traffic congestion.

Fixing loopholes & reducing floor space

The review should also fix loopholes in the way planning laws are applied.

We've heard that developers can walk away from a build without any bike parking and end-of-trip facilities being included. That's because bike parking requirements are based on the type of business use and that's not determined until the spaces are leased. Builders can leave an empty space for bike parking, but that space could be used for other purposes.

The provisions should be changed so developers must include bike parking and end-of-trip facilities based on likely employee and visitor numbers for the type of building.

Another loophole occurs when multiple small businesses are proposed for a building, with none of them reaching the minimum floor space to require bike parking. The floor space applicable for these sorts of land uses need to be reduced substantially to capture small as well as medium and large businesses.

The requirement in a few of the categories for 1 bike space per 500m² of floor space is very low compared to other states which use similar methods of calculation. In certain sectors like Business and Professional where open plan office design means 30 or so people may be sitting in a space that size, consideration should be given to basing parking on potential employee numbers for the space.

The building Bicycle Network is located in, for example, is professional and about 1000m². It has multiple tenancies in one half and one tenant in the other half, this means if it was being built tomorrow it would only need one or two hoops outside. We regularly have up to 9 or so bikes in our staff bike parking area in the secure car park and visitors use the two hoops out the front of the building. And this is in a building where the space is not being used as intensively as it could for employee seating.

Developers should also be required to demonstrate that adequate bike parking already exists in a building before applying for an exemption for an addition or renovation to the building. We recently saw the situation where the Royal Hobart Hospital had a new wing built without any bike parking included, even though there is no secure bike parking away from public access for many of its staff.

Changes to the current Planning Provisions

P 22 General Residential Zone requirements – 8.6.2 Roads (h) and p 21 of the Inner Residential Zone code 9.6.2 Roads (h).

Performance Criteria – *(h) the need to provide bicycle infrastructure on new arterial and collector roads in accordance with the Guide to Road Design Part 6A: Paths for Walking and Cycling 2016;*

There is a more comprehensive cycling guide produced by Austroads called *Cycling Aspects of Austroads Guides 2017* which may be a more suitable guide to cover all the possibilities of providing cycling access, or should be at least used in addition to the guide to paths.

But, ideally, the Tasmanian Government would have its own directions on cycling infrastructure as other states have done rather than planning laws having to “have regard to the need” for a wide range of infrastructure options. Other states have produced their own guidance or direction to ensure the right infrastructure response for the conditions is used.

We know, for example, that infrastructure physically separated from traffic encourages more people of all ages and abilities to ride who wouldn't do so if that separated path or lane wasn't there, but in the Austroads guide it appears as one of many options.

We'd like to see the government produce a design guide for cycling infrastructure in Tasmania that clearly outlines the standard of infrastructure that must be built on roads according to the expected number of cars and speed limit of the road and needs of the community. On some roads in built-up areas of Tasmania this would be separated cycling infrastructure because of high speed limits and volume of cars and on others that are low speed and low volume it could mean lower speed limits and painted lanes/positioning.

Changes to the Parking and Sustainable Transport Code

The Parking and Sustainable Transport Code governs the nitty gritty of what bicycle parking should look like, where it should be located and how many spots provided.

The objectives outline the goal of making it easier to ride a bicycle but unfortunately the bike parking requirements do not reflect these objectives:

- C2.1.1 To ensure that an appropriate level of parking facilities is provided to service use and development. [it's not clear whether this includes bike parking or is just about cars]
- C2.1.2 To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.
- C2.1.3 To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.

Further into the code, C2.6.7 seems to concentrate on bike parking for visitors (short-term parking) so it should say this clearly.

It does not define what safe and secure bike parking means. Providing a hoop out in the open is not always secure as thieves can get to bikes and cut locks, which is why other measures need to be implemented such as lighting, CCTV, and being put in a zone where employees or visitors can see the bike parking area.

In C2.6.7, A1 it's not clear why A1 only kicks in for 5 bicycle spaces or more, all of the requirements would be just as important for 2, 3 or 4 spaces. The minimum number requirement should be removed, or at least lowered.

The code doesn't differentiate between the type of bike parking to be provided for staff and residents, and visitors. This is an important distinction as bike parking for visitors is short term and needs to be near an entrance and easily accessible, whereas staff bike parking is long term and should be undercover, secure and not accessible to the public. Although providing undercover parking is also important for visitors.

Good guidance for bike parking requirements is the Austroads Research Report – *Bicycle Parking Facilities: Updating the Austroads Guide to Traffic Management*. It makes the following distinction between different types of bike parking.

Table 4.1: Bicycle parking security levels

Security Level	Style	Suitability
A	Bicycle Locker	Long-term parking that includes overnight storage.
B	Bicycle Cage	Day parking for staff, students and public transport users. Some overnight parking in residential buildings.
C	Bicycle Rack	Short-term parking such as visitor or customer parking.

Source: AS 2890.3:2015

This reflects the *Australian Standard AS 2890.3:2015 Parking facilities - Part 3: Bicycle parking*, which determines the three classes of bike parking.

While the code directs developers to follow the Australian standard in terms of the type of Class C bike parking to be provided, it does not direct developers to implement class A or B parking, but just to “have regard” to the standard.

There should be another section of the code that determines the design of bike parking and associated facilities for staff bike parking and for apartment blocks according to the classes in the Australian Standard and Austroads research report.

This section should specify the different needs for bike parking for these uses:

- Parking must be situated in an area only accessible to residents or staff.
- Parking must be close to the entrance of a garage or building at street level.
- Parking should be fixed to the ground as well as hanging off walls in recognition of the rise in heavier e-bike use and that women and older people are less likely to want to lift bikes.
- Electricity points should be available to charge e-bikes and e-scooters.
- Apartment buildings should provide an area where bikes can be cleaned and maintained close to the bike parking.
- Entrance ramps/driveways to bike parking should be built flush with the road surface.

End-of-trip facilities

Employee bike parking should have the added features of “end-of-trip” facilities.

In addition to bike and scooter parking, end-of-trip facilities should include showers, changerooms, drying areas for wet gear and towels, toilets, lockers and bike tools and air pump.

Good guidance for what should be recommended for end-of-trip facilities can be found in *Bicycle Parking Facilities: Updating the Austroads Guide to Traffic Management*.

It recommends one shower per five bicycle parking spaces and one change room per shower. Additional showers/changerooms are calculated after the first at one for every 10 additional bike spaces. Each bike space should also come with a locker that has space to store a change of clothes and bike panniers.

The planning laws for the City of Vincent in Western Australia are more generous, recommending end-of-trip facilities start at 5 bike parking spaces and then increase for every 5 additional places.

The added benefit of providing end-of-trip facilities is that employees can also use them after exercising at lunch time and they can be utilised by people walking, running and scooting to work as well as riding.

Table C2.1 Parking Space Requirements

There is no overarching Tasmanian guidance which could help determine how many bicycle parking spots should be provided in the planning provisions.

Because we don't have goals laid out for bicycle transport in a Tasmanian Planning Policy or within a government policy such as the Walking and Cycling for Active Transport Strategy, it is difficult to establish adequate bicycle parking numbers.

In the absence of any state-wide guidance, it is reasonable to strive for a goal of at least 10% of all Tasmanians using a bicycle in urban areas, but preferably 20% for town centres like Hobart, Launceston, Devonport and Burnie. The 10% goal is the absolute minimum outlined in the Austroads bicycle parking report:

- **CBD / Principal Activity Centres = 30% bicycle mode split target**
This rate reflects the high propensity for these urban environments to attract bicycle use, as they are major trip attractors and employment generators.
- **Town Centres / Major Activity Centres = 20% bicycle mode split target**
This rate reflects the moderate propensity for these urban environments to attract bicycle use, especially for local and short trips.
- **Other Urban = 10% bicycle mode split target**
This rate is considered to be a reasonable starting point for general urban environments.

We know from the 2021 National Walking and Cycling Participation Survey that 18% of people surveyed had ridden in the past week and 26.9% in the past month so 10% is an achievable target.

But even at the minimum 10% goal, the numbers of visitor parking recommended in the report exceed what currently exists in the state provisions and if the recommended 20% target is adopted for town centres then the state provisions would be seen as seriously lacking.

Separating visitors and employees

The current code only considers visitor parking except for a few selected land uses. There should be separate requirements for visitor and staff bicycle parking as the design and amount of parking differs.

The current code only considers employee parking for the land uses “educational and occasional care”, “manufacturing and processing”, “service industry”, “resource processing”, and “vehicle fuel sales and service” facilities, where staff (and students) get one bike park per five people.

Provision for staff bicycle parking should be implemented for all sectors, and one bike park per five full-time equivalent employees is a good place to start and fits in with the goal of 10–20% of people riding.

Multi-dwelling/apartment buildings also need to be included in the code, as they are currently excluded.

Ideally this should be one bike space per dwelling, especially when the buildings are located in inner city areas where bicycle and scooter transport would be the quickest and easiest mode for short trips.

Other states

Other states in Australia generally require minimum bike parking in apartment buildings, or at least in apartment buildings in central business/activity zones.

Western Australia State Planning Policy 7.3: Residential Design Codes, Volume 2 Apartments, 24 May 2019, provides for:

1 bike space per two apartments for residents and 1 space per 10 apartments for visitors.

The City of Vincent in Western Australia also follows the Austroads three-tier classification for bike parking to differentiate between security levels needed.

And Development WA, the state planning agency that sets standards for major development proposals, is the most generous we could find when it comes to apartments and bike parking. In the guidelines it set for the redevelopment of the Perth Girls School, for example, it recommended 2 parks per apartment as well as end-of-trip facilities for at least 10 bike parks:

Use	Requirement
Bicycle Parking	Bicycle parking is provided at a minimum rate of: a. 2 bicycle spaces per dwelling, may be added to residential storeroom or in a shared bike parking area. b. 1 bay per 10 dwellings or 200m ² NLA for visitors, located adjacent to the main public entrance of a building. c. 1 bay per 100m ² of net leasable area (rounded up) for staff of non-residential uses.
End-of-Trip Facilities	A minimum of 2 lockers is to be provided for every non-residential bicycle bay A minimum of two female and two male showers, located in separate changing rooms, for the first 10 non-residential bicycle bays. Additional showers to be provided at a rate of one male and one female shower for every 20 bicycle bays thereafter. At least one unisex toilet to be provided for every 10 showers or part thereof.

Table 7: Bicycle Parking Requirements and End-of-Trip Facilities

The City of Sydney requires 1 bike space per dwelling under Section 3 of the General Provisions of the Sydney Development Control Plan 2012. The same section also recommends visitor and employee bike parking numbers for different land uses and the three security classes for bike parking as in the Austroads report on bicycle parking.

The Victorian Planning Provisions require bicycle parking for employees or residents to be provided in a bicycle locker or at a rail in a lockable compound, while visitor bicycle parking is to be a rail.

Bicycle parking compounds should be fully enclosed, lockable and if outside provide weather protection, with bike parking supplied at 1 space per 5 dwellings and visitor parking on top of that.

For end-of-trip facilities for employees it recommends one shower for five bike parks and then one shower for each additional 10 parking spaces. One change room or access to a communal change room for each shower.

Heart Foundation's Liveable Streets Code

Bicycle Network is aware of the Heart Foundation's recommendation for a Liveable Streets Code and that in its 2016 submission on the state provisions it provided a draft starting point for such a code.

Our environment has a big impact on our transport choices. Streets that are designed around car use will encourage more car use and the pollution, inactivity, economic and road safety problems that come with that.

Streets designed so that walking and riding are on an equal footing with car use, or in some medium and high density environments prioritised over car use, mean that more people will choose those modes and all the benefits to the individual and society that come with that.

Having a Liveable Streets Code that requires separated cycleways or other suitable infrastructure to provide for safe passage for people of all ages and abilities to ride bicycles would help to deliver the necessary transformation of our streetscapes to encourage rather than discourage active choices like riding and walking.

Such a code could also be the mechanism to implement statewide design requirements for cycling infrastructure.

Bicycle Network supports the consideration of such a code to provide clear direction on how our streets should look to encourage more people to ride and walk.

Recommendations

More secure places to park your bike

- bike parking requirements should apply to multi-dwelling buildings at a minimum one bike space per dwelling.
- bike parking requirements should differentiate between employee parking and visitor parking.
- employee and resident parking should be undercover, have an extra layer of security such as swipe card or padlock access, and not be in a place accessible by other people, i.e. Class A and B of the Australian Standard.
- end-of-trip facilities should include one shower per five bike parking spaces and one change room per shower, with an extra shower and change room for every 10 extra bike parking spaces. Each bike space should have access to a locker.
- visitor parking can be made more secure by being located right next to building entrances or busy paths, well lit and within CCTV coverage.
- the minimum floor space before bike parking is required for high employee number businesses should be reduced to capture small businesses as well as medium and large businesses.
- loopholes that allow developers to finish builds without bike parking and showers being installed need to be closed.

Safer places to ride

- the government should provide direction on the standard of cycling infrastructure to be built on roads according to the number of cars expected and the speed limit. This means some roads with low speeds and fewer cars may have painted bike lanes but on roads with higher speeds and more cars, bikes and scooters will get their own path or on-road separated cycleway.
- paths for people walking and riding should connect through streets that are dead ends to cars.
- The review should consider adopting a Liveable Streets Code as recommended by the Heart Foundation.

Yours sincerely



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Which parts of the SPPs do you think work well?

Very few SPP's engage with the community lived experience within planning. Many people only become aware of planning issues when it is on their boundary or has a direct impact on their quality of life and lived experiences. In most cases it is a negative response and attempts to engage in the process usually come too late so many in the community are disempowered. Planning schemes and Legislation appears more complex and difficult to understand by many. Some Councils are unable to stop development applications because they fill the narrow criteria but in the reality of the real world do not fit the criteria of 'what is the proposal imposing onto the existing community. The balance is out of kilter and the community is disempowered to express concerns.

One size fits all approach to each Tasmanian community is creating poor planning outcomes and a very dissatisfied community with a series of eyesores they have to adapt to and live with.

There is no room for individual site specific concerns that could improve a development for all.

Which parts of the SPPs do you think could be improved? What improvements do you think should be prioritised?

There is a real need to provide a suite of State Policies that reflect quality of life improvements through planning guidelines that encompass not only the quantifiable elements but of equal value the qualitative elements that encompass spatial realities and liveability.

State Coastal Protection Policies

Skyline Development where protection is vital – ie Droughty Hills

Medium density design for future housing reflective of an Australian Tasmanian Character, (not just minimising lot sizes to ensure greed is satisfied.)

Integrated transport policies that reflect both urban, townships and rural links.

State Policy on settlement zoning that protects Agricultural land and Heritage.

Management of Population Growth and Development

Environmental Protection and Biodiversity that reflects community value and supports Climate Change issues.

State Tourism Policy - that manages and directs tourism rather than allowing open slather by development at all costs.

Vegetation Protection and Planting of New Vegetation for Timber Production and Species Conservation.

State Policy on Management of our Native Fauna (Not the current eradication process to suit farmers.)

Protection of Drinking Water Catchments, State Stormwater Codes to assist Councils – Stormwater runoff is not just a development issue but a planning issue.

Are there any requirements that you don't think should be in the SPPs?

Many of the policies that have gone from the State to local government have become watered down due to a lack of resources. This has created an imbalance and many loop holes that have allowed change that is not conducive to improved communities and towns and a catastrophic impact on our major cities in Tasmania.

Instead of rolling back the impact of State Planning Policies the State needs to take leadership and develop a vision that encompasses the best minds we have and the inclusion of the community values and desires adding to the process through continued involvement.

Are there additional requirements that you think should be included in the SPPs?

Resources need to be given for Statewide vegetation mapping which is then available to all Council areas and include biodiversity mapping, protection of endemic vegetation species, protection of Aboriginal sites of significance, (in consultation with the relevant Aboriginal groups)

Improve transparency regarding Reserve Activity Assessment Processes.

Coastal Mapping that ensures development is not allowed in risk areas and future areas that may be inundated due to changes from Climate Change.

Bushfire Risk Management of Areas that are Treed – The State needs to oversee the limitation of incursions into wooded hillsides by small lot development that is carving up the State's wooded hillsides and placing huge bushfire risks to those who live there. This must be a State Policy to ensure open and transparent guidelines inform the community to the hazards for all.

Are there any issues that have previously been raised on the SPPs that you agree with or disagree with?

Limitation on the areas of impervious surfaces must be brought in to stop the 'concreting' of the new minimum lot sizes reducing the opportunity for open space development on residential sites.

Many of the current developments happening on the edges of towns in Tasmania are being paved to the boundaries.



Are there any of the issues summarised in the *Review of Tasmania's Residential Development Standards – Issues Paper* that you agree or disagree with?

I agree with the following :

- the drafting being too complex and difficult to interpret;
- mismatches between objectives, acceptable solutions, and performance criteria in the standards;
- some standards being too prescriptive causing more applications to be pushed into the Discretionary pathway;
- some standards not achieving their intended outcome; and
- potential mismatches between the standards and decisions of the Resource Management and Planning Appeal Tribunal (now the Tasmanian Civil and Administrative Tribunal (TASCAT)).
- The objectives, acceptable solutions and performance criteria should be redrafted to better protect local character, amenity, sunlight and privacy.
- The standards are focused on either single or multiple dwellings rather than providing a variety of residential development forms.
- Concerns with a one-size fits all approach not considering streetscape, character and urban form or accommodating current technologies, economic circumstances, and emerging fashion.
- The standards suppressing rather than promoting innovation in design of structures and use of land.
- The standards encouraging inefficient use of land and encourage community isolation rather than inclusion.
- The standards potentially leading to poor outcomes, such as large buildings on small blocks.
- Unclear performance criteria such as references to "compatible with adjoining dwellings", "unreasonable loss of amenity", "visual impact of apparent bulk, scale and proportion", "potential to dominate frontage", "minimize detrimental impact", "mutual passive surveillance".
- Performance criteria encouraging people to make submissions that express concerns not relevant to the proposal – e.g. allegations of unreasonable impact on amenity,

incompatibility with existing character, expectations for uninterrupted access to sunlight and protection of views and outlooks.

- The complexity of determining the compatibility of the density of a development with the surrounding area as required by the performance criteria.
- A lack of clarity for determining when it is appropriate to exceed density requirements based on a social/community benefit.
- Concerns with the Permitted minimum site area per dwelling of 325m² being inconsistent with local character and amenity expectations in the General Residential Zone.
- The minimum site area per dwelling not allowing for creative solutions for development.
- A mismatch between the density standard and subdivision standards in the General Residential Zone.

I totally agree that

Concerns that it contributes to residential developments that deliver poor design outcomes and which diminish the neighbourhood character.

- Concerns with potential overshadowing, loss of privacy and solar access.
- Mismatches between objectives, acceptable solutions, and performance criteria.
- The frontage setback is based on historic practice which pushes development to the rear of site resulting in under-used land and unusable private open space.
- Concern that the consideration of streetscape qualities and the requirement for integration of new development with the streetscape has been removed from the performance criteria for frontage setbacks in the Inner Residential Zone.
- A suggestion to restore the 4m rear setback due to potential impacts on neighbouring windows (solar access) and loss of rear garden area (vegetation loss, loss of privacy, less recreation space, character and amenity issues).
- The garage and carport setbacks should require the development to maintain or improve the streetscape, not be compatible with existing which may have existing undesirable garages and carports.
- Parking areas should be avoided within the front setback – the front area should be available for gardens to enhance the appearance of the property and streetscape.

The location of garage or parking structures behind line of the front elevation of a dwelling does not allow for best use of aspect and outlook, imposes limits on design options, and increases construction costs by needing to provide length of driveway.

- While primary frontage is defined, the reference to minor deviations and corner truncations is difficult to interpret.

- Suggestion that the building envelope requirement is the only development standard needed for dwellings.
- The building envelope requirement is difficult for non-experts to interpret – a simpler approach is needed.
- Tall buildings overshadow neighbours, reduce privacy and sunlight.
- Setback provisions do not take into account solar orientation – i.e. variations to the northern boundary setbacks may have less overshadowing impact than a compliant dwelling/shed on southern side of lot.
- Need to clarify whether the 9m or one-third of boundary limitation applies to both side and rear boundary setbacks – the side and rear setbacks are considered to be the most restrictive requirements.
- Clarification should be provided for ‘unreasonable’ overshadowing of a vacant lot and the compatibility test is not specific and is open to various interpretations and therefore uncertainty.

It is my opinion that Planning in this State needs to be INDEPENDENT AND FREE OF POLITICS and is evidence based with highly resourced and capable staff that are open to scrutiny. All processes must be transparent and open to the community,

Planning must be like an Ombudsman – independent and for positive enlightened development and protection of the natural world.

Planning must show leadership for this State and openly encourage community debate. Planning must continually inform, seek best practice and evidence based decision making which in the longrun will benefit and educate the community.

Kristine Ancher
1363 Richmond Road
Richmond TAS 7025

From: [Simon Castles](#)
To: [State Planning Office Your Say](#)
Subject: Bike infrastructure
Date: Friday, 22 July 2022 4:57:10 PM

Hello,

I would like to add my support to the article in the Mercury this week calling for more consideration for bicycle infrastructure in state planning provisions. Having worked in Melbourne and overseas I am constantly disappointed by how unfriendly Hobart is for commuter cycling. Hobart has unique geographical challenges but providing separated bike paths, end of ride facilities and secure storage options is key to increasing the number of cycle commuters. And the positive impacts of this is felt by all road users as well as the individual.

Thank you for considering increasing the planning provisions in relation to these issues.

Many thanks

Simon Castles



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25 July 2022

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State Planning Provisions Review

The current planning framework is failing to address existing and future needs of the community – particularly in regard to active travel provision. The Heart Foundation's *Healthy By Active Design* identifies the role in good planning for creating healthy communities. Unfortunately it currently relies on the goodwill of developers to incorporate many of the necessary infrastructure requirements as the planning scheme does not require them. These include:

- Bicycle parking provision in all apartment buildings to accommodate residents who own e-bikes, e-trikes, e-scooters and bicycles. The parking should be within a secure communal area that has a separate access point to a driveway for carparking and a proportion should not require bicycles to be lifted onto wall racks. Power points for e-bike charging is required.
- Employee bicycle parking, showers and lockers in all new or renovated buildings. Staff who exercise at lunchtime also benefit from showers and lockers.
- Visitor bicycle parking for all new large commercial buildings in the form of hoop rails near the front door of the building.
- All new subdivisions (greenfield sites) should provide separated cycleways on collector roads, footpaths on both sides of roads and shared pathways within public open space areas. Developments with cul-de-sacs should incorporate permeable design to allow people to walk or ride on the most direct route.
- Waterways should have a riparian reserve for stormwater management, wildlife corridors and recreational use. Historically waterways have been piped and often incorporated into housing lots or handed to council's as encumbered public open space, resulting in challenges managing storm events and poor quality of public land for recreational use. Riparian reserves need to be in addition to the 5% public open space allocation. This is particularly important along the coastline where coastal erosion and sea level rise are management issues.
- Major road projects should be required to provide grade-separated path crossings where traffic volumes and speeds are high (80 km/h or higher).
- A Liveable Streets Code, as recommended by the Heart Foundation, should be adopted.

Yours sincerely,

Mary McParland
Executive Officer



From: [Di Elliffe](#)
To: [State Planning Office Your Say](#)
Subject: Bike infrastructure in the State Planning Provisions
Date: Monday, 25 July 2022 9:14:57 PM

Att: State Planning Office
Department of Premier and Cabinet

Thankyou for the opportunity to have input to the review of the State Planning Provisions (SPP).

I am a long term resident of Hobart, a person who rides a bike every day for transport, shopping and recreation, and I am an inner city resident living in a medium density apartment building.

The State Planning Reform has a responsibility to develop guidelines that support communities to become more healthy, active, safe and sustainable, and to offer choices. The SPP need to prepare for the future, by acknowledging that our social and physical environments are changing rapidly. We demand healthier, more liveable cities and positive action on climate change. The SPP need to proactively support positive actions by both the State Government and Councils to develop safe and attractive infrastructure for cycling and walking.

I have a number of concerns around the SPP for bicycle parking. The proposed SPP are a step backwards compared to the old planning scheme. By requiring numerous car parking spots but many fewer bike parks, if any at all, the SPP contribute to an environment that makes riding a bike harder, not easier.

The old planning scheme clearly differentiated the number of bike parks for staff and number for visitors for every land use type, as well as the “class” of parking. That is, whether parking is provided as lockable lockers, locked compounds, or hoops out in the open.

However, the rationale for how the parking numbers have been determined for each land use in the SPP is not clear, nor why some industries have bike parking mandated for staff and others don't.

For some industries such as health, there are high numbers of car parking required for staff and yet no bike parking based on employee numbers. Other seemingly random industries have bike parking mandated for staff at one park per 5 employees, these include:

- educational and occasional care
- manufacturing and processing
- service industry
- resource processing
- vehicle fuel sales and service

Other industries, like general office, professional and retail have very small numbers of bike parking for staff and visitors, based on large areas of floor space that actually may contain many employees or customers. For general office use, for example, only one bike park is required per 500m². This is an area bigger than a professional basketball court and could fit many employees in an open office plan.

Making the distinction between bike parking for customers and staff is also important, as

visitor parking should be near an entrance and easily accessible, whereas staff parking should be undercover, secure and not accessible to the public.

Because the SPP focus is on visitor parking, the design required is for hoop rails near a building rather than the secure end-of-trip facilities required by staff.

There needs to be a specific section added to the code that deals with employee bicycle parking and also bicycle parking for apartment buildings.

One of the glaring omissions in the Parking and Sustainable Transport Code is the lack of any minimum bike parking requirement for apartment buildings.

This absence means that all the recent approvals for apartment buildings across Tasmania have not required secure, undercover residents' bike parking at street level. Some developers see the benefit of providing easy access bike parking and use it as a selling point, but others like to put pictures of people on bikes in their publicity material but don't actually provide suitable dedicated parking.

The current requirements for a specific minimum number of carpark spaces in residential developments should be removed completely. Let the market decide. These carparking spaces add over \$50,000 to the cost of an apartment and on top of this, buyers increasingly will prefer to get around on foot or by bike or scooter in highly walkable locations near to offices, shops and educational facilities.

A forward looking developer should offer carshare opportunities rather than parking spaces for individually owned cars. Developers could also investigate alternative arrangements to those who require private parking such as leasing nearby under utilised after hours parking spaces.

The SPPs, government and councils should replace the current Minimum CarParking Requirements with a Minimum Bicycle Parking Requirement, in order to help shift community behaviours toward healthy active cheaper transport and away from lazy, polluting, expensive and congesting individual car ownership.

Each apartment should be provided with a secure space to park a bicycle or scooter, especially if the building is in an inner-city area. This could be individual lockers or it could be a communal secured cage where a hoop/rail is supplied for each apartment.

Design requirements should also be enacted to ensure that residents' bike parking is located at street level, in a residents access only area, and that it has an extra level of security such as padlocks or swipe cards.

It is also important that entry into the bike parking should be via a driveway ramp that is flush to the road surface so bikes and scooters are not negotiating concrete lips which can cause wheels to catch and crash.

I'm also concerned about the lack of attention given to building Liveable Streets. The SPP include guidance on the sorts of cycling facilities expected on arterial and collector roads, but not a standard that developers must follow. When the SPP were first drafted the Heart Foundation put forward a Liveable Streets Code that would improve streetscapes for people walking and riding. Councils and developers need to acknowledge and address this nexus between the buildings and the streets.

To enable people of all ages to ride in safety and with enjoyment, a coherent network of physically protected bikeways and low speed shared streets needs to be established, and

quickly.

Something like this would help to transform our streets to places which encourage people to walk and ride rather than take the car as the first option. The SPP should provide clear direction on the sort of infrastructure to be built to enable more cycling, based on the number and speed of cars expected on the road.

Our state should have a set of clear guidelines on design for bike infrastructure. We need to incorporate the three measures of safety which feature in the Dutch bicycle provisions i.e.

Actual safety - How many km you can expect to travel before you're injured on your bike.

Subjective safety (sometimes called "perceived" safety) - Are you near fast moving traffic ? Is it easy to make a turn across traffic ? Do you have to cycle "fast" in order to keep up ?

Social safety - Is there a mugger around that blind corner ? Will I be attacked in the street if I cycle ?

We need to design and implement both on-road conditions and end of trip facilities which make cycling into an appealing option. This is the key to increasing cycle usage and improving road safety for bike and scooter riders.

Thankyou

Di Elliffe

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ENVIRONMENT PROTECTION AUTHORITY

26 July 2022

Department of Premier and Cabinet
State Planning Office
GPO BOX 123
HOBART TAS 7001

Email: yoursay.planning@dpac.tas.gov.au

To whom it may concern

SCOPING THE STATE PLANNING PROVISIONS REVIEW

I refer to a letter from Minister Ferguson MP, Deputy Premier, Minister for Planning dated 25 May 2022 seeking input to help scope the 5-yearly review of the State Planning Provisions (SPP) and provide the following on behalf of the members of the Environment Protection Authority Board (the Board).

The Board would like to take the opportunity to raise an apparent gap in the current system of SPPs, namely the inability of local councils to assess issues associated with construction impacts regarding noise and air quality, in addition to operational noise, air and water quality for Level 1 activities which are not caught up in the Attenuation Code, particularly where the proposal is a permitted use in the applicable zone.

In addition, the Board notes that the Scoping Paper introduces the concept of Tasmanian Planning Policies (TPP), and I would like to take the opportunity to thank staff from your Office for the briefing they provided the Board on the development process for the TPP. Having received the briefing, and after a perusal of the draft TPPs that are currently circulating with Government Agencies, I would note a level of caution as to their usefulness in providing definitive guidance on the future strategic direction for land use planning in Tasmania, as they are very generic and would appear to be adding another layer to an already complex system.

Further the Board seeks clarification on the following statement in the draft Environmental Values TPP:

The Environmental Values TPP seeks to protect environmental values by adopting, where relevant to the specific environmental value, the following principles:

- I. identify environmental values and determine their significance;

particularly as they relate to water quality. As you may be aware the principles and objectives for water quality management in Tasmania are provided in the State Policy on Water Quality Management 1997. It provides the management framework for the protection of water quality in Tasmania and provides for the implementation of the National Water Quality Management Strategy in Tasmania. The State Policy provides a framework for the identification of protected environmental values (and uses) of water bodies, development of water quality guideline values and water quality objectives setting process, and the management and regulation of point and diffuse sources of emissions to surface waters and groundwater.

The Environment Protection Authority published in August 2020 a technical guidance for Water Quality Objectives Setting for Tasmania, a copy of which can be found at [Technical Guidance for Water Quality Objectives Setting for Tasmania \(epa.tas.gov.au\)](http://www.epa.tas.gov.au/Technical-Guidance-for-Water-Quality-Objectives-Setting-for-Tasmania). The Board would be concerned about duplication, and potential discrepancies should the intention of the Environmental Values TPP be for local councils to replicate this work.

Thank you for the opportunity to provide comment on these issues, the Board looks forward to continuing to engage with the process as it continues.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Andrew Paul', is positioned above the printed name.

Andrew Paul

CHAIRPERSON

BOARD OF THE ENVIRONMENT PROTECTION AUTHORITY