

Improving Residential Standards Submission Index

No. Name/Organisation

- 1 Aboriginal Heritage Tasmania
- 2 YIMBY Hobart
- 3 Sorell Council
- 4 Department of Natural Resources and Environment Tasmania
- 5 DPZ Co Design - Carr Developments
- 6 South Hobart Sustainable Community – Local Planning Group
- 7 **Anonymous**
- 8 Tas Planning Information Network
- 9 Glamorgan Spring Bay
- 10 Office of the Coordinator General
- 11 Glenorchy City Council
- 12 Tas South - Renew Australia
- 13 Hobart not Highrise
- 14 Housing Industry Association Ltd
- 15 Patricia Kyne
- 16 Shelter Tas
- 17 **Anonymous**
- 18 Cradle Coast Authority
- 19 King Island Council
- 20 Property Council of Australia
- 21 Launceston City Council
- 22 **Anonymous**
- 23 Launceston Heritage not high rise
- 24 The JAC Group
- 25 Institute of Architects
- 26 Jenny Cambers-Smith
- 27 Megan Baynes
- 28 Heritage Tasmania
- 29 Mathew Munro
- 30 Department of State Growth
- 31 Brighton Council
- 32 Homes Tasmania
- 33 Clarence City Council
- 34 Meander Valley Council
- 35 Local Government Association Tasmania
- 36 Hobart City Council
- 37 West Tamar Council
- 38 Planning Institute Australia
- 39 Derwent Valley Council
- 40 Planning Matters Alliance Tasmania
- 41 Master Builders

From: Aboriginal Heritage Tasmania
Sent: Monday, 12 August 2024 11:27 AM
To: State Planning Office Your Say
Subject: RE: Consultation open on Draft Recommendations Report - Improving Residential Standards in Tasmania project

Thank you for the opportunity to provide feedback on the draft recommendations report for the Improving Residential Standards in Tasmania project.

It is understood that this is a high level administrative document in relation to the residential standards in Tasmania and that there is no proposed development as part of this project, however, AHT note that early consideration of Aboriginal heritage within the planning of any development is vital to ensuring that impacts to heritage are avoided where possible and that appropriate mitigation strategies are employed.

For further information of the Aboriginal heritage assessment process as well as legislative requirements under the *Aboriginal Heritage Act 1975*, please head to our website. Should there be any plans for development and ground disturbance, please contact AHT for further advice.

Kind regards,

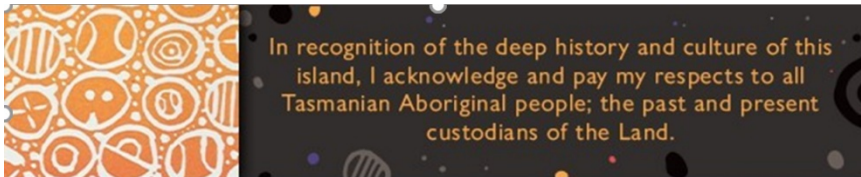
Hannah Waterhouse

Aboriginal Heritage Tasmania
Community Partnerships and Priorities

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134 Macquarie Street Hobart TAS 7000
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Please note Aboriginal Heritage Tasmania's forms are regularly updated so please ensure you are submitting the current form, available through the website.

13 August, 2024



To whom it may concern,

Thank you for the opportunity to comment on the *Improving residential standards in Tasmania* draft report.

YIMBY Hobart was established to advocate for:

- 1. Housing abundance:** More housing of all types where people want to live.
- 2. A city for people at all ages and stages, of all means and abilities:** Our city and suburbs should reflect the diversity of the community as a whole.
- 3. Better access for everyone:** Being an active participant in our city should not rely on owning a car.

On this basis, we support the intent of the document, and welcome the Government and State Planning Office's work to encourage medium-density and infill development. As the report makes clear, Tasmania has failed in recent years to provide adequate housing choice and supply, with corresponding impacts on affordability and the liveability of our cities.

In relation to the proposals contained in Section 4, *A mature suite of residential standards*, we are particularly supportive of:

- Making multiple-dwelling developments “no permit required” in the General Residential and Inner Residential Zones.
- Removing density controls in favour of plot ratios, though would like to see increased “bonuses” for density and social housing.

Alongside our support for the guidelines and their goals, YIMBY Hobart has several concerns with the proposed residential standards:

- We do not support the proposed height limits of 9.5-11m in the Inner Residential Zone. As noted in Section 2.1.9, developers of medium-density housing face barriers relating to land-values, construction and regulatory costs and financing. We are concerned the proposed limits will harm the viability of medium-density developments by limiting the number of saleable lots. We encourage the Government and State Planning Office to consider increasing these limits to 15-18m for apartments to widen the range of housing built and improve the viability of medium-density development. This higher range aligns with the bulk of the proposed height limits set out in the Central Hobart Plan, and would also be suitable for infill development areas such as the Northern Suburbs Transit Corridor and Glenorchy Central.

- We note the repeated use of the following caveat: “*development must have an X [height/setback etc] that is compatible with other dwellings in the streetscape*”. Given the intent of the proposed standards is to increase density in built-up areas, there will be many cases in which a proposal is not compatible with other dwellings in the streetscape as a result of it being the first medium-density development in an area. This fact should not stop otherwise compliant and appropriate developments proceeding.

Though we are sure COX Architects have considered the interactions between the proposed standards, we encourage the State Planning Office to ensure the component parts (i.e. plot ratios and height limits) do not work at cross purposes. Our comments are also made on the assumption the ambition obvious in the proposed changes to existing zones will flow through to the modified residential zones discussed in Section 6.

In relation to the proposed changes in Section 5, *Homes in business zones*; though they may be valuable at the margins, we do not believe they go far enough in encouraging diverse central business and activity centres. The mix of zoning in Tasmania’s built-up areas adds unnecessary complexity while limiting the ability of our cities to change in response to community need. In the 64 blocks that make up Hobart’s CBD there are two distinct planning schemes and seven zones (with an eighth one block away).

To address this issue, serious consideration should be given to adopting a single mixed urban use zone in existing central business and activity areas with either a residential, commercial, or ambiguous mix-use zoning. While the details of such a change require further development, many improvements proposed in Section 4 could be carried across to a new mixed-use zone, with multi-dwelling developments with commercial space on the ground floor becoming a “no-permit required” activity. Were this model adopted, “agent of change” provisions would be required to protect established hospitality and nightlife venues in city and activity centres.

On this basis, we support Option 2 as set out in Section 6, *The right housing in the right location*, as a step in the right direction to creating more flexible and adaptive zoning in our cities. We would like to see more work done on extending this approach.

Thank you again for the opportunity to comment on this document, and for your work on this important issue. We would be happy to meet with the Government or the State Planning Office to provide further context to our comments.

Regards,

Lachlan Rule
YIMBY Hobart

28 August 2024

State Planning Office
Department of Premier and Cabinet
GPO Box 123
HOBART TAS 7000

yoursay.planning@dpac.tas.gov.au

IMPROVING RESIDENTIAL STANDARDS IN TASMANIA CONSULTATION

The Sorell Planning Authority considered the above at its meeting of 27 August 2024 and resolve to make the following comments.

Council is supportive of the Improving Residential Standards in Tasmania Draft Report and the Medium Density Design Guidelines and look forward to the implementation of the various positive and necessary improvements identified.

Within the General Residential Zone, most housing stock is detached single-storey dwellings or single-storey unit development. In most cases, existing standards for setbacks, privacy and building envelopes work well in avoiding unreasonable impact to adjoining land. Most concerns with the existing standards relate more to the quality and level of design care undertaken, particularly with respect to low levels of integration between indoor and outdoor spaces, minimal passive solar design and poor private open space outcomes. Proposals that are designed to the standard rather than designed to the site are the sources of some frustration noting that a compliant design will receive approval notwithstanding how poor it may be.

In the Low Density Residential Zone, the lack of graduation in standards from small to large lots is problematic. Setbacks that reflect lot sizes and the use of General Residential Zone standards on small lots would improve outcomes for detached dwellings.

With respect to the potential changes identified in the document, the following matters are raised for further consideration or comment:

- Plot ratio bonuses are supported although it is considered that a 10% increase would not be sufficient to either incentivise development or support housing outcomes. Consideration also needs to be given as to whether this applies to all business zones or business zones above a certain scale given some historical land use patterns that have spot business zonings and may lack both a range of services and supporting infrastructure such as footpaths.
- A plot ratio bonus could also apply to lots above a certain size to maximise the opportunity that rare large sites provide. Additionally, this may incentivise,

or at least offset, development risk associated with land consolidation and to achieve development projects that are sufficiently scaled to allow consideration of dwelling mix and diversity.

- Development in the Low Density Residential Zone is regulated through the Southern Beaches Onsite Wastewater and Stormwater Specific Area Plan which includes an acceptable solution for total impervious area (roofed and unroofed) of 20% of site area. This is relevant to considering a reasonable plot ratio.
- On the issue of implementation approaches, Council has no firm view of whether that should involve existing zones, new zones or code type provisions. However, Council sees benefits in the naming conventions of urban residential, neighbourhood residential and low density residential being more clearly understandable than the existing. Council also sees benefit in zones or codes spatially setting out where housing diversity is particularly encouraged.
- Council hopes that it will be afforded greater flexibility in the use of zones than is presently the case, whereby the Inner Residential Zone and Urban Mixed Use Zone are ruled out as options. It is important for any town to encourage housing diversity in its core.
- The solar access provisions to rooms and private open space should apply to the LDRZ for lots less than 1000m². This would be an important provision for the Southern Beaches where small lots are prevalent.
- Privacy standards for windows and decks should apply to the LDRZ for lots less than 1000m².
- Carriageway widths, while consistent with the Tasmanian Standard Drawings (TSDs), require a detailed consideration if they are to be elevated into planning schemes. Departures from the standard requirements may be appropriate but are difficult for proponents to achieve without clear support from planning authorities who are limited by a lack of guidance in the TSDs on when departures may be appropriate and in what terms. Elevating this issue to the planning scheme may further entrench a design to the standard rather than design to the outcome approach.
- The dwelling mix and liveable housing bonus standards flagged for the business zones have merit in the residential zones.
- Council would like to see adoption of basic liveable housing standards in all multiple dwelling developments, such as step free accesses and other entrance controls with suitable exclusions for sloping sites.

I hope this information is of assistance, however, if you have any further enquiries regarding this matter please contact me on ☎ 03 6269 0000.

Yours sincerely,



Shane Wells
MANAGER PLANNING

Department of Natural Resources and Environment Tasmania

OFFICE OF THE SECRETARY

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Our ref: D24-198574

Sean McPhail
Acting Director
State Planning Office
DEPARTMENT OF PREMIER AND CABINET
By email: yoursay.planning@dpac.tas.gov.au

Draft Recommendations Report - Improving Residential Standards in Tasmania project

Thank you for your email of 24 July 2024 giving opportunity to comment on the Draft Recommendations Report of your *Improving Residential Standards in Tasmania* project.

The Department of Natural Resources and Environment Tasmania has considered the key documents and concluded that no comment is required.

If your Office have any further questions on this matter please contact Richard Cuskelly, Policy and Planning Officer via 6165 4537 or richard.cuskelly@nre.tas.gov.au.

Yours sincerely

Mandy Clarke
Acting Chief Operations Officer

for
Jason Jacobi
SECRETARY

28 August 2024

MEMORANDUM

To: Greg Carr
From: Marina Khoury, Partner
Subject: Review of “Medium Density Standards for Tasmania”
Date: August 30th, 2024

Below are bullet points summarising DPZ’s review of the new “Medium Density Standards in Tasmania”. Generally, they are very encouraging to read, and nothing in this report conflicts with the master plan for Skylands. On the contrary, as noted below, Skylands is an exemplary model for showcasing these new regulations to meet their ambitious policies.

- **New Urban Policy.** Skylands is aligned to, and compatible with the new National Urban Policy, centered on improving outcomes around 5 goals.
 - Liveable: Where people can live in a place of their choosing, within their means, suitable to their needs. This is a safe, well designed, well-built city that promotes active, independent living, quality of life and connections within the community.
 - Equitable: Where everyone has fair access to resources, opportunities and amenities, no matter where they live or their socio-economic status.
 - Productive: Where cities foster shared prosperity and provide economic opportunities by enabling goods and services to move efficiently, and providing people with access to employment, services and infrastructure.
 - Sustainable: Where governments, industry and community work together to appropriately plan for urban growth, reduce emissions, promote a circular economy and adapt to climate change to ensure that our urban areas meet the needs of diverse communities and that our natural environments are rehabilitated for future generations.
 - Resilient: Where our cities are economically, socially and environmentally resilient to the impacts of change, including changing climate and increasing exposure to climate-related hazards.
- **Statistics for Tasmania.** These highlight the need for a greater diversity of housing types which prompted the development of new standards. Macroplan’s

2020 assessment of the market highlighted this need to us, which helped inform the design of Skylands for the greater mix of lot and building types.

- The 4 key indicators in the “Improving Residential Standards in Tasmania” exist in the Skylands Master Plan:
 - Providing housing choice, diversity and affordability;
 - Design quality; looking for innovation and excellence in design;
 - Improving the layout and liveability of neighbourhoods;
 - Promoting a more fine-grained application of zoning to encourage greater density and diversity in the right locations.
- The new recommendations focus on 3 initiatives, to which Skylands is also well positioned to meet these goals:
 - Enable greater residential diversity and density;
 - Improve design response to location and housing types for building heights and setbacks (Context and Transect); and
 - Improve livability, climate resilience and design quality with landscaping and common spaces.
- **Development Standards.** It is encouraging to see adjusted controls for different zoning categories, but it does not go far enough. We would encourage a greater range. For example:
 - FAR. An FAR of 1.0 in IRZ precludes the efficient development of a 3-story mixed-use building that typically covers more than 30% of the lot. It will inadvertently cause greater lots than necessary and consume land faster.
 - Setbacks: Setbacks should be calibrated more closely to the building type, use and context. For example: 3m setback for a single-family home in IRZ is appropriate. A 3m setback for a townhouse is less appropriate as they are typically closer to the street, A 3m setback for a commercial building is unnecessary, where it could be up against a wide sidewalk with a 0.5m setback.
 - Open Space Standards. These are likely more demanding than the older standards, but we are confident Skylands will meet or exceed these. The private open and tree provision standards are ambitious but good. However, the landscape standards for all building types at 25% should be more closely calibrated or tailored to the zone context and building use. For example: 25%

is too much for a live work unit or retail building, but appropriate for residential uses. It is also harder to meet the 25% on a smaller lot than on a larger lot, which may have the unintended consequence of making lots larger than they need to be.

- **Subdivision Standards.** New standards are driven by the need to rectify current challenges such as a limited choice in lot sizes, lack of landscaping and public open space, and designs that undermine a site's best features or that promote car dominance.
- The nuanced calibration of standards is encouraging, but it is still too conservative and for Skylands, we'd encourage a few additional tweaks,
 - Lot design parameters: I.e.: requiring townhouses to be 10m wide in GUZ is too much. For example, we do not have 1 townhouse at that width in Kentlands. They are usually under 8m wide). Additionally, for good, consistent urbanism, the long axis of the house cannot always face north. There should be different strategies depending on orientation of lots.
 - Urban greening parameters. Skylands will far exceed the minimum 10% open space required for any subdivisions creating more than 50 lots, and it has distributed the open space such that all homes will be well within the prescribed 800m of any existing or planned public open space.
 - Street Trees. New standards will require 1 street tree for every 2 lots. It should be instead based on an average frontage length because it may be too much for a 10m townhouse lot, and not enough for a 30 wide multi-family building lot. It is very encouraging to read this requirement however as it means street sections have to find a way to incorporate street trees now in ways it was not required before.
 - Movement Network (Street Network). Skylands is explicitly designed for these goals:
 - To design for all modes of transport including more sustainable choices.
 - Well-designed movement networks should be people-focused and consider: permeability, accessibility, functionality, road hierarchy and comfort and safety for users.
 - Provide spaces for utilities infrastructure and improve ecological outcomes, including biodiversity and integrated water management.
 - Subdivision standards. These are also encouraging to see. They require street connectivity and smaller blocks which we have always advocated are

necessary for walkable communities. Sidewalks and cycling paths will now be required on one or both sides of streets depending on context. Their road hierarchy recognizes context too, and Skylands right-of-way reservations seem aligned to their new standards. They want parking on one or both sides of all local streets which is also good to read.

- Green Infrastructure and Services. The goal is to improve climate resilience through integrated water management and the new standards include storm water quality targets that encourage incorporating water sensitive design features into the public realm design, which is a key attribute of Skylands.
 - **Implementation.** The Tasmanian Government is committed to 1) promoting medium density housing in areas close to amenities, employment and public transport to improve housing supply, affordability and diversity. 2) Improve decision making systems.
 - The Report proposes undertaking planning and zoning reform to meet their housing targets in a variety of ways that include making improvements in existing zoning codes, creating new zoning categories and new codes to improve the liveability of neighbourhoods (this is where a form-based code can help Skylands).
 - The Report identifies barriers to achieving these goals, such as the difficulty in consolidating smaller land parcels or inadequate spatial application of zones (not an issue for Skylands). There is recognition of the need to simplify their complex and lengthy approval processes and Skylands can be a model for that with a new form-based code that creates a more predictable outcome and facilitates development.
-



<http://www.southhobart.org/>
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ARBN: IA10232
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5th September 2024

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

Submitted via email: yoursay.planning@dpac.tas.gov.au

Dear Sir/Madam,

RE: Improving Residential Standards Project in Tasmania

Thank you for the opportunity to respond to the first review of the State Planning Provisions (SPPs), the statewide set of consistent planning rules in the Tasmanian Planning Scheme (TPS), with regard to the '*Improving Residential Standards in Tasmania Report*', as recently released for public comment by the State Planning Office.

On behalf of our active and engaged, local community organisation, the *South Hobart Sustainable Community* (SHSC), please find attached herewith our representation.

This representation originated as our joint response, with the South Hobart Progress Association, to the recent draft Hobart Local Provisions Schedule (LPS) and was submitted on the 30th June 2023. We jointly followed this with a presentation to the Hobart City Council Planning Committee as well as the Tasmanian Planning Commission more recently. In response to our original submission, *ERA Planning and Environment* wrote a report on behalf of the Hobart City Council, recommending that our representation may be better suited to the current State Planning Provisions review and specifically suggested the current Residential Standards review as being particularly pertinent to our submission.

Our original representation was developed over the course of a two-year period and drew on the outcomes of our own community consultations as well as seeking to remain consistent with strategic planning documents released by the City of Hobart as well as regional planning documents.

With the aid of professional planning advice provided by Ms Heidi Goess (Director, *Plan Place*), our collaborative community group developed two Specific Area Plans (SAPs) for our recent LPS submission which we now submit without amendment as our response to this SPP review. It offers feedback and progressive ideas from a broad spectrum of local community members and we were encouraged by *ERA Planning and Environment* to re-submit this now as our proposals may be used on a broader scale than just within the South Hobart postcode area.

We would be more than happy to discuss this representation further with you in person and we thank you again for the opportunity to make a submission on behalf of our large community.

Yours sincerely,

Tim Williams

Convenor, South Hobart Sustainable Community - Local Planning Group

COMMUNITY VISION

South Hobart is the link between the River Derwent and kunanyi / Mt Wellington.

It is a suburb of natural beauty with a rich heritage, and a strong sense of community.

Community | Sustainability | Resilience

The South Hobart Planning Group

A partnership between

South Hobart Progress Association (SHPA)

Established in 1922, has had over 550 members, with around 100 Life Members

and

South Hobart Sustainable Community (SHSC)

Established in 2009, with 384 members. The Planning sub-group was established following their 2030 Vision - Community Meeting on World Environment Day in June 2021 attended by nearly 100 residents.

The South Hobart Planning Group was formed with the aim of protecting and enhancing South Hobart's unique qualities.

This has been approached by developing a community-driven submission in response to the newly exhibited Hobart Local Provisions Schedule with our vision for South Hobart in Specific Area Plans that reflect the views of the local community.

The principles upon which the submission has been developed are based on our analysis of the South Hobart Community Forum held in April 2022, and focus on four interconnected areas:

- The **environment**, both natural and developed;
- The **built landscape** formed by our developments of the land;
- The **community** of people within our suburb and their interactions; and
- The **connections** between our area and the rest of the landscape, both city and bush.

Turning these underlying principles into outcomes that embed them for the future protection and benefit of South Hobart and its inhabitants, both human and the natural ecosystems together, has been the goal that has inspired us to develop our **Specific Area Plans for South Hobart**.

The **natural environment** is of course dominated by the constant presence of the mountain, kunanyi, and its bush surrounds; we are all “living beneath the mountain”. Another major element is the Hobart Rivulet. In addition, residents value the open spaces, parks, recreation spaces, and not least the greening of our suburb through trees and gardens. Walks and views are both important elements of our environment; so is the continuing presence of the birds and animals that share our place.



In any development, all these must be retained. We need to protect the mountain, the rivulet and the bushland that is connected to them. We must aim to preserve and protect our wildlife habitats and diversity across the whole area. We should plan to maintain our green open spaces, with garden zones throughout, and a focus on trees and gardens, both for their contribution to our urban area, and for us to be able to grow food.



Our **built environment** will also be vital to the preservation and development of South Hobart. We have a mix of houses and styles at a human scale that makes a significant contribution to our sense of place. The guardianship of the heritage values associated with many of our houses and streets will be a key need in any plans for development. The scale of our suburb needs to be maintained, with low density, low-rise building showing respect for amenity, including streetscapes and sunshine.



Within these environments, our **sense of community** and belonging is strong. The people of South Hobart very much regard themselves as living in a village, with good neighbours, familiar faces, often friends and family close, and a mix of characters and backgrounds. We want to retain that community structure, and the village feel and amenities of a safe, local place.



At the same time, we value the ease with which we can **make connections** – to the city, via the rivulet, to culture, sport, recreation and worship, to reserves, and to the mountain. We want to retain the ability to access these areas by walking, cycling or micro transport., with a low traffic density.

We welcome development, provided that it responds to the values that we all share, and maintains and enhances what is a special place to live and thrive.

We have agreed to aim high, to be ambitious and to look forward in our approach to representing South Hobart. We hope in turn that our work can be of value to others who are keen to support development that retains and enhances the special qualities of the places we share.

We support the principles and aspirations of :

1. **Hobart a Community Vision for Our Island Capital** (<https://www.hobartcity.com.au/files/assets/public/council/strategies-and-plans/hobart-a-community-vision.pdf>)
 2. The eight pillars of the **Capital City Strategic Plan 2019-2029** (<https://yoursay.hobartcity.com.au/86234/widgets/406541/documents/260152>)
 3. **Sustainable Hobart Action Plan 2020-2025** (<https://www.hobartcity.com.au/files/assets/public/strategies-and-plans/sustainable-hobart-action-plan-2020-2025.pdf>)
-



Representation: Hobart draft Local Provisions Schedule

Prepared by the South Hobart Progress Association,
South Hobart Sustainable Community and Planning Matters Alliance
Tasmania

Table of Contents

1.1	Introduction	4
1.2	South Hobart Locality.....	4
1.3	Aims.....	5
1.4	Modifications sought to Hobart draft Local Provisions Schedule	6
2.	Specific Area Plan – South Hobart Neighbourhood	7
2.1	Visitor Accommodation.....	8
2.1.1	Specific Area Plan South Hobart Neighbourhood and Visitor Accommodation	10
2.2	Infill Development.....	10
2.2.1	Trees and Urban Heat Island Effect	10
2.2.2	Private Open Space and Impervious Surfaces.....	11
2.2.3	Stormwater Management.....	12
2.2.4	Proposed Modification to the draft LPS	13
3.	Specific Area Plan – South Hobart Landscape Values	14
3.1	Landscape Values and the Unique Spatial Qualities of the South Hobart Locality	15
3.1.1	Inadequate Landscape Protection of South Hobart.....	15
3.1.2	Bushfire-Prone Area	15
3.1.3	Specific Area Plan – South Hobart Landscape Values (SHLV)	16
3.1.4	Proposed Controls in SAP- SHLV	16
3.1.5	Proposed Modifications to the draft LPS	16
4.	Places or Precinct of Archaeological Potential.....	17
4.1.1	Request for Inclusion in the Places or Precincts of Archaeological Potential	19
5.	Conclusion.....	20

Abbreviations in the Representation	
Commission	Tasmanian Planning Commission
Council	City of Hobart in its role as a Planning Authority under the <i>Land Use Planning and Approvals Act 1993</i>
draft LPS	Hobart draft Local Provisions Schedule
Guideline 1	Guideline 1 – Local Provisions Schedule Zone and Code Application as issued by the Tasmanian Planning Commission under section 8A of the <i>Land Use Planning and Approvals Act 1993</i>
HIPS 2015	Hobart Interim Planning Scheme 2015
LIST	Land Information System Tasmania
Municipality	City of Hobart Local Government area
PPZ	Particular Purpose Zone
SHPA	South Hobart Progress Association
SHSC	South Hobart Sustainable Community
SAP	Specific Area Plan
SPPs	State Planning Provisions ¹
SSQ	Site-specific Qualification
STRLUS	Southern Tasmania Regional Land Use Strategy 2010-2035
the Act	Land Use Planning and Approvals Act 1993
TPS	Tasmanian Planning Scheme
TSCP	Tasmanian State Coastal Policy
Abbreviations - Zone	
EMZ	Environmental Management Zone
GRZ	General Residential Zone

¹ The SPPs contain the planning rules for the 23 zones and 16 codes in the TPS, along with the administrative, general, and exemption provisions.

IRZ	Inner Residential Zone
LCZ	Landscape Conservation Zone
LDRZ	Low Density Residential Zone
RLZ	Rural Living Zone

1. Introduction

The South Hobart Progress Association (SHPA) and the South Hobart Sustainable Community (SHSC) have collaborated to make representation to the Hobart draft Local Provisions Schedule (draft LPS) as exhibited on the Tasmanian Planning Commission and the City of Hobart websites.

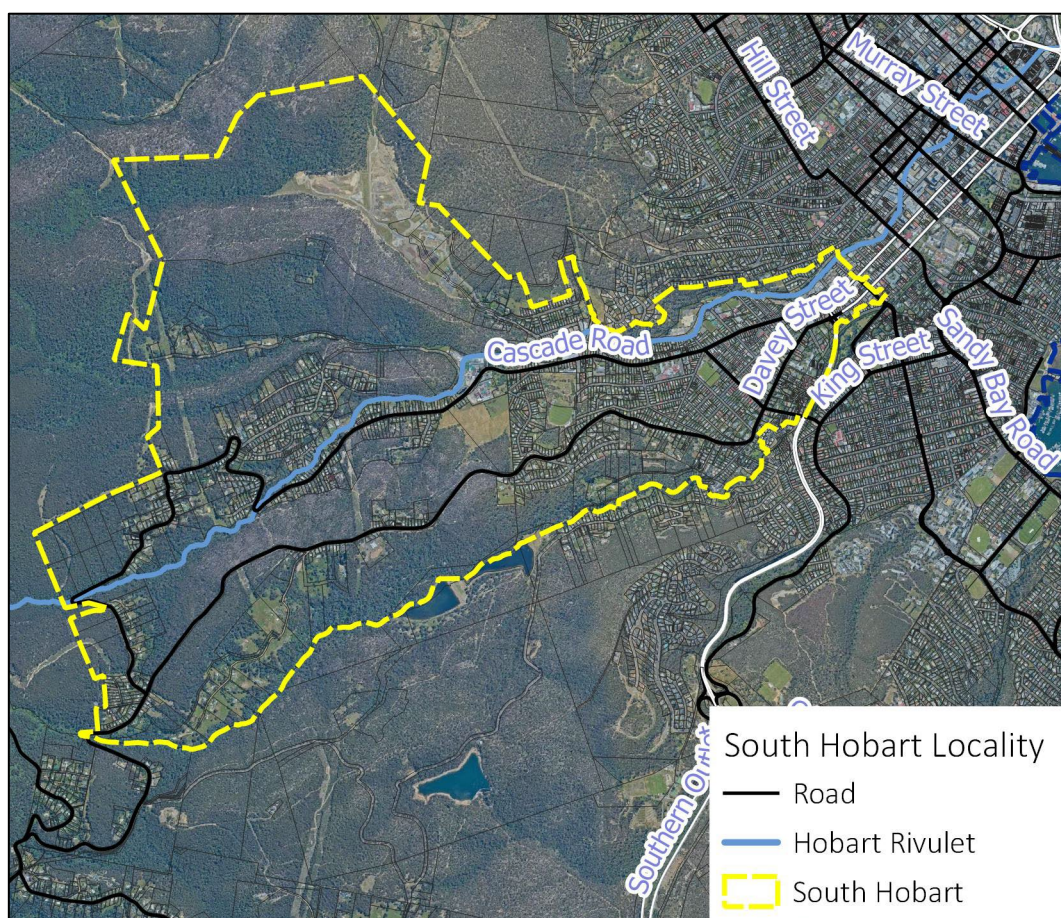


Figure 1: South Hobart Locality (source: theLISTmap)

1.1 South Hobart Locality

South Hobart Locality is an area of land in the municipality (shown in Figure 1) linking the mountain (kunanyi/Mt Wellington) and the water (Derwent River). It is, in essence, a water catchment area for the Hobart Rivulet, its steep-sided slopes all sending their run-off down to the rivulet and on to the river and the Tasman Sea.

South Hobart forms the foothills and the valley that support the mountain and offers access to its summit. From that summit, one looks down across South Hobart, the City of Hobart, the Derwent River and up to the Tasman Peninsula and the East Coast.

It began as an early extension to Hobart Town in its convict and early settler days, with industry along the banks of the rivulet and workers cottages nearby. Many of these cottages still stand creating heritage that is important to today's inhabitants.

It includes parks and gardens, bushland and wildlife, schools and sporting facilities, a hospital, shops and businesses, public transport routes and bushwalking trails, rock-climbing and cycleways, culture, history and modernity, not to mention the Keens Curry sign and The Cascade Brewery, the oldest surviving brewery in Australia. South Hobart includes the areas zoned GRZ, IRZ, LDRZ within the Greater Hobart Urban Growth Boundary.

South Hobart has a strong community of people who wish to preserve its cultural heritage as well as conserve its natural beauty to benefit future generations of all species who wish to call it their home.

1.2 Aims

The SHPA and SHSC are long-standing community groups in the South Hobart locality (refer to Figure 1) and collectively have represented the views of its members. The representation conveys the combined views of SHPA and SHSC and has considered the zones and their statutory function in the context of the groups' aim to seek modifications to the draft LPS to integrate sustainable development principles into the LPS with the intent of:

- Improving liveability and wellbeing of South Hobart's population by encouraging the greening of the residential areas to reduce the impacts of the 'urban heat island effect' and reducing hard surfaces and sealed pavements through retention of permeable areas on a site;
- Ensuring the long-term security of natural biodiversity, providing space for gardens and food security in the residential areas of South Hobart;
- Protecting the primary function of residential areas by limiting Visitor Accommodation use;
- Improving the capacity for on-site stormwater absorption to assist with water quality and health of the Hobart Rivulet;
- Reducing development density on elevated land (above 125m AHD) of South Hobart to protect the visual and natural landscape values of the broader area and kunanyi (Mt Wellington); and
- Protecting heritage and potential archaeological precincts.

The SHPA and SHSC acknowledge the complex and challenging task of preparing the draft LPS. The City of Hobart is commended for its preparation and providing tailored responses to local land use planning and development matters and spatially applying the zones to differentiate between urban areas and the natural environment. However, the SPPs, as they apply to South Hobart, if not modified through the LPS, could lead to outcomes that fail to meet the LPS criteria in section 34 of the Act.

The SHPA and SHSC have invested considerable time and resources since the draft LPS was endorsed by the Council in 2019 to prepare this representation, consulting with their wider community and seeking expert planning advice. The resources invested are intended to assist the City of Hobart improve its policy response in the LPS to meet the LPS criteria and integrate its local strategies. While many of the matters raised in the representation could be applied to residential areas across the municipality, it specifically seeks to advocate for the South Hobart locality.

The review conducted of the draft LPS has focussed on zone and overlay provisions considering:

- Use and development outcomes in the residential areas of South Hobart if the SPPs are not modified; and
- Protection of scenic landscape values especially for the upper slopes of South Hobart and the important visual connection to kunanyi, particularly in absence of application of the C8.0 Scenic Protection Code.

1.3 Modifications sought to Hobart draft Local Provisions Schedule

In summary, the SHPA and the SHSC seek modification of the draft LPS to:

1. Insert 'Specific Area Plan – South Hobart Neighbourhood' (SAP-SHN) to apply to GRZ and IRZ of South Hobart with the policy intent of:
 - (a) Strengthening the controls for Visitor Accommodation to enable the Planning Authority to exercise discretion when considering the conversion of whole houses to Visitor Accommodation in residential areas;
 - (b) Retaining a permeable area on a site with the intent of mitigating the urban heat island effect, improving the capacity for on-site stormwater absorption and providing for garden areas for future food security; and
 - (c) Providing an additional subdivision standard to require new roads to contain street trees.
2. Insert 'Specific Area Plan – South Hobart Landscape Values' (SAP-SHLV) to apply to the LDRZ, RLZ and the LCZ of South Hobart with the policy intent of:
 - (a) Protecting the unique spatial qualities of the land through prohibiting multiple dwelling development and increasing the minimum lot area in the LDRZ;
 - (b) Limiting the intensity and scale of Visitor Accommodation in the LDRZ, RLZ and LCZ;
 - (c) Improving density of development in bushfire-prone areas reducing the requirement of vegetation clearance, and thereby protecting the landscape values of South Hobart; and
 - (d) Minimising intrusion of the built form on the skyline or the upper elevated areas of land of South Hobart through the management of light reflectance values of external materials in the LDRZ and RLZ.
3. Insert controls by a way of a specific area plan that provides a means to assess stormwater flows resulting from development in the urban areas with the policy intent of improving ecological health of waterways and systems.
4. Insert two additional 'Potential Archaeological logical Precincts' in Table C6.4 and amend the proposed Overlay Maps C6.0 Places or Precincts of Archaeological Potential' as applied through C6.0 Local Historic Heritage Code.

To support the above request, this representation considers the specific requirements of the Act and provides evidence to support the proposed modifications to the exhibited draft LPS.

2. Specific Area Plan – South Hobart Neighbourhood

The representation requests that the draft LPS is modified to:

1. Insert the 'Specific Area Plan – South Hobart Neighbourhood' (SAP-SHN) applying to the GRZ and IRZ of South Hobart with the policy intent of:
 - a) Strengthening the controls for Visitor Accommodation by allowing the Planning Authority to exercise discretion when considering the conversion of whole houses for this use in residential areas;
 - b) Retaining a permeable area on a site with the intent of mitigating the urban heat island effect, improving the capacity for on-site stormwater absorption and providing for gardens for future food security; and
 - c) Providing an additional subdivision standard to require new roads to contain street trees.
 - d)

The SAP-SHN has been drafted for consideration by the Council and is included in *Appendix A: Specific Area Plan – South Hobart Neighbourhood for insertion the Written Document of the draft LPS*

The provisions of the GRZ and IRZ provide controls for use, development, and subdivision in residential areas. The primary purpose of these two zones is to provide for a mix of dwelling types on serviced land. Non-residential use is also anticipated where it is compatible with residential amenity.

While the controls provide assessment tools for dwellings and multiple dwellings concerning building siting, building height, site coverage and provision of open space, there is an absence of controls that mitigate or respond to climate change through specific controls in the GRZ and IRZ concerning the urban heat island effect, food security or stormwater management.

The urgency of climate change is widely reported globally, with the United Nations calling on all levels of government to act and implement the Sustainable Development Goals². The State of the Environment Report (SOE)³, released in 2022, reiterates the urgency, reporting, *"the state and trend of the environment of Australia are poor and deteriorating as a result of increasing pressures from climate change, habitat loss, invasive species, pollution and resource extraction. Changing environmental conditions mean that many species and ecosystems are increasingly threatened. Multiple pressures create cumulative impacts that amplify threats to our environment, and abrupt changes in ecological systems have been recorded in the past 5 years"*.

The SOE also highlights the importance of planning policy and statutory regulation. The LPS plays a critical role in shaping our urban areas and neighbourhoods and, more importantly, protecting the natural environment. **Integrating strategic objectives in statutory controls to provide the desired outcomes is vital for mitigating climate change and other environmental outcomes.**

² [Take Action for the Sustainable Development Goals - United Nations Sustainable Development](#)

³ [Australia State of the Environment 2021 \(dceew.gov.au\)](#)

The SHPA and SHSC submit the draft LPS must be modified for South Hobart, to provide additional controls to integrate the principles of 'sustainable development' as required by the Act. Indeed, in this way, South Hobart may become an exemplar for other areas of Hobart.

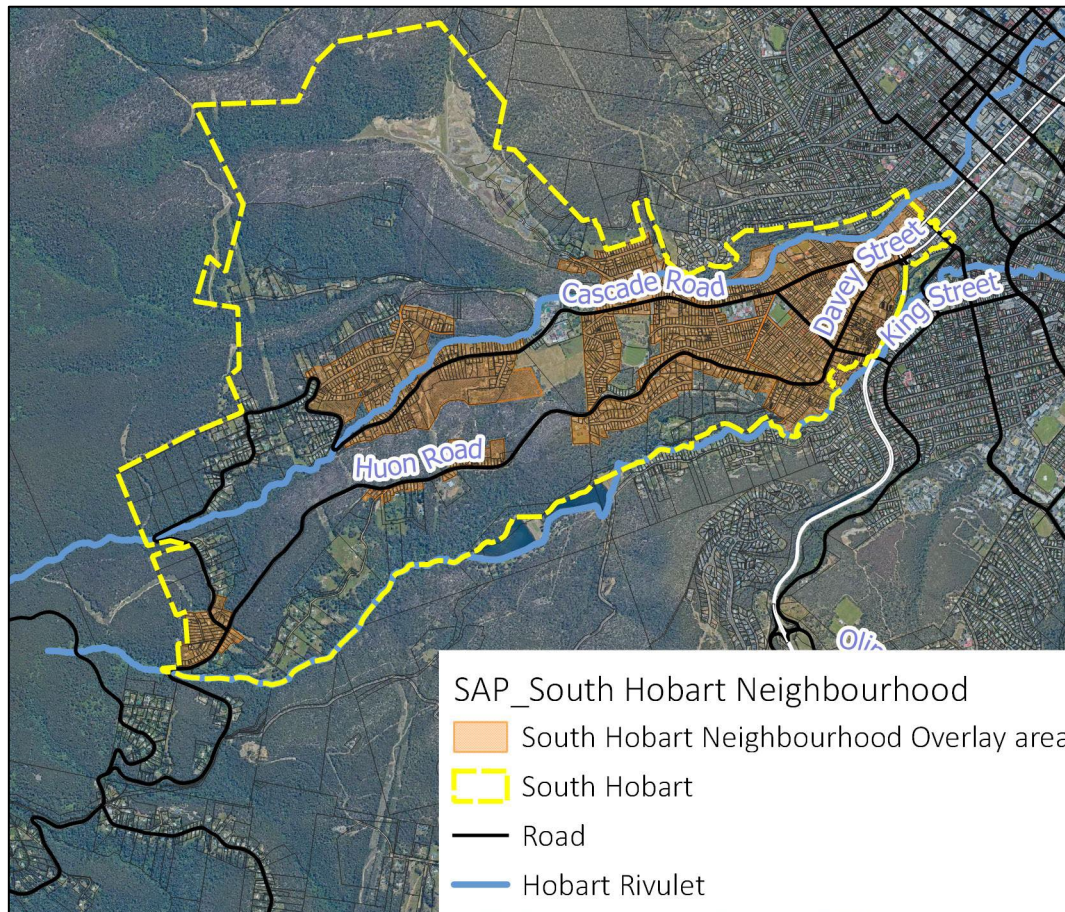


Figure 2: The overlay area of the Specific Area Plan – South Hobart Neighbourhood (source: theLISTmap)

The concerns of the GRZ and IRZ are raised below along with recommended modifications to the draft LPS in order to meet the LPS criteria, in section 34 of the Act.

2.1 Visitor Accommodation

In August 2018, Planning Directive No. 6⁴ (PD6) applied specific controls for Visitor Accommodation and replaced the Visitor Accommodation controls in the HIPS 2015. PD6 was implemented to facilitate the visitor economy and to drive the increase in visitation rates to Tasmania as desired by the T21 Strategy.⁵ The policy intent of PD6 has been replicated in the GRZ and IRZ controls of the SPPs. The draft LPS does not propose to modify the permitted status of Visitor Accommodation in these zones

⁴ Planning Directive No. 6 Exemption and Standards for Visitor Accommodation in Planning Schemes, issued by the Minister for Planning under section 13(1) of the Act and came into effect on 1 August 2018.

⁵ T21 Action Plan 2020-2022 (<https://www.t21.net.au/>).

or substitute use standards at clauses 8.3.2 and 9.3.2, except for the IRZ as it applies to HOB-S7.0 Battery Point Specific Area Plan.

The City of Hobart has previously expressed concern over PD6 and initiated an amendment (PSA-22-01) to the HIPS 2015 in March 2022⁶, intending to introduce controls to restrict the conversion of whole homes to short-stay accommodation (excluding secondary residences). The City of Hobart has not proposed modifying the SPPs in the draft LPS concerning Visitor Accommodation outside Battery Point.

The controls of GRZ and IRZ provide a permitted pathway for Visitor Accommodation use, enabling the conversion of an existing whole house (with a gross floor area of 200m² or less) without public notification or exercise of discretion by the Planning Authority in its assessment.

Furthermore, the SPPs do not require a permit for a change of use to Visitor Accommodation in certain circumstances. Clause 4.1.6 of the SPPs, exempts the requirement of a permit for the use of a dwelling as Visitor Accommodation if:

- the dwelling is used by the owner or occupier as their main place of residence, and only let while the owner or occupier is on vacation; or
- the dwelling is used by the owner or occupier as their main place of residence, and visitors are accommodated in not more than 4 bedrooms.

The exemption is not disputed as it does not modify, in principle, the established housing supply. The concern arises from the accumulative impact of the conversion of a whole house without the Planning Authority's ability to exercise discretion.

The housing shortage continues to be prevalent. Many Tasmanians, dependent on the rental housing market, cannot secure properties at an affordable rental rate. The Shelter Tasmania 2022 report⁷ notes that South Hobart is one of the inner city suburbs most impacted by the conversion of previous long-term rental properties. It is also noted that the short-stay accommodation density for Greater Hobart and Hobart is at least five times greater than that for other cities such as Melbourne and Sydney⁸.

The concern is that applying the use standard for Visitor Accommodation in the GRZ and IRZ without modification in the draft LPS incentivising property owners to convert dwellings to Visitor Accommodation use. In some areas, the accumulative effect of the controls is not only eroding the housing supply that may otherwise be available to the rental market. It is also impacting the primary function of residential areas. These matters are acknowledged in a Council Agenda report⁹.

It is submitted that the evidence collected by a range of not-for-profit organisations indicates that current controls of the IRZ and GRZ, if applied to the residential areas of South Hobart, are contrary to

⁶ City of Hobart, 21 March 2022, Agenda Item No. 7.1.4 Short-Stay Accommodation, Proposed Amendment to the HIPS 2015 ([Agenda of City Planning Committee Meeting - Monday, 21 March 2022 \(infocouncil.biz\)](#)).

⁷ Professor Peter Phibbs & Julia Ely (June 2022), Monitoring the Impact of Short-Term Rentals on Tasmanian Housing Market, Shelter Tasmania..

⁸ Ibid 7, page 25.

⁹ Ibid 6

Part 1 objectives of the Act, STRLUS and Council's local strategy as discussed in the Council Agenda report, Item 7.1.4.¹⁰

2.1.1 Specific Area Plan South Hobart Neighbourhood and Visitor Accommodation

The SAP-SHN proposes to substitute clauses 8.3.2 and 9.3.2 for Visitor Accommodation to empower the Planning Authority by providing discretion in the assessment of an application (refer to Appendix A). The proposed clause HOB-S11.6 will require an additional test to determine if the proposal causes an unreasonable accumulative loss of residential uses in the surrounding area. The purpose of this test is not to eliminate Visitor Accommodation uses entirely but provide a better balanced approach to the use in residential areas of South Hobart.

The modified controls as set out in the SAP-SHN enable the Planning Authority to exercise discretion and to determine the impact on the housing supply, ensuring the efficient use of land resources in South Hobart. Restricting the conversion of houses for short-stay accommodation is also likely to benefit hotels and serviced accommodations, which provide employment opportunities and have other benefits for the community.

For these reasons set out above, the proposed modification to the draft LPS substituting clauses 8.3.2 and 9.3.2 for HOB-S11.6.1 can be supported by the Planning Authority in accordance with section 32(4) of the Act as the proposed controls provide a significant economic and social benefit to the community and:

- Furthers Part 1 objectives of the Act, in particular (a), (b) and (c); and
- Is consistent with the intent of the STRLUS in that it seeks to retain dwellings for residential use in an inner city location.

2.2 **Infill Development**

The provisions of the GRZ and IRZ encourage infill development and densification, responding to climate change. However, repeated infill development also impacts building spacing and separation between houses in the residential areas of South Hobart. New development can result in spacing loss, indirectly driving up energy costs and reducing passive solar access (and active) for established homes. Other adverse consequences of infill development is the increase of impervious surfaces (such as driveways, car parking and similar) and the loss of mature trees, especially where entire sites are redeveloped for multiple dwelling development. Furthermore, infill development can erode the highly valued attributes and character of established residential areas and create challenges for stormwater management. The impacts of infill development are further discussed below.

2.2.1 Trees and Urban Heat Island Effect

Average temperatures are rising across Tasmania, and with this will come warmer summers, more extended periods of hot and dry weather, more intense storms, and more frequent bushfires. The forecast rise in temperature will be particularly noticeable in urbanised areas, where the urban heat island effect will be more pronounced¹¹.

¹⁰ Ibid 6

¹¹City of Hobart, Street Tree Strategy 2017, [Trees and green infrastructure - City of Hobart, Tasmania Australia \(hobartcity.com.au\)](https://www.hobartcity.com.au/trees-and-green-infrastructure)

Studies¹² show the effects of shade on cooling and protection from UV rays. Shade reduces the 'urban heat island effect'. Well-shaded neighbourhoods with street trees can be cooler than other residential areas, reducing energy needs for cooling by occupants. The urban heat island effect has a compounding effect on global warming, increasing the severity of future climate change.

In recognition of the benefits of the 'urban forest concept'¹³, strategies for implementing the concept are being developed. The forerunner to the urban forest strategy for Hobart is the City of Hobart Street Tree Strategy 2017¹⁴ (Tree Strategy). The vision arising from this strategy is that- *"Hobart is a city where tree-lined streets are a valued component of our quality of life - achieved through excellence in planning, design, installation and care by the City's workers and our community"*.

The Tree Strategy guides the planting and management of Hobart's public trees and sets an ambitious target to increase the canopy cover across Hobart's urban areas from 16.7% to 40% by 2046¹⁵.

Landscaping provisions, including the retention of existing trees and vegetation on private land, the requirement for street trees in subdivision controls, and the reduction of pavements in residential areas, are measures in the draft LPS that could respond to the ambitious targets of the Tree Strategy.

Additionally, the greening of neighbourhoods is a fundamental component of improving liveability, which is embedded within the objectives of the Act. Reliance on the provision of public open space to respond to climate change is inadequate, and a 'greening cities' agenda must consider private land in established residential areas.

The SAP-SHN seeks to provide an additional standard by enabling the Planning Authority to consider removal of large trees on private land, not deemed significant, but essential for greening neighbourhoods in South Hobart and working towards increasing the canopy cover.

2.2.2 Private Open Space and Impervious Surfaces

The GRZ and IRZ do not provide any development controls encouraging the greening of neighbourhoods through the regulation of impervious surfaces or any other form. Of course, each dwelling must be provided with private open space. However, this may be an outdoor area comprising a deck or paving. There is no requirement for private open space to have a permeable area.

Previously, before Planning Directive 8¹⁶ (PD8), controls were embedded in the GRZ and IRZ to limit the percentage of impervious surfaces on a site. Under PD8, there is no requirement for impervious surfaces or permeable areas. Permeable areas encourages residents to plant more trees, shrubs, flowers and food which supports biodiversity, native wildlife and food security.

¹² www.canopy.org

¹³ "The urban forest is commonly defined as the sum of all the trees in our city streets, parks, private gardens, and public reserves. It is also typically represented as the percentage of tree canopy covering a metropolitan or local government area." (<https://treenet.org/resource/an-historical-geography-of-urban-forest-projects-in-australia>).

¹⁴ <https://www.hobartcity.com.au/Council/Strategies-and-plans/Street-Tree-Strategy>

¹⁵ Ibid 14

¹⁶ Planning Directive No. 8, Exemptions, Application Requirements, Special Provisions and Zone Provisions issued by the Minister for Planning under section 13(1)(a) of the former provisions of the Act and came into effect on 20 July 2022.

2.2.3 Stormwater Management

The State of Our Rivulets report¹⁷ seeks improved stormwater management. Flows from impervious surfaces almost entirely determine rivulet health. The stormwater overflow from urban areas into the Hobart Rivulet is a significant environmental issue in South Hobart.

The Derwent Estuary Program is working with the six Derwent Estuary councils, of which the City of Hobart is one, to improve the health of waterways and catchments.

The Program produced the Tasmanian Stormwater Policy Guidance Document¹⁸ which also reinforces stormwater management and water systems health.

Clause 6.11.2 of the SPPs provides the capacity for the City of Hobart to apply conditions and restrictions on a permit regarding 'erosion, and stormwater volume and quality controls'. However, this measure cannot be applied to development exempt under the SPPs or that have a 'No Permit Required' status.

The GRZ and IRZ provisions do not provide any practical assessment measure to actively reduce stormwater flows to the public system, contrary to the STRLUS strategies seeking to reduce stormwater discharge into river systems such as the Hobart Rivulet.

From an environmental perspective, the C7.0 Natural Assets Code assesses the impact of a new stormwater discharge point on a 'waterway and coastal protection area'. However, this control does not necessarily apply in residential areas, and therefore alternative mechanisms must be introduced into the draft LPS.

It is submitted that an additional control is a small but necessary measure to provide for a permeable area on a site to aid in managing stormwater flows discharged into the public system from new development. It is also a measure to reduce the flood risks downstream wherever stormwater is discharged into local waterways.

Including an additional control in the GRZ and IRZ does not provide a holistic approach to stormwater management in urban areas. A general absence of stormwater consideration in assessing use and development under the SPPs means that the Planning Authority is left with the task of conditioning a planning permit to address stormwater. This is noted in the Supporting Report. It is submitted that the draft LPS should be modified to provide for improved development controls for stormwater management to achieve consistency with the strategies of STRLUS as they relate to the section titled 'Water Resources' and Part 1 Objectives of the Act and satisfy the LPS criteria in section 34 of the Act.

Without any tailored provisions in the draft LPS, it prompts the following questions:

- How will Council regulate new stormwater under the TPS?
- How can a proposal for use and development be refused on stormwater grounds?
- How will stormwater from No Permit Required or exempt developments be managed?

¹⁷ City of Hobart, State of Our Rivulets, A report into the Environmental Health of Hobart's Waterways.

¹⁸ https://www.derwentestuary.org.au/assets/Tasmanian_Stormwater_Policy_Guidance_Document_TSPG_V1.pdf

- How will the city get water back into the ground to improve rivulet base flows?
- How will Council facilitate water-sensitive urban design (to improve water quality and slow stormwater down during peak flows)?

The Planning Authority through the draft LPS has no ability to prevent construction of impervious surfaces on the area outside of the site coverage requirement for a single dwelling.

For Multiple Dwellings, there is a requirement for retaining 60m² of private open space for each dwelling on the site. However, the control is not adequate, as the Performance Criteria P1 provides the opportunity to reduce this area if it can demonstrate it satisfies sub-clauses (a), (b) and (c). There is also no requirement to integrate any water sensitive design features on such sites.

The SPPs make an underlying assumption that a site will retain land areas for landscaping and gardens if it is for a single dwelling. A control is necessary to impose restrictions on the creation of impervious surfaces. Requiring retention of a permeable area on a site will assist with slowing of stormwater flows and reducing pressure on ageing infrastructure and waterways.

2.2.4 Proposed Modification to the draft LPS

The SAP-SHN proposes additional controls to mitigate and address the concerns raised in regard to infill development for the areas shown in Figure 2 (refer to Appendix A).

The introduction of the proposed controls provide the following outcomes:

- An increase in the permeable area on a site to improve stormwater management flows to the public system, and provide the opportunity for garden areas and greening of neighbourhoods to combat the urban heat island effect.
- A requirement to plant street trees where a new road is proposed in the GRZ or IRZ.

Additionally, the Council is requested to insert a specific area plan to address stormwater management more broadly, to reduce stormwater run-off from urban areas and improve ecology health of the waterways such as the Hobart Rivulet.

The modification of the draft LPS can be supported as it:

- Furthers the Part 1 objectives of the Act, in particular (a) integrating principles of sustainable development into the assessment controls of the GRZ and IRZ;
- Is consistent with strategies in the STRLUS concerning Water Resources and Climate Change Adaption; and
- Improves consistency with the State Policy on Water Quality Management.

3. Specific Area Plan – South Hobart Landscape Values

The representation requests that the draft LPS is modified to:

2. Insert 'Specific Area Plan – South Hobart Landscape Values' to apply to the LDRZ, RLZ and the LCZ of South Hobart with the policy intent of:
 - (a) Protecting the unique spatial qualities of the land through prohibiting multiple dwelling development and increasing the minimum lot area in the LDRZ;
 - (b) Limiting the intensity and scale of Visitor Accommodation in the LDRZ, RLZ and LCZ;
 - (c) Improving density of development in bushfire-prone areas reducing the requirement of vegetation clearance, and thereby protecting the landscape values of South Hobart; and
 - (e) Minimising intrusion of the built form on the skyline or the upper elevated areas of land of South Hobart through the management of light reflectance values of external materials in the LDRZ and RLZ.

The SAP-SHLV has been drafted for consideration by the Council and is included in *Appendix B: Specific Area Plan – South Hobart Landscape Values for insertion into the Written Document of the draft LPS*

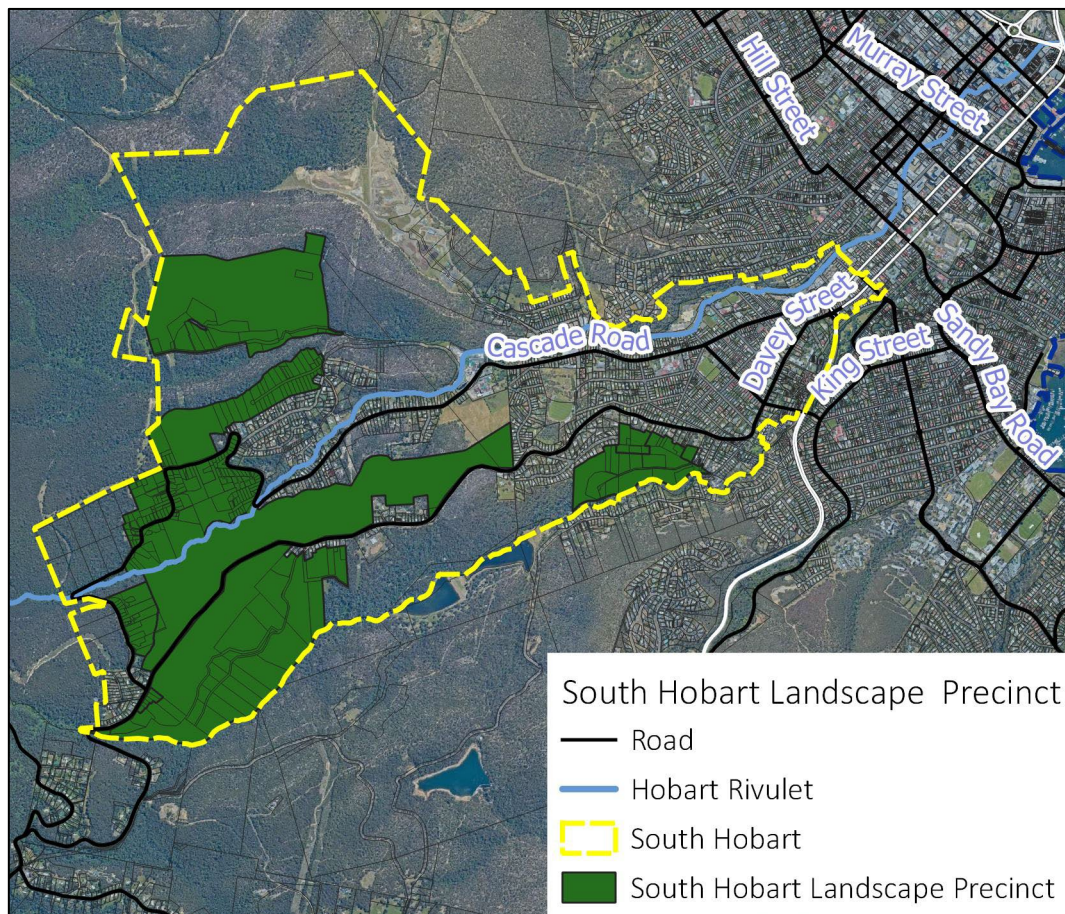


Figure 3: South Hobart Landscape Precinct to form the overlay for the Specific Area Plan - South Hobart Landscape Values (source data: theLISTmap).

3.1 Landscape Values and the Unique Spatial Qualities of the South Hobart Locality

South Hobart locality is the area south-west of Antill Street and wedged between the Hobart Rivulet and the Sandy Bay Rivulet and extends to the base of kunanyi/Mt Wellington. Residential development forms a bands through the valley of South Hobart and migrates from the lower elevations of the urban area to the higher elevated position of South Hobart. The unique spatial quality of South Hobart is the landscape values associated with the mid to high sloped topographys, providing a naturally vegetated backdrop to development¹⁹ that is visible from various locations in South Hobart and other vantage points such as the Hobart CBD and the Derwent River.

The vegetation covering these slopes forms a contiguous extension of the vegetation at the foot of kunanyi (Mount Wellington).

The City of Hobart's McRobies Gully Waste Mangement Centre is within South Hobart at 30 McRobies Road, South Hobart and is nestled within the topography north of Old Farm Road and Knocklofty Reserve. Although the topography provides some screening to the established use it is visible in the landscape when viewed from other locations in South Hobart.

The draft LPS applies the LCZ and the EMZ to assist with managing the interface between residential development and the vegetated landscape of South Hobart. Attachment B of the Supporting Report notes that the LCZ (Turnip Fields Road and land near Guy Fawkes Rivulet) is applied to the undeveloped lots in private ownership with high landscape values (these were previously contained in the Environmental Living Zones under the HIPS 2015).

The spatial application of the GRZ and LDRZ in South Hobart is equivalent to the land area in these zones under the HIPS 2015. The spatial application of the RLZ will be increased as per Attachment B of the Supporting Report. It is noted that the spatial application of the RLZ is consistent with Guideline 1.

Additionally, it is noted that the draft LPS does not propose to apply a 'scenic protection area' over the vegetated area of South Hobart which would trigger an assessment of the C8.0 Scenic Protection Code of the SPPs.

3.1.1 Inadequate Landscape Protection of South Hobart

The application of the LCZ in South Hobart will provide controls for landscape protection for the appearance of development. The LCZ is applied to two locations , Turnip Fields and land near Guy Fawkes Rivulet. Overall the LCZ serves to protect the landscape. However, the zone provides a discretionary permit pathway for Visitor Accommodation for new buildings.

The intensification of development allowable on land zoned LDRZ and RLZ undermines the protection of the landscape values in this area by providing permit pathways for visitor accommodation, multiple dwellings and subdivision. The LDRZ also provides for opportunity of development intensification through the subdivision controls.

3.1.2 Bushfire-Prone Area

South Hobart locality is shown on Bushfire-Prone Areas Code overlay maps, Maps 8 (refer to Figure 4) and 10 (refer to Figure 5) and identifies a bushfire-prone area for all of the LDRZ, RLZ, LCZ and parts of the GRZ. The LDRZ allow for multiple dwellings and intensification of the existing development pattern.

¹⁹ Leigh Wooley Architect + Urban Design Consultant (2006) City of Hobart Urban Design Principles Project. Detailed Standards and Guidance.

It is submitted, that the current controls of the LDRZ are contrary to Part 1 objectives of the Act and the STRLUS which seek to protect life and property.

Managing bushfire risk is more challenging in densely vegetated areas. Intensification of development would require substantial vegetation clearance on the upper slopes of South Hobart to mitigate the risk. The clearance of vegetation will have a detrimental impact on the landscape values of South Hobart.

3.1.3 Specific Area Plan – South Hobart Landscape Values (SHLV)

Section 34(2) (a) and (b) of the Act allows the Planning Authority to include a specific area plan where it relates to spatial qualities or provides a significant economic, environmental or social benefit.

Protection of landscape values is paramount, not only from the scenic perspective of an important natural backdrop to the urban area but also to limit intensification of development in a bushfire-prone area.

For this reason, the SAP – SHLV (refer to Appendix B) seeks to limit intensification of use and development in the LDRZ, RLZ and LCZ.

3.1.4 Proposed Controls in SAP- SHLV

The specific area plan seeks to insert use and density controls for the LDRZ, RLZ and the LCZ. The specific area plan will apply to the South Hobart Landscape Values, identified in Figure 3.

The SAP- SHLV submits to substitute clause 10.2 Use Table of the LDRZ to prohibit multiple dwelling development. The density for multiple dwelling development in the LDRZ is set at 1500m² per dwelling where it is connected to services or 2500m² otherwise. The minimum areas are considered to be such that intensification could occur on land zoned LDRZ, especially at Strickland Avenue.

Prohibiting multiple dwelling development must be also consistent with the minimum lot area that can be created at the Acceptable Solution A1 of clause 10.6.1. A suggested minimum lot area is proposed in the SAP-SHLV to require a minimum lot area of 3000m² under the Acceptable Solution and no less than 2000m² providing bushfire risk can be managed appropriately.

The SAP-SHLV intends to limit or close the development opportunity for intensive visitor accommodation in the LDRZ, RLZ and LCZ.

In addition, landscape protection controls are also proposed to be applied to the LDRZ and the RLZ, consistent with the controls of the LCZ. The primary intent is to provide the capacity for the Planning Authority to manage landscape values on the upper slopes of South Hobart.

3.1.5 Proposed Modifications to the draft LPS

The SAP-SHLV proposes additional controls to mitigate and address the concerns in the preceding discussion for the area shown in Figure 3. The proposed SAP-SHLV is in accordance with section 32(4)(a) and (b) of the Act.

In addition, the modifications to the draft LPS can be supported as it:

- Furthers the Part 1 objectives of the Act, by providing controls to protect landscape values and mitigate bushfire risk; and
- Is consistent with strategies set out in the sections titled 'Managing Risks & Hazards' and the various strategies concerned with protecting natural values and scenic landscapes.

4. Places or Precinct of Archaeological Potential

The representation request that the draft LPS be modified to:

Insert two items into Table C6.4 Places or Precincts of Archaeological Potential and include the two precincts (shown on Figures 4 and 5) on the applicable overlay maps.

1. Rivulet Track area, off Strickland Avenue which has the remains of Stace's Mill (thought to be the earliest surviving sawmill remains in Australia), Sawyers Road a Mill race, and other associated features, including the following titles:
 - 2 Strickland Avenue [partial]. PID 5593156. Title Ref 161768/1;
 - 163 Strickland Avenue. PID 5593263. Title Refs 232860/1, 225080/1, 251856/1;
 - 344 Strickland Avenue. PID 5592607. Title Ref 123003/1; and
 - Strickland Avenue. PID 5592826. Title Refs 161768/1, 150243/2, 150243/3, 150243/4, 150243/5, 150243/6, 150243/7, 150243/8, 150243/9, 150243/10, 150243/11.
2. Bushland between Strickland-Jubilee-Marlyn-Brewery and the Council Disposal Area (McRobie Road). This area has unidentified timber industry remains and extensive historical documents relating to timber industry operations from 1804 onwards. There are denser clusters of features recorded: north of Old Farm Road, north of McRobies Gully creek, and between Strickland Avenue and Old Farm Road, including the following titles:
 - 127-127A Cascade Road. PID 7570663. Title Ref 161768/1;
 - 127-127A Cascade Road. PID 7570663. Title Ref 60346/1;
 - 127-127A Cascade Road. PID 7570663. Title Ref 60346/2;
 - 127-127A Cascade Road. PID 7570663. Title Ref 252507/1;
 - 2 Old Farm Road. PID 5587250. Title Ref 227048/1;
 - 4 Old Farm Road. PID 5587269. Title Ref 126956/1; and
 - 'HCC Disposal Area' – 30 McRobies Road [partial]. PID 3273346. Title Ref 126957/1.

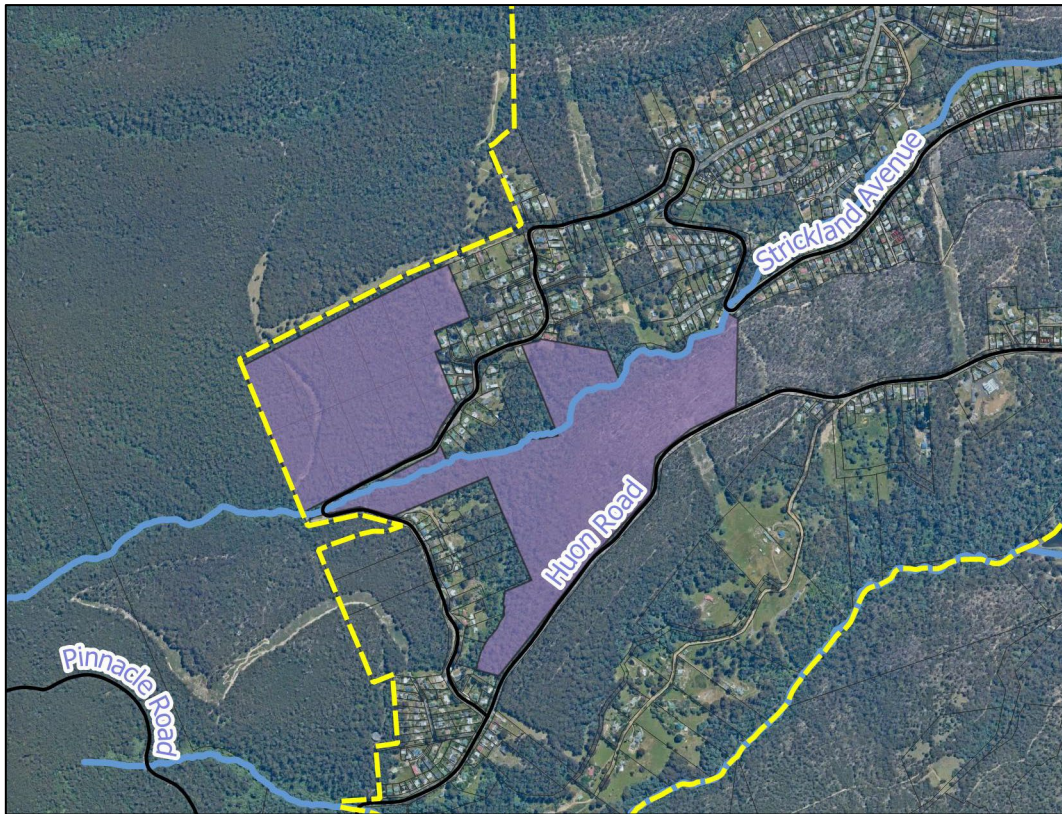


Figure 4: Hobart Rivulet Track area (shaded purple) to be included as a Places or Precincts of Archaeological Potential

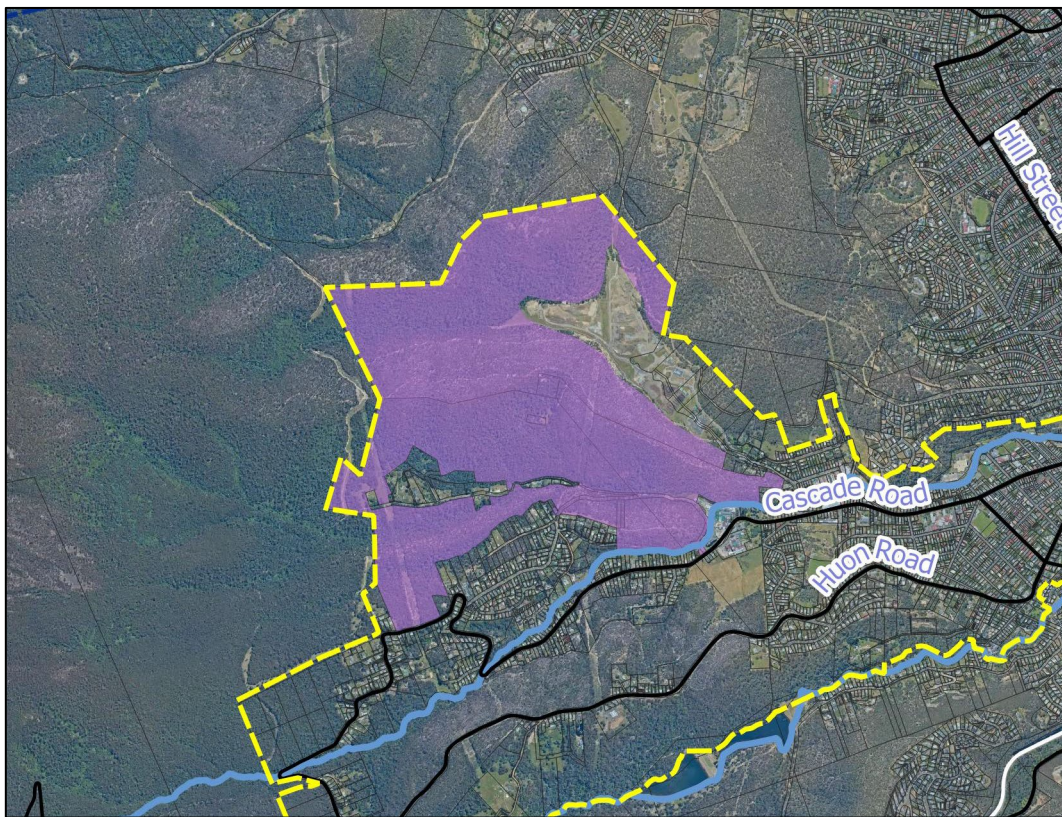


Figure 5: Approximate area (shaded purple) to be included as a Places or Precincts of Archaeological Potential

4.1.1 Request for Inclusion in the Places or Precincts of Archaeological Potential

On review of the Table C6.4 of the written document of the draft LPS, it is noted that there are two important areas not included in Table C6.4 or the overlay maps showing 'Places or Precincts of Archaeological Potential'.

The 'Colonial timber sites on the eastern slopes of Mount Wellington' contain archaeological remains of an Early Colonial Timber Industry. These are located in the bushland which lies between the built up areas of South Hobart, the McRobies Road Disposal Area and the Wellington Park boundary. There is extensive historical documentation of their importance relevant to two time periods of operation::

- 1804-1817, associated with harvesting timber using convict labour; and
- 1820s-1871, associated with harvesting of private timber associated with establishing the sawmills including the Degraes and MacIntosh Mill (from 1824), and the Stace Mill (1825-1831).

The importance of these sites is identified in the following documents:

1. Hobart Rivulet Track

- Heritage Tasmania (November 2022), 'Colonial timber sites on the eastern slopes of Mount Wellington'. Unpublished paper;
- Stone, Martin. 2021. 'Recent timber industry heritage mapping on the eastern slopes of kunanyi/Mount Wellington by Martin Stone to Dec 2021'. Unpublished map;
- McConnell, A. 2013 The Historic Track & Hut Network of the Hobart Face of Mount Wellington: Volumes 1 – 4. Final Draft Report for the Wellington Park Management Trust, Hobart, Tasmania. (*In Appendix C?*)

Based on the referenced documents the

2. Bushland Area

- Heritage Tasmania. 2022. 'Colonial timber sites on the eastern slopes of Mount Wellington'. Unpublished paper, November 2022.
- Stone, Martin. 2021. 'Recent timber industry heritage mapping on the eastern slopes of kunanyi/Mount Wellington by Martin Stone to Dec 2021'. Unpublished map.
- McConnell, A. 2013 The Historic Track & Hut Network of the Hobart Face of Mount Wellington: Volumes 1 – 4. Final Draft Report for the Wellington Park Management Trust, Hobart, Tasmania.
- McConnell, A. 2010b Historic Heritage Assessment – Proposed Cascades Track Section Within WellingtonPark, Hobart, Tasmania. Report for Conservation Volunteers Australia, Hobart, Tasmania.
- McConnell, A. 2010c Historic Heritage Recording – Guy Fawkes Rivulet Sawyers Road, Wellington Park, Hobart, Tasmania. Report for Hobart City Council, Hobart, Tasmania.

Based on the extensive documentation, it highlights the archaeological potential of this area and important to be protected in the future use and development of land. It is submitted that the specialised historical information associated with the precincts shown in Figures 4 and 5 provides adequate specialised expertise for their inclusion in Table C6.4 of the written document and the applicable overlay maps.

The objectives outline in Schedule 1 of the Act seek to protect and conserve areas which are of historical interest and importance. Furthermore the STRLUS also

5. Conclusion

The representation seeks modification to the written document of the draft LPS as well as the overlay maps to satisfy the LPS criteria as set out in section 34 of the Act.

The requests for inclusion of the specific area plans can be supported pursuant to section 32(4) (a) and (b) of the Act.

The SAP-SHN demonstrates that the inclusion of tailored controls achieves significant environmental benefit through improved ecology health of Hobart Rivulet and striving to assist in reducing the effects of climate change, in particular the urban heat island effect.

The SAP-SHLV recognises the unique spatial qualities which require provisions to manage the landscape values as well as bushfire risk. The controls seek to include development density provisions to protect landscape values as well as reduce the risk to life and property, which further the fundamental objectives and strategies of the Act and the STRLUS.

Thirdly, the Precincts of Archaeological Potential as identified in the representation are requested for inclusion to protect an area of historical importance associated with timber harvesting in South Hobart. The inclusion of these precincts furthers the objectives and strategies of the Act and the STRLUS.

Appendix A:
Specific Area Plan –
South Hobart Neighbourhood

HOB-S11.0 South Hobart Neighbourhood Specific Area Plan

HOB-S11.1 Plan Purpose

The purpose of the Specific Area Plan – South Hobart

- HOB-S11.1.1 To provide for Visitor Accommodation that is compatible with the residential character of the area and does not displace residential uses.
- HOB-S11.1.2 To protect residential areas from the 'urban heat island effect' by providing suitable areas for trees, gardens, and permeable surfaces.

HOB-S11.2 Application of this Plan

- HOB-S11.2. The specific area plan applies to the area of land designated as South Hobart Neighbourhood Specific Area Plan on the overlay maps.
- HOB-S11.2 In the area of land to which this plan applies, the provisions of this specific area plan are in substitution for, in addition to and in modification of the provisions of the General Residential Zone and Inner Residential Zone

HOB-S11.3 Local Area Objectives

This sub-clause is not used in this specific area plan.

HOB-S11.4 Definition of Terms

- HOB-S11.4.1 In this specific area plan, unless the contrary intention appears:

Term	Definition
Permeable area	means the area of the site covered by lawns, garden beds, synthetic grass or other surfaces allowing water to pass through it and be absorbed by the natural ground.
Tree canopy	means the area of a tree covered by leaves, branches and stems when viewed vertically downwards from above and providing shade.
Tree canopy area	means the proportion of the site covered by shade from the tree canopy.
Urban heat island effect	means localised air temperature warming in residential areas due to the increase of sealed surfaces from development.

HOB-S11.5 Use Table

This sub-clause is not used in the specific area plan.

HOB-S11.6 Use Standards

- HOB-S11.6.1 Visitor Accommodation

This clause is in substitution to:

- (a) General Residential Zone – clause 8.3.2 Visitor Accommodation A1/P1 and A2/P2.
 (b) Inner Residential Zone – clause 9.3.2 Visitor Accommodation A1/P1 and A2/P2.

Objective:	<p>That Visitor Accommodation:</p> <ul style="list-style-type: none"> (a) is compatible with the character and use of the area; (b) does not cause an unreasonable loss of amenity; (c) does not impact the safety and efficiency of local roads or rights of way; and (d) does not cause any unreasonable accumulative loss of residential use in the surrounding area.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Visitor Accommodation must:</p> <ul style="list-style-type: none"> (a) accommodate guests in existing habitable buildings; (b) have a gross floor area of not more than 200m² per lot; and (c) have a Residential use in a habitable building on the lot. 	<p>P1</p> <p>Visitor Accommodation must:</p> <ul style="list-style-type: none"> (a) not cause an unreasonable loss of residential amenity, having regard to: <ul style="list-style-type: none"> (i) the privacy of adjoining properties; (ii) any likely increase in noise to adjoining properties; (iii) the impact on the safety and efficiency of the local road network; and (iv) any impact on the owners and users rights of way; and (b) be compatible with the character of use of the area and not cause an unreasonable accumulative loss of residential uses, having regard to: <ul style="list-style-type: none"> (i) the scale of the use and its compatibility with the character and uses with the surrounding area; (ii) the nature, scale and extent of visitor accommodation uses within the surrounding area that have established in the last five years; (iii) the extent and nature of any other non-residential uses within the surrounding area; (iv) the impact on the primary residential function of the surrounding area from established non-residential uses and the proposed use; (v) whether Residential use is retained on the site; and (vi) the extent and nature of the residential use lost from accommodating guests in existing habitable buildings.
<p>A2</p> <p>Visitor Accommodation is not for a strata lot that is part of a strata scheme where another strata lot</p>	<p>P2</p> <p>Visitor Accommodation within a strata scheme must not cause an unreasonable loss of residential amenity to</p>

within that strata scheme is used for a residential use.	<p>long term residents occupying other strata lots within the strata scheme, having regard to:</p> <ul style="list-style-type: none"> (a) the privacy of residents; (b) any likely increase in noise; (c) the residential function of the strata scheme; (d) the location and layout of the strata scheme; (e) the location and layout of the strata lots; (f) the extent and nature of any other non-residential uses; and (g) any impact on shared access and common property.
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HOB-S11.7 Development Standards for Dwellings

HOB-S11.7.1 Urban Heat Island Effect and Stormwater

This clause is in addition to:

- (a) General Residential Zone – clause 8.4 Development Standards for Dwellings
- (b) Inner Residential Zone – clause 9.4 Development Standards for Dwellings

Objective:	<p>That development provides for a permeable area on a site to:</p> <ul style="list-style-type: none"> (a) assist reducing the impacts of the urban heat island effect; and (b) improve the management of stormwater volumes and flow to the public stormwater system. 	
Acceptable Solutions		Performance Criteria
<p>A1</p> <p>Development must have a permeable area of more than 30%</p>		<p>P1</p> <p>Development must provide an appropriate permeable area to reduce the impact of the 'urban heat island effect' and minimise stormwater flows and volumes from the site to the public system, having regard to:</p> <ul style="list-style-type: none"> (a) the location of permeable areas proposed on the site; (b) the location and height of established buildings on the site and adjoining properties; (c) the capacity to reduce stormwater flows from the site to the public system; (d) the capacity to plant mature trees with a minimum height of 10m above the existing ground level within the permeable area; (e) the orientation of the permeable area and capacity to access sunlight of not less than

	<p>three hours on 21st of June between the hours of 09:00 am and 15:00 pm, and</p> <p>Development must have a permeable area of not less than 15%.</p>
<p>A2</p> <p>Development and works must not remove a tree from the site:</p> <p>(a) with a height of more than 8m above the existing ground level; and</p> <p>(b) a tree canopy cover providing 10% shade over the site on 22nd December between the hours of 1.00 pm and 4.00pm.</p>	<p>P2</p> <p>Development and works must off-set the loss of the tree canopy cover from a site, having regard to:</p> <p>(a) the number of existing trees to be removed;</p> <p>(b) the cover of the proposed tree canopy and the projected shade over the site on 22nd December between the hours of 1.00pm and 4.00pm;</p> <p>(c) whether the removal of trees is for public health and safety as determined by a suitably qualified person; and</p> <p>(d) whether the development retains permeable areas on the site.</p>

HOB-S11.8 Development Standards for Subdivision

HOB-S11.8.1 Street Trees

This clause is in addition to:

- (a) General Residential Zone – clause 8.6. Development Standards for Buildings and Works
- (b) Inner Residential Zone – Development Standards for Buildings and Works

Objective:	That the arrangement of new roads within a subdivision provides for street trees reducing the urban heat island effect.	
Acceptable Solutions		Performance Criteria
The subdivision includes no new roads.		<p>The arrangement and construction of roads within a subdivision must provide an appropriate number of street trees to reduce the urban heat island effect, having regard to:</p> <p>(a) the length of the proposed road;</p> <p>(b) the number of proposed trees to be planted in the streetscape; and</p> <p>(c) the height, canopy density and shade provided by trees at maturity.</p>

Appendix B:
Specific Area Plan –
South Hobart Landscape Values

HOB-S12.0 Specific Area Plan – South Hobart Landscape Values

HOB-S12.1 Plan Purpose

The purpose of the Specific Area Plan – South Hobart Landscape Values

HOB-S12.1.1 To protect the landscape values of South Hobart by providing for development that minimises unreasonable impacts on the natural vegetated backdrop of the urban area.

HOB-S12.1.2 To provide for development that is consistent with the character of the South Hobart Landscape Precinct.

HOB-S12.2 Application of this Plan

HOB-S12.2.1 The specific area plan applies to the area of land designated as South Hobart Landscape Precinct Specific Area Plan on the overlay maps.

HOB-S12.2.2 In the area of land to which this plan applies, the provisions of specific area plan are in substitution and addition to the provisions of:

- (a) General Residential Zone;
- (b) Low Density Residential Zone;
- (c) Rural Living Zone; and
- (d) Landscape Conservation Zone.

HOB-S12.3 Local Area Objectives

This sub-clause is not used in this specific area plan.

HOB-S12.4 Definition of Terms

HOB-S12.4.1 In this specific area plan, unless the contrary intention appears:

Term	Definition
South Hobart Landscape Values Precinct	means the area shown on the overlay map as South Hobart Landscape Values Precinct (overlay map not included in the representation).

HOB-S12.5 Use Table

This sub-clause is in substitution for Low Density Residential Zone – clause 10.2 Use Table.

Use Class	Qualification
No Permit Required	

Natural and Cultural Values Management	
Passive Recreation	Unless clearing of native vegetation is required
Residential	If for: (a) home-based business; or (b) single dwelling.
Permitted	
Utilities	If for minor utilities.
Visitor Accommodation	
Discretionary	
Business and Professional Services	If for a consulting room, medical centre, veterinary centre, child health clinic or for the provision of residential support services.
Community Meeting and Entertainment	If for a place of worship, art and craft centre or public hall.
Educational and Occasional Care	If not for a tertiary institution.
Emergency Services	
Food Services	If not for a take away food premises with a drive through facility.
General Retail and Hire	If for a local shop.
Residential	If not: (a) for multiple dwellings; or (b) No Permit Required.
Sports and Recreation	If not for a fitness centre, gymnasium, public swimming pool or sports ground.
Utilities	If not listed as No Permit Required.
Prohibited	
All other uses	

HOB-S12.6 Use Standards

HOB-S12.6.1 Visitor Accommodation

This clause is in substitution to:

- (a) Low Density Residential Zone - clause 10.3.2 Visitor Accommodation;
- (b) Rural Living Zone – clause 11.3.2 Visitor Accommodation;
- (c) Landscape Conservation – clause 22.3.2 Visitor Accommodation.

Objective:	<p>That Visitor Accommodation:</p> <ul style="list-style-type: none"> (a) is compatible with the South Hobart Landscape Values; (b) does not cause an unreasonable loss of residential amenity; and (c) Does not impact the safety and efficiency of local roads or private rights of way.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Visitor Accommodation guest are accommodated in existing buildings.</p>	<p>P1.1</p> <p>Visitor Accommodation must not cause an unreasonable impact on the South Hobart Landscape Values Precinct and not cause an unreasonable loss of residential amenity, having regard to:</p> <ul style="list-style-type: none"> (a) the nature, scale and extent of accommodation uses in the surrounding area; (b) the impact the use has on the South Hobart Landscape Values Precinct; (c) any adverse impacts on the safety and efficiency of the local road network or owners and users of rights of carriageway; (d) measures to minimise or mitigate impacts on the landscape values, <p>and buildings have a gross floor area of no more than 300m².</p>
<p>A2</p> <p>Visitor Accommodation is not for a strata lot that is part of a strata scheme where another strata lot within that strata scheme is used for a residential use.</p>	<p>P2</p> <p>Visitor Accommodation within a strata scheme must not cause an unreasonable loss of residential amenity to long term residents occupying other strata lots within the strata scheme, having regard to:</p> <ul style="list-style-type: none"> (a) the privacy of residents; (b) any likely increase in noise; (c) the residential function of the strata scheme; (d) the location and layout of the strata scheme; (e) the location and layout of the strata lots; (f) the extent and nature of any other non-residential uses; and

	(g) any impact on shared access and common property.
A3 Visitor Accommodation must be accommodated in one building.	P3 No Performance Criteria.

HOB-S12.7 Development Standards for Buildings and Works

HOB-S12.7.1 Exterior finishes

This clause is in addition to:

- (a) Low Density Residential Zone - clause 10.4 Development Standards for Dwellings;
- (b) Low Density Residential Zone – clause 10.5 Development Standards for Non-dwellings;
- (c) Rural Living Zone - clause 11.4.- Development Standards for Buildings and Works.

Objective:	That the exterior finishes of buildings minimise the impact on the South Hobart Landscape Values.	
Acceptable Solutions		Performance Criteria
A1 Exterior building finishes must have a light reflectance value not more than 40%, in dark natural tones of grey, green or brown.		P1 Exterior building finishes must not cause an unreasonable loss of amenity to occupiers of adjoining properties or detract from the South Hobart Landscape Values, having regard to: <ul style="list-style-type: none"> (a) the appearance of the building when viewed from roads or public places in the surrounding area; (b) any screening vegetation; and (c) the nature of the exterior finishes.

HOB-S12.7.1 Landscape Protection

This clause is in addition to:

- (d) Low Density Residential Zone – clause 10.4 Development Standards for Dwellings
- (e) Rural Living Zone – clause 11.4 - Development Standards for Dwelling

Objective: That the exterior finishes of buildings minimise the impact on the South Hobart Landscape Values.	
A1 Building and works must be located within a building area, if shown on a sealed plan.	P1 Building and works must be located to minimise native vegetation removal and the impact on landscape values, having regard to:

	<ul style="list-style-type: none"> (a) the extent of the area from which vegetation has been removed; (b) the extent of native vegetation to be removed; (c) any proposed remedial, mitigation or revegetation measures; (d) provisions for native habitat for native fauna; (e) the management and treatment of the balance of the site or native vegetation areas; (f) the type, size and design of development; and (g) the impact on the South Hobart Landscape Values.
<p>A2</p> <p>Buildings and works must:</p> <ul style="list-style-type: none"> (a) be located within a building area, if shown on a sealed plan; or (b) be an alteration or extension to an existing building providing it is not more than the existing building height; and (c) not include cut and fill greater than 1m; and (d) be not less than 10m in elevation below a skyline or ridgeline. 	<p>P2</p> <p>Building and works must be located to minimise native vegetation removal and the impact on landscape values, having regard to:</p> <ul style="list-style-type: none"> (a) the extent of the area from which vegetation has been removed; (b) the extent of native vegetation to be removed; (c) any proposed remedial, mitigation or revegetation measures; (d) provisions for native habitat for native fauna; (e) the management and treatment of the balance of the site or native vegetation areas; (f) the type, size and design of development; and (g) the impact on the South Hobart Landscape Values.

HOB-S12.8 Development Standards for Subdivision

HOB-S12.8 Development Standards for Subdivision

HOB-S12.8.1 Subdivision

This clause is in substitution to:

(a) Low Density Residential Zone - clause 10.5 Development Standards for Subdivision;

Objective:	
That each lot:	
<ul style="list-style-type: none"> (a) Has an area and dimensions appropriate for use and development in the zone and protects landscape values; (b) Is provided with appropriate access to a road; (c) Contains areas which are suitable for residential development. 	
Acceptable Solutions	Performance Criteria

A1

Each lot, or a lot proposed in a plan of subdivision, must be:

- (a) have an area of not less than 3000m² and:
 - (i) be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of:
 - a. all setbacks required by clause 10.4.3 A1 and A2; and
 - b. easements or other title restrictions that limit or restrict development; and
 - (ii) existing buildings are consistent with the setback required by clause 10.4.3 A1 and A2;
- (b) be required for public use by the Crown, a council or a State authority;
- (c) be required for the provision of Utilities; or
- (d) be for the consolidation of a lot with another lot provided each lot is within the same zone.

P1

Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:

- (a) the relevant requirements for development of buildings on the lots;
- (b) the intended location of buildings on the lots;
- (c) the topography of the site;
- (d) adequate provision of private open space;
- (e) the pattern of development existing on established properties in the area; and
- (f) the lot can provide adequate bushfire protection as recommended by the Tasmania Fire Service or an accredited person;
- (g) any constraints to development,

and must have an area not less than 2000m².

2nd of September 2024

State Planning Office
Department of Premier and Cabinet
GPO Box 123 HOBART TAS 7001
E: yoursay.planning@dpac.tas.gov.au

Dear State Planning team,

IMPROVING RESIDENTIAL STANDARDS IN TASMANIA - CONSULTATION

Disclaimer: This submission does not necessarily represent

Thank you for the opportunity to provide feedback to the Improving Residential Standards in Tasmania. With your permission I would like to start with a question.

Would you be against transforming the state's planning provisions model to achieve a vision of *"healthy-high-quality and climate resilient housing and neighbourhoods for all"*?

As an _____ so far what I've heard is that, although the current unbalanced development-centric regulatory framework has worked for developers, it has created frustration and in cases not worked for the people living in and near buildings and developments and for the planning authorities reviewing these applications because it relies on outdated strategies, principles, and vision. And, as a result, residents, planning authorities, and council planning teams feel frustrated because we could be doing so much better if we, as a state had a stronger vision for quality of life provided through housing and neighbourhoods, planning provisions that are more customised to each case, and innovative regulatory framework conditions that protects human settlements and people from the severe impacts of low quality housing, building, and civil public developments.

The top priority for residents from the _____ region is a high-quality country and coastal lifestyle in a healthy, safe, clean, environmentally friendly, quiet, peaceful, family friendly, and community-oriented living environment. This is continually expressed through community consultation, supported by the strategic plan, and the new social, active transport, and environmental strategies in which the top areas of focus related to housing and living are to enhance the safe and family feel of our towns, protect the uniqueness of our neighbourhoods, nurture a network of social services and infrastructure to make our towns more liveable and self-sufficient, strong people-centric mobility networks, protect the natural values, and nurture belonging. The current planning provisions *that allow for what's legal but not for what's right* for each place and case is in opposition to this vision.

A *"healthy-high-quality and climate resilient housing and neighbourhoods for all"* vision will bring benefits beyond health and wellness for people, neighbourhood liveability, the environment, and respect for the individuality and character of the towns, it will bring financial benefits to individuals and businesses. It will change our communities and neighbourhoods by bringing social and financial stability, social cohesion and mix, and provide for the highly liveable and healthy neighbourhoods people envision.

Would it be surprising to you to know that a *"healthy-high-quality and climate resilient housing and neighbourhoods for all"* that could positively impact our whole population and how the state develops into the future is achievable with these fundamental elements?

- The development of a research-based healthy housing and healthy neighbourhoods framework/policy in line with World Health Organization and contemporary health, wellbeing, and environmental recommendations.
- The development of planning guidelines/provisions to reflect and enforcement this framework/policy and to shape development to prevent and eliminate impacts in present and future development.
- The creation of an action plan towards 100% healthy housing and healthy neighbourhoods in the state and to better monitor, report, prevent and remedy unhealthy housing and neighbourhoods.
- The development of guidelines on how to design and build healthy housing, subdivisions, and neighbourhoods including engagement, consultation, and feedback from people living, working, playing, studying across the state.
- Created in collaboration by the federal, state and local governments for transparency, equity, and fairness.
- A people-centred value proposition comprising of a combination of health, wellbeing, and environmental values.
- The adoptions of targets to address the problem of unhealthy housing and neighbourhoods and improve the health and well-being of our residents such as reducing the share of people with no healthy housing access by 0%.

I encourage you to investigate alternative *healthy-high-quality and climate resilient* housing and neighbourhoods regulatory, monitoring, reporting, prevention, and remedy models such as the EU healthy housing model that more efficiently deliver the provision of health and wellbeing in the built environment that is required in our Municipality and statewide to transform our social and economic life.

Would it be too out there to ask you to consider the ideas I present below?

1. *Proposal to increase the positive impact of planning on healthy high-quality housing, healthy subdivisions and neighbourhoods*

Healthy housing is housing that provides a feeling of *home* and adequate living conditions for people's physical, mental, and social needs. It includes aspects such as belonging, security, safety, belonging, comfort, affordability, accessibility, and environmental quality. Healthy housing enables health and wellbeing to the inhabitants, to the immediate neighbours, the neighbourhood, and the surrounding built and natural environment.

Whether housing is healthy also depends on factors outside its walls. Healthy housing relies on the *immediate housing environment*, and the extent to which this provides access to healthy living and protection from physical and mental illness and its effects.

Key health risks related to housing exposures and health risks in the home environment are critically important because of the large amount of time people spend there. In high-income countries, around 70% of people's time is spent inside their home. Children, the elderly, and those with a disability or chronic illness are likely to spend most of their time at home and are therefore more exposed to health risks associated with housing. This is the case of the municipal area with its aging population.

Some of the poor housing and poor neighbourhood outcomes that result from the current planning provisions that allow for building developments that are *legal but not right* that residents are affected by is considered a poor-housing exposure that affects their rights to healthy housing and healthy neighbourhoods.

The development of a *healthy high-quality housing and neighbourhoods* planning vision underpinning the proposed revised planning provisions will bring benefits beyond the provision for basic shelter and public infrastructure and improve health and broader social and economic outcomes and improve the built and natural environments that the thousands of houses being built in the state are creating for our population. This will also provide support to state and local governments to deliver the healthy environments that our residents have the right to, want, and deserve.

The Tasmanian Housing Strategy doesn't provide this kind of vision. It can be found here: <https://www.tasmanianhousingstrategy.tas.gov.au/>

The WHO Housing and Health Guidelines can be found here: <https://www.ncbi.nlm.nih.gov/books/NBK535298/#ch1.s1>

2. Barriers to the development of a healthy and climate resilient built environment

Barrier 1 – The way in which the impact of a dwelling, a building, and the neighbourhood on people's life, their health, and their wellbeing is measured is not standardised. The same applies to how a building impact neighbours, their street, and their neighbourhood or how they are climate resilient or not.

Currently, health and wellbeing provided by a building where people live, visit, play, or work is not being measured using a clear system or approach. The same applies to climate resilience.

Barrier 2 – Local, State, Federal government's role in enhancing dwellings, buildings, and infrastructure that provide healthy high-quality internal and external environments, that reduce unhealthy living, and climate resilient built environments should be clearly defined and supported by contemporary legislation and enforcement mechanisms.

Barrier 3 – The lack of wholistic, integrated, and balanced approach of healthy high-quality built environment (dwellings, buildings, public infrastructure and spaces) guidelines can be changed from the current development-centric to a human-centric approach by finding ways to ensure human health and wellbeing and environmental resilience are a priority.

3. Proposal to strengthen the role of planning in the provisions and defence of human rights

In the Article 17 of the Universal Declaration of Human Rights property is spoken of as a human right and that "*no one shall be arbitrarily deprived of his property*". The right to a property extends to the amenity of it, its enjoyment, and its access to services, and to the natural and built environment.

Some examples that would deprive people of the amenity and enjoyment that is associated with the right to their property include aspects that are not currently part of the planning provisions. Some examples might include the right to:

- a) *Sun in perpetuity in the entirety of the property.* The right to not be shaded and require any neighbouring proposed development or subdivision to provide all season shadow diagrams and require corrections to the design to meet the no shadow criteria.
- b) *A quiet life in the entirety of the property regardless of its use.* The right to not be disturbed and require any neighbouring proposed development or subdivision to provide all season/all hour's noise study and require corrections to the design to meet the no noise criteria.

- c) *A radiation and wireless free environment in the entirety of the property.* The right to not be irradiated by wireless electricity meters, transmission antennas (radio, mobile phones, 3G, 5G, radars, etc.) and require any neighbouring proposed development or subdivision to provide proof that that will be the case and require corrections to the design to meet the no radiation criteria. This also applies to public built and open space developments.
- d) *A property connected to walkable and rideable footpath networks.* This might include requirements of construction of footpaths, requirements of giving land on frontage to council for future development of footpaths, 5min walking distance to public open space, reduction to 30km car speed on streets for new subdivisions or in streets with an educational, business, or public space development in coordination with the Department of State Growth.
- e) *A climate resilient property in perpetuity.* The right to not be impacted, put at risk, or displaced by climate change and changing weather patterns. Properties are at risk from within by how they were built and also from neighbouring environments. This includes stormwater and the prevention of developments that create urban rivers, lack of mature and new trees that regulate the environment (temperature, stormwater, wind, noise, land, water and air pollution, etc.), full solar access, permeable surfaces, etc.

Thanks for reading this letter. I look forward to having an opportunity to collaborate with you to make our state better.

Wishing you a good day.
The very best regards,

P.S.: In case you're one of those people who just skip to the end of the letter (like I sometimes do), here's a summary. The outdated development-centric planning regulatory framework we currently have could be so much better if we, as a state, had a vision for 100% healthy and climate resilient houses and neighbourhoods and an innovative planning and enforcement framework that protects people. An evolved "*healthy-high-quality and climate resilient housing and neighbourhoods for all*" people-and-community-centred strategy based on models like the EU would transition our human settlements from places to escape from to ones that people will come to have a peaceful and healthy life, work, play, and stay for generations regardless of the health and climate risks we face.

P.S.S.: And if you are wondering about the:

- Viena model, here it is: <https://socialhousing.wien/>
- WHO Housing and Health Guidelines:
<https://www.ncbi.nlm.nih.gov/books/NBK535298/#ch1.s1>

If you have any further enquiries regarding this matter, please do not hesitate to contact me.



TasPIN Submission

6 Sept 2024

Improving Residential Standards in Tasmania, Draft Report July 2024

TasPIN understands the push for increased density in our residential zones, cities, suburbs, and townships. However, this must not be at the expense of what matters for Tasmanians and future proofing for climate change. Character, sense of place, climate resilience, quality design and building, housing choice, affordable housing, and retaining the comparative advantage of Tasmania: all these are critical as the planning reforms push for increased density.

We consider that one of the main reasons for the recent rapid increase in house prices and the shortage of residential accommodation is the Tasmanian Government's refusal to prevent the unfettered spread of Short-stay Accommodation. For other factors, please see p 10 below.

Amenity Recommendations

There are many positive recommendations about amenity and liveability in the Draft Report and the Medium Density Guidelines. We support requirements for common open space and the inclusion of deep soil areas, improved landscaping, storm water management and improved subdivision standards for example. It is hoped that whilst at the moment many will only take effect through Performance Criteria, they will form the basis of revised Acceptable Solutions which will be mandated at some stage in the near future.

Improved Acceptable Solutions

TasPIN considers that the Acceptable Solutions currently set a low bar. The Medium Density Design Guidelines (MDDG) only apply to Performance Solutions or discretionary development. They are a good start, but are not mandatory. In our view, more needs to be done to improve the Acceptable Solutions to mandate good design, and improve amenity. The Acceptable Solutions do not deliver different typologies of housings, neither do they incentivise good design.

We would like to see residential amenity standards reinstated from the Interim Schemes. Things like passive solar to habitable rooms, direct connection of habitable rooms to private open space, no more building up on the side, rear boundary in GRZ, no increases in total hard surface coverage of a lot.

TPC Recommendations from 2016

The TPC in 2016 suggested various aspects of the SPPs needed review. Hence a review of the Residential Standards in SPPs should be broad ranging, and it seems very limiting to make it all about Medium Density. "The housing we need to have" is very important of course, but not the only aspect of the SPPs residential standards needing review.

Local Area Objectives (LAO)

We consider that:

- LAOs could usefully be adopted in all zones, given the absence of Desired Future Character Statements under the SPPs.
- the Local Area Objective at SPPs 6.10.2b should be changed to allow the LAO to guide all discretionary use and development, not just discretionary land use. This change would assist in retaining the character, built and natural heritage for which Tasmania is deservedly recognised and which locals cherish,

The 3 Options

TasPIN has considered all 3 options.

Option 1 This may be less effective in enabling denser housing along with liveability. We note the paper suggests it may be possible to start off with Option 1 and then establish new zones (Option 2) over time. This would seem to add to the complexity and delay implementation.

Option 2 This might work but would depend on the following critical factors

- That strategic work is done first, as with the RLUS and TPPs
- That zone purposes/intent and exact criteria are finalised, to determine where the 2 new zones of Urban Residential and Neighbourhood Residential might apply
- That Local Government can actually spatially apply the 2 new zones.
- That Local Government has the appetite to re-work the zones, after 10 years of planning reforms, and the inevitable planning fatigue.

Option 2 Transfer of Mount Stuart to Urban Residential Zone/Inner Residential Zone

Mount Stuart is a suburb which has bus-stops within 400 m of every house in the suburb. It will likely be a candidate for transfer from General Residential to Urban Residential, but the infrastructure will not support increased density, particularly multi-unit developments, as many of its streets are just two car-widths wide. This will result in issues during and after construction.

Option 3 The Overlays or Codes may be easier to apply than re-working the IRZ and GRZ. However, we consider that the Codes, should remain as overlays for natural threats like fire, coastal erosion, landslip etc. Assessment against codes as in Option 3 could involve more paperwork and a longer time for assessment against firstly the zone, then the code, so may not fit with the aims of the planning system of cheaper, faster, fairer etc.

Criteria for deciding a Zone

We have suggested in earlier submissions that Zone purpose statements for the suggested Residential Zones (in this case URZ and NRZ) could examine criteria such as location, specific figures for desired density, infrastructure and services, green open space and public transport capacity. This demands strategic work be done up front.

Alignment with Tas Planning Policies (TPPs)

We are concerned that the Medium Density Guidelines may not be aligned with many of the TPPs.

It is absolutely critical in our view that the State Policies, TPPs, Strategic planning such as Land Use Strategies cascade down and take effect through the SPPs. The fact that all the planning reforms since 2013 have operated from the bottom-up is appalling. We do not want the TPPs and other high level planning instruments retro-fitted to align with the SPPs. We want high level planning policies and strategic work which drive the lower planning instruments and produce good on- ground outcomes.

Incorporated documents

TasPIN endorses the preparation and/or inclusion of the “design guides as incorporated documents in the SPPs detailed in Section 7.2.1.2 of this report, summarised as:

- (a) Medium Density Design Guidelines (finalisation of draft guidelines required)
- (b) Subdivision design guidelines (new guidelines required)
- (c) Liveable housing design guidelines (existing guidelines by Liveable Housing Australia)”

The Medium Density Design Guidelines (MDDG) should also apply to apartments in business zones as an interim measure until a standalone apartment design guide is created, for high rise living in mixed use developments.

At this stage the MDDG are not mandated so whilst containing some good ideas, they can be ignored.

We are of the opinion that for DA assessment purposes, a new clause could be added in respect of compliance with Acceptable Solutions provisions to the effect that “Compliance with the recommendations of the Medium Density Design Guidelines shall be demonstrated” as part of any residential planning permit application.

It is absolutely critical that MDDG and Subdivision Guidelines are completely aligned with the TPPs.

Section 3 Definitions and terms

TasPIN thinks many of the terms need clarification. Sample pictures or diagrams would be helpful and assist in future assessments relying on these definitions.

3.2.1.2 Common open space – should structures that residents may want, such as covered areas to protect from adverse weather over a BBQ, be allowed? This needs to be clear or residents may end up covering all the open space. Should vegetation be the only covering allowed?

Driveways and carpark must not be considered as common open space.

3.2.1.3 Deep soil area, is likely to ‘form part of the common and/or private open space area for the site’. The potential definition for deep soil area states ‘not impeded above or below’ so that area could not be covered.

3.2.1.4 Replacing existing reference to **laundry facilities** in the definition of a dwelling raises concerns. The idea should only apply to certain medium density developments and so could be considered in Apartment Guides rather than Residential Standards.

3.2.1.5 Images need to be produced which show how the grouped and multiple dwellings satisfy the new deep soil, greenspace, stormwater run-off and common open-space provisions.

3.2.1.7 As per our comments at 3.2.1.5, it would be most beneficial if visual examples of the different typologies could be provided to show how plot ratio is assessed for the different built forms. Examples of single dwellings, grouped dwellings and apartment buildings would be most useful.

3.2.1.8 Workers Accommodation – potential **definition for workers accommodation** addresses key workers being accommodated on a temporary basis while they carry out their employment. This needs more definition. What is temporary? Are there to be limits on numbers or definitive timeframes?

On page 23 **The nesting table** needs to include the building classifications [1,2,3,4] to be clear as to which typology is included. Builders use those classifications so it would ensure everyone is aligned and on the same page.

Section 4 Residential Standards

TasPIN strongly endorses the inclusion of the following considerations in Residential Standards:

- Landscaping and deep soil areas
- Common open space for multiple dwellings; driveways etc not counted as COS
- Front elevations and passive surveillance
- Stormwater
- Plot ratio
- Environmental performance (including solar access, ventilation, noise, and water sensitive design)
- Lot size diversity
- Public open space and developer contributions

TasPIN members have experience in Hobart, Kingborough and Clarence municipalities. We do not understand or agree with the assertions that 'proponents are being discouraged from using performance based solutions that achieve good design and amenity outcome due to the narrow basis for discretion by Planning Authorities under the performance criteria and the broader perception in the industry and community that reliance on a performance criterion means that the application does not comply with the planning scheme and requires a higher level of scrutiny.' [p27]

Our experience is that developers commonly push the envelope and use Performance-Based solutions in applications to achieve relaxations. This delivers less than optimal results for liveability.

4.2.3.1 Plot Ratio

It would be useful to have fully compliant NPR Plot Ratio diagrams for each zone.

TasPIN strongly endorses setting a maximum amount of development (gross floor area) which relates to the area of the lot or the site. The old understanding of Plot Ratio.

Whilst the basis for improved development standards for plot ratio is to enable increased housing diversity and encourage design that responds to the site context, this **MUST** give regard to neighbourhood character, heritage places, precinct and streetscape.

TasPIN does not endorse full site coverage in any Residential Zone. Residences need setbacks and open space.

Diagrams on page 32 should be supplemented with pictorial examples

Section 4.2.3 Heights

Separating height and setback standards is supported as simplifying the assessment process.

The height parameters on page 33 are appropriate to Tasmanian residential needs but they must be in defined zones and provide amenities to the residents – close to transport, shopping centres, medical facilities, schools etc.

One of the advantages is that it may remove the apparent incentive to build “bulky boxes”, and fill the building envelope which seems to have prevailed since the de facto introduction of the SPP's through councils' interim planning schemes.

Section 4.2.3.3 Setbacks

Setbacks are to be considered in context of plot ratio, height, and solar access and the potential parameters on p35 seem appropriate. Zone applications will say where provisions apply. Setback greatly impacts privacy requirements and horizontal separation distances.

A new development on a northern boundary which could overshadow an existing building on the southern boundary needs a greater side setback.

Section 4.2.3.4 Landscaping

Green streetscapes, open space and tree cover are important for amenity. This includes countering urban heat in a warming climate. Co-ordinated investment in green infrastructure can also unlock new economic opportunities for our cities.

Significant policy and institutional reforms, guided by a new vision, are essential to ensure a healthy environment, community well-being and the liveability and prosperity of our cities for decades to come.¹

TasPIN has long campaigned on the need for urban planning to prepare for future liveability and amenity in Tasmania. Landscaping, which includes private and common open space, is a vital part of new planning, with other residential standards such as height, setback, amenity considerations etc

Implementation of these residential standards may require legislation that answers these questions:

- What is to stop a property owner from concreting over a “deep soil” area?
- Will there be a requirement for owners to maintain a percentage of the site as “deep soil” or “open space”?
- How will this be enforced?
- What happens when a large tree dies?

TasPIN would expect controls of the minimum landscaped area on a site, ensure that there is sufficient deep soil area for the planting or retention of trees, and require a minimum provision of soft landscaping, including trees.

TasPIN supports a minimum landscaping area covering 25% of the site, and deep soil area covering 10% of the site.

Landscaping would generally refer to common open space. Private open space is part of the building structure and must maintain the minimum standards adopted elsewhere.

Section 4.2.3.5 Solar Access

Simplification that a new solar access standard offers is a good idea. The objective would be to ensure that 2 to 3 hours of direct sunlight access to a habitable room is achieved in mid-winter. There will be issues with achieving this, but the introduction of separate parameters is a worthwhile idea. Sunlight access will need to be considered in conjunction with other parameters.

One aspect which appears to have been overlooked in the review is ensuring that solar panels on neighbouring properties are not overshadowed by a development.

P37 There are two primary objectives for the new solar access standard. Firstly, that building layouts optimise sunlight and daylight access within a development. Secondly, that built form and

¹ https://theconversation.com/our-legacy-of-liveable-cities-wont-last-without-a-visionary-response-to-growth-93729?utm_medium=email&utm_campaign=The%20Weekend%20Conversation%20-%2098618559&utm_content=The%20Weekend%20Conversation%20-%2098618559+CID_2f62ad13fb55cd882a240911852bdabc&utm_source=campaign_monitor&utm_term=Our%20legacy%20of%20liveable%20cities%20wont%20last%20without%20a%20visionary%20response%20to%20growth

siting minimises unreasonable overshadowing of neighbouring properties and their solar panels in mid-winter.

Together, the new standards should address parameters for solar access to dwellings, solar access to open space, and the impact of a proposal on adjoining properties solar access needs.

Section 4.2.3.6 Frontages

There are some issues with the current standards for fencing and street-facing garages. Introduction of a new standard for frontages should ensure that fencing, openings for garages and carports, passive surveillance and parking are of a higher standard. Frontages should be reviewed in conjunction with other property development standards.

4.2.3.6 Frontage elevations – the potential frontage elevation parameters through the permitted pathway excludes existing vehicle parking spaces. These may include open bays

Section 4.2.3.7 Privacy

Privacy considerations need to be coordinated with other planning standards. TasPIN considers mechanisms to prevent intrusion on neighbours' private spaces are essential to community amenity and so supports

- new windows in the IRZ, GRZ and LDRZ to have a setback of 3m from side and rear boundaries. These usually should include both glazed doors and windows.
- A balcony, terrace, parking space, or habitable room window that has a finished floor level more than 1 metre above existing ground level must be screened or otherwise designed to minimise overlooking of habitable rooms and private open space of dwellings on adjoining properties and on the same site, having regard to
 - (i) the design quality of the proposal referring to best practice design guidance in the Medium Density Design Guidelines, and
 - (ii) the prevailing topography, the location and site characteristics.

Section 4.2.3.8 Storage

The minimum provision of 1.5 m² appears to be an underestimation for City of Hobart residential properties as most of them have three waste bins. Each of these bins could be up to about 0.6 m x 0.75m, which means that you would need an area of at least 2.7 m² with a minimum width of 1.8 m and minimum depth of 1.5 m to accommodate three large bins with provision for manoeuvrability in a walled area.

Section 4.2.4.2 Movement Networks

Street design options can better provide and facilitate active transport as discussed within the sustainable transport paragraph. Provision of roads and driveways need further investigation. Emergency vehicles must be able to access multi-unit sites.

Subdivisions

TasPIN considers all Strata-titling should be considered a form of subdivision. Approvals for strata-title developments should be subject to the same development standards as subdivisions. The current definition excludes the strata title form of subdivision from the requirement to contribute to the provision of new or provide financial contributions for Public Open Space to cater for this increased demand. Accordingly, it is not considered to be aligned with the LUPAA *objective 1 (b) to provide for fair, orderly and sustainable use and development of air, land and water*”.



4.2.4.1 The overarching objective of the new lot size diversity parameter is to ensure that a subdivision delivers a range and mix of lot sizes suitable for development of diverse dwelling typologies including single dwellings, grouped dwellings, townhouses, apartments, and communal residences.

TasPIN queries how this fits with private and common open space? Are they part of the lot size?

4.2.4.2 Movement and transport and street design need considerably more work. We know of cases where emergency vehicles such as a fire truck cannot access the unit at the rear because of narrow driveways.

An improved roads standard is needed to encompass the broader scope of planning requirements essential for a successful subdivision movement network. This includes the parameters outlined below for subdivision structure, sustainable transport, and street design. A standardised road hierarchy is often defined in planning schemes and policies in other Australian jurisdictions. This enables clear and transparent expectations for proponents and assessment authorities for subdivisions.

In the SPPs there is no standardised road hierarchy to form a basis for consistent decision making.

4.2.4.3 Urban greening and public open space should be a major part of any residential area and any residential development including subdivisions. This is particularly important as dwelling density increases.

TasPIN supports the public realm of roads and open space must

- provide for a range of users and activities,
- contribute to an attractive streetscape,
- link between existing or proposed areas of open space,
- include landscaping that contributes to improved canopy cover and ecological functions, and be compatible with any open space strategy or policy adopted by Council.

The assessment test is to have regard to (i) the design quality of the proposal referring to best practice design guidance in the Subdivision Design Guidelines; and (ii) compatibility of the proposal with any relevant Local Area Objectives.

4.2.4.4 Services

The current services standards for residential subdivision need revision, especially stormwater management. All area of urban development require permeable surfaces that absorb stormwater and thus reduce flooding.

TasPIN agrees that subdivisions should ensure stormwater meets quality and quantity targets in the State Stormwater Strategy 2010, including all matters referred to in the report.

TasPIN supports the recommendation to:

Substitute the suite of residential subdivision standards in the IRZ, GRZ and LDRZ by implementing the improvements detailed in Section 4.2 of this report, summarised as:

- Add lot size diversity provisions into the lot design standards at clause 8.6.1, and 9.6.1.
- Replace the roads standards at clause 8.6.2, 9.6.2, and 10.6.2 with a new movement network standard.
- Include a new standard for urban greening, including provisions for public open space.
- Landscaping of the public realm.
- Add stormwater management provisions into the services standard at clause 8.6.3, 9.6.3 and 10.6.3.

Chapter 5 Homes in Business Zones

TasPIN supports the recommendation to:

- Substitute the suite of residential development standards in the UMZ, LBZ, GBZ and CBZ by implementing the improvements detailed in Section 5.2 of this report, summarised as:
- Replace the private open space provisions in the dwellings standards at clause 13.4.6, 14.4.6, 15.4.6, 16.4.6 with a new landscaping standard.
- Include a new standard for solar access, including parameters for solar access to habitable rooms, solar access to private open space, solar access to common open space, and impacts to adjoining dwellings solar access needs.
- Include a new standard for privacy, including parameters for visual privacy, acoustic privacy, and dwelling separation.
- Replace the dwelling storage provisions in the dwellings standards at clause 13.4.6, 14.4.6, 15.4.6, 16.4.6 with a new storage standard, including parameters for dwelling storage and waste storage.
- Include a new standard for dwelling mix, including parameters for dwelling mix and liveable housing.

Chapter 7

TasPIN opposes a new general provision at clause 7.0 of the SPPs permitting subdivision occurring along a zone boundary; detailed in Section 7.2.1.1 of this report. The given example of a residential block near a landscape conservation zone would meet with our strong opposition.

There is some support for amending Table C2.1 of the Parking and Sustainable Transport Code to reduce the minimum onsite parking rates for the right housing in the right place, such as social housing and development close to activity centres; detailed in Section 7.2.1.3 of this report.

7.2.1.4 Expanded application requirements for subdivision

TasPIN supports the recommendation that:

A robust assessment of a subdivision application is reliant on documentation of key information including:

- Site analysis plan demonstrating existing conditions
- Subdivision plan demonstrating an appropriate design response
- Street sections and plans communicating the role and function of streets
- Landscape plan demonstrating the location of canopy vegetation in streetscapes and public open Space.

TasPIN supports the recommendation to:

Insert new application requirements for subdivision at clause 6.0 of the SPPs, including landscaping and street design plans; detailed in Section 7.2.1.4 of this report. Section 7.2.1.4

TasPIN considers it is essential to adopt tools to assist with the implementation, interpretation, and useability of the new standards, including those detailed in Section 7.2.1.5 of this report, summarised as:

- (a) Fact sheets (utilise fact sheets supplementing this report)
- (b) Technical guides with explanatory figures (new technical guides required; part of Improved Guidance Project)
- (c) Model conditions (new model conditions required; part of Development Manual Project) Medium priority

The technical guidance should have diagrams with figures to maximise usability of the improved standards. Some of the figures could then be included and referenced directly in the relevant standards, although this is not considered essential for the initial implementation phase.

7.2.2 Additional considerations

Larger and more complex matters warrant additional work to develop a considered response before implementation into the SPPs. There is a high degree of risk involved in prematurely applying changes regarding the matters highlighted below.

7.2.2.1 Inclusionary zoning

TasPIN supports the recommendation to:

Undertake additional work to investigate opportunities and feasibility for inclusionary zoning; detailed in Section 7.2.2.1 of this report.

Also to introduce the concept of employing a development bonus for social housing providers, through a voluntary inclusionary housing approach. The dwelling mix standard in the improved dwelling standards for the business zones also contemplates a height bonus for social housing.

7.2.2.2 Infrastructure contributions

TasPIN supports the integration of developer contribution systems in the planning process, though a comprehensive scheme must first be conceived, including cohesive legislative frameworks, backed by strategic infrastructure planning.

TasPIN supports

- the urban greening standard in the improved subdivision suite introducing the concept of a development contribution for public open space into the SPPs.
- introducing open space contributions for all multiple dwelling strata development as canvased in Section 4.2.4.3.



TasPIN Recommendations

TasPIN supports the use of **plot ratio** to set the overall scale of development by managing the scale and coverage of buildings on a site and as an alternative to the current density and building envelope controls. It would work with other requirements for building height, setbacks, landscaping, and solar access.

TasPIN supports the use of **separate building height** and **setback controls** to simplify this part of the assessment process.

TasPIN supports **landscaping, deep soil and open space controls** including private and shared open space, as an important factor in housing development.

TasPIN supports a potential new requirement for **solar access** to ensure dwellings and solar panels get appropriate access to sunlight and to also protect adjoining developments and their solar panels from overshadowing.

TasPIN supports the potential improvements proposed for the existing suite of **subdivision standards**. These include lot design, urban greening, movement networks, and services.

TasPIN supports **re-instatement of Local Area Objectives, and a focus on building quality and design**.

TasPIN strongly supports the return of privacy and solar access provisions to the SPPs.

TasPIN supports the introduction of **developer contributions**, as happens in other states.

TasPIN supports the view that when a discretion is triggered, consideration must be given to how well it balances with all other performance criteria. Any bonuses or relaxations granted to a developer under Discretions could possibly be linked to **delivering improved amenity standards**.

TasPIN considers that the **housing crisis** is more complicated than the overview in this Report. Much more work is needed. Short stay accommodation is a massive issue. Other factors include labour shortages, materials supply, finance costs, the taxation/economic system, and the fact that large scale infrastructure projects are reducing the available workforce for building housing. Migration which increases demand is also a factor.

We recommend increased **storage areas** and waste space allocation. 3 garbage or recycling bins need more space than that allocated in the Report.

TasPIN supports the view that **Climate Change risks** must be a major consideration in all planning documents

Pictorial examples included in the Draft Report rely on Performance Criteria. Does this suggest that the Acceptable Solutions are too minimal? We would like to see many more examples or diagrams for NPR (No Permit Required) and Permitted development.

TasPIN considers that all **subdivisions should be discretionary**, as they used to be, so any environmental constraints can be assessed at the subdivision stage.

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6 September 2024

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

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

Dear Sir/Madam,

Submission to Improving Residential Standards Draft Report

We submit the following response to the discussion paper and questions as part of the consultation process.

The submission provides a technical response that was prepared by staff and was not formally considered or endorsed by a decision at a Council meeting.

Thank you for the opportunity to provide detailed responses to the review that allow specific issues that afflict the Glamorgan Spring Bay area for consideration.

If you have any queries about this submission, please contact Council on 6256 4777 and ask for the planning department, or via the email above.

Yours sincerely

Alex Woodward
Director Planning and Development

A response was provided to the online survey.

General Observations of the area:

- Glamorgan Spring Bay is a rural and coastal area with highest dwelling demands around its main coastal villages and townships;
- A very high percentage of dwellings are used as second or holiday homes, which exceed permanent residences in some settlements;
- Short stay visitor accommodation is a common use of dwelling stock;
- Recent community consultation on planning scheme amendments and for review of Structure Plans identified an increasing dissatisfaction within the community for the design and other standards that are resulting in a loss of the coastal and traditional character of many of the existing townships, and their suburbanisation through recent subdivisions.

Observations from the existing standards for dwellings:

- The reforms are supported and overdue.
- The limited role of planning system in driving housing decisions was not sufficiently recognised within the reports, reforms are required outside the planning system to increase housing availability and affordability.
- The paper provided a focus on urban metro locations and has limited recognition of the issues that apply to more remote communities.
- Drafting of the standards needs to provide increased recognition of existing circumstances that cannot meet the drafted standards so redundant discretions are not forced and meaningful assessment is provided.
- Additional definitions are required in the State Planning Provisions (SPP) to support use and interpretation, and avoid unnecessary appeals and legal challenges to interpretation and intent, they should not just be an explanation within this report.
- The provisions need to function across all locations they will be applied to, not just within metro-urban locations such as greater Hobart or Launceston.
- Increased recognition is required of functional public transport routes as an alternative to private vehicle transport within standards, with alternatives provided in locations where this is not possible (such as removing visitor parking requirements for residential use but retaining resident parking, or providing incentives for reduced parking in close proximity to activity centres that provide for the daily needs of local residents).
- Reliance on Medium Density Design Guidelines through PC assessment may be acceptable for urban and medium density locations/proposals, but is not suitable for more remote locations outside these areas such as Orford, Triabunna, Swansea or Bicheno. A more structured approach to standards may be required to reflect the real application of controls for other locations.
- The increased requirements for residential use other than a single dwelling in the Low Density Residential zone are supported.
- The lack of consideration of the Village zone within this project is questioned and should be reconsidered.

3 Definitions and terms

We note that not all of the terms identified in the report were listed in this section. They should be to reduce unnecessary challenges and appeals.

- 3.2.1.1 Apartment building – suggested definition arguably requires single apartments per floor and prevents adjoining apartments. Revise to consistently refer to apartments (plural). Should reference be to apartment building and other uses, so that individual apartments may also provide, for example, assisted care?
- 3.2.1.2 Common Open Space - Should common space be a defined term as well, consistent with the requirements of the Strata Titles Act for clarity?
- 3.2.1.3 Deep soil areas noted. Should consideration be provided where these areas are proposed in areas with hazards such as land stability, salinity or other such issues?
- 3.2.1.4 Dwelling definition – suggest that this be linked to the long term or normal place of residence for occupants, to differentiate from visitor accommodation?
Reference to laundry facilities could be by refined to prevent unintended outcomes, perhaps reference to single dwellings rather than simple removal. *‘a building, or part of a building, used as a self-contained residence and which includes food preparation facilities, a bath or shower, a toilet and sink, and any outbuilding and works normally forming part of a dwelling and for single dwellings, laundry facilities’.*
- 3.2.1.5 Multiple dwellings – reference should be to the defined term *strata lot* or a lot within a strata scheme, not strata title. Note difficulty with defined term lot and potential prohibition by exemption for relevance to Strata, which also affects the term site.
The basis of separation in the defined terms does not appear consistent with the discussion, is it about strata and/or road frontage for each dwelling, or not? This element does not appear in the nesting table and is unclear from the discussion.
- 3.2.1.6 Plot Ratio will this replace site area per dwelling and what are the standards to accompany this control? The need for this reform is not well established through the paper. This consideration may be better nested within the building envelope.
- 3.2.1.7 Townhouse definition generally supported. The term should be linked to freehold subdivision outcomes to maximise opportunity and outcomes.
- 3.2.1.8 Worker accommodation definition generally supported. Suggested examples should include services and not be limited to key workers to key or infrastructure projects. Worker housing should not be limited to one sector type i.e. infrastructure construction.
Potential conflicts with subservient use under SPP clause 6.2.2 require clarification.
- 3.2.1.9 Residential Use revisions generally supported. The potential conflicts with the operation of subservient use provisions under SPP clause 6.2.2 must be clarified in the final form of the amendments to minimise confusion and differing interpretations (directly associated and subservient use, such as a caretakers dwelling, complicated by worker accommodation definition).

Figure 7 – clarity of nesting table supported.

Issue – the potential conflict with worker accommodation under SPP clause 6.2.2 must be resolved in these reforms, particularly where it is on the same title as the main activity. This conflict is unclear in this paper.

Section 4

Standards generally must be established for different dwelling types in the Low Density Residential zone beyond a single dwelling.

- 4.2.2.1 Plot Ratio – basis of change is not really established. Current issue is lack of maximum density requirements in selected locations. Suggest needs to deal with issues around both minimum and maximum density limits.

High Frequency Transit Corridor requires a definition by words and map or reference to service provider.

Benefit of Plot ratio over SAPD is not clear. May be a better control for apartments, but villa units are unclear, and reform has potential to increase units on a lot without any consideration of local streetscape or amenity of the units.

Table for parameters could equally apply to discretionary in addition to permitted pathways.

- 4.2.3.2 Height bonus noted. Split standards may be required for targeted locations such as activity centres against other areas to fully implement zone purpose and intended reforms.

Pathways discussion may still promote a more suburban outcome that contradicts with the zone intent. A more refined approach may be suited for identified urban locations (such as around existing urban metro activity centres) versus more suburban locations where lower density and higher amenity outcomes are preferred.

- 4.2.3.3 Setback – question consistency between IRZ & GRZ requirements and experience with existing controls resulting in similar if not same outcomes. Discussion around discretion and consideration of other factors and design guidelines through the process needs further examination to identify function, potential complications and application across the range of circumstances controls will apply to. The suggested parameters require further consideration and may need to address zone or precinct purpose. Garage setback for IRZ may benefit from refinement to incentivise townhouse style development where GFA is at both ground and first floor levels.

- 4.2.3.4 Landscaping discussion does not separate requirements for different zones, where GRZ & IRZ have differing intents that may need to be reflected in standards. Uniform application across zones appears contrary to zone intent for some locations, standards may wish to provide more structured response. Suggest assessment should consider use of vegetation in providing solar access through year with summer shade and winter sun.

Common Open Space – should not be a mandated outcome as a result of standards unless impact to operation of Strata schemes is examined and resolved.

- 4.2.3.5 Solar access – discussion recognises existing conditions may not meet solar access requirements, but suggested AS & PC standards do not reflect this (such as south facing or infill sites). Suggest expansion to reflect existing constraints onsite and with adjoining properties (so redundant discretion is not mandated on sites that do not meet requirements prior to development, let alone afterwards).

- 4.2.3.6 Frontage Elevation. Suggest common approach for GRZ & IRZ likely to be counterproductive. IRZ may benefit from reduced requirements or linkage to location/zone based tests for priority development areas such as around Activity Centres etc.

4.2.3.7 Privacy – uniformity of requirements across zones and housing types is questioned, noting that some development may benefit from reduced privacy requirements depending upon the combination of development type and zone/location.

4.2.3.8 Storage standards are supported. AS provision should not penalise combined collection systems, where the space required under the Scheme is much higher than the physical collection. Suggest AS for centralised/skip collection systems.

4.2.4 Subdivision

4.2.4.1 Lot design – permitted pathway needs to provide certainty and incentive to provide different lots, given lack of local sales history data. Better AS & PC standards are required to de-risk intent to increase lot diversity if it is to be delivered.

Large lot discussion (1000m²) intent is not reflected in standards, which is required if the outcome is to be delivered. Similarly, smaller or development type specific lots require similar linkage of lot size to development outcome or incentives.

Standards need to reflect the scope of the supporting discussion.

4.2.4.2 Movement network – discussion does not appear to link lot density requirements to functional public transport routes (as opposed to proximity to a bus route in any form) in any meaningful manner that is likely to deliver actual outcomes.

Potential public transport route must be a defined term in the Scheme, not just a note in this report.

Consultation with engineers and revisions of engineering standards is a key requirement for implementation of these reforms.

4.2.4.3 Urban Greening – increase in allocation to 10% is supported.

Discussion does not reflect success of interim scheme provisions on Public Open Space through provision of land or cash-in-lieu and consistency with LGBMPA requirements.

Suggested provisions remove discretion of LGA to make decisions at local level and deliver significant local infrastructure such as linked networks or neighbourhood parks.

50 lot threshold as mandate is arbitrary and not realistic for less urban locations where few subdivisions of such size can be expected or managed by developers to avoid requirements.

A better structure required to standards, addressing contribution first (10% of land value) and then type (land or cash). Any mandatory threshold should at a level that is applicable across the range of locations, 10 lots is more appropriate.

Location test for land ok, but requires ability to recognise local strategy or planning and requirements through either structure planning or provision of a LPS specific tool such as a POS Precinct Plan, similar to the parking precinct plan provisions in the SPP.

Suggest splitting PC for these issues so that the discretionary assessments relate to the specific issue (suggest amount, then type of contribution as land or cash) local area strategy and specific outcomes (linkages, local strategy, destination, regional or specific type of parks etc). Suggest that AS only provisions may be suitable, so that discussions with relevant authorities are completed prior to lodgement of DA and not forced through a compressed statutory process.

800m permitted test opposes suggested POS contribution mandate for cash in less than 50 lot subdivisions and is unlikely to function as suggested.

7.2 raises POS contributions for unit developments, which does not appear to be discussed or provided with recommendations through this section? But is supported, whether at the initial

subdivision stage through an averaged dwelling calculation or through strata scheme registration and amendments.

- 4.2.4.4 Services – GSB supports this, but question suitability of the 15-lot threshold and dated nature of the State Stormwater Strategy. Suggest any provisions should allow for local schemes to be reflected in provisions, similar to the parking precinct plan tool under the SPP. GSB supports the selective application of the provisions as presented in the report, to ensure that unintended operation and management costs are not imposed to Council or the sector.

5 Homes in business zones

- 5.1 – Council questions omission of the Village zone from the review (Buckland, Cranbrook).

- 5.2.1.3 Acoustic privacy – while the intent of these provisions are supported, this appears to be contravening the prohibition on technical construction requirements under section 9 of the *Building Act 2019* and specifically, the prohibitions on enforcement by condition on planning permits under subsections 3 and 4 to achieve compliance with standards (noting the standards themselves may be valid but assessment/compliance is complicated/prohibited under separate statutory requirements).

6.2 Implementation Options

A particularly compelling case was not made for any specific reform, except that option 3 is not supported.

Regardless of which option is chosen, the State should be required to complete a comprehensive community and industry education campaign and not derogate this function to the LG sector, per usual practice.

This is policy change by the State. There are significant implications for development opportunity and application requirements across a range of professions that must be addressed by State. There are issues across multiple sectors due to the current lack of education on planning reform by the State for our communities and the development sector.

Figure 11 – suggest option 1 (retain existing zone names) better outcome.

- 6.2.1 Option 1 discussion. Table 10 – the basis of exclusion of the IRZ from the proposed height bonus discussed in Paper was not clear and is not explained? This is likely to be counter to the intended outcomes.

- 6.2.2 Option 2 – the need for the loss of a structured residential zone was not clearly documented as an outcome. The current development opportunity in the GRZ is arguably divisive within the community. Replacement with yet another similar but different zone will simply produce the same outcome. What is really to be gained?

- 6.2.3 Option 3 is not supported. It is too complicated, and the current scheme is not well enough understood to be progressing to this significant a change so fast that is not supported by community and industry education campaigns.

7 Other Improvements

- 7.2.1.1 subdivision along a zone boundary – proposed revisions supported.

- 7.2.1.2 Design guides – supported.

7.2.1.3 Car parking reductions – this needs to be more refined for universal application to areas with lesser or poorer transport options, outside the greater metro centres and/or in remote locations. Intent supported provided execution reflects diversity of real world locations for application.

Type of centre and high frequency transport terms require definition in SPP, not just an explanatory footnote in a report that will be lost over time.

Social housing reductions need to be linked to proximity to functional public transport to minimise adverse outcomes. Where not proximate, suggest 1 space per dwelling as requirement.

In locations that do not have easy access to regular and reliable public transport services, such as rural villages and non-metro-urban locations, it is more pragmatic to remove the requirement for visitor parking and provide for resident parking.

Linkage to carshare scheme supported, though application may be limited.

7.2.1.4 subdivision plan requirements – suggest that a specific requirement be identified for applications, as documentation is required and not being provided with applications now. Combine with guide and industry education.

Tree canopy plan needs to be linked to specific standards and specific consultation with engineers to ensure delivery through infrastructure managers.

We suggest a sign off from engineering/assets function of Council may be required to satisfy design standards as part of a proposal (as future infrastructure owner/manager), so that the design consultation on the spatial and infrastructure requirements is completed prior to DA lodgement. This may require written consent to accompany an application.

7.2.1.5 Improved useability – supported.

7.2.1.6 monitoring outcomes – we suggest that data reporting goes beyond LG planning to include other key metrics to inform supply and demand. While they may technically be beyond the scope of the project, critical data such as the following relates to the realistic monitoring of demand and supply:

- Building consents – approval, commencement and completion dates
- Titles Office – creation of plans, issue of titles, registration of Strata schemes, issue of Strata lots

7.2.2.1 Inclusionary zoning – noted.

7.2.2.2 Infrastructure Contributions – supported.

7.4 – generally supported.

Office of the Coordinator-General

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6 September 2024

State Planning Office
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Dear Sir or Madam

Improving Residential Standards in Tasmania Project

The Office of the Coordinator-General (OCG) supports the policy intent of the proposed amendments to improve housing supply, affordability and diversity by reviewing the planning controls for residential development in Tasmania.

We commend the State Planning Office for engaging external consultants ERA and consulting with key stakeholders such as Institute of Architects, Homes Tasmania and industry groups such as Housing Industry Association (HIA), Master Builders Tasmania (MBA) and Property Council.

The Draft Report is a well-researched and a considered piece of work which we have reviewed and accept the majority of the recommendations. In our response we will address areas of interest to the OCG such as workers accommodation and ensuring we have a simplified planning pathway for a more diverse range of residential development.

Workers Accommodation

We support the insertion of a definition of Workers Accommodation into the State Planning Provisions (SPPs). Providing a definition for workers accommodation will support the interpretation and use of the planning standards to facilitate developments.

We support the proposed definition:

“Use of land to accommodate key workers on a temporary basis while they carry out employment. Examples include fruit pickers, hospital workers, mine workers and construction workers delivering major infrastructure projects.”

Residential Density

Tasmania's current residential density standards manage the maximum number of dwellings allowed on a site with limited consideration to build form or whether the density is appropriate for the site.

Plot ratio is the primary tool that manages the scale and coverage and we support the use of it as an alternative to the current system of density controls.

The report states that a plot ratio of 1.0 means the floor area of the building is equal to the site area; whereas a plot ratio of 0.5 means the floor area is equal to 50 per cent of the site area. We understand a plot area of plus 10 per cent or more allows for multistorey developments which can be enhanced with set back and height restrictions to manage bulk.

We support the proposed plot areas:

- 0.4 for Low Density Residential.
- 0.6 for General Residential
- 1.0 for Inner Residential.

We do not support the +10 per cent loading for social housing, town houses and apartments.

The OCG contends that if we are to meet the demand for future housing then we need to embrace greater utilisation of land in general – and inner residential areas in particular – to maximise land value and use of infrastructure.

We suggest a greater plot ratio should be considered such as 1.0 + 20 per cent for General Residential and 1.0 +40 per cent or greater for Inner Residential to better provide for apartment and townhouse development.

We do not support the +10 per cent for social housing and recommend this be increased to +40 per cent in order to address the housing supply issue.

We also strongly recommend that a +40 per cent density loading be applied to not just social housing but also worker accommodation in order to address the severe shortfall of accommodation and ensure businesses are not required to sacrifice additional productive land when a multistory apartment style development could be used to accommodate workers.

Building Heights and Setback

We support the contention in the report that the maximum building height provisions are entangled with the setback requirements and therefore there is no opportunity to meet the Acceptable Solutions for height if the permitted setbacks are not achieved.

By separating the height and setback standards the assessment process is simplified and provides greater flexibility for more appropriate designs. Taller buildings that are well designed with sensitive siting, setbacks and materials can deliver better density outcomes without impeding amenities for neighbors.

Whilst we support increasing the building height for Inner Residential; we think the recommendation of moving from the current 8.5 meters which is typically a two-storey building, to 9.5m for single dwelling and 11m for apartments does not go far enough.

We recommend the permitted height should be increased significantly to allow for even greater density. The exact height should be considered in association with key stakeholders and the housing objectives of the government. However, if we are to going to significantly increase housing supply we need to be bolder in accepting taller developments especially in Inner Residential and General Residential Zones.

Landscaping and Open Space

We do not support the mandating of open space, landscaping requirements and provision of trees at this scale. Whilst we accept the latter requirements are important factors in the overall quality and enjoyment of developments they should not be mandated in the way proposed.

The insertion of residential standards such as one large tree or two small trees per apartment or a 40m of private open space for a single dwelling and deep soil retention add significant cost to a development and reduce the amount of land that can be better used to house more people; which should be the primary focus of this planning reform.

Too often good government policy is undermined by conflating issues and seeking to achieve ancillary objectives which may have merit in their own right but comprise the integrity of the primary objective.

In this case the stated objective to: *“increase housing supply, affordability and diversity”*.

Addressing the issues of climate change at the residential development stage is best achieved through the creation and implementation of energy efficiency standards (as is already occurring) for each building, and the consideration of open space provision, vegetation and heat management at a scale greater than individual developments.

Subdivisions Standards

We support the general policy intention to improve the subdivision standards and agree decisions made at subdivision stage have long term effects on housing supply, affordability and diversity.

However, again we have concerns these primary objectives will be undermined by ancillary objectives such as urban greening, sustainable transport, integrated water management and climate resilience.

We accept that the current lot design standards are effective at delivering traditional single dwellings however they lack the detail required to enable different housing types that offer more density, diversity and affordability. If we are to increase housing supply we need to encourage smaller housing lots, grouped dwellings, townhouses, apartments and communal residences that optimise land and local infrastructure.

We support introducing more lot size diversity of as small as 160sqm-250sqm for townhouses as opposed to the traditional 450sqm that currently applies general residential lots.

A separate matter that is not addressed in the report is the duplication of reports at subdivision stage and then again when the lot is sold for development. Bushfire plans, landslip; flood mitigation and wildlife conservation corridor plans and parking plans are often required as a part of the Subdivision Development approval. These reports cost the developer thousands of dollars and are very comprehensive.

However, despite all of this cost, time and work associated with the reports being completed at subdivision stage they are then required again by council when a person buys a lot in a subdivision.

Even more ludicrous is council will demand the same reports from each lot owner in the same street, resulting in more duplication and expense for no benefit.

A significant planning reform to improve housing affordability and reduce the time of construction would be to ensure all council concerns are addressed at the time the subdivision is approved. When a subdivision goes to market the lot should be ready for sale and development with no further reports required beyond those relating specifically to the house or apartment such as compliance with building code.

Concluding Comments

Our Office supports recommendations in this report that:

- increase density to meet housing supply targets
- create improved streamlined approval pathways such as Development assessment panels and permitted approvals
- promote medium and high density housing
- create inclusionary zoning to promote social and worker accommodation.

Our Office does not support the conflating of climate change, public open space, water retention and deep soil inclusion for a prescribed number of trees. Whilst all of these ancillary policy objectives are important in their own right they would be more effectively addressed through broader community and commercial programs.

We appreciate the opportunity to provide input into improving residential standards in Tasmania.

Yours sincerely,

Stuart Clues
Small Business Advocate and Red Tape Reduction Coordinator

Improving Residential Standards Tasmania Draft recommendations report July 2024

Glenorchy City Council Officer feedback

6 September 2024

Key points

Typologies/uses

- The definitions for the sub-categories of multiple dwellings allow for overlap between them, creating ambiguity.
- Similarly, allowing overlap between the definitions for townhouses and single dwellings would cause problems in applying two sets of development standards.
- Demand and provisions for multi-generational accommodation and 'tiny houses' are not addressed.
- The proposed nesting table introduces several questions and potential inaccuracies. The use of the nesting table, at least in its current form, is not supported. More work to consider the possible distinction and relationship between 'use' and 'typology' may help.
- The value and operation of the proposed 'workers' accommodation' use is very unclear.
- There is a lack of nuance in the proposed status of the different typologies across the zones.

Development

- Support the use of plot ratio (including bonuses for social housing and dwelling diversity), with some caveats.
- Separating out various standards adds assessment complexity rather than reducing it.
 - o Eg if a height discretion requires essentially the same assessment as a setback discretion, it becomes irrelevant whether the setback meets the Acceptable Solution (AS) if the same discretionary criteria have to be addressed anyway.
 - o Conversely, if both height and setback don't meet the AS, the discretionary assessment under the proposed model would then require duplication across the separate standards, where currently it would be a single standard being addressed.
- The overall concept of the proposed Performance Criteria (PC) for plot ratio, height and setback is supported, but substantial drafting revision is needed:
 - o It is unclear why height and setback include consideration of compatibility while plot ratio does not. 'Compatibility' (arguably) can be problematic when seeking change. Should 'compatibility' be replaced with criteria framed around furthering the zone purpose, and be included across the board?
 - o The concept of 'contribute to a range of dwelling types' requires more work. For example, if the existing stock is medium-high density, then a single dwelling would increase the range of dwelling types in that location, but may not be appropriate (and vice-versa). These criteria should be reframed to reflect the purpose of the relevant zone.

- Cross-referencing to other standards from the PC for any of the standards is very problematic:
 - In Glenorchy City Council, statutory assessment does not currently consider 'degree' to which a standard has been met – if the standard is not 'met' (i.e. complied with, through either the AS or the PC), the permit application is refused. Additional work would be required to clarify how 'degree of compliance' is to be determined, including maintaining procedural fairness.
 - Cross-referencing creates an additional overhead (and duplication) for planners when assessing a proposal, undermining the goal of maintaining assessment efficiency.
 - If a proposal meets the standards being cross-referenced, what is the additional value in reviewing that compliance in the context of another standard? Eg if a proposal meets solar access requirements, why does that need to be further considered when looking at plot ratio? We already know the solar access is acceptable, from the other associated standard. If it is acceptable for that standard, how could it be used to justify a refusal for this standard?
- Key relevant considerations from the Medium Density Design Guidelines (the Guidelines) must be incorporated into the standards directly.
 - The Guidelines have not been drafted to directly support statutory assessment.
 - Generic reference to the Guidelines would create a substantial overhead for planners when assessing a proposal, undermining the goal of maintaining assessment efficiency.
 - Generic reference would introduce substantial ambiguity into the assessment. For example, which parts of the Guidelines would they need to meet/address, and to what extent? Are trade-offs between different elements of the Guidelines supported, and if so, in what circumstances? Are there any mandatory aspects? Are the different aspects weighted differently? Would a supporting report from a suitably qualified person addressing the Guidelines be required? This is not simply a matter of planners' confidence/skill level, but of the difference between regulatory requirements (or Australian Standards, or Council Policies) and voluntary guidelines. It could introduce substantial opportunity for appeals, and a standard that requires clarification via appeal is not supported.
 - Generic reference to the Guidelines from the PC in no way addresses the dilemma of Acceptable Solutions rewarding the lowest common denominator while pushing excellence to discretionary assessment. While translating aspects of the Guidelines into a set of regulatory standards would be a substantial piece of work, this is how their value will best be realised through the planning scheme, including supporting opportunities for better design to avoid discretionary assessment.
- Landscaping parameters are broadly supported but need substantially more work.
- The overall scope of subdivision standards is supported.
- The consideration of pedestrians/cyclists in the proposed movement network is supported and encouraged
- It appears that the re-introduction of a stormwater code, is being considered – this is supported in line with consideration against a Council policy.

- The concept of lot diversity is supported, but the 'permitted pathway' would result in vastly more land being allocated to large lots, than to small lots. Without measures to mandate their use for multiple dwellings, this could undermine dwelling density.
- Solar access standards need to consider cumulative shading impacts.
- Bonuses for liveable housing, social/affordable housing and dwelling mix are broadly supported.

Implementation options

- The three options lack nuance. A new option should be developed, or the existing options revised, to provide greater location-based typology differentiation based on proximity to Activity Centres and transit corridors.
- Support the review of parking rates.
- Strongly support the introduction of developer contributions into the Tasmanian planning system

Other

- Various detailed comments on the drafting of the proposed parameters are provided below.

Section	Comment	Recommendation
3.2 What are the improvements?	Unclear what is meant by “there is expected to be a degree of flexibility regarding the exact wording of definitions” – does this mean the definitions are expected to be flexible? If so, unclear how this would work within a planning scheme. Or does it just mean that the proposed definitions haven’t yet been finalised?	Clarify what is meant by ‘flexible wording’ of definitions.
3.2.1.1 Apartment building definition	<p>Support the concept of the proposed definition, which doesn’t align directly with the NCC but is more meaningful in a planning context. However unsure about excluding apartments that may be on a single storey, eg one level of apartments above business use on lower floors. Suggest the standards applying to multiple level apartment buildings would need to be the same for a single level of apartments (above ground floor level). There would likely be more in common between those, than between eg a single level of apartments, and other medium density typologies such as townhouses/grouped dwellings.</p> <p>Unclear why an ‘apartment dwelling’ may also include non-residential use. Is this meant to refer to ‘apartment building’?</p> <p>Assuming the definition is meant to say that an apartment <i>building</i> may also include non-residential use – does this run into any problems with applying development standards designed for apartment buildings, to the non-residential part of those buildings?</p>	<p>Consider whether the proposed standards for apartments/ apartment buildings are more relevant than the standards for other typologies, for single-floor apartments in mixed use buildings. If so, revise the definition of ‘apartment building’ to include apartments that are above the ceiling level or below the floor level of ‘another use’ (rather than ‘another dwelling’).</p> <p>Correct typo (apartment building, not apartment dwelling?).</p> <p>Review proposed definition vs proposed development standards to identify any unintended consequences for non-residential parts of apartment buildings.</p>
3.2.1.2 Common open space definition	‘Shared’ vs ‘common’ – both terms are used in the SPPs. Suggest the plain English term of ‘shared’.	Revise term to ‘Shared open space’
3.2.1.4 Dwelling definition	Support the proposed definition of ‘dwelling’ excluding any reference to laundry facilities.	NA

Section	Comment	Recommendation
3.2.1.5 Grouped dwellings and multiple dwellings definitions	<p><u>Multiple dwellings</u></p> <p>The proposed definition of multiple dwellings could technically include multiple single dwellings – as a ‘site’ (per the SPPs) can be comprised of multiple lots (acknowledging this is also the case with the current multiple dwelling definition).</p> <p>Also, reference to strata title in the definition of multiple dwellings is confusing. For example, by referring to strata title re townhouses but staying silent re the other typologies, does it imply that in grouped dwellings or apartments strata are excluded? The question of townhouses being strata or not can be dealt (if necessary) with outside this broader definition.</p> <p>Is the term ‘multiple dwellings’ expected to be used in any of the standards? Perhaps the term becomes redundant?</p> <p><u>‘Grouped dwelling’ definition vs apartment buildings:</u></p> <p>The definition for grouped dwellings overlaps with that for apartments. Is this intentional? The later ‘nesting table’ implies not (i.e. they are at the same level in the hierarchy). In this case, the definition is ambiguous - i.e. any apartment building would also meet the definition of ‘grouped dwellings.’</p> <p>What is the distinction between ‘grouped dwellings’ and an ‘apartment building’? Is it whether they are above/below other dwellings/uses (noting the explanatory text refers to horizontal separation)?</p> <p><u>‘Grouped dwelling’ definition vs townhouses:</u></p> <p>The use of ‘may not’ have a frontage to a public road means the definition of grouped dwellings could also include townhouses. This creates ambiguity.</p> <p>What is the distinction between ‘grouped dwellings’ and ‘townhouses’? Is it whether they front the road and/or are detached? Or does it relate to whether there is a shared driveway? This needs to be incorporated into the definitions, so that there is no ambiguity regarding whether a development is categorised as townhouses or grouped dwellings.</p>	<p>Consider whether the term ‘multiple dwellings’ is still required.</p> <p>Otherwise, replace reference to ‘site’ with ‘lot,’ and remove reference to strata title, in the definition of multiple dwellings.</p> <p>Explicitly exclude apartments from the definition for ‘grouped dwellings’, if that is the intention, and/or include to reference to horizontal versus vertical separation (noting that apartments are separated both horizontally and vertically, so just referring to horizontal separation in the ‘grouped dwellings’ definition would still not exclude apartments).</p> <p>Revise the ‘grouped dwellings’ definition to explicitly exclude townhouses, or otherwise distinguish the key difference between these typologies.</p> <p>Eg a development is ‘grouped dwellings’ rather than ‘townhouses’ if it includes dwellings that do not have a frontage to a public road.</p>

Section	Comment	Recommendation
3.2.1.6 Plot ratio definition	Suggest moving this section (re 'plot ratio' definition) to be after discussion of all the housing typology definitions for more logical flow in the report.	Move the discussion of 'plot ratio' definition to be after the different housing typologies.
3.2.1.7 Townhouse definition	<p><u>Why 3 or more?</u></p> <p>What is the reason for excluding 2 adjoining dwellings from the definition of 'townhouse'?</p> <p>If 2 adjoining dwellings were on a single lot, would they then be subject to controls for 'grouped dwellings' instead of 'townhouses'? And if on separate lots, would they only be subject to the 'single dwelling' standards instead of townhouse controls? Wouldn't the townhouse controls be more appropriate?</p> <p><u>Townhouses vs single dwellings:</u></p> <p>As noted in the explanation, townhouses may also be single dwellings. Does this mean the townhouse standards work as a subset of the single dwelling standards? Or would single dwelling townhouses be subject to two sets of potentially conflicting standards? This doesn't seem ideal.</p> <p>Suggest consideration of whether a site comprises multiple freehold lots, strata lots or a single lot is not needed in the context of standards for townhouses. Instead, reference to a 'site' might be more appropriate, as per the 'grouped dwellings' definition.</p>	<p>Clarify why the 'townhouse' definition doesn't include 2 adjoining dwellings, or revise the definition to include 2 adjoining dwellings.</p> <p>Consider including a revised definition for 'single dwelling' that excludes townhouses – eg by referring to 'freestanding' or equivalent concept.</p>
3.2.1.8 Workers' accommodation definition	<p>Should the worker's accommodation definition include reference to 'dwelling', as do all the other typologies? Otherwise, does the definition allow for workers be accommodated in developments that don't meet the definition of a dwelling?</p> <p>Note the value of including this concept is unclear – refer to comments re section 4.2.2.1.</p>	Include reference to dwellings in the definition for 'worker's accommodation'.
3.2.1.9 Residential use class	<p><u>Nesting table:</u></p> <p>It suggests the nesting table introduces more questions than it clarifies:</p> <ul style="list-style-type: none"> - As noted re 3.2.1.7, what is the value of distinguishing between townhouses on freehold vs strata titles? Or what if the townhouses remain on a single title and 	<p>Exclude the nesting table.</p> <p>Clarify the distinction/relationship between 'uses' and 'typologies'.</p> <p>Ensure the definitions for each use/typology are robust and remove</p>

Section	Comment	Recommendation
	<p>are not strata? Excluding townhouses from the definition of a single dwelling would be more useful.</p> <ul style="list-style-type: none"> - Is the table meant to be exhaustive? - The discussion for workers' accommodation notes it could be in the form of different typologies. The nesting table doesn't show this, but instead implies that a use could be (for example) <i>either</i> workers' accommodation <i>or</i> a multiple dwelling. - Similarly, 'home business' appears at the same level in the hierarchy as the different built forms of dwellings, and above the level of the subordinate typologies. This isn't a good representation of the relationship of the concept of a 'home business' and the different types of dwellings, and also introduces a new term into the scheme. <p><u>Other Residential uses</u></p> <p>The uses included don't address emerging demand for multi-generational accommodation and 'tiny houses.'</p>	<p>ambiguity about the relationship between them.</p> <p>Townhouses should be distinguished from single dwellings, not included as an example (or subcategory) of that use/typology. Otherwise, standards for single dwellings must be revised to account for townhouses.</p> <p>Consider including a new use or a revised definition for 'communal residence', to cater for shared accommodation for related (rather than unrelated) groups of people – eg multi-generational living.</p> <p>'Home businesses' are permissible in all dwellings, so exclude describing it as a separate entity under the residential dwelling typologies based on built form.</p> <p>Consider the inclusion of 'tiny houses' and how this would relate to the proposed dwelling typology. Consider the potential need for standards to cater for these uses.</p>
p.27 Prescriptive vs performance-based approaches	<p>'Officer comfort' in engaging in detailed design discussions is one consideration; however the role of the planning authority as an independent assessor is another. Is there potential for a conflict of interest (real or perceived), if the authority is assessing a proposal it has had detailed input into? And is there potential for the authority to be exposed to risk in terms of being liable for any flaws in that design?</p>	<p>Address questions of potential risk and conflict of interest, regarding planning authorities having a larger design input role.</p> <p>Fix typo ('nuances').</p>

Section	Comment	Recommendation
	Typo: 'nuisances' across jurisdictions 😊	
4.1.2 Opportunity for subdivision standards	It is expected that Council will be consulted on any potential changes to the Tasmanian Subdivision Guidelines through the SPP review projects.	Ensure Councils are consulted on any proposed changes to the Tasmanian Subdivision Guidelines.
4.2.1 Use status	<p>Not sure that apartments should be NPR in the GRZ. If apartments are sought, shouldn't the land be zoned IRZ? This is more about adjusting the spatial application of the zones, than adjusting the use status in the zones' current extent.</p> <p>Conversely, why should single dwellings or freestanding multiple dwellings (grouped dwellings) be NPR in the IRZ?</p> <p>The appropriateness of townhouses in the GRZ vs IRZ is possibly more scale-dependent.</p> <p>Only apartments should be allowable in the business zones.</p>	<p>Revise the recommended use statuses as follows:</p> <ul style="list-style-type: none"> - Make apartments discretionary in the GRZ - Make townhouses discretionary (or NPR or permitted, depending on the number of adjoining dwellings) in the GRZ - Make single dwellings discretionary in the IRZ - Make grouped dwellings (i.e. freestanding multiple dwellings) discretionary in the IRZ - Make all single dwellings Prohibited in the business zones.
4.2.2.1 Workers' accommodation	<p><u>Use status</u></p> <ul style="list-style-type: none"> - What is the proposed use status of 'workers' accommodation' in each zone's use table? Noting that home-based business (which is similarly a type of use rather than a built form typology) is listed in zone use tables. - How is workers' accommodation meant to relate to the various built form typologies? - Or is it intended that the discretionary status would be inferred solely through a use standard? If so, why should this operate differently than a home-based business use? 	If the only impact of nominating a use as 'workers' accommodation' is to apply amenity controls for a certain level of intensity, then instead apply those controls to all residential use of that intensity, without the need to introduce the concept of 'workers' accommodation'.

Section	Comment	Recommendation
	<ul style="list-style-type: none"> - Presumably, workers' accommodation would be expected to be more commonly located in other zones that are out of scope of this report? Would the other relevant zones be updated to account for workers' accommodation? <p><u>Use standards</u></p> <ul style="list-style-type: none"> - The only proposed standard for workers' accommodation appears to be the application of amenity controls for high-intensity use. It's unclear how large intensity worker accommodation would create greater amenity impact than other large intensity residential uses. - Will standards address amenity concerns for the worker residents, eg if the accommodation is co-located on a site with the supporting use? Does workers' accommodation need to be tied to a supporting use, through a use standard? <p><u>Development standards</u></p> <ul style="list-style-type: none"> - Is it intended that workers' accommodation would be subject to the same development controls as the associated built form typology? - It is unclear how, for example, nominating proposed multiple dwellings (of any type) as 'workers' accommodation' is intended to affect the application of development standards. <ul style="list-style-type: none"> o If the same development standards are to apply as for any other dwellings, and the only impact of nominating a use as 'workers' accommodation' is to apply amenity controls for a certain level of intensity, then that could be achieved by applying those controls to all residential use of that intensity, without the need to introduce the concept of 'workers' accommodation'. o Conversely, if there are intended to be differences in the development standards for this type of use – what are they? 	<p>Otherwise, clarify the proposed coordination of 'workers' accommodation' provisions – definition, use class, use status, use standards, and how these would apply in the various zones (noting out-of-scope zones).</p>
4.2.3.1 Plot ratio	<p>Agree with the idea of decoupling built density versus dwelling density. However, cross-referencing plot ratio PC to the other standards is not supported. This would imply those standards already deal with the matter, in which case why is plot ratio needed? Instead, the PC should focus on achieving design excellence, if seeking to exceed the plot ratio AS.</p>	<p>Frame the PC to achieve a higher level of design quality, rather than cross-referencing to other standards.</p>

Section	Comment	Recommendation
	<p>Relying on an overarching reference to the Guidelines in the PC would be very resource-intensive and ambiguous for planning assessments. Which parts of the Guidelines would they need to meet/address, to what extent? Are trade-offs between different elements of the Guidelines supported, and if so in what circumstances, are there any mandatory aspects? Recent experience with the TPC in introducing liveable housing provisions in the Glenorchy Principal Activity Centre and Northern Apartments Corridor Specific Area Plans (PAC & NAC SAPs) led to revision of standards to include the key factors within the standard, rather than simply referring to the source document. This will likely be needed here as well.</p> <p>The rationale for the proposed plot ratios in each zone would be useful to have, perhaps as an appendix. How do we know these are the right ratios? For example, would a plot ratio of 1 mean that if the development only covers 50% of the site area, it still only allows for 2 storeys (assuming each storey has the same floor area)? Is that appropriate for the IRZ?</p> <p>Are the specific recommended plot ratios based on other jurisdictions, and if so how do we know those are successful?</p> <p>Support the idea of bonuses for social housing and dwelling diversity.</p> <p>Could a liveable housing bonus also be included, akin to that proposed in the business zones?</p> <p>The concept of plot ratio may be challenging for the general public to grasp. Education is needed.</p>	<p>Incorporate key relevant aspects of the Guidelines into the standard and exclude cross-referencing.</p> <p>Provide the rationale for the proposed plot ratios.</p> <p>Include a plot ratio bonus for liveable housing meeting gold/platinum requirements.</p> <p>Provide excellent developer and community education regarding the plot ratio concept as part of ongoing comms and community awareness programs for the Guidelines.</p>
4.2.3.2 Height	<p>Proposed objective and PC require compatibility with existing streetscape. This can be problematic when a change to built form is sought.</p> <p>As with 4.2.3.1 Plot ratio, generic inclusion of the Guidelines is not supported.</p> <p>Separating the 'siting, scale and bulk' elements into separate provisions would introduce complexity without providing the proposed simplicity. If the PC for each element are essentially the same, then there is no additional value in having met some, but not all, of the separated out AS.</p>	<p>Consider revising objective and PC to seek enhancing the streetscape/furthering the purpose of the zone rather than 'compatibility' with existing streetscape.</p> <p>Do not separate out height, setback and building envelope, unless the</p>

Section	Comment	Recommendation
	<ul style="list-style-type: none"> - Eg if a height discretion requires essentially the same assessment as a setback discretion, it becomes irrelevant whether the setback meets the AS – the same discretionary criteria have to be addressed anyway. - Conversely, if both height and setback don't meet the AS, the discretionary assessment under the proposed model would then require duplication across the separate standards, where currently it would be a single standard being addressed. 	<p>PC for each deals with different considerations.</p> <p>Incorporate key relevant aspects of the into the standard. Generic reference to the Guidelines should be replaced by incorporating relevant considerations from the Guidelines within the standard.</p>
4.2.3.3 Setback	<p>As per comments on height:</p> <ul style="list-style-type: none"> - separating the elements out into separate provisions doesn't simplify assessment but complicates it. - Compatibility is problematic where a change to built form is sought. <p>Agree with the concept of setbacks being relative to the built form typology. However reliance on 'storeys' introduces inconsistency as some designs may feature expansive ceiling heights or roof forms that result in an impact akin to a greater number of storeys.</p> <p>Agree with differentiating setbacks in the LDRZ based on lot size – assuming the zoning for those lots is still appropriate. Otherwise should rezoning to GRZ be considered? Unfamiliar with details of relevant cases.</p>	<p>As per comments for 4.2.3.2.</p> <p>Retain use of height parameters rather than number of storeys.</p>
4.2.3.4 Landscaping	<p>Is reference to public open space in the objective a typo? Should this refer to private open space instead?</p> <p>The SPPs include a definition for 'landscaping treatment.' Suggest this should be revised to 'landscaping' consistent with the language in the proposed provisions.</p> <p>Is there any requirement for private open space or common open space to have privacy?</p> <p><u>Permitted pathway</u></p> <p>Requirement for tree plantings/retention is supported. However, this may face strong public opposition?</p> <p>Is reference to 'site area' problematic if the site includes multiple lots? Eg what if all the landscaping is on one lot and the lots later come into separate ownership? Any new</p>	<p>Ensure consistency between the SPP definitions and use of terminology in the new provisions (including re landscaping).</p> <p>Correct typo – private, not public open space (in objective).</p> <p>Consider the implications of reference to 'site area,' noting a site may include multiple lots.</p>

Section	Comment	Recommendation
	<p>development on that lot would only need to retain 25% of the landscaping, meaning the broader development site is left without adequate landscaping. Would this be expected to be dealt with via permit condition?</p> <p>Is 'vertical garden' to be defined? How would the area of vertical gardens be calculated?</p> <p>Is the 7% of site area for deep soil inclusive of the retained tree? 'Large' and 'medium' trees are ambiguous terms. Does it refer to the existing size of the tree or the mature size of an existing juvenile tree?</p> <p>The relationship between the deep soil area needed for different tree types, and the percentage of deep soil area required per site, is unclear. The numerical requirement for number of trees (and therefore soil area) may conflict with the percentage area of deep soil required. Eg for a single dwelling on a 500m² lot, not retaining an existing tree, 10% of the site area = 50m², but 1 large tree requires 64m².</p> <p>Is 'retirement village' actually a subset of a 'communal residence'?</p> <p>A communal residence may potentially comprise just one dwelling, often (generally?) fewer than 10. Independent living units is not a defined term in the SPPs. The provision doesn't seem to require any private or common open space in these cases.</p> <p><u>Performance pathways</u></p> <p>Cross-referencing to other standards is not supported.</p> <p>Generic reference to the Guidelines is not supported. The example (p.36) of a trade-off between south-facing private open space and north-facing common open space is a great example of how elements of the Guidelines should be incorporated into the standards. This could also be given a quantitative formula for incorporation into an AS, to reward better design choices.</p> <p><u>Landscaping parameters</u></p> <p>Why is hard landscaping mandated in the proposed parameters?</p> <p>Should there be consideration of the siting of landscaping, including whether any is required within the front setback, or whether making a contribution to the streetscape is required?</p>	<p>Include an unambiguous definition for 'vertical garden,' that supports calculating its area.</p> <p>Clarify whether the 7% of site area for deep soil if retaining an existing tree, includes the area containing the retained tree. Ensure definitions clarify whether deep soil area is included or additional to required landscaping area.</p> <p>Provide definitions for 'large tree' and 'medium tree,' and clarify whether the provision refers to the current or mature size of an existing tree.</p> <p>Reconcile the tension between % based requirement for deep soil area, and the numerical requirement for number and size of trees.</p> <p>Ensure some form of open space is required for all communal residences.</p> <p>Reconsider mandating hard landscaping in the PC drafting.</p> <p>Consider including requirements for siting of landscaping, e.g. whether any should be required within the front setback, and whether this should form part of the 'private'</p>

Section	Comment	Recommendation
	<p>Does reference to ‘the proposal’ mean the proposal as a whole, or the proposed landscaping? Should a high quality building mean less landscaping is required? (no).</p> <p><i>Open space parameters</i></p> <p>Drafting currently allows for common open space to be provided in lieu of any private open space. This is not supported. However, the reverse could potentially be appropriate (i.e. excluding common open space in favour of proportionally larger areas of private open space).</p>	<p>open space requirement. Consider addressing privacy requirements for private and common open space (perhaps through its definition).</p> <p>Replace reference to ‘the proposal’ with ‘the proposed landscaping.’</p> <p>Revise open space performance parameters to allow for trade-offs between private and common open space, but do not enable exclusion of all private open space in favour of solely common open space.</p> <p>Cross-referencing to the other standards is not supported. Generic reference to the Guidelines should be replaced by incorporating relevant considerations from the Guidelines within the standard.</p>
4.2.3.5 Solar access	<p><u>Permitted pathway</u></p> <p>Are the parameters meant to apply to all habitable room windows of the dwelling? Or just ‘at least 1 habitable room window’? Is there a minimum area required for the relevant window?</p> <p>Not sure the relationship with the LDRZ setback standard works well for lots more than 1000m². Eg if front setback is 7m or side setback is 4.5m then GRZ solar access requirements have to be met/assessed...but it’s not hugely problematic.</p> <p>Reference to measure taken between 9am and 3pm on winter solstice – this should apply to all the solar access parameters, however can’t refer to ‘measure taken’ as the development is only at proposal stage.</p>	<p>Address impacts to adjoining vacant sites, noting this relies on side and rear setbacks – attempting to separate each related consideration into a separate standard may not work. Cross-referencing between standards introduces complexity and is not supported.</p> <p>Address mistaken(?) inclusion of front setback considerations in the standard.</p>

Section	Comment	Recommendation
	<p>Separating out solar access omits consideration of impact to an adjoining vacant property, which otherwise relies on setback.</p> <p><u>Performance pathway</u></p> <p>‘And’ vs ‘or’ may need to be reconsidered in the drafting.</p>	<p>Review use of ‘and’ vs ‘or’ in the drafting for the performance pathway.</p> <p>Generic reference to the Guidelines should be replaced by incorporating relevant considerations from the Guidelines within the standard.</p>
4.2.3.6 Frontage elevation	<p>There is reference on p.39 to having the frontage setback area form part of the landscaping area (which will displace ‘private open space’). However the frontage setback area (especially with need for passive surveillance) is not generally private. It would be good to ensure that any change does not impact sight lines between cars coming out of a driveway and pedestrians on the footpath or vehicles on the road. It also needs to ensure that driveway crossovers are not unreasonably long, generally not greater than 9m (3 car parking spaces) to allow space for pedestrians to safely stop between driveways to be able to determine if there are cars coming or leaving.</p> <p><u>Permitted pathway</u></p> <p>Does the floor level of the required window for passive surveillance matter?</p> <p>For some dwelling typologies (apartments, grouped dwellings), there may not be a façade facing or adjacent to the frontage.</p> <p>‘Dwelling’ includes works normally forming part of a dwelling. ‘Street’ is not a defined term but ‘road’ is (and includes footpaths although that’s not its ‘ordinary’ meaning). Suggest using SPP terminology ‘forward of the building line’ instead of ‘between the dwelling and the street.’</p> <p><u>Performance pathway</u></p> <p>‘Frontage elevation’ may need to be a defined term.</p>	<p>Clarify whether the passive surveillance window requirement relates to ground floor windows or could be met through upper levels.</p> <p>Revise parameters to only relate to dwellings adjacent to the frontage (note this may not be the right terminology for accurate drafting).</p> <p>Replace ‘between the dwelling and the street’ with ‘forward of the building line.’</p> <p>Include a definition for ‘frontage elevation.’</p> <p>Include consideration of sight lines and crossover widths.</p> <p>Cross-referencing to the other standards is not supported. Generic reference to the Design Guidelines should be replaced by incorporating relevant considerations from the Guidelines within the standard.</p>

Section	Comment	Recommendation
4.2.3.7 Privacy	<p>'Dwelling' does not include private open space which, along with common open space, also requires privacy.</p> <p><u>Permitted pathway</u></p> <p>Does the open space pathway mean to:</p> <ul style="list-style-type: none"> - only include new open space more than 1m above existing ground level, or - include all new open space, regardless of height above ground level, plus car parking that is more than 1m above ground level? <p>'New open space' would include new public open space. Is that the intention?</p> <p>The current drafting allows overlooking development to adjoining the side/rear boundary, if it's sited more than 6m from a window of another dwelling on the site.</p>	<p>Include reference to private open space and common open space in the objective.</p> <p>Revise the drafting of the parameters to be more accurate.</p> <p>Generic reference to the Design Guidelines should be replaced by incorporating relevant considerations from the Guidelines within the standard.</p>
4.2.3.8 Storage	<p>For the PAC SAP and NAC SAP we grappled with waste storage and ultimately ended up with no AS, allowing for assessment against Council Policy. However we do support inclusion of a permitted pathway.</p> <p>Non-dwelling storage – should this also be screened from any Residential use on the site?</p> <p>For the NAC and PAC SAPs, the storage provision is aimed at an apartment's equivalent of a 'shed,' for bulky items. If dwelling storage is not specified to be external to the apartment, is there a risk that developers will displace standard storage capacity (such as wardrobe space)? Is the provision really necessary for other types of multiple dwellings? If so, perhaps it should be differentiated for the different typologies, or at least for apartments versus other multiple dwellings.</p> <p>Does screened from view mean screened from other dwellings/public spaces/common open space etc?</p>	<p>Include screening of non-dwelling storage from Residential use on the site.</p> <p>Consider whether dwelling storage should be differentiated for apartments, and address the risk of standard internal storage such as wardrobe space being displaced.</p> <p>Clarify from whom storage should be screened.</p>
4.2.4.1 Lot design	<p><u>Permitted pathway</u></p> <p>Objective doesn't address orientation or accounting for natural hazards, which are included in the current standards.</p> <p>Areas and widths for townhouses – how would the creation of the lot be tied to it being for a townhouse? Permit condition requiring covenant on the title? And noting that 0m</p>	<p>Objectives – also address orientation and accounting for natural hazards as per current standards.</p>

Section	Comment	Recommendation
	<p>side setback is only for shared wall with adjoining townhouse – what about the lots at each end of a townhouse development?</p> <p>Does the reduced building area for IRZ reflect comparable zones in other States? If not, how has it been determined?</p> <p>The drafting and parameters for lot size diversity need more work:</p> <ul style="list-style-type: none"> • Is having the same % requirement for small and large lots appropriate? This would mean that vastly more of the land would be allocated to large lots, than to small lots. Without measures to mandate allocation of a proportion of the large lots to multiple dwellings, this could reduce dwelling density. • For the permitted pathway <i>all</i> lots would need to meet the minimum lot size – that alternative ‘not more than 10% greater’ could work. • Should a range be considered, instead of a specific percentage? What if 15% doesn’t equate to a whole number, for a particular subdivision? • How is ‘walking distance’ to be determined in a statutory sense? Would the standard apply to subdivisions with more than 15 lots, if any part of the subdivision is within the 800m distance? Or only if there are more than 15 lots within the distance? If the latter, most subdivisions could presumably be designed to avoid triggering the standard. If the former, is it only the part of the subdivision within the 800m distance that needs to comply, or the whole subdivision? • Could there be cases where a subdivision would include a new activity centre or high frequency transit corridor? If so, should the standard also apply to these cases, or do the RLUSs cover everything (i.e. potential future activity centres are to be identified and would therefore be covered by this standard)? Does this need to be accounted for or is there not really scope for this scenario to arise? <p><u>Performance pathway – lot size diversity</u></p> <p>Would this only apply to lots within the 800m radius? Perhaps proximity to transport & services should form part of the criteria?</p>	<p>Consider whether different parameters are needed for townhouse lots at each end of a row.</p> <p>Clarify whether it is intended that subdivisions should allocate substantially more land to large lots than to small lots, and if so, how this would not undermine increased dwelling density (noting that NPR status is proposed across the board for single dwellings).</p> <p>Review drafting of lot size diversity parameters.</p> <p>Generic reference to the Guidelines should be replaced by incorporating relevant considerations from the Guidelines within the standard.</p>

Section	Comment	Recommendation
<p>4.2.4.2 Movement network</p>	<p><u>Permitted pathway</u> Assume these parameters reflect existing standard drawings/Council policies or interstate provisions?</p> <p><i>Street blocks</i> Should street block lengths differ in the different zones, especially LDRZ? Are mid-block ped links required for blocks larger than the max? If so that becomes part of the performance pathway not permitted. If not – larger than what?</p> <p><i>Connectivity</i> Planned external roads – planned to what extent? Should this refer to ‘roads in any approved adjoining structure plan’ or similar?</p> <p><i>Legibility</i> Agree with the concept, but unclear how ‘use topography to improve opportunities for active travel’ could be framed in a quantitative way as an AS. This seems more like a performance measure.</p> <p><i>Active travel</i> Unclear what is meant by ‘safe crossing points’ – presumably this would be explicated in a quantitative way in the standard? Should safe crossing points be where there are desired pedestrian paths of travel such to get to a park or school and not just on a busy road? The shared use paths only being within 400m distance of certain attractions seems strange as need to get people from a to b with connectivity, not have shared use paths stopping and starting.</p> <p><i>Public transport</i> Terms like ‘convenient’ are qualitative and can’t be included in AS. Is it possible to specify which road type in the hierarchy is appropriate to designate as a potential public transport route?</p> <p><i>Road hierarchy</i> Variance beyond standardised design treatments doesn’t belong in an AS.</p>	<p>Consider whether street block parameters should differ in the different zones.</p> <p>Exclude qualitative measures from proposed permitted pathways.</p> <p>Clarify proposed quantitative parameters.</p> <p>Ensure safe crossing points are required based on desired pedestrian travel. Ensure measures do not result in shared paths being disjointed.</p> <p>Seek footpaths on both sides of roads.</p> <p>Depending on the nature of the Subdivision Design Guidelines – incorporate relevant considerations from the Guidelines within the standards.</p>

Section	Comment	Recommendation
	<p>Arterial roads requiring contextual detailed design also doesn't seem appropriate for an AS. What are the proposed measures in this case?</p> <p>If we want to encourage active transport such as walking, why not have the target for footpaths on both side of the road for all roads. Also, the carriage way width of 6.9m can allow parking on both sides as long as 3m clear width is maintained for cars to travel along the road.</p> <p><u>Performance pathway – movement network</u></p> <p>Criterion c) may need stronger wording, or likely to be easily negated by proponents. Having not yet seen the Subdivision Design Guidelines, it is unclear whether these are akin to a standard, and therefore suitable for inclusion by reference, or more akin to optional guidelines, and therefore should be included directly.</p>	
4.2.4.3 Urban greening	<p><u>Permitted pathway</u></p> <p>The requirements for street trees seem far less prescriptive than for the landscaping standard. Is that the intention?</p> <p>Given the much larger sizes of lots in the LDRZ, should the maximum walking distance to public open space also scale up? Open space is ample on the private lots, and requiring the same walking distance as other zones would mean each public open space would only serve a much lower number of lots (each of which would only have a single dwelling).</p> <p>Should the permitted pathway also address characteristics such as siting, aspect, design, landscaping connectivity of public open space? Noting some of these are addressed in the PC and a PC must not be more restrictive than the AS (per TPC Practice Note 8).</p> <p>Would like clarification if this greening is to occur within the road reserve such as on the nature strip. If this is the case, then need to consider the impact on street lighting, road safety and ensure that the trees planted are fit for purpose so their roots do not destroy the footpath and road, causing trip hazards.</p>	<p>Consider tailoring the parameters for each zone.</p> <p>Consider whether the characteristics of land for public open space should be included in the permitted pathway.</p> <p>Clarify whether this greening is to occur within the road reserve such as on the nature strip.</p> <p>Depending on the nature of the Subdivision Design Guidelines – incorporate relevant considerations from the Guidelines within the standards.</p>

Section	Comment	Recommendation
4.2.4.4 Services	<p>It appears that section 4.2.4.4, is recommending re-introducing a stormwater code, which council officers strongly support as it would remove the need for the separate Urban Drainage Act process</p> <p>However, the referred documents, especially the State Stormwater Strategy (https://epa.tas.gov.au/Documents/State_Stormwater_Strategy_December_2010.pdf), is that it is outdated for the stormwater quantity management aspects and therefore should not be relied upon. For instance, it still talks in ARI terminology, refers to an older version of Australian Rainfall and Runoff guidelines and piped network design requirement for creeks are set at an alternative would be to refer to the latest Australian Rainfall and Runoff guidelines (Version 4.2 as of now) with the local authority advice (eg; SW management policy for GCC).</p>	<p>Re-introduce ability to consider stormwater management at the planning stage – potentially with new applicable standards requiring compliance with a Council policy on stormwater management.</p> <p>Depending on the nature of the Subdivision Design Guidelines – incorporate relevant considerations from the Guidelines within the standards.</p>
Section 5 – Homes in Business Zones		
5.2.1 Development standards	<p>Cross-ventilation and solar shading not addressed. Note that:</p> <ul style="list-style-type: none"> - While the NCC covers ventilation of individual rooms, cross-ventilation per se is not covered, and is important for energy efficiency and amenity. - Solar shading is especially important for apartments, as they do not benefit from building eaves. Again, important for energy efficiency and amenity, not required by NCC. <p>These are covered in other jurisdictions eg apartment design guidelines for VIC.</p>	<p>Consider including standards for cross-ventilation and solar shading.</p>
5.2.1.1 Landscaping	<p>No need to cap a maximum of common open space – or does this mean that once that limit is reached, there is no additional space mandated?</p>	<p>Clarify the operation of the maximum common open space limit.</p> <p>Generic reference to the Guidelines should be replaced by incorporating relevant considerations from the Guidelines within the standard.</p>

Section	Comment	Recommendation
5.2.1.2 Solar access	<p>Allowing a development to completely overshadow 50% of dwellings/POS on an adjoining property seems like a very low bar for the acceptable solution, and doesn't align with the requirement for 60% of dwellings on the site development on the subject site.</p> <p>In addition, what if a proposed development is overshadowing the 50% of dwellings on the adjoining site that previously formed part of the 60% approved on that site as receiving sunlight? The result could be that the AS results in only e.g. 10% of dwellings on the adjoining property still receiving direct sunlight – i.e. the proposal is only causing overshadowing of 50% of the neighbouring dwellings, but other factors are causing overshadowing to the remainder.</p>	<p>Revise permitted pathway to account for cumulative overshadowing, not just that caused by the proposed development.</p> <p>Align allowed overshadowing of neighbouring dwellings with the minimum solar access requirements for dwellings on the development site.</p> <p>Generic reference to the Guidelines should be replaced by incorporating relevant considerations from the Guidelines within the standard.</p>
5.2.1.3 Privacy	<p>The NAC and PAC SAP noise standards are based on the AS/NZS 2017:2016 standard for <i>Acoustics – Recommended design sound levels and reverberation times for building interiors</i> – not the <i>Association of Australian Acoustical Consultants Guideline for Apartment and Townhouse Acoustic Rating</i>.</p> <p>However, the alternative source as reflected in the proposed standard is supported.</p> <p><u>Permitted pathway</u></p> <p>Unclear whether the visual privacy requirements for greater separation for higher numbers of storeys would apply to the whole of the building, or only to the higher storeys in the building.</p> <p>What is the basis of the recommendation for increased separation at greater height? It would be useful to have the rationale for this explained, noting that greater separation can actually result in less oblique view lines to a greater distance.</p> <p>Neutral re excluding offsetting from the permitted pathway – but what is the rationale for its exclusion in the business zones, but not the residential zones permitted pathway?</p> <p>Should the requirements for visual privacy to buildings on adjoining sites differ where the site adjoins a residential zone?</p>	<p>Correct (or remove) the reference to the source of noise standards for NAC SAP.</p> <p>Clarify whether increased setbacks for higher buildings applies to the whole building or only the higher storeys. Explain the rationale.</p> <p>Consider whether different privacy parameters should apply relative to boundaries with a residential zone.</p> <p>Consider addressing noise impacts from traffic as well as nearby uses in the acoustic performance pathway.</p> <p>Reconsider reference to 'approved buildings.'</p>

Section	Comment	Recommendation
	<p>Including consideration of ‘approved’ buildings may be problematic. For example, the permit may lapse or be amended. Also, if considered in this standard, why not in other cases?</p> <p>Why does the separation not scale up for more than 8 storeys, where no existing buildings on adjoining sites?</p> <p>Reference to ‘site’ versus ‘lot’ or ‘property’ will need careful consideration in drafting the standard.</p> <p><u>Performance pathway – acoustic</u></p> <p>Traffic is a significant noise source in business zones. Consider addressing noise impacts from traffic as well as nearby uses.</p> <p><u>Performance pathway – visual</u></p> <p>Unclear why acoustic includes having regard to the proposed mitigation measure, but visual doesn’t.</p>	<p>Explain why offsetting is not included in the permitted pathway in the business zones, but is for the residential zones.</p> <p>Consider whether the parameters should refer to site, lot or property.</p> <p>Generic reference to the Guidelines should be replaced by incorporating relevant considerations from the Guidelines within the standard.</p>
5.2.1.4 Storage	<p>Comments as per those for storage in the residential zones.</p> <p>In addition:</p> <ul style="list-style-type: none"> - Per earlier comments, only apartments should be allowed in the business zones. Therefore in the business zones, waste storage requirements should only reflect what’s required for apartments. Individual waste storage bins are not appropriate in a business context. - Should non-dwelling storage also be addressed in the business zones? 	<p>Comments as per those for storage in the residential zones.</p> <p>Exclude option for individual waste storage in the business zones.</p> <p>Consider whether non-dwelling storage should also be addressed in the business zones.</p>
5.2.1.5 Dwelling mix	<p>Strongly support the concept of mandating dwelling mix.</p> <p><u>Permitted pathway</u></p> <p><i>Dwelling mix</i></p> <p>The ‘dwelling mix’ parameters are unclear. Are these two different options for framing a standard? Which option is recommended?</p> <p>For the first option, ‘differing bedroom numbers’ is unclear.</p>	<p>More work is needed to clarify the proposed ‘dwelling mix’ parameters.</p> <p>Exclude reference to silver level universal design. Consider differentiating the % required for gold vs platinum level to trigger the bonus.</p>

Section	Comment	Recommendation
	<p>For the second option, one 1-bedroom, one 2-bedroom and one 3-bedroom dwelling would satisfy the requirement – is this sufficient?</p> <p><i>Liveable housing bonus</i></p> <p>There is no value in mandating the ‘silver’ level universal design, as key aspects of this are already mandated in Tasmania under the NCC from Oct 2024.</p> <p>Incentivising gold/platinum level through a height bonus is supported. However, given development standards in the business zones regulate height but not number of storeys, the bonus will need to be quantified as a height bonus.</p> <p>The drafting process for the NAC and PAC SAPs transitioned from generic reference to the Livable Housing Design Guidelines, to including the relevant considerations directly in the SAPs. This was guided by the TPC and reduces assessment ambiguity and complexity. Inclusion of relevant aspects of the guidelines directly in the standard is recommended.</p> <p><i>Social and affordable housing bonus</i></p> <p>Support the concept of a height bonus (again it would need to be quantified). However, what qualifies as social or affordable housing and how is this to be maintained in perpetuity? Should these be associated with community housing providers?</p> <p>In addition, noting that the emphasis is on dwelling diversity, should the parameters required that the social/affordable housing is only a proportion of the development, not the entirety?</p> <p><u>Performance pathway</u></p> <p>Why include liveable housing but exclude social and affordable housing?</p> <p>The PAC and NAC SAPs considered having regard to demand re liveable housing, but concluded this would likely be unreasonably onerous to demonstrate. Hence the PC instead refers to any relevant Council policy.</p>	<p>Include relevant aspects of the Livable Housing Design Guidelines directly in the standard, instead of a generic reference to these Guidelines.</p> <p>Substantially more work is required to clarify the definition and operation of ‘social and affordable housing.’</p> <p>Consider the feasibility of applicants demonstrating ‘dwelling demands of the region/locality.’</p> <p>Height bonuses will need to be quantified.</p>
6.2 Implementation options	<p>The three options lack nuance.</p> <p><u>Option 1</u></p>	<p>Suggest developing another option that mediates between extremes, or revising existing options. Crucially, a preferred option should provide for</p>

Section	Comment	Recommendation
	<p>Infers that IRZ is inadequately applied and considers that Councils are unlikely to rezone. The basis of this assumption is unclear – the overhead of transitioning from interim schemes to the TPS has left little to no capacity for Councils to consider the case for rezoning. Post-transition, the scope to do so is likely much greater (although noting the workload with statewide planning reform may also be an impediment). This option provides the greatest opportunity for the community to have a say in any potential rezoning at a local level, which is an important consideration.</p> <p>It's also unclear why this project to revise the residential standards could not correct a lack of differentiation between the outcomes in the different zones, at least in part. Consideration should be given to greater differentiation of the typologies' use status across the existing zones.</p> <p>Or is this really saying the standards can't overcome the development constraints in existing IRZ land?</p> <p><u>Option 2</u></p> <p>Does not provide any nuance or differentiation between suburban areas and inner urban areas. However, agree that this would fast-track the process vs Option 1 requiring case-by-case rezoning. Suggest a better option 2 would be to differentiate the status of the multiple dwelling typologies based on locational criteria as suggested under Option 3 – but more nuanced (eg. apartments within 400m of activity centre/transport corridor = NPR, 800m = Permitted, greater = discretionary). This would also provide the benefit of providing for density/mix around future activity centre/transit corridor development, without a need to rezone.</p> <p><u>Option 3</u></p> <p>It's unclear whether Option 3 would also include revising use status in the zones to account for the various multiple dwelling typologies. Or would the different types be tied to different circumstances through the Codes? If so, this seems excessively complex when also considering use status in the zones.</p> <p>If the Medium Density Code were only to apply inside 400m of relevant activity centres and transit corridors – what standards would apply for multiple dwelling developments</p>	<p>greater location-based typology differentiation. Eg:</p> <ul style="list-style-type: none"> - Option 1: Greater tailoring of typology use status across the zones. - Option 2: Tailoring of typology use status within the IRZ, based on proximity to Activity Centres and transit corridors. - Option 3: Remove zone-based differentiation of standards within the Codes. Address what standards would apply to multiple dwellings that don't fall under the Code.

Section	Comment	Recommendation
	<p>outside that radius? Would it be the existing multiple dwelling standards? If so, the option would introduce inconsistencies, eg use of site coverage vs plot ratio.</p> <p>Or is Table 12 saying the zone standards would also be revised (as opposed to the Code standards being differentiated based on zone)? If zone standards are also to be revised, what role does the Code play vs the zones?</p> <p>Would the Medium Density Code include apartment standards for the Res zones? If so the naming of the Apartment Code would need to clarify scope to avoid confusion especially for non-planners.</p> <p><u>Table 9</u></p> <p>Unclear what is meant by the ‘differences between zones.’ If eliminating the difference between IRZ and GRZ = improvement to status quo (option 2), why does reducing the difference between them = worse than status quo (option 3)?</p> <p><u>Tables 10, 11 & 12</u> – aren’t setbacks only increased above 2 storeys? Wouldn’t the new waste storage requirements for different dwelling typologies apply? And revised privacy provisions?</p>	
7.4 Other improvements	<p>Do not support generic reference to external guidelines, but instead incorporation of relevant elements into the SPP provisions.</p> <p>Support the review of Parking and Sustainable Transport Code Project forming part of the broader SPP review program. However council officers consider that the proposed car parking numbers - tabled at <i>Potential parking reductions for residential development</i>, p78, may be more appropriate and less confusing if they aligned with the recently reviewed RTA (Road and Transport Authority - Guide to Traffic Generating Development, NSW).</p> <p>Otherwise, support the recommended other improvements – in particular the opportunity to introduce developer contributions.</p>	<p>Reconsider the proposed approach to rely on external guidelines that are not framed to support statutory assessments.</p> <p>Prioritise the introduction of developer contributions into the Tasmanian planning system.</p> <p>Consider review of car parking numbers against the RTA</p>

State Planning Office
Department of Premier and Cabinet

Ref: Response to Draft Improving Residential Standards Reports

Dear Sir or Madam,

Thank you for the opportunity to provide a response to the Draft Improving Residential Standards Report. This response is provided by the Tasmanian South branch of Renew Australia. As secretary of the branch and as an architect who has lived in West Hobart, I have worked on high density housing developments in the Hobart area for many years, and have always appreciated the variety of high density housing in the area.

As background, Renew Australia is a national organization focussing on environmental housing issues and design, and produces the magazines Renew and Sanctuary every quarter. The Tasmania South Renew branch has architects, builders, building designers and home owners as members, and holds monthly meetings with an emphasis on energy efficiency, house design and alternative construction techniques.

Response to Draft Improving Residential Standards in Tasmania Report

As the report notes Greater Hobart has been the least affordable metropolitan area since 2019, and needs 13,312 new high density dwellings in the next 20 years. The current housing challenge is not just towards developing more higher density housing but is also to reduce housing costs.

It is heartening to see the proposal for subdivisions to offer a range of block sizes including smaller and narrower blocks suitable for duplex and terrace housing. Currently, these forms of housing can only be provided where builders or developers with larger budgets can afford to develop two or more units at the same time. These are then split into separate strata title lots, as is required, once construction has been completed. The requirement to have to build more than one unit is probably one of the main reason why this form of housing has not been widely adopted in Tasmania.

If this approach is accepted, new home owners will now be able to reduce costs and encourage higher density housing by splitting of larger blocks into smaller lots, in line with the new smaller lot sizes about to be offered in new subdivisions. This will enable smaller scale developments and the sale of the adjoining lot, to help meet new home owner's budgetary considerations. It would also offer greater variety than current developers provide, and the urban planning design guidelines for higher density housing could also be used by developers to increase variety and quality of their designs.

The titles office could also provide advice on how to split titles for new lot owners with larger lots, and surveyor contact lists, towards providing more duplex or terrace houses in new subdivisions. While the development of new high density housing would be a slower process in existing residential areas where houses would need to be of a low quality for demolition, the principle of splitting blocks could be used extensively in new subdivisions.

In a talk to our group, a Hobart City Council planner commented that there was a lack of urban planning design guidelines for different forms of housing for new home owners, designers and developers. The New Residential Standards could also include examples of duplex and terrace housing and even free to use house plans and 'walk-through' examples.

While new subdivisions with smaller lot sizes can be developed on the fringes of the greater Hobart area, the majority of new development closer to Hobart will have to be either multi-level apartment blocks within urban zones close to transport nodes, or individual high density developments on land that has already been developed for single and two storey housing.

To reduce the opposition to high density development in existing residential areas, the proposed 9.5m, 8.5m and 11m height limits for larger town house, apartment or terrace house developments should be reduced where adjacent existing houses, particularly on the north sides, to allow solar access. If single blocks are to be encouraged to be split into two, a maximum of three storey developments should be required.

It is noted that specific setback standards will not apply to new high density residential development on the grounds that 'greater flexibility will lead to more appropriate designs'. We would argue that from observation of current design standards, work load pressures in planning departments, and complex approval requirements leading to slow approvals, clear setback standards should apply. This will simplify the approvals process and reduce grounds for objection. It is also suggested that rear setback standards are increased particularly for duplex and terrace houses.

New parking standards should also be provided. Existing strata title parking requirements take large amounts of site area leading to the loss of valuable on-site open space. Currently parking standards for strata title development requires 2 spaces per unit for two bedroom units plus a visitor's space. In addition, cars are required to turn within the site and leave the site facing forward. To minimize excessive use of the site for parking, it is suggested that not just new duplex or terrace house units should only be required to provide a parking space or garage behind the front of the dwelling with the second car space for each unit, allowed to be between the first parking space and the front boundary. Visitors parking spaces should no longer be required, or if necessary, be provided in specific on or off-street parking space, adjacent to potential terrace and strata housing lots, on subdivision plans. A similar approach should also be applied to strata title unit developments.

Finally there is also an urgent need for the recognition of smaller accommodation units not sitting under the building regulations, such as tiny houses and caravans, and the definition of standards that should apply. The most recent data from the Australian Bureau of Statistics found Tasmania experienced the largest increase in homelessness in Australia in the five years to 2021, jumping 45 per cent from 1,622 homeless people in 2016 to 2,350 in 2021.

The Local Government Association requested the recognition of tiny houses and caravans as a form of housing in planning guidelines from the Tasmanian Government several years ago however guidelines are yet to be provided. The lack of any acceptance of this form of housing in either planning or building legislation is leading to differences in levels of acceptance between councils and general insecurity of tenure for occupants. Any planning legislation should also note the ability of these forms of housing to connect to drainage, power and water supply services meeting current building regulations, as this is currently not allowed.

It would be appreciated if we could have a response to our suggestions, when appropriate, to be passed on at a future meeting. I have included the notes to a recent meeting we held on Tiny Houses for further information.

Regards
Nigel Legge Architect

Granny Flats, Tiny Houses and Two Dwelling Strata Unit Development - Suppliers, Builders and Rules and Regulations in Tasmania.

Why are small houses so important at the moment?

Nigel Legge started the talk by quoting from an ABC online article from Daniel Ziffer of the 23rd March - 'there are tarpaulin-clad camps at the Cenotaph that overlooks the Derwent River and CBD, car parks with vans and cars housing students, homes that have doubled in price in a matter of years and double income families living in caravans and tents. While Tasmania has lower wages and a high level of people on government support payments, in the past, cheap housing meant you didn't really see people begging or sleeping rough, but that has changed'.

The Australian Bureau of Statistics found Tasmania experienced the largest increase in homelessness in Australia in the five years to 2021, jumping 45 per cent from 1,622 homeless people in 2016 to 2,350 in 2021.

Tasmania is now one of the most unaffordable states to rent in Australia. We have Australia's highest proportion of low income households – median incomes are almost \$200 per week less than the national average. Rents in Tasmania are rising up to 10 times faster than income support payments, and the Tenants' Union of Tasmania has commented that the average Tasmanian renter is paying \$7,000 more to keep a roof over their head than five years ago.

Tasmania's social housing waiting list had also hit an all-time high, with 4701 applicants – including families, couples and singles – in line for accommodation as of November 2023. A Pulse Media report in January 2024 noted that the average waiting time for priority housing applicants had surged to 94.7 weeks, the longest it has been since November 2022.

For those looking to buy, a September 2023 ABC report quoted real estate analysts PropTrack that the typical-income household in Tasmania could only afford 5 per cent of homes sold— the lowest in the country. It is clear that the provision and straightforward approval of smaller more affordable houses and other forms of accommodation in Tasmania was now definitely required.

In July 2023, in response to the State Governments 'Tasmanian Housing Strategy' the Local Government Association called upon the Tasmanian Government to address the use of Tiny Houses and Self Contained Caravans for alternative accommodation with appropriate standards, in planning schemes or other legislation, towards addressing needs for affordable housing and providing a more empathetic regulatory system.

Nothing has been done and as a result the lack of legislation has led to differences in Local Government approaches to tiny house approvals which has created problems, particularly in regards to security of tenure. Both the Liberal and Labor parties had no specific policies in regards Tiny Houses, while the Tasmanian Greens supported Tiny Houses in principle.

Ric and Maria Rolls - a factory built strata title unit in Glenorchy.

Ric talked on how he had paid for a prefabricated Strata Title Unit to be built for his son on Ric and Maria's block of land, next to his house in Glenorchy. Ric talked about the building process and some of the issues he had to manage. The concept was a two bedroom 80 square metre house and a car port. Two development applications were required because of variations in proposed dwelling dimensions and the decision to go with a staged development.

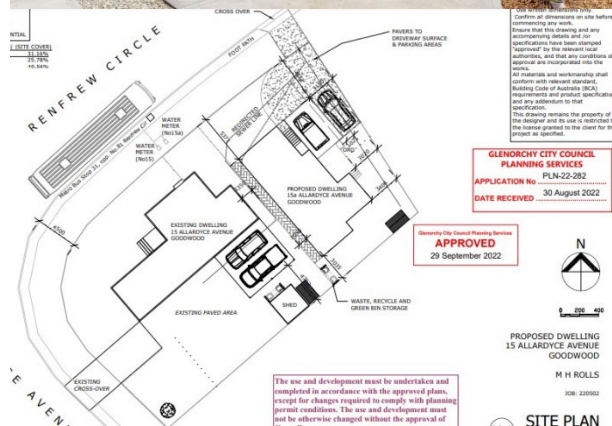
Firstly Ric he had to learn about the strata title process. As a two unit development, no body corporate was required. He then had to decide if he should sell the planning approval plans for the second unit to his son to save stamp duty, or should they develop it first themselves and then sell it?

Knowledge of set-back rules and required distances from Taswater sewer mains, and lots of site measurements were required. The budget was important as a temporary draw down on superannuation was required and Ric and Maria still had to fund their retirement.

The selection of builder was based on early on-site start date from a quoted on-site start date of October 2022. Instead work started on the 1st September 2023, (11 months later). Ric had to pay for a quotation. Customer inputs to builder - ridge slit in roof sarking (to reduce attic condensation), window area no more than 20% floor area (for energy efficiency), double glazing (with no thermal break) saving \$11,000, to be offset with curtains and future rooftop solar.



The builder built the house and car port off-site in two modules and delivered it by crane. The front module with kitchen, laundry, bath, and living room and the back module with two bedrooms plus a second toilet. Additional costs were required for a storm-water detention tank required by the Glenorchy Council to reduce overload on Council storm-water mains. Separate water and electrical power lines to each house.



Site preparation for Stage 2 required moving a sewerage line and repairing dwelling 1 sewer. Luckily a surveyor was able to start work immediately on the water, sewer, electrical connections and the strata compliance for existing dwelling.

Reuse of materials - removal of deck and recovery of decking planks and 240 x 45 joists to be reused for sub-floor cladding and joists for the new build's deck. Ric removed the deck and Mighty Built shed on receipt of building permit.

Paul Andrew living in a Tiny House

Paul owned a block of land at Judbury and decided to buy a Tiny House to live in, on the block, as he knew there would be long delays in getting a house built. He showed pictures of his Tiny House, and discussed the benefits of being a tiny house owner. He currently faced an awkward situation, with the period of occupancy allowed by the council being restrictive and councils unclear as to how to deal with the time limits that applied to the many tiny house owners in the area.

Little Latitude Homes - Manufacturing Tiny Houses

Why People Love Tiny Homes

Sabrina commented that Tiny Houses offered people the chance to buy (or build as a 'do it yourself' unit) for under \$100,000. They could then pay off the house in 4.3 years (the same amount they would spend on renting a regular house at \$400/week), and they would still have an asset for resale. They would be mortgage-free. Commercial Tiny House suppliers can quickly produce a completely customised home ready to move into.

As Tiny Houses are movable an owner can relocate their house for work/study/family commitments, and there was no need to own expensive land. Parking and rent are currently affordable at \$100 -

\$250 per week, depending on services, for remote and rural properties or properties with larger backyard parking space. For existing home owners, Tiny Houses can be used for extra living space on their own land for aging parents, growing teens, or family visitors.

From an environmental perspective they offered an eco-friendly alternative as they used less building materials, required less heating and cooling, their small size 'light' footprint reduced vegetation clearing and they required no concrete footings for a smaller carbon footprint.

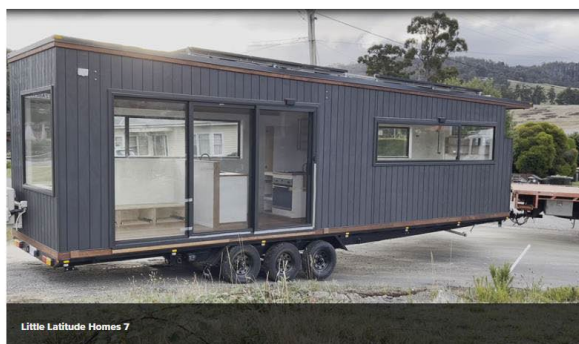
For services Tiny Houses often have solar panels, water tanks and waterless toilets. For owners there is minimal house cleaning and maintenance, and require carefully considered purchases as there is nowhere to store 'stuff'.



Little Latitude Homes 5 and 5b



Little Latitude Homes 6



Little Latitude Homes 7



Little Latitude Homes 8

Regulations for a Tiny House On Wheels (THOW)

Sabrina explained that a Tiny House was a registerable vehicle on wheels (caravan), built according to the Australian Government's Road Vehicle Standards VSB 1 – March 2024 (Revision 6) for Trailers with an Aggregate Trailer Mass of 4.5 Tonnes or less, and had to be able to connect and disconnect to a vehicle like a caravan.

These standards covers safety and construction requirements for trailers generally, and prescribes limits on width, height, length, weight for chassis size, rear overhang, protrusions and other items. The standard also includes a caravan specific section in regards location of lights and markers, doors, fire extinguishers, LPG installations, toilets, basins and sinks. The standards for toilets, basins and sinks (Section 13.2.3) required that toilets must not discharge directly onto the road, toilet closets must vent directly to atmosphere, tanks into which toilets discharge must contain non-inflammable and non-irritant chemicals to form an efficient deodorant and germicide, and basins and sinks must not drain into the toilet tank.

The State Government Department of Transport had also listed requirements of a similar nature with an information sheet 'Registering a Light Trailer/ Caravan'.

Sabrina noted that a Tiny House does not sit on foundations and therefore is not a building that has to meet the NCC National Construction Code building regulation standards. However, recent State Government CBOS legislation was now far more prescriptive for tiny houses and caravans.

Previously, CBOS's 2018 Tiny House Information Sheet had defined the differences between vehicular and Building Act requirements and noted that occupation of vehicles such as caravans for permanent residential purposes required planning approval. It referenced the use of the 1993 Land Use Planning Approvals Act for permanent occupation approval, together with the relevant local council planning scheme and bye-laws.

Now the current CBOS 2023/2024 Tiny House Regulatory Note notes that as 'a structure is no longer deemed road registrable where it is connected to the ground by any form of construction or plumbing work,' then 'a road registrable vehicle is not classified as a Class of Building under the NCC and may not be directly connected to plumbing services'.

Now a tiny house or caravan can only be placed adjacent certain facilities and other permanent structures that are connected to plumbing services in accordance with the Act and the NCC.

These facilities would include;

- a Class 10 structure (e.g., a shed) with approved plumbing facilities, a certified bathroom/amenities pod or a pre-approved prefabricated structure fitted with WaterMark licensed sanitary fixtures and water supply
- an approved dump point (as per AS/NZS 3500.2) that can be either be connected directly to the TasWater sewer connection point (Category 3 Plumbing work), or connected to a blind storage tank requiring regular pump-out by an accredited contractor (Category 4 Plumbing work).

It also notes that 'an OWMS (on-site waste management system) is not permitted for installation independent of, or in isolation from a Class of Building recognised under the NCC', and '(WCT) are not permitted to be installed in a caravan or trailer-based structure'.

Sabrina noted that in Tasmania, Onsite Wastewater Management Systems (OWMS) are formally accredited in accordance with the *Building Act 2016* for use in association with all classes of buildings described in the NCC. She also noted that Waterless Composting Toilets and direct connections to water tanks and grey water systems were commonly used in caravans and tiny houses in other states for long term residential and tourist accommodation and queried whether caravans with composting toilets made in other states would be allowed to be used in Tasmania.

In regards other services requirements, CBOS's 'Electrical Standards and Safety Regulatory Guide Prefabricated structures' applied as did the AS 3000 – 2018 Wiring rules and Electrical Compliance Label requirements for close proximity to a switchboards, and AS 3001 – 2022 Electrical Installation of Batteries. Gas requirements for transportables required a gas-fitting work compliance plate securely attached to the gas installation, and specific venting requirements.

Building Materials

Sabrina's noted her company, Little Latitude Homes, built Tiny Houses with timber framing rather than steel framing to reduce thermal bridging and creaking. Earthwool batts are used for insulation and tight flexible gap filling is used to reduce condensation within the wall assembly.

Tiny Houses are required to be built to a weight rating for the completed house including furnishings and possessions, and as a result, lightweight materials are used where possible. 'RV' plywood (a mix of hardwood and softwood), marine plywood, and treated Shadow Clad external cladding are all used and assist with bracing. Flooring is 12mm Tas Oak overlay on top of 6mm marine plywood, and WEDI board and Aquapanel are used in wet areas, in lieu of tiles over cement sheeting. Double

glazed aluminium windows are also used to minimize weight, and custom made built-in furniture is made with slimmer plywood sides and backs.

Outcomes Needed For Tiny Home Dwellers/ Industry Future

Sabrina commented that housing is a human right and the current expense and uncertainty around allowed dwelling time in Tiny Houses is driving away purchasers and closing businesses. Changes required to sustain Tiny Houses usage are;

- Planning approval for a mandatory 2 year permit system, to meet council standards, that can be reviewed and renewed, and a permit system that allows full-time occupancy without fear.
- Automatic planning approval for Tiny Houses that meet current Waterless composting toilets use. When properly installed currently approved waterless toilets are ideal for THOW. They provide minimal water wastage, less initial expense than septic tanks, they are easy to install, have lower long-term maintenance costs, and fully composted material is useful for agricultural properties.



HOBART NOT HIGHRISE

IMPROVING RESIDENTIAL STANDARDS IN TASMANIA DRAFT REPORT 2024 SUBMISSION FROM HOBART NOT HIGHRISE

The housing we need

Hobart not Highrise would contest some of the assumptions made regarding housing need and supply in the state. The housing crisis is more complicated than the overview in this paper.

- Why do some developments not proceed after they are approved by Council?
- Why do some recent apartment developments in Hobart still have half occupancy?
- Why does the current system make it difficult for middle income persons to afford a home?

The answers and solutions to these questions, and others, lie beyond the realm of the Planning System.

While the prevalence of conversion of properties to short-stay accommodation is not a consequence of the planning scheme, the failure of the government to control conversion of standalone accommodation to short-stay accommodation has resulted in inflation of the residential property market and a marked reduction in the vacancy rate for the residential rental market.

There is a clear need for more variety of housing with a corresponding increase in medium density dwellings. The final document should reflect matters raised in the discussion around proposed Tasmanian Planning Policies which consider future needs and risks for liveable communities.

Current standards do not require construction of buildings in such a manner that doors, passages, bathrooms, and toilets need to be made accessible from the outset to ensure that expensive retrofitting is not required when the occupants require accessible spaces. Since medium density buildings are expected to house those with disabilities and an aging population these would seem to be essential to residential standards in medium density housing.

Implementation

There are two considerations in implementing these changes to the planning system. The first is ensuring the residential standards are applied. This will be achieved by incorporating them in the State Planning Policies.

The second is how to ensure Councils encourage medium density development in the right places. Perhaps the reason for failure to do this is that there have not been clear criteria for where such development is suitable.

Hobart not Highrise considers that clear, measurable criteria for Councils to determine the how and where, should be provided in the new Regional Land Use Strategy. These criteria with diagrams and details would be incorporated as part of the new Residential Standards in the State Planning Policies.

This would allow the quickest implementation of the desired outcomes.

The planning system has established zones as the primary mechanism for defining purpose, use and form. If medium density dwellings are to be introduced to urban residential and business zones, then a new zone classification is required to ensure good planning outcomes in appropriate locations.

Zones provide Councils with a clear path to determine how and where a type of development can be sited and so will be easier to implement in the Local Planning Schemes.

Option 2 would appear to be the best of the options but Hobart not Highrise contends this would take many years to implement because much preliminary strategic work will be required.

Option 2 proposes a new Urban Residential Zone in the major urban areas of Tasmania to encourage better use of urban land through provision of more medium density housing. Clear criteria for zone intent and purpose as to where greater densification can be achieved will have to be provided in a revised Regional Land Use Strategy. The Regional Land Use Strategy will give criteria for activity



HOBART NOT HIGHRISE

zones and then a settlement strategy and a road strategy need to be clear before zoning and therefore option 2 can be applied.

Hobart not Highrise contends densification should be applied to land inside settlements close to good public transport, infrastructure, public open space, green space, employment and services like shopping centres, schools and medical facilities.

Hobart not Highrise recommends that codes remain as overlays for natural threats like fire, coastal erosion, landslip etc. Assessment against codes would involve more paperwork and a longer time for approval and so does not fit with the faster approvals aims of the planning system.

Incorporated documents

Hobart not Highrise endorses the preparation and/or inclusion of the “design guides as incorporated documents in the SPPs detailed in Section 7.2.1.2 of this report, summarised as:

- (a) Medium Density Design Guidelines (finalisation of draft guidelines required)
- (b) Subdivision design guidelines (new guidelines required)
- (c) Liveable housing design guidelines (existing guidelines by Liveable Housing Australia)”

Medium density guidelines should encourage good architectural design but the current proposals are insufficient.

The Medium Density Design Guidelines should also apply to apartments in business zones as an interim measure until a standalone apartment design guide is created, for higher apartments in mixed use developments.

Hobart not Highrise would expect to see landscaping, solar access, stormwater and other amenity issues included in any new residential guides for business or light industrial areas.

Section 3 Definitions

Hobart not Highrise supports requirements for common open space and the inclusion of deep soil areas in new developments or redevelopments. Example diagrams of how these two definitions could interact would be helpful and assist in future assessments relying on these definitions.

3.2.1.2 Common open space is essential in denser developments for communal recreation and interaction. It is not clear whether such spaces would be open air or covered. There certainly should be some open area of green space.

3.2.1.3 A deep soil area, which is to ‘form part of the common and/or private open space area for the site’ is now recognised as important for green space provision and stormwater benefit. What mechanism will be used to ensure these provisions remain for the life of the dwelling?

3.2.1.4 Replacing existing reference to laundry facilities in the definition of a dwelling raises concerns. It would only apply to certain medium density developments and so could be considered in Apartment Guides rather than Residential Standards.

3.2.1.5 Images need to be provided to show how the grouped and multiple dwellings satisfy the new deep soil, greenspace, stormwater run-off and common open-space provisions.

3.2.1.7 Will definition of units and townhouses overlap? It would be most beneficial if visual examples of the different typologies could be provided to show how plot ratio is assessed for the different built forms. Since the plot ratio definition links back to the existing site definition, would it be simpler if we left it as site ratio or site density ratio?



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3.2.1.8 Workers Accommodation – potential definition for workers accommodation addresses key workers being accommodated on a temporary basis while they carry out their employment.

There are considerations and definitions which have not been discussed:

- What is temporary?
- Are there to be limits on numbers or definitive timeframes?
- Farmworkers?
- Essential workers in city?
- Can farmworkers accommodation be used as short-stay accommodation in the off-work season?
- Is the proposal just to set minimum standards?

The nesting table on P23 needs to include the National Building Classifications [1,2,3,4] to be clear to developer and builder as to which typology is included.

Section 4 Residential Standards

Hobart not Highrise strongly endorses the inclusion of the following considerations in Residential Standards:

- Landscaping and deep soil areas
- Common open space for multiple dwellings
- Front elevations and passive surveillance
- Plot ratio
- Environmental performance (including solar access, ventilation, noise, and water sensitive design)
- Lot size diversity
- Roads and street blocks
- Public open space

Hobart not Highrise would suggest that residential standards should reconsider 'unit area' for medium density dwellings. Single and double bedroom units are being constructed with minimal room size. The Covid experience should have made it clear that such developments stressed the mental health of individuals. Providing mandatory common and public open space does alleviate the problem but a larger minimal room size should be one of the amenity considerations used to trigger discretionary approvals..

The removal of the building envelope is removing visual bulk as a criteria for assessing larger developments. There should be some way to include design guides that prevent bulky unsuitable developments in a streetscape or subdivision.

Hobart not Highrise contends that the minimum standards of the Acceptable Solutions are too minimal. Evidence for this is that all pictorial examples in the report rely on Performance Criteria.

4.2.3.1 Plot Ratio

Hobart not Highrise strongly endorses setting a maximum amount of development (gross floor area) that can occur on a site. Ensuring a balance of built form to landscaping is essential in the performance criterion.

Whilst the basis for improved development standards for plot ratio is to enable increased housing diversity and encourage design that responds to the site context, this should also give regard to neighbourhood character, heritage places, precinct and streetscape.

Hobart not Highrise does not endorse full site coverage in the Inner Residential Zone. It would appear the assumption is that proposals will always be for multi storey dwellings and so amenity provisions



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would be in any proposal. Perhaps the Inner Residential Zone should not allow single dwellings but be considered a medium density area.

The 400m radius [P3] is very blunt and may not deliver the desired outcome which is contingent on amenity provisions. Setbacks and open space are always good for design and creating new streetscapes.

Hobart not Highrise considers there should be a minimum land size to use plot ratio and satisfy all criteria. There is a need to link built form to lot size not just zone.

Section 4.2.3.2 Heights

Separating height and setback standards is supported to simplify the assessment process. The height parameters on page 33 are appropriate to Tasmanian residential needs and must be legislated within documents as part of the SPPs.

Residents in all zones want application of clear criteria for the siting of medium density dwellings. It is recognised that in Business Zones the Medium Density will be higher than those proposed for other residential areas. Hobart not Highrise supports the gradation of heights in Hobart City Council Planning Documents.

Section 4.2.3.3 Setbacks

Setbacks are to be considered in context of plot ratio, height, and solar access and the potential parameters on page 35 seem appropriate. Zone applications will say where provisions apply

Setback greatly impacts privacy requirements and horizontal separation distances so is vital to residential standards.

Section 4.2.3.4 Landscaping

Hobart not Highrise has campaigned on the need for urban planning to prepare for future liveability and amenity in Tasmania. Landscaping, which includes private and common open space, is a vital part of new planning, with other residential standards such as height, setback, green space, disability provisions and other amenity considerations.

Hobart not Highrise would expect controls of the minimum landscaped area on a site ensuring that there is sufficient deep soil area for the planting or retention of trees, and require a minimum provision of soft landscaping.

Hobart not Highrise supports a minimum landscaping area covering 25% of the site, and deep soil area covering 10% of the site. If there are existing recreation opportunities in the surrounding area the landscaping area should be encouraged to provide community gardens.

Landscaping would generally refer to common open space and should not include parking areas. Private open space is part of the building structure and must maintain the minimum standards adopted in other jurisdictions.

Section 4.2.3.5 Solar Access

Simplification that a new solar access standard offers is a good idea ensuring 2 to 3 hours of direct sunlight access to a habitable room is achieved in mid-winter.



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Solar panels on neighbouring properties must not be overshadowed by a development. New developments should include provision of solar panels to provide at a minimum water heating for dwellings.

The two primary objectives for the new solar access standard are essential to a climate ready future - Firstly, that building layouts optimise sunlight and daylight access within a development. Secondly, that built form and siting minimises unreasonable overshadowing of neighbouring properties in mid-winter.

Section 4.2.3.7 Privacy

Privacy considerations need to be coordinated with other planning standards and all residences should have private space rights that minimise overlooking of habitable rooms and private open space of dwellings on adjoining properties and on the same site.

Subdivisions

Hobart not Highrise considers that currently subdivisions are rather ad hoc and legislation is needed to ensure they include different built forms to provide better design and liveability standards.

Hobart not Highrise contends that Strata title should be considered a form of subdivision so that approvals for strata-title developments are subject to the same development standards as subdivisions. The current definition is not considered to be aligned with the LUPAA *objective 1 (b) to provide for fair, orderly and sustainable use and development of air, land and water.*

4.2.4.1

The overarching objective of the new lot size diversity parameter is to ensure that a subdivision delivers a range and mix of lot sizes suitable for development of diverse dwelling typologies including single dwellings, grouped dwellings, townhouses, apartments, and communal residences.

Subdivisions and strata titled developments must provide private and common open space for all forms of residence.

4.2.4.2

Movement, transport and street design need more consideration. Emergency vehicles must be able to access all residences in a development and this is not currently the case.

An improved roads standard must be established for a successful subdivision movement network. There is no standardised road hierarchy in the SPPs to form a basis for consistent decision making and this is a failing.

4.2.4.3

Planning schemes should include requirements for the contribution of public open space, either as a percentage land contribution [at least 10%], or cash in lieu of a land contribution. Whether creating new space or leveraging off existing, all lots in a subdivision should be in walking distance of public open space to deliver a good planning outcome.

The landscaping of streets and public open spaces that make up the public realm are critical elements of a subdivision. This is particularly important as dwelling density increases to create vibrant, communal neighbourhoods

4.2.4.4



HOBART NOT HIGHRISE

Hobart not Highrise agrees that the current services standards for residential subdivision are clear and concise but limited in scope and supports the need for integrated stormwater management within planning for developments.

We support the provided potential stormwater parameters. Hobart not Highrise is concerned with 'unless it is not feasible to do so' and would recommend a developer contribution to provide some other public service. Hobart not Highrise supports the assessment test as having regard to the design quality of the proposal referring to best practice design guidance in the Subdivision Design Guidelines.

Hobart not Highrise supports the substitution of the suite of residential subdivision standards in the IRZ, GRZ and LDRZ by implementing the improvements detailed in Section 4.2 of this report, summarised as:

- Add lot size diversity provisions into the lot design standards at clause 8.6.1, and 9.6.1.
- Replace the roads standards at clause 8.6.2, 9.6.2, and 10.6.2 with a new movement network standard.
- Include a new standard for urban greening, including provisions for public open space and landscaping of the public realm.
- Add stormwater management provisions into the services standard at clause 8.6.3, 9.6.3 and 10.6.3.

Chapter 5 Homes in Business Zones

Hobart not Highrise contends that homes in business zones should have the same Residential Standards with regard to greenspace, common space and other amenities which promote liveability as other residential areas. Height controls should be a feature of new standards. It is recognised that higher developments would be appropriate in this zone but these should reflect streetscapes and be appropriately limited within Local Planning Schemes.

Hobart not Highrise supports the recommendations of the report with regard to homes in business zones

- Substitute the suite of residential development standards in the UMZ, LBZ, GBZ and CBZ by implementing the improvements detailed in Section 5.2 of this report, summarised as:
- Replace the private open space provisions in the dwelling's standards at clause 13.4.6, 14.4.6, 15.4.6, 16.4.6 with a new landscaping standard.
- Include a new standard for solar access, including parameters for solar access to habitable rooms, solar access to private open space, solar access to common open space, and impacts to adjoining dwellings solar access needs.
- Include a new standard for privacy, including parameters for visual privacy, acoustic privacy, and dwelling separation.
- Replace the dwelling storage provisions in the dwelling's standards at clause 13.4.6, 14.4.6, 15.4.6, 16.4.6 with a new storage standard, including parameters for dwelling storage and waste storage.
- Include a new standard for dwelling mix, including parameters for dwelling mix and liveable housing.

Chapter 7

7.2.1.3 Car parking reductions

Hobart not Highrise would support the recommendation to 'Amend Table C2.1 of the Parking and Sustainable Transport Code to reduce the minimum onsite parking rates for the right housing in the right place, such as social housing and development close to activity centres; detailed in Section 7.2.1.3 of this report'.

7.2.1.4 Expanded application requirements for subdivision



HOBART NOT HIGHRISE

Hobart not Highrise recognises that a robust assessment of a subdivision application is reliant on documentation of key information including:

- Site analysis plan demonstrating existing conditions
- Subdivision plan demonstrating an appropriate design response
- Street sections and plans communicating the role and function of streets
- Landscape plan demonstrating the location of canopy vegetation in streetscapes and public open Space.

We support the inclusion of 'new application requirements for subdivision at clause 6.0 of the SPPs, including landscaping and street design plans; detailed in Section 7.2.1.4 of this report.'

Hobart not Highrise considers it is essential to adopt tools to assist with the implementation, interpretation, and useability of the new standards, including those detailed in Section 7.2.1.5 of this report, summarised as:

- (a) Fact sheets (utilise fact sheets supplementing this report)
- (b) Technical guides with explanatory figures (new technical guides required, part of Improved Guidance Project)
- (c) Model conditions (new model conditions required, part of Development Manual Project) Medium priority

The best way to implement better design and amenity in the system will be to provide clear examples [pictures and diagrams] of best practice

7.2.2.1 Inclusionary zoning

Hobart not Highrise supports applying planning strategies collectively defined as inclusionary housing. We see the following examples as appropriate in all residential zones:

- Mandatory social and affordable housing percentages that are applied to all new development.
- Voluntary provision of social and affordable housing in a development which unlocks specific advantages, such as a height and/or density bonus.
- Rather than mandatory provisions, the plot ratio standard in the improved suite of development standards seeks to introduce the concept of employing a development bonus for social housing providers, through a voluntary inclusionary housing approach.
- The dwelling mix standard in the improved dwelling standards for the business zones also contemplates a height bonus for social housing.

Hobart not Highrise supports

1. implementation of the Draft Recommendations 1-7 and 9 -15 as listed in Appendix C.¹
Although we support Option 2 as the best proposed implementation method we contend that there is need to implement an interim criteria guide in the Residential Standards when they are incorporated. It may be that this would be sufficient to achieve the goals.

Hobart not Highrise does not support

2. recommendation 8 'Insert a new general provision at clause 7.0 of the SPPs permitting subdivision occurring along a zone boundary; detailed in Section 7.2.1.1 of this report.' The given example of a residential block near a landscape conservation zone would meet with our strong opposition.

Hobart not Highrise recommends that

1. when a discretion is triggered consideration must be given to how well it balances with other performance criteria. Any bonuses under discretions should be based on amenity standards

¹ pages 97-98 Improving residential standards in Tasmania I Draft report. ERA Planning



HOBART NOT HIGHRISE

2. supports the view that Climate Change risks must be a major consideration in all planning documents
3. supports consideration and application of the Tasmanian Planning Policies to Residential Standards and the State Planning Policies.
4. considers group dwellings should only be allowed when site is over 1000²m

Hobart not Highrise has been actively involved in planning matters for the city of Hobart for the last 9 years. Although implementation of appropriate height limits was the central pillar of our organisation we have consistently worked to ensure new developments respected the liveability needs of residents and relevant streetscapes.

Hobart not Highrise recommends that Local Planning Schemes and Neighbourhood Structure Plans are utilised in applying medium density residential areas so that they have the support of local communities.

Committee Members

Margaret Taylor

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06 September 2024

Tasmanian Government
State Planning Office
Submitted on-line

HIA Submission in response to the Draft report - Improving Residential Standards Project in Tasmania, July 2024

Thank you for the opportunity to provide comment in response to the Draft report - Improving Residential Standards Project in Tasmania (draft report).

HIA welcomes consultation with the residential construction industry on these important planning matters. Residential standards that are clearly drafted and logically implemented can help support the development of new housing, through streamlined approval processes and reduction of red tape in the planning system.

About the Housing Industry Association (HIA)

The HIA is Australia's only national industry association representing the interests of the residential building industry, including new home builders, renovators, trade contractors, land developers, related building professionals, and suppliers and manufacturers of building products.

As the voice of the residential building industry, HIA represents a membership of 60,000 across Australia. HIA members are involved in land development, detached home building, home renovations, low & medium-density housing, high-rise apartment buildings and building product manufacturing.

HIA members are comprised of a mix of residential builders, including the Housing 100 volume builders, small to medium builders and renovators, residential developers, trade contractors, major building product manufacturers and suppliers and consultants to the industry. HIA members construct over 85 per cent of the nation's new building stock.

Following review and consideration of the draft report HIA provides the following comment and feedback. HIA would welcome the opportunity to expand upon and discuss these matters further in-person with the State Planning Office, prior to Stage 5: Final report being released late 2024.

Definitions and terms

HIA considers the summary list of definitions and terms recommended for inclusion or change to be reasonable. It is important definitions and terms are developed in consultation with industry as often there can be misunderstanding between the various stakeholders, and this can lead to protracted approval timeframes. HIA is currently reviewing the detail of these definitions and terms and may provide follow up correspondence.

It is considered definitions and terms have the greatest benefit to industry when they are supported with metrics, typical diagrams and sketches and in some instances photographs of desired and or acceptable outcomes.

In developing definitions and terms care must be taken to ensure these are written in plain language, are clear and simple – with effort made to ensure they are balanced so as not to be overly prescriptive nor open to too much interpretation.

The right housing in the right location

HIA welcomes this as a feature of the draft report. Providing housing, particularly higher density housing, in well located areas is a key element of the National Housing Accord and National Planning Reform Blueprint and a priority for Tasmania's economy.

There are many factors that must be considered in determining if the right housing is being provided in the right location and planning has a significant role to play. HIA submits first and foremost the principle of Truth in Zoning (HIA Position Statement – Truth in Zoning, attached) must be applied. That being, if land is zoned for residential, secondary planning controls such as Overlays, Local Policies etc. must be written such that they do not introduce barriers, inconsistencies and constraints to that land being developed for a residential purpose.

This relies on robust strategic work, master planning, precinct structure planning and the like identifying and appropriately dealing with all known barriers and constraints known at the time, and this not being duplicated in the statutory implementation / planning tools.

It is also important that the provision of infrastructure, social and civil, is planned and delivered to enable the right housing in the right location.

Aligned to this HIA notes with interest that in the draft report under the section Barriers to infill development (pg. 12) the following are identified:

- Additional site constraints such as heritage, established character, amenity impacts, infrastructure
- Difficulty consolidating smaller land parcels
- Community resistance to density
- More complex and lengthy approvals processes
- Unsuitable planning scheme provisions or inadequate spatial application of zones.

It is considered while a project of this nature is being undertaken it would be opportune to not just identify these barriers but to begin developing the necessary planning responses to mitigate these barriers. As part of HIA's Position Statement - Principles of a Good Planning System (attached) it identifies that:

The planning system should embed a strategic approach to spatial planning which balances competing priorities and requires planning authorities to take a holistic approach to achieving planning outcomes, recognising a balance between economic, social and environmental factors

Suite of residential standards

It is further noted that as part of the draft report's discussion under suite of residential standards, the topic of Prescriptive versus performance-based approaches is discussed. HIA submit a robust planning scheme is one where a sensible balance between prescriptive and performance-based approaches exists.

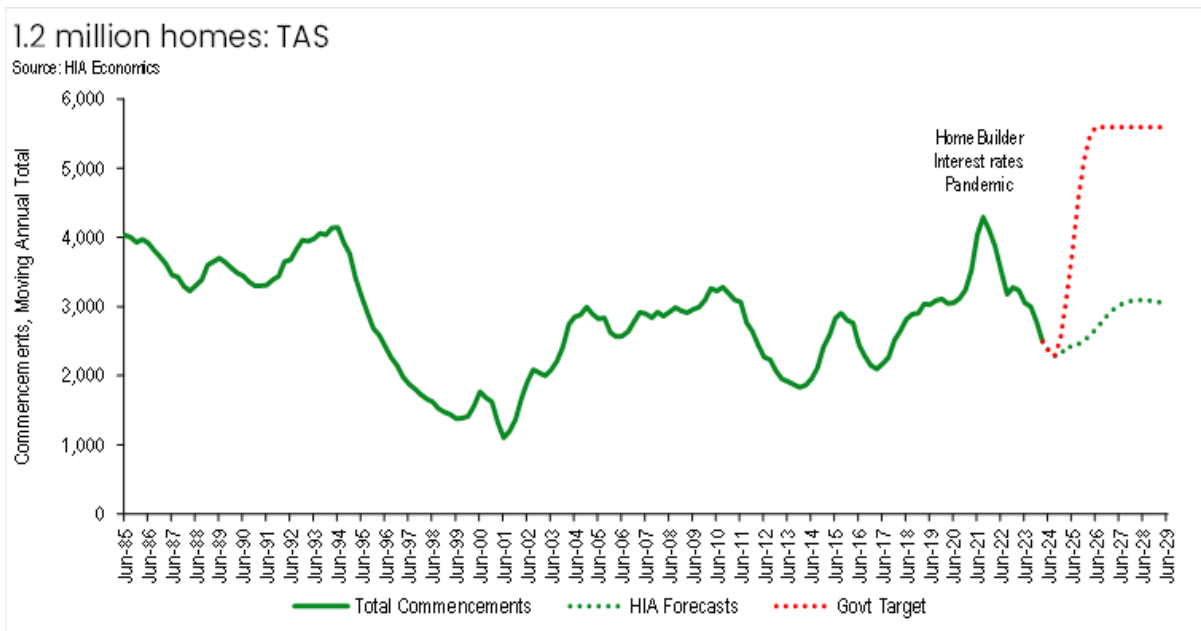
Striking a sensible balance will then begin to enable code assess pathways to be developed for designated application types and categories – beyond just simple applications for extensions, decks and high fences but extended to detached dwellings that require approval and small multi-unit developments, say up to four dwellings on a lot. To streamline the planning approvals system code-assess pathways will enable Private Planning Certification / Delegated Development Assessment processes to be enacted.

In developing residential standards, a key consideration for all levels of government and regulators must be to ensure regulatory duplication is not designed into the planning approvals system either intentionally or inadvertently. When government and regulators are drafting residential standards there can be a tendency to duplicate matters that are adequately dealt with as part of the building approvals system or as Australian Standards. In instances where design requirements, such as vehicle turning circles and parking bays, are guided by Australian Standards this must be clearly identified.

Being cognisant of this when drafting residential standards can produce residential standards that are streamlined and absent of all unnecessary red tape. This enables better decisions faster and contributes to an efficient and effective planning system for all.

National Housing Accord

To meet its housing delivery targets in accordance with the National Housing Accord (NHA), Tasmania will be required to construct 26,117 well located homes over 5 years from mid-2024 (5,223 annually). To put this in comparison, the volume of housing delivered over the previous 5-year period (2019-2023) Tasmania built 16,483 homes. This is 9,634 homes short of that required. Refer Graph 1.1 below.



Graph 1.1 – Tasmania's share of 1.2 million home over 5 years starting mid 2024 compared with previous years

For this target to be achieved it is imperative a range of planning reforms are implemented that facilitate development opportunities.

This can only be achieved with genuine planning reform, in accordance with that committed to by states and territory governments to support deliver of the 1.2 million homes target:

- undertaking expedited zoning, planning and land release to deliver on the housing target.
- working with Local Governments to deliver planning and land-use reforms that will make housing supply more responsive to demand over time ensuring achievement of targets for social and affordable housing are met.

The primary objective of the guidelines must be to ensure development is facilitated and provides certainty for industry; by reducing red tape, streamlining approval systems and timeframes and eliminating regulatory duplication, particularly in the form of duplicative requirements with the building approvals system.

Thank you for the opportunity to provide comment at this stage. HIA would appreciate being consulted as review of the residential standards continues.

Please do not hesitate to contact us if you wish to discuss matters raised in this correspondence – Mike Hermon HIA Executive Director - Planning & Environment 0407 684 551 / m.hermon@hia.com.au or Stuart Collins 0418 507 377 / s.collins@hia.com.au

Yours sincerely
HOUSING INDUSTRY ASSOCIATION LIMITED

Stuart Collins

Stuart Collins
Executive Director
Tasmania



Truth in Zoning

HIA's Position Statement

1. Governments (being all governments or relevant authorities) should provide certainty in the application of planning controls on residential land.
2. In applying planning and environmental controls to land, Governments should firstly verify and then disclose all known constraints which they intend to apply and at which stages of the development process.
3. The key stages at which known constraints should be declared and applied by governments are:
 - a. Designation for urban development;
 - b. Zoned for urban development;
 - c. Subdivision planning approval; and
 - d. Registration of title and sale or redevelopment of lots.
4. The known constraints should only be applied by Governments at the designated stage in the development assessment process. (as set out in Attachment A)
5. If a constraint is missed, or unknown, by a government at an earlier stage of development, it cannot be retrospectively applied unless appropriate compensation is provided to the property owner for the reduced development rights.
6. All major constraints on land should be accounted for by the build stage (that is prior to stage 4: registration of title) leaving builders, and home buyers, to only account for site layout, setback matters and known environmental constraints as outlined in council planning schemes.
7. Requests from councils to apply constraints that have no foundation in state planning schemes or documents incorporated within planning schemes should be rejected outright.

Background

- The supply of land for housing development is influenced by zoning, subdivision approvals and the development approval process.
- Developers and builders face a range of barriers to building on residentially zoned land that can be applied at any stage of the land and housing supply pipeline.
- Many constraints affecting the supply of land for housing:
 - emerge in planning scheme requirements after land has been zoned for residential purposes;
 - have a layered approach and a cumulative effect on the development that can ultimately take place on a single parcel of land;
 - can quarantine or sterilise land from development at any stage of the process, despite being zoned for residential purposes;
 - can relate to the risk of natural hazards or to broader social or environmental concerns that are not specific to a single parcel of land; and
 - are being applied to zoned land retrospectively.

- Some constraints relate to mapping of natural threats such as anticipated threat of bushfire or sea level rise/inundation, threatened species identification.
- Others can be non-environmental and can include heritage matters, presence of easements and other design and development related requirements.
- While each is a potentially valid claim for land to be preserved or development to be managed in a specific way, in many cases the request by authorities to address these constraint is made at an inappropriate stage of the development process resulting in significant delays and additional costs.
- In some cases, this can result in highly valued residential land being removed from the land supply pipeline as no longer appropriate for development.
- The outcome is that despite land being residentially zoned the heightened level of uncertainty results in financial risk, additional costs, delays and ultimately a restriction on the supply of build ready land.
- Governments need to be responsible for providing greater certainty over when constraints are applied to land through the zoning, subdivision and development approval processes to ensure that land owners are aware of all potential matters that may affect the future use of that land for residential purposes at the earliest possible time.

ATTACHMENT A – Constraints on Land and their Application by Authorities

This attachment seeks to provide a list of constraints that are typically applied in the zoning, subdivision and planning approval processes and nominates the preferred stages in the land supply pipeline that HIA considers they should be identified or applied (if they are to be included at all).

The changing planning environment means that this is an indicative list that remains live and able to be adjusted over time. HIA policy position sets out the nature of the problem and industry's preferred approach. The stages are intended to mirror the six stages of land development identified by the National Housing Supply Council (2010). For the purposes of this Policy they have been combined where appropriate.

Stage 1 Designation of Land for Urban Development Zone

The constraints listed below should be identified prior to designation of land of urban development zone.

Constraints to be identified when land is Designation for Urban Development	
Open space	Open space allocation including major regional open space parks already operational includes State and National Parks
Airports	Location of airports and environs, includes any future airfields
Roads	Freight and major road links
Major Infrastructure	Pipelines for utilities including gas and electricity
Facilities for renewable energy	Any area set aside for wind farms or similar.

Stage 2 Zoned for Urban Development

The constraints listed below should be identified prior to rezoning any land from a general Urban Growth/Future Urban zone or rural zonings to a specific purpose zone, e.g. residential, public land, special purpose zonings.

Also at this stage planning scheme overlays or structure plans may be prepared which might also seek to apply a constraint on land e.g. identification of flood prone land, heritage areas, site coverage (density), slip, slope, subsidence and so forth. These constraints should also be declared at this stage to increase certainty for land owners.

Constraints to be Identified when land is Zoned for Urban Development	
Environment and landscape overlays	Could include environmental significance overlay Vegetation protection overlay Significant landscape overlay
Heritage and built form overlays	Heritage overlay Design and development overlay Incorporated plan overlay Development plan overlay Neighbourhood character overlay

Constraints to be Identified when land is Zoned for Urban Development	
Land management overlays	Erosion management overlay Salinity management overlay Floodway overlay Land subject to inundation overlay Special building overlay Bushfire management overlay State resource overlay
Other overlays	Public acquisition overlay Airport environs overlay Environmental audit overlay Road closure overlay Restructure overlay Development contributions plan overlay Toll Road overlay Parking overlay
Alpine areas	Framework for planning alpine resorts Sustainable development in alpine areas
Biodiversity	Protection of habitat Location of threatened species Native vegetation management
Sea level rise/coastal issues	Protection of coastal areas threat of coastal inundation and erosion
Bushfire	Bushfire planning strategies and principles

Stage 3 Subdivision Planning Approval

The constraints listed below should be identified prior to the subdivision planning approval for lot designs. These constraints are normally addressed through the subdivision application process, whereby relevant studies are undertaken before the issue of a subdivision planning approval, and potentially, relevant actions are required to be carried out before the completion of a subdivision to confirm or address the impact of these constraints on land.

Constraints to be identified by Subdivision Planning Approval	
Soil degradation	Use of contaminated and potentially contaminated land Erosion and landslip Salinity
Noise and air	Noise abatement, air quality
Water	Wetlands and storm water planning.
Heritage	Heritage conservation Aboriginal cultural heritage

Constraints to be identified by Subdivision Planning Approval	
Layout of built environment	Neighbourhood subdivision site and context description and design response Lot design location and design of residential development Access and mobility management Integrated water management Utilities location Any design requirements for safety Cycling networks
Location of commercial centres/public transport networks	Principal Public Transport Network Road system Waste and resource recovery
Community infrastructure	Health facilities Education facilities Day Care facilities Recreation facilities
Bushfire	Bushfire prone areas

Where the 'subdivision planning approval' occurs after the civil works construction approval (and the required civil works are completed), the constraints in the table above should be identified during stage 2 (Rezoning).

Stage 4 Registration of Title

Once lots are registered and sold any constraints that continue to apply to future development of the site should only be those related to the individual lot. These constraints should be clearly specified in relevant publicly available planning information available to the owner of that site. The following matters may be identified as the remaining issues for consideration in the design of a new building:

Constraints that are considered acceptable if applied to an individual lot (or group of lots)	
Planning requirements relating to the individual allotment may include:	<ul style="list-style-type: none"> • Site layout and building massing • On-site amenity and location of facilities/utilities • Detailed design factors • Neighbourhood character considerations • Single tree removal requirements • Restrictive covenants • Any common property type infrastructure required as a result of creating more than one allotment including utilities and creation of common property • Minimum floor levels (for construction in flood prone areas) • Bushfire rating levels (for construction in bushfire prone areas)



Principles of a Good Planning System

HIA's Position Statement

1. Certainty

- a. The planning system must provide certainty to those utilising it.
- b. Planning codes and policy must be clearly written to provide certainty to the users and planning authorities of the items that are required to be addressed and the available scope for discretion in decision making.
- c. Assessment and determination processes must be reasonable, efficient and relevant to the zoning of the land and other known constraints on the land.
- d. The planning system should seek to eliminate repetition and duplication of information requests and assessments.
- e. Planning application requirements must not overlap or exceed building application requirements.
- f. Planning systems must support truth in zoning by facilitating the development of permitted land uses within each zone.
- g. Planning systems should not permit the retrospective application of 'new' requirements or constraints unless compensation is provided to property owners who lose a development right.
- h. Fees and charges for planning services should reflect the cost of assessment, be readily calculated and be disclosed prior to lodgement of any application.
- i. Planning codes and policies should not incorporate technical building requirements.

2. Consistency

- a. Policies developed to guide planning decisions must be written in concise language and be readily and consistently interpreted.
- b. The planning system should support consistency of outcomes by providing adequate guidance for design development and decision making.
- c. Planning design codes should be applied at the highest level (i.e. state government) to avoid ad-hoc design standards across individual local council areas.

3. Flexibility

- a. Planning codes and policy should include both performance objectives and prescriptive standards to provide a degree of flexibility and support changing housing market trends and innovation in housing design and technology.

4. Transparency

- a. The planning system should be transparent to the community and the development industry.
- b. Planning decisions should be easily understood and have limited potential for real or perceived intervention or influence.

5. Simple, clear processes

- a. The planning system should provide processes that do not create undue regulatory burdens for users.
- b. Information requirements should be concise, with clear obligations, steps and timelines for the provision of details to the planning authority by an applicant.
- c. Planning assessment and determination processes must be reasonable, efficient and relevant to the zoning of the land and type of development proposed.
- d. The planning and building systems must provide a single approval pathway for single dwellings and dual occupancy dwellings on land zoned for residential development.

6. Strategically led planning

- a. The planning system should embed a strategic approach to spatial planning which balances competing priorities and requires planning authorities to take a holistic approach to achieving planning outcomes, recognising a balance between economic, social and environmental factors.

7. Independent, merit based decisions

- b. Planning decisions should be made by informed, independent parties based on the merits of the application, compliance with any relevant statutory requirements and a sound evidence base.

8. Accountability for decisions

- a. Planning system should provide clear accountability for the decision making processes and the decisions made on behalf of the community.
- b. All planning decisions (zoning, subdivision, development) should be provided with a right of appeal to an independent administrative body.
- c. The planning system should not allow multiple planning authorities or agencies to be responsible for overlapping requirements or the duplication of requirements and approval obligations.

9. Outcome oriented decisions

- a. Decisions in an effective planning system must be focused on the outcomes, rather than details that have little bearing on the impact of development on the community.
- b. The planning system should facilitate:
 - i. The development of land in an economically viable manner in accordance with its zoning.
 - ii. The timely zoning of land for residential purposes based on a transparent strategic assessment involving all relevant agencies with clear roles and responsibilities for all stakeholders.
 - iii. Governments managing land supply, in consultation with the residential development industry, to ensure there is an adequate supply of land at each stage of the land supply pipeline.
 - iv. The delivery of public infrastructure that supports residential land zoning and development in a timely manner for the social and environmental benefit of the whole community.

10. Timely decision making

- a. Timely decision making means compliance with statutory timeframes where they exist, recognition of the importance of economic investment that results from development approvals and agreement between decision makers and applicants on a program to decision making.

Background

- In 2001, HIA launched a national position statement on planning systems, known as Better Living Environments. The position statement focused on three core tenants – flexibility, predictability and affordability. Within these tenants, various case studies and examples of good planning practices that would assist in the delivery of new land and housing were identified.
- Following Better Living Environments HIA has developed a series of policy statements that address individual elements of the planning system, covering issues such as ‘truth in zoning’, managing urban land supply, development contributions, subsidised affordable housing and more. Today these planning policy statements form the basis of HIA’s advocacy for an improved planning system.
- It was agreed there would be benefit in creating a statement that concisely sets out the fundamentals of a good planning system that can serve as a foundation statement on the planning system and the delivery of land and residential developments.
- In the absence of other regulatory levers, the planning system is now seen as the panacea for any matter that governments believe warrants oversight, making the system extremely complex for all parties to navigate.
- Over the last decade, policy makers have sought to address a growing list of social and environmental issues that have not traditionally been matters for consideration in the planning system.
- A planning system must recognise the importance of delivering housing affordable outcomes. This can only be achieved where the planning system manages the zoning of land and the development of that land in a timely manner balancing the social, economic and environmental benefit of the whole community.

I am speaking out as a person who had to leave a beautiful home and garden in the country due to medical reasons, and 'downsize' in suburbia. I will attempt to bracket issues together.

'Sustainability' is tossed around without any real thought in the LIVABILITY yet seem to favour the Developer. Considering the government – who had their commonwealth debt forgiven years ago in order to allow them to increase the public housing so sorely needed, have managed to build only 6 public housing homes, the rest have been left in the hands of the developers, and individual councils.

This has resulted in small dwellings with negligible yard space; shared driveways and no carports or garages. The lack of the latter means that every vehicle that arrives at any time of day or night can be audibly registered by the slamming of car doors. Increase that with villas that are assigned 2 car bays, one for them and one for a visitor. In squashing these into various spots, which usually means that the parking spaces are outside of the windows on both properties down the row. Increase that with one of them being an Airbnb – with a number of children arriving and numerous trips in and out to their car. Then there are motor homes that want the whole of 2 lonely car spaces.

The lack of a garage also means much higher vehicle insurance for every individual without a garage. Some cars won't be insured at all due to the age of the vehicle, despite being well maintained and better than many others on the road.

The lack of double glazing, which would manage some, if not all of the noise issues, also means that the new home owner is losing 40% of their heating and cooling through the windows they inherit. That is quite a large expense on their electricity uses. The large windows are a pretence that the rooms appear larger without being functional. I have 6 windows and a sliding door in my 95sqm home. 3 plus the sliding door are in the small living dining area. 1 in each bedroom. All are floor to nearly ceiling. There are no windows in the kitchen, laundry, toilet or bathroom.

Large windows in homes that are built with insufficient storage equals no wall space to bring storage into the house. No garage to keep extra items along with the car. Wardrobes are built with a shelf (accessible with a ladder) and rail. That means at least one or two chests of drawers are

required in every bedroom. Every small bedroom, to accommodate daily living.

No windows in the bathroom are a crime as far as I am concerned, as is one small towel rail in a 3-bedroom home (and no space for another). In order to deal with 'odours' from the W.C. the fan and light are attached to be turned on at the same time so that the light globe blows and requires replacing on a regular basis (if you can reach it on a ladder. Otherwise, you have to wait for a visitor to replace the bulb for you). I have been told that this is a building regulation

The 'Squashing' together of homes and the lack of concern for any privacy for individual owners, means you either keep blinds closed 24 hours a day to prevent neighbours peering into your domain, could be avoided with a little thought. Angled homes would prevent some of the problems. Fences at an appropriate height would also be welcome. The use of windows that are not floor to ceiling, and are spaced so as to occlude direct visual access into the neighbour's home (or homes with the ongoing placement of multi dwellings in small spaces). Then there are transom windows which allow good light; the view of sky and sun; free wall space for furniture and storage, and far less window treatments. A much more cheerful home.

If the option is to keep your windows covered day and night, it increases the electricity usage. I call my house the 'bat cave' due to the lack of good light despite the windows.

Laundries have become 'cupboard spaces' in living areas. Some don't even have doors on them. They are touted as 'American and European' innovations. In the countries cited, the residents NEVER hang clothes on the line. They put their washing into the dryer and then away. How much higher will the electric bills be if every Australian home with these abominations become the norm? how much more drain on the electricity networks? Where do the 'dirty' clothes go while building up for a wash? The bedroom floor? Where do brooms and mops and detergents and vacuums go? No garage for them. No laundry. Corner of the kitchen?

Kitchens dwindle along with everything else with pats on the back for upper cupboards to the ceiling. Not every one in this world is 2m tall. They don't come with a library ladder.

Kitchens Squashed into a 'u' shape means that the stove is usually in the centre; which leaves two right angle cupboards at each corner. For the elderly or infirm, these cupboards are also useless as you basically have to be a gymnast to retrieve what you need, without knocking something over or giving up. The two cupboards that look to have accessible doors are also a letdown. The plumbing for the unwanted dishwasher and sink takes up most of much usable space. A galley kitchen has no corners so has more usable space, especially with unusable uppers. Then there is the fashion in this dolls house era to have pantries that are not very wide, and very deep. This means pulling things out on to the bench to retrieve what's needed. No matter how you plan the space and what kinds of containers used to put like items together, it is an ongoing battle. No space for things like electric mixers which are left to sit on the bench.

On top of small dwellings and small yards, eyes turn to the Green spaces for public use. There is no way that children can be sent off to play on their own in 'green' spaces set aside for such use. The ones that actually have equipment that could be used are not fenced. Anyone who knows anything about child development would know that no fences are a recipe for disaster.

If the area looks safe there is no certainty about who may be lurking around and who might disappear from a group.

So unused green space becomes more housing, or like the Rosny situation, football training fields and no mention of, but will require carparking.

Lastly, industrial type businesses that are permitted to operate out of hours which means from 5 past 5pm until up to 3am, every week day, and all hours of weekends and public holidays without being able to curb any of the behaviour unless the police are called out on a 'noise' complaint. Council does not pretend to know anything that is happening as it occurs out of their office hours. I'm referring to a mechanical repair business that 'soups' up vehicles and motorbikes and tries out their handiwork on the suburban roads between 11pm and 3am....



Improving residential standards in Tasmania: Draft report

Shelter Tas Submission
September 2024

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Tasmania**



Shelter Tas is the Tasmanian branch of the
Community Housing Industry Association (CHIA)



Shelter Tas acknowledges the Traditional Owners of country throughout lutruwita/Tasmania and their continuing connection to the land, sea and community. We pay our respects to them and their cultures, and to elders past and present.



Shelter Tas welcomes and supports people of diverse genders and sexual orientations.

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Contents

About Shelter Tas.....	4
Our submission.....	4
Context: Tasmania’s housing crisis	5
Inclusionary housing planning mechanisms	6
Voluntary inclusionary planning mechanisms included in the Draft Report.....	7
Mandatory inclusionary zoning.....	11
Conclusion.....	12



About Shelter Tas

Shelter Tas is an independent, not-for-profit housing and homelessness peak organisation that represents the interests of low to moderate income housing consumers, not-for-profit Community Housing Providers and specialist Homelessness Services across Tasmania. We are a trusted conduit between the housing and homelessness sector and government, providing expert and independent advice that can influence government policy and grow public awareness to effect positive change for the benefit of low to moderate income housing consumers.

Our submission

Shelter Tas welcomes the opportunity to respond to the *Improving residential standards in Tasmania: Draft report* (the Draft Report). This is an opportunity to make an important difference to Tasmania's planning rules. Good planning is essential to ensuring that all Tasmanians can access housing, including facilitating an adequate supply of social and affordable homes. With the current *Tasmanian Housing Strategy (2022-2042)* including a commitment to building 10,000 social and affordable homes by 2032, it is essential that our planning system supports this goal.

Our submission provides comment on the voluntary inclusionary zoning proposals included in the Draft Report as well as providing options for how mandatory inclusionary zoning could be included in Tasmania's planning system.

Our submission recommends:

1. That investigation of the introduction of mandatory inclusionary zoning in Tasmania is prioritised.
2. Inclusionary planning mechanisms that have been successfully implemented in other jurisdictions, such as planning concessions and development/infrastructure contributions, should be considered as part of the review of Tasmania's residential standards.
3. The additional work to investigate opportunities and feasibility for development contributions should include consideration of impact fees (where financial contributions from developers are paid to offset the impact of a project on affordable housing demand or supply).
4. When it comes to the voluntary inclusionary housing mechanisms included in the Draft Report, they need to be tailored to the local housing market and based on robust analysis of the costs and benefits of compliance in the voluntary scheme to ensure they deliver the social and affordable housing sought.



5. Dwellings allocated as social and affordable housing under inclusionary housing policies should remain as affordable housing in perpetuity.
6. Policy requirements for unit size and other design and locational requirements should be specified, if necessary, to ensure affordable housing is appropriate to needs groups and amenity is equitable across tenures.
7. All dwellings delivered through inclusionary housing programs should be managed by registered community housing providers, and consider moving to full ownership by the sector. Community housing provider ownership would ensure dwellings are made available to target needs groups and provide affordable housing in perpetuity.
8. To support monitoring and enforcement, a publicly accessible register of projects utilising the social and affordable housing bonuses, including the affordable housing commitment for each project, should be maintained. A register of individual units dedicated as affordable housing (linked to title) should also be maintained.

Context: Tasmania's housing crisis

Tasmania faces an ongoing, statewide housing crisis. House prices and rental costs are growing much faster than people's incomes, and it is becoming increasingly less affordable for many Tasmanians to buy and to rent. Affordable, appropriate and secure housing underpins our economy's ability to attract and retain a skilled workforce. The shortage of affordable rental housing directly undermines our community's health, education and overall wellbeing.¹ Addressing this shortage will deliver a boost for health, employment and community building across the state.

In Tasmania there is a chronic shortage of affordable rental options for people on low incomes. Research conducted by AHURI estimates the shortage of affordable and available housing stock for private, low-income renter households in Hobart alone as being around 2,800 dwellings in 2021, up from 2,000 ten years ago.² This chronic lack of affordable rental leads to increasing numbers of people experiencing housing stress and homelessness across the state.

¹ Productivity Commission (2016) Introducing Competition and Informed User Choice into Human Services: identifying Sectors for Reform, Productivity Commission Study Report: Overview, November 2016, Canberra, <https://www.pc.gov.au/inquiries/completed/human-services/identifying-reform/report/human-services-identifying-reform-overview.pdf>

² Reynolds, M., Parkinson, S., De Vries, J and Hulse, K. (2024) Affordable private rental supply and demand: short-term disruption (2016–2021) and longer-term structural change (1996–2021), AHURI Final Report No. 416, Australian Housing and Urban Research Institute Limited, Melbourne, <https://www.ahuri.edu.au/research/finalreports/416>, doi: 10.18408/ahuri5128501.



In terms of housing stress, ABS data shows that in 2019-20, 30.8% of Tasmanian lower income renter households were paying more than 30% of their income on housing costs (13,997 out of 45,394 households). This was up from 24.2% in 2017-2018 (8,899 out of 36,788 households).³

The waiting list for social housing has remained above 4,700 households for the past six months; with the average time to house priority applicants averaging at 90.5 weeks for the past 12 months.⁴

Last year saw the release of ABS homelessness statistics, showing that at the 2021 Census a total of 2,350 people in Tasmania were homeless, up from 1,622 in 2016. That's an additional 728 Tasmanians experiencing homelessness, with the total going up 44.8% in the five years since 2016.⁵

Our planning system can play a crucial part in reversing these trends. The planning system needs to clearly identify social and affordable housing and provide a pathway for planners, decision-makers and developers to build more of these types of housing in all suburb and towns across Tasmania. Shelter Tas would like to see the Tasmanian Residential Standards include consideration of the way different inclusionary housing planning mechanisms (including inclusionary zoning) can be used to encourage the construction of social and affordable housing.

Inclusionary housing planning mechanisms

Inclusionary planning covers a spectrum of models and approaches for securing affordable housing through the planning system. Within this broad term, Gurran et al (2018)⁶ have identified the following specific approaches:

- Inclusionary zoning – where development within a designated zone contributes towards affordable housing according to a fixed formula
- Density bonuses – where additional development potential is offered in return for an affordable housing contribution

³ ABS (2022) Housing Occupancy and Costs, Australia, 2019-20, Table 13.1 Lower income renter households paying more than 30% of income on housing costs, by state and territory, 2007-08 to 2019-20.

⁴ Homes Tasmania (2024) Housing Dashboard: July 2024,

https://www.homes Tasmania.com.au/__data/assets/pdf_file/0021/281217/Dashboard-July-2024.pdf

⁵ ABS (2023) Estimating homelessness: Census, 2021, Table 1.3 State and Territory of Usual Residence, Number of homeless persons, by selected characteristics, 2006, 2011, 2016 and 2021.

⁶ Gurran, N., Gilbert, C., Gibb, K., van den Nouwelant, R., James, A. and Phibbs, P. (2018) Supporting affordable housing supply: inclusionary planning in new and renewing communities, AHURI Final Report No. 297, Australian Housing and Urban Research Institute Limited, Melbourne, <http://www.ahuri.edu.au/research/final-reports/297>, doi: 10.18408/ahuri-7313201.



- Planning concessions – where planning rules are varied for affordable housing development or to enable low-cost market housing
- Negotiated agreements – where affordable housing contributions are negotiated on a case-by-case basis
- Impact fees – where financial contributions from developers are paid to offset the impact of a project on affordable housing demand or supply.

The Draft Report expresses a preference for voluntary inclusionary planning mechanisms, such as dwelling height and density bonuses, as the preferred approach in the short term for promoting more social and affordable housing. It recommends that mandatory inclusionary zoning opportunities for social and affordable housing be considered as a supplementary piece of work, without giving details or a timeframe as to when this should be done.

While the Draft Report includes some inclusionary planning mechanisms (dwelling height and density bonuses), it does not include other mechanisms used in other jurisdictions, for example, planning concessions (where planning rules are varied for affordable housing development), and impact fees (where financial contributions from developers are paid to offset the impact of a project on affordable housing demand or supply). Regarding the latter, infrastructure contributions are acknowledged in section 7.2.2.2 but are considered as an additional piece of work to be undertaken in the future.

Shelter Tas recommends that other inclusionary planning mechanisms that have been successfully implemented in other jurisdictions should be considered as part of the review of Tasmania's residential standards. When the additional work to investigate opportunities and feasibility for development contributions, it should consider impact fees (where financial contributions from developers are paid to offset the impact of a project on affordable housing demand or supply) as part of this work.

Voluntary inclusionary planning mechanisms included in the Draft Report

For residential zones, the Draft Report considers the option of using plot ratio standards and social housing bonuses of between 10 and 20% above the standard maximum amount of development (gross floor area) to encourage the building of social housing.

For business zones, the Draft Report considers an option for creating a new standard for dwelling mix in large apartment buildings. The proposed dwelling mix standard includes:

- Developments of greater than 10 dwellings include not less than 20% of dwellings of differing bedroom numbers.



- Developments of greater than 10 dwellings include a mix of one-, two-, and three-bedroom dwellings.
- Developments of greater than 10 dwellings include not less than 20% of dwellings achieving Liveable Housing Guideline's silver level universal design features.
- Developments with not less than 30% of dwellings achieving Liveable Housing Guideline's gold or platinum level universal design features receive a 1 storey building height bonus.
- Developments of greater than 10 dwellings providing not less than 20% as social and affordable housing receive a 1 storey building height bonus.

We are supportive of planning mechanisms to facilitate the development of more social and affordable housing as well as to encourage the development of housing that meets the needs of our communities, including accessible housing for people living with a disability and for those with mobility issues. A mix of dwelling types and sizes provides better housing choices and supports housing diversity.

While density bonuses such as those proposed in the Draft Report may encourage developers to build social and affordable housing, the experience in other Australian jurisdictions and internationally suggests there are some lessons to be learned in implementing this approach to inclusionary planning in Tasmania.

One major consideration to ensure the success of this approach is the need to set density bonuses based on detailed cost-benefit analysis. When this has not occurred in other jurisdictions, the result has been that developers have not made use of the proposed bonuses and therefore much-needed social and affordable housing has not been built. Focusing specifically on the comparative performance of density bonus incentives for affordable housing production, research in the US found jurisdictions that set their density bonus and affordable housing contribution requirements based on detailed cost-benefit analysis saw greater developer utilisation of the incentive compared to jurisdictions that did not.⁷ Given the value and costs of utilising a density bonus vary in different market contexts, there is also the potential for take-up to be uneven. A study of the performance of California's state-wide density bonus in the City of San Diego found that developers utilised that State's density bonus more in lower socio-economic areas. While still resulting in some new affordable housing supply, the policy has not significantly contributed to the policy goal of producing mixed income developments in high value, high opportunity areas.⁸

⁷ Homsy, G. C., & Kang, K. E. (2022) Zoning Incentives: Exploring a Market-Based Land Use Planning Tool, *Journal of the American Planning Association*, 89(1), 61–71. <https://doi.org/10.1080/01944363.2022.2050935>

⁸ Ryan, S. and B. E. Enderle (2012) Examining spatial patterns in affordable housing: the case of California density bonus implementation, *Journal of Housing and the Built Environment*, Vol. 27 No.4 pp.413-425.



Shelter Tas recommends that a robust analysis of the costs and benefits of compliance with the voluntary scheme within the Tasmanian context is undertaken to ensure the proposed bonuses will deliver the social and affordable housing sought.

Another lesson to be learned from the experience in other jurisdictions is the potential for community backlash against proposed developments that have gained a density bonus, such as a building height bonus. By providing bonuses for developments with social and affordable housing, there is the potential for community concerns about high density developments to become tied up with plans to build more social and affordable housing. The NIMBY (Not in My Backyard) response has become a regular feature of community discussions about affordable and social housing initiatives in Tasmania. One way to counter this potential response is by ensuring there is meaningful consultation with local communities to better understand and respond to local community concerns. There is also a need to dispel the myths about social housing, using a communications program led by government in partnership with community housing providers, to encourage a change in the narrative to one of welcoming the benefits of inclusive, diverse and vibrant neighbourhoods.

The Draft Report also lacks details on some important policy design questions that should be considered when implementing inclusionary housing planning mechanisms, including:

- The term of the affordability requirement (i.e. duration of time the housing is required to be affordable).
- How affordability is maintained and compliance managed (including who owns and operates the dwellings).
- Design, locational and dwelling mix requirements.

The term of the affordability requirement

The Draft Report is silent on the issue of the length of time that affordable dwellings must remain affordable and available for target groups. If dwellings are only required to be affordable temporarily, and then revert to market-rate, this will ultimately mean the stock of affordable housing dwindles over time (unless new affordable dwellings are produced at the same rate that stock is lost).

In the UK, affordable housing delivered through the planning system is owned by registered community housing providers, ensuring it remains affordable in perpetuity. Mandatory inclusionary housing policies in South Australia require the provision of permanently affordable housing. In NSW, the government has announced its intention to require affordable housing delivered in transport-oriented precincts identified for state-led accelerated rezoning to remain affordable in perpetuity.⁹ Comparing inclusionary housing policy features and affordable housing production in the US, Wang

⁹ <https://www.planning.nsw.gov.au/sites/default/files/2024-05/guidance-to-transport-oriented-development.pdf>



and Fu (2022) found that having a longer affordability term (e.g. 50 years) was not associated with lower rates of production.¹⁰

Shelter Tas recommends that dwellings allocated as social and affordable housing under inclusionary housing policies should remain as affordable housing in perpetuity, and this should be specified in the standards.

How affordability is maintained and compliance managed

Recent research in the US has found inclusionary housing programs that have produced more units over time also tend to have in place systems to ensure compliance with affordability and eligibility rules and have third-party managers in place.¹¹

One of the ways to ensure affordability is maintained and compliance is managed is through transfer or sale of affordable housing to registered non-profit community housing providers. This approach is used in South Australia. Under South Australia's inclusionary housing policy, affordable dwellings can be sold to community housing providers or institutional affordable rental housing providers.

In Tasmania, community housing providers are a key and growing part of the Tasmanian social housing sector. They provide over 9,300 rental dwellings, which is over 60% of all social housing in Tasmania.¹²

Shelter Tas recommends all dwellings delivered through inclusionary housing programs should be managed by registered community housing providers, and consideration should be given to moving to full ownership by the sector.

In addition, Shelter Tas recommends that to support monitoring and enforcement of compliance, a publicly accessible register of projects utilising the social and affordable housing bonuses, including the affordable housing commitment for each project, is maintained. There should also be a register of individual units dedicated as affordable housing (linked to title) to ensure these units are maintained as affordable homes over time.

Design, locational and dwelling mix requirements

Design standards and requirements refer to the detailed rules within inclusionary housing policies that define how affordable units should be designed, their size, and (if applicable) where within a building they should be located. These specifications help ensure units delivered through inclusionary housing schemes are appropriate to target needs groups and support social equity by minimising differences in amenity between market rate and affordable dwellings.

¹⁰ Wang, R. and Fu, X. (2022) Examining the Effects of Policy Design on Affordable Unit Production Under Inclusionary Zoning Policies, *Journal of the American Planning Association*, 88:4, 550-564, DOI: 10.1080/01944363.2022.2027263

¹¹ Wang, R. and Fu, X. (2022) Examining the Effects of Policy Design on Affordable Unit Production Under Inclusionary Zoning Policies, *Journal of the American Planning Association*, 88:4, 550-564, DOI: 10.1080/01944363.2022.2027263

¹² Productivity Commission (2024) Report on Government Services 2024, 18 Housing, <https://www.pc.gov.au/ongoing/report-on-government-services/2024/housing-and-homelessness/housing>



New York City's inclusionary housing policies prescribe standards for the size and number of bedrooms in affordable units. This is intended to minimise the provision, for example, of studio apartments (rather than larger units) that do not meet the needs of target needs groups. New York City's policies also include standards for horizontal and vertical integration of affordable housing units that are delivered within mixed-tenure buildings. This avoids the clustering of affordable units in less desirable parts of a building (such as those with limited access to sunlight) and helps foster equitable levels of amenity between market rate and affordable units.

Shelter Tas recommends that policy requirements for unit size and other design and locational requirements should be specified, if necessary, to ensure affordable housing is appropriate to needs groups and amenity is equitable across tenures.

Mandatory inclusionary zoning

It is disappointing the Draft Report includes some of the criticisms of mandatory inclusionary zoning without discussing the benefits of a mandatory inclusionary zoning approach. The research shows that mandatory inclusionary housing policies have been, by and large, more successful than voluntary inclusionary housing policies in delivering affordable housing. Gurran et al (2018) found that, as of 2015, South Australia's inclusionary zoning scheme had resulted in about 17% of new housing supply being affordable housing. By contrast, affordable rental units delivered under the NSW density bonus policy constituted less than 1% of new supply over a similar period.¹³

Mandatory inclusionary zoning schemes are also perceived to be 'fairer', as they apply to all redevelopment and can be factored in upfront to the price paid for land. They are also more equitable in that planners can anticipate the number of dwellings forthcoming and ensure that adequate infrastructure is in place to service the additional population. Further, more certainty is provided over the resultant built form, as affordable housing requirements can occur within the planning controls, rather than on top of them as in the case of a density bonus.

While the Draft Report is correct to highlight the risk that setting a mandatory requirement for a certain percentage of social and affordable housing could make projects commercially unviable, meaning that no housing is built and the policy has the opposite effect of its intention. However, just like with voluntary inclusionary zoning policies, the way to surmount this potential issue is by robust analysis of the costs of buying land and building dwellings relative to the sale price in particular locations to identify the landowner profit margins. Also, with mandatory inclusionary zoning, it is possible to set a threshold where mandatory inclusionary zoning applies. For example, under the South Australian Planning and Design Code, in locations where a development comprises 20 or more

¹³ Gurran, N., Gilbert, C., Gibb, K., van den Nouwelant, R., James, A. and Phibbs, P. (2018) Supporting affordable housing supply: inclusionary planning in new and renewing communities, AHURI Final Report No. 297, Australian Housing and Urban Research Institute Limited, Melbourne, <http://www.ahuri.edu.au/research/final-reports/297>, doi: 10.18408/ahuri-7313201.



dwelling or residential allotments, a minimum of 15% of affordable housing is required.¹⁴ Setting a threshold such as this would eliminate or minimise any potential concerns about mandatory inclusionary zoning's impact on project viability.

Shelter Tas recommends that investigation of the introduction of mandatory inclusionary zoning in Tasmania is prioritised. Consideration should be given to as to how best to implement inclusionary zoning in Tasmania, including whether this is through a combination of mandatory and voluntary mechanisms.

Conclusion

The Draft Report recommends mandatory inclusionary zoning opportunities for social and affordable housing be considered as a supplementary piece of work to this project and that the immediate preference is for promoting more social and affordable housing through voluntary inclusionary planning mechanisms, such as dwelling height and density bonuses.

We note that under the National Planning Reform Blueprint, Tasmania has committed to considering inclusionary zoning or other planning pathways to support permanent affordable, social and specialist housing. We are concerned the approach taken in the Draft Report amounts to kicking the can down the road, without giving any direction as to when mandatory inclusionary zoning will be considered or how it could be included in future standards.

We see that the planning system can play an important role in ensuring all Tasmanians can access housing, including facilitating an adequate supply of social and affordable homes. We would like to see more consideration given to how to implement inclusionary zoning in Tasmania in a way that accounts for local housing market conditions and achieves the desired outcome of more social and affordable housing that meets the needs of Tasmanians. This should include consideration of both mandatory and voluntary inclusionary planning mechanisms.

For any further information on this submission, please contact:


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¹⁴ PPlanSA (2024) Planning and Design Code, Version 2024.16, 29 August 2024, https://code.plan.sa.gov.au/__data/assets/pdf_file/0005/797684/Full-Code-29082024.pdf



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From:
Sent: Friday, 6 September 2024 12:26 PM
To: State Planning Office Your Say
Subject: Improving Residential Standards- Submission

To whom it may concern

I am writing in response to the invite 'to Have Your Say', asking about the planning laws in suburban properties. I have a very large spreading oak tree on a neighbouring property, and would like the Planning Laws to take into account this type of vegetation, especially given the frequent high winds that we have experienced lately, also sun and view.

Kind regards,

5th September 2024

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

Garden Street Precedents

yoursay.planning@dpac.tas.gov.au

Submission for residential standards consultation

Thank you for the opportunity to provide comments on the recommendations in the Improving Residential Standards in Tasmania. This is a critically important aspect of planning with a wide range social, economic and ecological implications that bring with them considerable opportunities and challenges. At the Cradle Coast Authority we have a philosophy of collegiate and integrated working to bring together natural resource management, planning, urban and landscape design, placemaking and economic development. Our work practices, access to these skills and commitment ensures that our advice isn't bound within a silo but instead benefits from multiple perspectives. In our experience, this multidisciplinary collaborative approach is central to reconciling social, economic and ecological responsibility, the cornerstones of sustainability.

Preamble

The Tasmanian government's commitment to improving residential standards is timely and we commend the efforts taken to address this critically important issue. Our towns and cities are incredibly complex, influenced by a wide range of factors and are increasingly subject to a range of pressures and vulnerabilities that demand our immediate response. Climate change and the associated urban heat island effect, the growing burden of non-communicable diseases that are robbing people of the chance to fully contribute to and participate in society, demographic change, the imperative for food security, the requirements of natural resource management and resource depletion all require our towns and cities to change. Failure to do so risks not just the much-vaunted liveability of our towns and cities but calls into question the much more significant question of their ongoing habitability.

Responding to these challenges demands that we create more compact and diverse towns and cities. Our traditional and much-valued settlement pattern of overwhelmingly detached dwellings is no longer viable as households change, housing needs change and infrastructure costs continue to rise. Failure to make this change will hardwire our towns and cities for sprawl and in doing so will lock in pathogenic lifestyles that diminish lives, and burden healthcare systems. This will happen as continuing to develop on the periphery will leave people increasingly isolated, dependent on cars to get anywhere and vulnerable to price shocks for fuel. It will also mean our roads will become increasingly clogged by traffic and our town centres will be stripped of their viability and vitality by car parking demands.

However, just imposing more compact towns and diverse housing is not the solution. Change is disruptive and distressing for many. Intensifying the quantity of our towns and cities without also increasing their quality will erode our much-valued neighbourhood character and the lifestyles it offers. Without care and enhanced standards, intensification will cause as many problems as it solves and will provoke community resistance that will be politically disruptive and call into question our social licence.

There is an unfortunate presumption in many people's minds that increasing density will almost inevitably result in lower quality. The prevalence and stubbornness of this way of thinking mean we are just not well geared up for intensification. At the moment the market doesn't want it, our industry isn't geared up for it, our administrative environment is poorly equipped to support it. Changing this will be difficult. Effective change is as much carrot as stick and needs to happen in people's hearts and minds as much as on the ground. To do this we need to present change not just as motivated by fear but instead to provide a positive vision of the future.

To this end presenting a vision of a more compact, attractive, comfortable and safe urban environment and what this means in terms of planning and design standards is essential. This requires lifting design standards and cultivating a desire to meet these standards.

We also ask that we remember not all settlements follow a neat pattern with clustered land uses and raising residential standards will mean something different in Currie than it means in Devonport.

We commend the recognition of the need to increase housing diversity and (in many places) increase density: Stock no longer matches demand and a recent report by Remplan regarding residential supply and demand shows that the mix of dwellings the market is providing is diverging from these needs, pointing to worse problems in the future.

We commend the inclusion of promotional guidelines to change attitudes and draw people's attention to the potential to go beyond just conformance and exceed standards where possible.

We commend the increased consideration of climate resilience into residential planning to ensure that new developments are better equipped to handle environmental challenges.

We note that moving gradually, sensitively to a more compact model of urban settlement will help optimize infrastructure Use: higher density and better planning can lead to more efficient use of existing infrastructure, reducing the need for costly new developments.

However, we note any change will raise extensive Implementation challenges. Updating and enforcing new standards can be complex and time-consuming, requiring significant coordination among various stakeholders. Fortunately, the draft National Urban Policy (assuming it is gazetted in its draft form or something similar) empowers us to co-ordinate across silos to ensure these changes are promoted and supported.

It will also raise Community Resistance. Changes in residential standards, especially those that increase density, will face opposition from local communities concerned about altering the character of their neighbourhoods. Although these will be much mitigated by improved design standards there will still be distress and resistance. We believe that co-ordinating planning and promotion and drawing peoples' attention to good examples can assuage peoples' concerns and help raise the bar of what the market demands.

We note that the transition in urban form demanded by these challenges will require building industry skills, and we suggest that this should form a part of the wider push to raise residential standards.

We are also aware this transition will bring with it cost implications: Higher design and construction standards can increase the cost of new housing developments, potentially impacting affordability.

As noted above change, even needed change is almost otherwise disruptive. The ambitious scope of planning reform means that the nature and emphasis of many controls are in the process of being finalised. New instruments interacting with one another at several levels will bring inevitable challenges of interpretation and implementation. We will also need to ensure that new standards are flexible enough to accommodate diverse needs while maintaining consistency and quality. This will be difficult.

We ask that despite the political heat this will generate, the benefits it will bring and the costs of failing to act make it worthwhile.

In relation to the questions set out in the consultation documents we offer the following responses.

Use of plot ratio to set the overall scale of development that is suitable for a site

We fully support this approach but note that in some jurisdictions the distinction between what is covered by a building and what is not covered by a building is not clear cut. For example, in the case of hard standings, verandas and outbuildings. We would like to suggest the proposed standards provide clarity on this point to avoid adverse outcomes and increased planning risk.

Separate building height and setback controls

We support the separation of height and setback standards to facilitate appropriate densification and ease assessment, as outlined in the development standards discussion paper. However, we would like to add an important caveat that this increases the importance of getting the landscape, solar access and other amenity controls right and ensuring these guidelines are not applied in a way that trades off one against the other. All these matters will become increasingly important as building heights increase.

Landscaping and open space controls

We very much commend the increased recognition of the importance of landscape in residential amenity and addressing the urban heat island effect. This will be increasingly important as densities increase. We fully support the measures suggested in the discussion paper but urge the State Government to go further.

In relation to tree retention, we note the discussion paper only lightly touches on this matter. Mature and old trees bring with them significant ecological, aesthetic benefits and any guidance that can increase their conservation will be welcome. To this end we request that planning instruments put greater weight on the conservation of these trees. We further note that the process of development often leads to the loss of trees, and this is often used as a reason to not seek their retention, given they wouldn't survive the development process. However, we submit that guidelines do exist to protect trees, and their consistent application would greatly enhance tree protection. To this end we suggest any guidelines or code refer to the AS 4970-2009 ([Protection of trees on development sites](#)).

We also note that in many cases, development processes lead to the loss of native vegetation, which has value as habitat to native species and provides other ecosystem services, such as pollution control and cooling. We further request that landscape controls also give greater consideration to matters that influence the impact of our urban areas on the intrinsic values of the place. To this end can we suggest the siting, layout and landscape management provisions

also consider the impact of development on habitat integrity, wildlife corridors and other natural values, as well as incorporating established WSUD principles.

We commend the design standards for shared open spaces and note that high design standards are essential if the open spaces are to be used and contribute to the wellbeing of the people who share them. Furthermore, we note that if landscape is actually to contribute to our quality of life it needs to survive to maturity. This increases the importance of maintenance and request that further thought is given to this important area.

We also suggest that landscape provisions should make provision for succession planting. Whilst making provision for retaining large trees is welcome all trees will eventually die and with it the landscape contribution they make. Planning for succession planting will ensure this loss is only temporary and less impactful.

Potential new requirement for solar access

We strongly agree this is a very important and support the states approach to reforming this aspect of design. Good solar access facilitates passive solar design and makes a significant contribution to amenity.

Subdivision standards

We fully support the approach to reforming subdivision standards and agree with the analysis in the factsheet. However, we urge that they go further to better address contemporary challenges.

We further agree that careful consideration of layouts will be essential if we are to also meet solar access standards.

We also request the subdivision standards should provide guidance to ensure that layouts are responsive to habitat integrity, wildlife corridors and drainage lines to support hydrological health. This isn't just a matter of considering wildlife, as important as this is. These features are also a critical component in the web of green infrastructure that we can call upon to keep us safe and comfortable as climates change. Thus, we should ensure subdivision standards seek to retain and enhance these features.

Urban greening subdivision controls

We fully support this idea but again urge the SPO to go further. We believe it should provide guidance for the incorporation of existing landscape features, particularly trees. We also suggest that it includes promotional guidelines to favour locally native species in landscaping and the consideration of habitat corridors and drainage lines.

Movement network subdivision controls

We fully support the intent outlined in the fact sheet however we again urge the SPO to go further. We are aware people have an often-subconscious balance of influences that allows them to weigh up the choices they make. Most of us know walking, cycling etc is good for us but we rarely choose these activities as alternatives, particularly travel by car is preferred, given more weight if you like. Changing subdivisions to make sure the walking and cycling route is more often the most direct, easiest and appealing way to get from A-B will change the balance of influences on people's choices. This will help make active transport preferable and not just possible for more journeys.

The factsheet suggests all roads have a 1.5m footpath. Whilst we agree with this as a general rule, we note it negates the possibilities of street designs like home zones and woonerfs that are shared surfaces designed for walking, playing, socialising and also very slow moving vehicles. These have proved very successful in Europe, require less space, deliver higher amenity, improve safety and are increasingly a feature of cities on the mainland where they serve less than 20 dwellings. We suggest the guidelines are written in a way that allows this type of open space/accessway. We include some examples of this types of roads in Annex 1.

Subdivision services controls

We agree with and support the comments on subdivision service controls.

Implementation

In terms of the implementation options, we would like to suggest that co-ordinated action on zoning, codes and guidelines is important. The problem is complex and needs addressing from multiple angles. We need to change hearts and minds as much as the planning regime. We would also like to further recognise the importance of co-ordinating change in the planning regime with other initiatives such as promotion as touched upon in section 7.

Improvements through existing zones

We suggest just extending existing zoning and broader application of the IRZ is likely to be very controversial, distressing and encounter political headwinds. Also, it may make some problems worse, for example the urban heat island effect is likely to be exacerbated with intensification of development without a corresponding protection and enhancement of tree canopy and vegetated permeable surfaces. To these ends we would recommend against relying on this approach alone.

Improvements through new zones and aligned zone application guidelines

We consider that guidelines will go some way to addressing some of the issues that will come to the fore through intensification. The potential to make these promotional in nature will help mitigate resistance to an extent.

We note it will present challenges assessing in statutory planning and will require greater resources in terms of officer time and training needs.

Improvements through new codes

We believe this will help unlock the potential of some areas but is only a partial solution. Ensuring effective and comprehensive change that takes the community with us will require coordination through a range of measures.

General Comments

We commend the consideration given to rewarding higher design standards as celebrating them and increasing awareness of what is possible this can play an important role in guiding the market and recalibrating what good housing means in peoples' minds and with it can change people's aspirations.

We note there is no provision for bin storage and suggest that in the absence of a more appropriate place in the reform documents there should be some guidance on this issue in the landscaping section.

We would also like to suggest that all residential areas aren't always clustered as indicated in the zoning system. For example, King Islands dwellings tend to be very difficult to group in zones on a plan, often being found scattered within a range of other land uses. To this end we consider it important that the reform is mindful of these variations and has mechanisms in place to avoid any unintended adverse outcomes.

We hope these comments and suggestions are helpful and we would again like to commend the SPO for grasping the nettle of residential reform. We would like to conclude that we recognise that even though this reform has benefitted from extensive consideration by a wide range of stakeholders the measures and controls that come from it will not be perfect, there are too many variables that can never be understood in their entirety. However please don't let this stop us make the progress we can.

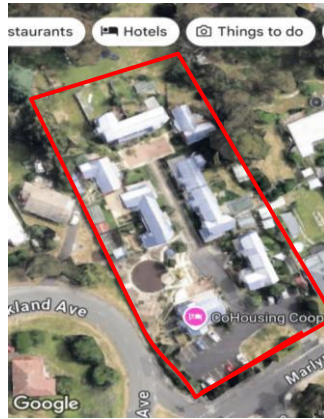
Kind Regards,

Sheree Vertigan AM
Chief Executive Officer

Annex 1

Precedents for share way/garden streets

South Hobart



Development approx.
6000m sq
12 houses
between
3 and 5
bedrooms

Beaumaris, Victoria



Area approx.
14,000m sq,
22houses (large)

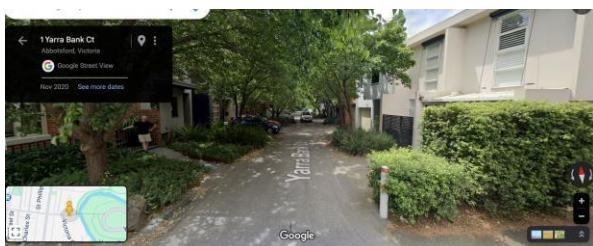


<https://www.smh.com.au/lifestyle/melbournes-treasured-dirt-roads-20070926-gdr78u.html>

Abbotsford, Victoria



Development approx. 5600m sq 28 houses (townhouses)





State Planning Office
Department of Premier and Cabinet
GPO Box 123
HOBART TAS 7000
yoursay.planning@dpac.tas.gov.au

6 September 2024

Dear Sir/Madam

IMPROVING RESIDENTIAL STANDARDS IN TASMANIA - CONSULTATION

Thank you for the opportunity to comment on the above amendment. Having reviewed the consultation document it is acknowledged that current residential standards embedded within planning schemes are aligned with communities' values or residential needs.

The suggested range of amendments to residential use and development controls and that these are suited to residential areas in larger settlements. The zones under review are broadly applied across the State and often to small settlements where the amendments may not be appropriate due to their different servicing capacity.

Smaller settlements often have less General Residential zoned land available for subdivision and rely on alternative residential zones to expand as the existing water and sewer infrastructure cannot manage increased demand. In remote communities, there is a lower demand for apartment buildings and town houses and a lesser demand for large multiple dwelling complexes, particularly for settlements with a population of less than 1,000 the option of reducing the necessity for a diversity of lot sizes in new subdivisions needs to be available.

Areas zoned Low Density Residential are generally on the outskirts of smaller settlements and do not have access to reticulated water, sewer and stormwater systems. As a result, lots are larger to enable the provision of onsite wastewater management. Whilst not impossible, the provision of onsite wastewater management to multiple dwellings creates its own set of management issues in these locations.

Changes to subdivision standards are likely to have the greatest impact on smaller settlements through the need to have a diversity in lot sizes, accessibility through road and alternate modes of transport (bike tracks, pedestrian paths) taking into consideration lack of public transport, historic linear design of many rural towns, distance, streetlighting and potentially climate (weather changeability can detract from the options of walking or cycling). Specifically, to King Island even growing suitable street trees, while it would be supported by the community, would be a challenge.



Scattered or numerous areas of open space which will become the responsibility of Councils to manage may become both a financial and resource strain. In rural areas where there is access to recreational areas such as beaches and bushland walking tracks etc. small areas of open space are less likely to be required.

Smaller settlements are often in bushfire-prone areas which can extend to the townships commercial center. Bushfire management areas need to be included in the layout design of subdivisions which can impact on density provision. In rural areas there can be a slow uptake of lots in new subdivisions. In many isolated areas the challenges of building also impacts that take up. Additional requirements in subdivision standards that would increase the cost of constructing the subdivision, acknowledging there would be long term benefits, may make development cost prohibitive. This could act as a deterrent to potential developers who may have to carry the cost of that development, in some cases for years before the construction costs are recovered. This could be detrimental to the future growth of rural areas.

This is particularly the case for King Island where the slow uptake of land in residential subdivisions, partially due to the cost of building and availability of tradespersons on the island standards that increase the cost to a developer will potentially stall future residential development. Accessing finance in rural or isolated areas can also be difficult.

The options and future controls of residential zones must consider the regional context. For example, the plot ratio could be applied as an appropriate test for development within residential zones. However, if the plot ratio is too high, this could impact on the provision of onsite wastewater and bushfire hazard management buffers. The absence of any controls within the planning scheme to test the capacity for a site to be serviced where there is reliance on onsite wastewater management, it is essential that the plot ratio is not set too high.

It is encouraged that the review of the residential standards considers the regional context, ensuring appropriate flexibility of controls to not circumvent development in smaller regional settlements. An additional zone option may be a solution to this issue. Furthermore, if specific codes are proposed for use and development, the extent of their spatial application should exclude smaller regional settlements. It is recommended that an overlay defines the spatial application of codes.

In summary, while the need to review residential standards to provide for changing trends and needs is supported the impact of any new standards needs to take into consideration the impact on smaller settlements, particularly those in rural and isolated areas. Any proposed standards should consider settlements with a population of a 1000 people or less.

Yours sincerely

Robyn Barwick
Development Services Coordinator





6 September 2024

Improving Residential Standards in Tasmania project

Good afternoon,

Thank you for the opportunity to respond to the State Planning Office's ***Improving Residential Standards in Tasmania project***.

As discussed in person, the Property Council has points of feedback below:

In regards to the 11 meters height allowance, we would suggest it would be of greater benefit to rezone areas into mixed use to incentivise greater development uptake.

In regards to plot ratio, we are concerned this could potentially be backwards step from the current requirements, but support removing density standards and allowing proponents to develop within the design standards (envelope, private open space, parking etc.).

In regards to incentives such as a bonus density we suggest if extra height/density etc can be accommodated then this should be included and not made dependent on potentially subjective aesthetic criteria .

In regards to open spaces, we suggest a better outcome would be to take contributions and put them towards better use of local public open spaces. Provision of on-site communal open space should be left to the market.

In regards to landscaping, we agree with controls regarding deep soil zones and landscaping being articulated in the planning scheme.

In regards to height, industry wants more certainty that their development will be approved and that it's not discretionary.

In regards to storage, we support its inclusion/increase in volume but suggest it is important that it is defined.

In regards to reduced carparking, we suggest this is already occurring, but if requirements of 1 space per dwelling plus visitor parking could be included in certain areas (such as Parking Precincts) as an Acceptable Solution this may avoid the need for Traffic Impact Assessments.

Sincerely,

Rebecca Ellston
Tasmanian Executive Director
Property Council of Australia

6 September 2024

Mr Sean McPhail
State Planning Office
Department of Premier and Cabinet

yoursay.planning@dpac.tas.gov.au

Dear Mr McPhail

Improving Residential Standards in Tasmania

The City of Launceston welcomes the opportunity to provide officer feedback on the Draft Recommendations Report for improving residential standards within the Tasmanian Planning Scheme (TPS). We acknowledge the importance of this project in addressing housing targets and diversity across the State and appreciate the review undertaken. Below are our detailed comments on the proposed changes:

New Definitions

We generally agree with the proposed new definitions, as they offer clarity, especially in relation to multiple dwelling developments within the TPS. We recommend that the definition of Grouped Dwellings uses the words 'may not have a frontage' should be rephrased to 'does not have a frontage'.

In recent years, we have observed the emergence of larger single dwellings with features such as dual kitchens, which enable them to function as two dwellings. This presents challenges when multiple dwellings are prohibited. The Council recommends further clarification on how such dwellings should be classified, whether as single or multiple dwellings, to ensure consistent and appropriate assessment of the planning scheme.

Visitor Accommodation within a dwelling should be able to be assessed under the dwelling standards in the planning scheme, this will then allow the dwelling to be interchanged between a residential dwelling and a self-contained visitor accommodation unit rather than be sterilised for only visitor accommodation into the future. We often find this use class as a work around to achieve a higher density than what is allowable in a particular residential zone.

Use Status

We believe that changing the status of multiple dwellings from "Permitted" to "No Permit Required" (NPR) introduces a greater risk. For developments involving driveway relocations or services such as TasWater and stormwater infrastructure, these issues would not be addressed until a Building Application is lodged with the Council. By this stage, significant expenses, including detailed engineering drawings, would have

already been incurred. If changes are required, this could lead to additional costs for the developer.

We recommend that works to existing residential uses, such as multiple dwellings, should be changed to have an NPR status, however new developments should remain as Permitted.

Plot Ratio

The introduction of plot ratio controls is a useful tool for calculating allowable floor space as a replacement to density. When other site controls are factored in, these bonuses and maximum plot ratios may not be achievable, leading to unfeasible developments and sites not being able to provide infill development.

If plot ratios are introduced into the planning scheme there will be a significant change in density, which we understand is the intention to meet the housing supply standards. We support proposed increased density; however, the implications of the proposed densities need to occur in a thoughtful way as it will result in the loss of existing streetscape character, loss of existing deep soil areas, and, in many areas of Launceston, may result in undesirable consequences.

In the General Residential Zone, an average 700sqm lot would currently be able to accommodate two dwellings on the site. Under the proposed plot ratio, this would allow a gross floor area of 420sqm, which could accommodate five two-bedroom dwellings with a floor area of 84sqm for each dwelling. This has the likelihood to significantly change the character of our suburban areas and we would need to reconsider the spatial application of our zoning.

The proposed plot ratios may be achievable and desirable in new residential areas, however applying this scale of change into existing areas will result in a significant change in character. We recommend there would need to be management of this change through neighbour character statements for existing areas, as there is the potential that infill development will not require a planning permit having an NPR status.

Height and setbacks

We support the separation of setbacks and height for certain developments and in particular single storey dwellings in the General Residential Zone. However, consideration still needs to be given to dwellings with two or more storeys where they are located in close proximity to a boundary setback.

We believe that a setback of 1.5 metres for a two-storey development may cause significant overshadowing issues in certain situations and greater control would be beneficial. We believe the Inner Residential Zone, where applied appropriately, can support the proposed separation of setbacks and height. However greater controls in the General Residential Zone should be provided.

Landscaping

The landscaping and deep soil provisions should be adjusted to a sliding scale based on development typologies. This approach would ensure appropriate landscaping

across various types of developments. Deep soil planting provisions should remain mandatory, with existing trees incorporated into calculations. A landscaping plan would need to be provided with development applications to demonstrate compliance with landscaping, deep soil, and tree provisions.

We support the initiative to increase vegetation in urban areas but emphasise that the proposed standards must be practical, manageable, and achievable. While long-term sustainability is crucial, requiring large vegetation in constrained spaces has significant implications, including potential impacts on services, foundations, neighbouring boundaries, sunlight, and views.

Currently, tree removal is exempt from requiring a planning permit, and if trees are required, it raises concerns about whether the Council is expected to monitor and manage compliance for trees that are approved as NPR. There are also concerns about the practicality of enforcing these standards, such as whether the tree must maintain its height or if pruning is allowed. Under the proposed standards a planning permit will be required when a property owner prefers a smaller tree or they prefer planting a vegetable garden rather than a 12 metre tree.

Typically, trees should not be planted within two metres of a dwelling or boundary fence and this may pose challenges on many sites, especially within the Inner Residential Zone where the lot sizes may only be 200sqm. For instance, requiring a large tree over 12 metres high within close proximity to dwellings could negatively impact building foundations and cause plumbing issues for property owners, as well as causing impacts on neighbouring properties from overhanging branches, leaf litter or reduced sunlight.

We suggest considering more achievable standards, such as allowing for vegetable gardens or smaller trees, which will balance sustainability goals with practicality.

We note a reference within the landscaping provisions to have regard to the Local Area Objectives. The current planning scheme does not consider Local Area Objectives, however we would support the reintroduction of these into the planning scheme to assist in maintaining character within our existing residential areas.

Solar Access

We support the introduction of Solar Access standards to enhance residential amenity. However, the proposed 2-hour direct solar access requirement for habitable rooms in the Inner Residential Zone is insufficient for Tasmania's climate, particularly when applied to our current zoned areas. We recommend a minimum of three hours to better suit local conditions. If the 2-hour standard is ultimately adopted, we would need to reconsider the spatial distribution of our current zoning.

Additionally, achieving 2-hours of sunlight in private and common open spaces during the winter solstice may be challenging in the Inner Residential Zone, as these spaces are prone to overshadowing by adjacent developments or existing buildings on the subject site. Given that these areas are infrequently used during the winter solstice, it may be more appropriate to measure solar access during the spring and autumn equinoxes, when these spaces are more actively utilised.

Frontage Elevations

We support minimising parking, garages, and blank walls within frontages to promote quality street-level outcomes. Consolidated parking away from street frontages should be encouraged to enhance the streetscape.

Privacy

We have no concerns regarding the proposed privacy provisions. We recommend that further standards consider a neighbouring property, which has high set windows and therefore screening may not be necessary.

Storage

We agree with the sizing controls but recommend focusing on removing waste storage from front setbacks and consolidating storage for multiple dwellings. If waste storage must be in front setbacks, significant structures should not obstruct street articulation. Further consideration should be given where a change of use is proposed to a multiple dwelling that may be restricted to the existing building or site and may not be able to accommodate onsite storage provisions.

Subdivision Standards:

Lot Design and Movement Network

The controls on smaller lot sizes raise concerns about achieving the desired development outcomes. Smaller lots (e.g. up to 250m²) may lead to fragmented ownership, development sterilisation, and poor outcomes if created before townhouse developments. Torrens title post-development may be a solution, but restrictions on lot titles could hinder cohesive development. Strata titles on larger lots may offer better outcomes for certain typologies. We recommend consideration of a suitable mechanism to require coordinated developments across logical land parcels or a collection of land titles in different ownership.

We support the objective of increasing permeability, legibility and accessibility of the street network for all users. We are supportive of minimising cul-de-sacs in development and think that provisions should be included specifically to limit or control the number of lots in turning heads specifically, minimising wedge shaped or internal lots. The inclusion of a permitted pathway for a subdivision with no road creation can have adverse outcomes and this should be considered in greater detail.

Commentary around active transport is supported, however there is inconsistency between the requirements stated for paths in the road hierarchy section and in the active travel section. Formalised shared paths are not required on both sides of the road, however they should have a minimum width of 2.5 m. Developments should consider necessary key active transport links and provision for bicycle routes. The Tasmanian Cycling Infrastructure Design Guide (2024) should be considered and incorporated into the provisions.

The road reservation widths shown within the road hierarchy table are as currently documented within the Tasmanian Standard Drawings. All references to road hierarchy should be standardised between documents that exist in other aspects of road

management. The road reservation widths are considered insufficient to achieving the requirements of a modern-day road corridor and to have adequate space for the conflicting priorities of road width, urban greening and street trees, parking, footpaths/shared paths etc. It is suggested that 22 m would be more appropriate for a collector road and 20 m for a local (through road). The noted reservation width of 15 m for a cul-de-sac is only appropriate for 10 properties or less. Cul-de-sacs that support a larger number of properties should be 18 m wide.

The inclusion of 90% of lots within 800 m walking distance of an existing or potential public transport route is supported. However, we need to encourage the provision of more frequent, effective and efficient bus services to promote the use of this service. There currently is no mechanism within the planning framework to require a commitment for the provision of these services.

Urban Greening and Public Open Space

We support the need for stronger urban greening and public open space controls in subdivisions. It is important that local councils can determine whether land or cash-in-lieu contributions are required in each individual subdivision application. It is noted that the proposed 10% is a significant variation from current practice of 1/20th (i.e. 5%). The requirement for provision of a public open space contribution (either land or cash-in-lieu) should apply to all subdivisions, not just those creating 50+ lots. This will enable the council to ensure the right balance of public open space around neighbourhoods. The proposed requirement for lots not more than 800 m walking distance of existing, planned or proposed public open space is significantly less than the City of Launceston's aspirations. We are currently finalising our recreation and open space strategy and expect that residents will be able to access a local park within a 5-minute walk (or 400 m radius).

The permitted pathway for street trees references one street tree for every two lots. We suggest this should be increased, we are typically aiming for one street tree for every frontage, or one per 20 m of frontage. It is suggested that it may be more appropriate to specify a minimum interval for street trees. However, the performance pathway will need to be considered for internal/infill subdivisions. It is suggested that greening offsets could be used where street trees cannot be provided due to constraints.

Commentary around the application of public open space considerations to extend to large multiple dwelling strata developments is supported. Public space landscaping plans should align with council-approved urban design considerations to ensure cohesive public realm development.

Services

It is noted that there is no intention to change the permitted pathway for water, sewer and stormwater connections across all zones. It is suggested that this is revised to specifically highlight that the permitted pathway must be a gravity connection, allowing for the alternative solution of pumping to be considered as a performance criteria. It is also noted that the performance criteria within the LDRZ are believed to be too permissive and should be tightened to require demonstration of ability to achieve onsite

disposal. Consideration of a minimum lot size for onsite disposal or limiting the maximum impervious area may be appropriate.

We agree with the introduction of a stormwater code or provisions to enforce stormwater quality targets and quantity requirements in new subdivisions and applying WSUD in both public and private realms. It is noted that a stormwater code was not part of the Launceston Interim Planning Scheme, and as such would not be reintroduced as stated in the document. The Launceston Interim Planning Scheme included a reference within zones to provision of general managers confirmation of stormwater network capacity as a requirement for a permitted pathway.

Expanding stormwater considerations to new developments beyond subdivisions would be beneficial, as large developments can have a significant impact on stormwater quantity and quality. If a stormwater code is to be introduced it should be inclusive of not only residential but also commercial and industrial zonings.

Stormwater quality and quantity considerations should apply to all subdivisions, not just those greater than 15 lots. Reference is made to the stormwater quantity requirements within the State Stormwater Strategy, quantity requirements aren't included within this document. It is suggested that the *Tasmanian Stormwater Policy Guidance and Standards for Developments* be considered as part of the development of a new code or provisions. It is suggested that offsets, particularly for stormwater quality, as articulated within the aforementioned document, are considered as part of the review of the provisions.

It is unclear why there is a reluctance to consider or accept priority devices for stormwater management, and/or why this is relevant for inclusion in planning provisions.

Housing in Business Zones

When incorporating residential uses in business zones, priority must firstly be given to retail and commercial activities. We actively encourage inner city living within the Launceston municipality, however converting our heritage-listed buildings into dwellings can be challenging and therefore we would like to see flexibility in the standards to ensure that there is an approval pathway for retrofitting existing buildings. Additionally, the proposed deep soil planting controls in business zones are impractical, and urban greening should focus on the public realm instead. It is important to note that development of housing in business zones can lead to an expectation around provision of parking. Any parking shortfall should not be expected to be provided through the implementation of a residential parking scheme.

Implementation Options

The proposed changes to the residential provisions will require significant adjustments to the spatial application of zoning in Launceston. The proposed change to Urban Residential and Neighbourhood Residential is considered more appropriate in understanding the intent of the zone. We would support the change to the zone names and would also support the use of codes to reduce duplication of standards across all the zones.

Miscellaneous Improvements

We are supportive of a statewide approach to design guidelines. It will be important to be clear around what is a requirement, and what is a guideline.

We are supportive of an approach to reduce car parking requirements and subsequently creating more opportunities for public transport usage and active transport opportunities. We are also supportive of the intent to review the Car Parking and Sustainable Transport Code. The code, specifically the calculation of parking requirements, are extremely complex and regularly create confusion. We also think it is important that the planning provisions create a mechanism for the support of local strategies and policies, such as the Launceston Transport Strategy. The intention of supporting carshare schemes, and reduced requirements for social housing are sound, however it will be important to consider how the cessation of these enterprises may affect the desirability of the housing stock.

We are supportive of development of a comprehensive scheme that will lead to the implementation of a developer contribution scheme being incorporated into the planning process. Reference is made to the consideration for open space contributions for large multiple dwelling strata development. This should be considered, alongside other considerations that result from large multiple dwelling strata development such as water quantity and quality considerations and potential considerations for internal connectivity and pedestrian movements.

We appreciate the opportunity to provide input on this review and look forward to ongoing collaboration with the State Planning Office to refine and implement these changes.

Chelsea van Riet
General Manager Community and Place

From:
Sent: Friday, 6 September 2024 4:02 PM
To: State Planning Office Your Say
Subject: Re: Improving Residential Standards

My concerns are

1. Light coming into my property at _____ is affected by a large spreading oak tree which cuts off the late afternoon sun. (I have photos available).
Of concern also, given the recent high winds and falling trees, is the danger this tree poses as it grows in height and width.

2. Council Planning rules which permit the erection of a lattice a length of 9m, height 4.5m and which may be covered by a permeable fabric.

Despite legislation (*Neighbourhood Disputes About Trees*) which allows for a view that existed (when a person takes possession of a property) to be maintained; the anomaly is that if an application to TASCAT provides orders for trees to be trimmed to restore such views, current Planning allows for a lattice of the above size to be erected (in place of the trees) which of course negates any such orders.

The above items have the effect (a) of reducing light and warmth from the sun and (b) the lowering of the value of my property by obscuring the view I had when I took possession of my property and, of course, affects my enjoyment of the outlook which I had previously.

It seems to me quite odd that we have a piece of State legislation which is contradicted by an item of Local Government planning.

I respectfully request that the above be taken into account within the Planning outcomes and thank you for the opportunity to have a say.

Sincerely

6 September 2024

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

Launceston Heritage Not High Rise

Email: launcestonheritagenothighrise@gmail.com

Representation: Improving residential standards in Tasmania Draft July 2024

Thank you for the opportunity to comment on the current draft. However, we would like to raise a concern regarding the rash of urban sprawl, which is consuming land in Tasmania that could be better utilized for the alternative forms of residential development which this draft is presenting. It seems inefficient to proceed with these developments before the current review of the State Planning Provisions (SPPs) and the establishment of Tasmanian Planning Policies (TPPs) are completed.

Would it not be more prudent to wait until these planning frameworks are fully in place, ensuring that any new developments are aligned with the updated policies and long-term vision for the region?

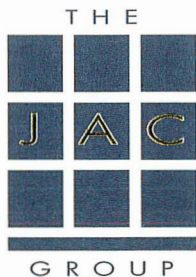
We request that the key stakeholders referred to below are identified and that **Planning Matters Alliance Tasmania (as representing 70 community groups and not invited to participate) be incorporated into the Technical Reference Group (TRG).**

*"The Technical Reference Group (TRG) has been established which is comprised of representatives of the Australian Institute of Architects, Homes Tasmania, Local Government (each of the three regions), Planning Institute of Australia, and State Growth. ... **The Project will be informed by key stakeholders in the building industry, established community and environmental groups, and the general public.**"*

ERA Planning Draft report Final | July 2024 1.1 The project p.4

Yours sincerely,

Victoria Wilkinson on behalf of Launceston Heritage Not High Rise



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State Planning Office

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

Dear State Planning Office,

RE: Improving Residential Standards Project Draft Recommendations

Thank you for the opportunity to comment on the draft recommendations. The Improving Residential Standards in Tasmania Draft Report is a very informative and well considered piece of work.

The JAC Group of companies undertakes property development throughout Tasmania, Queensland and NSW. The Group has experience in land acquisition and delivery of commercial and residential infill developments as well as extensive experience in delivery of residential subdivision estates.

We would like to make the following observations.

- We would welcome any improvements that would allow us to deliver more diversity in lot sizes to be able diversity in housing types. We do point out that we have difficulty in selling large lots that would be suitable for medium density housing. There is potentially a market for affordable to mid-range apartments, however there is no appetite from the building industry to deliver this type of house, presumably this is due to feasibility issues.
- We would prefer to provide and develop public open space in our subdivisions as people value access to nearby open space. More often than not Councils prefer to take the cash in lieu contribution for budgetary reasons.
- People love living in cul -de -sacs. They are perceived as safer and more community oriented. They provide opportunities for play and socialising.

Options for Implementation

Option 1 or 3 are preferred as Option 2 further reinforces the metro areas vs the rest of the State. Given how slow and difficult it is to review the RLUS, this option would make rezonings even more difficult.

The best option is through the option 3. Codes.

Comment on Detail of Recommendations

Recommendation 4

(a) Add lot size diversity provisions into the lot design standards at clause 8.6.1, and 9.6.1.

A subdivision of 15 or more would be required to deliver lot diversity. 15% of lots meet the minimum lot size, and 15% of lots are a minimum of 1000 m²

e.g in a 50 lot subdivision in the General Res zone 8 lots are 450m² and 8 lots are 1000m²

Comment

As mentioned above, it is difficult for us to sell larger lots intended for medium density housing. There seems to be little appetite to build this type of housing in Tasmania.

(b) Replace the roads standards at clause 8.6.2, 9.6.2, and 10.6.2 with a new movement network standard.

LAYOUT Rectilinear, modified or radiant grid preferred. **Agree**

STREET BLOCKS 120-240 m long x 60-120 m wide; 600 m maximum street block perimeter (larger street blocks to be provided with mid-block pedestrian links) **Agree**

CONNECTIVITY Subdivision roads connect to existing and planned external roads **Agree**

CUL DE SACS Maximum 15% of lots front a cul-de-sac. Maximum cul-de-sac length of 150 m. Cul-de-sac heads to include pedestrian links where relevant.

Comment

Disagree. Cul- de- sacs are a legitimate design choice that can maximise the use of appropriately zoned land. Cul-de-sacs are often a more expensive choice, construction wise than a through road. Many people value the amenity a cul-de-sac offers, including opportunities for socialising and play.

LEGIBILITY Lay out street blocks with direct and straight streets or use topography to improve opportunities for active travel.

Comment

Agree, with emphasis placed on working with the topography.

ACTIVE TRAVEL 1.5 m min footpaths on all streets. 1.8 m wide shared pedestrian and cycling paths on both sides of streets in 400 m walking distance of public open space, high frequency transit corridors, and business zones. Safe crossing points for busy roads.

Comment:

Agree, we support active transit however the wider footpath should only be on only one side, we are concerned that this would significantly increase the hardstand areas in subdivision and therefore stormwater runoff. The benefit of the shared footpath can be achieved on one side without need for a wider footpath to be both sides of the road in every case. The requirement for this within 400m of public open space will make it a requirement for most new subdivisions.

PUBLIC TRANSPORT 90% of lots in 800 m walking distance of an existing or potential public transport route. Provide direct, convenient pedestrian links from lots to public transport route.

Comment

Disagree, if this is a new area then there would be no existing demand for public transport and hence what qualifies as 'potential public transport route'. Public transport planning is encouraged and should be part of general expansion of services for new development.

ROAD HIERARCHY Street design is based on a designated road type articulated through a road hierarchy plan in accordance with the requirements of the road authority or Tasmanian Standard Drawings.

Comment

Agree, this is current practice.

(c) Include a new standard for urban greening, including provisions for public open space and landscaping of the public realm.

PUBLIC OPEN SPACE 10% land contribution for subdivisions creating 50+ lots Cash-in-lieu contribution for subdivisions less than 50 lots, or near existing or planned open space. Lots within 800 m walking distance of existing, planned or proposed public open space.

Comment

Mixed, Disagree with increases POS from 5% to 10%. Agree that council takes land for 50+ lots, perhaps this threshold should be lower. Disagree with 800m walking distance as the trigger for Cash in Lieu.

LANDSCAPING 1 street tree for every 2 lots Landscape design of public realm meets the requirements of the approval authority.

Comment

Agree but concern regarding conflict with service provision. Greater assistance is required from Council's to pursue tradesmen and then new homeowners from destroying street trees.

(d) Add stormwater management provisions into the services standard at clause

8.6.3, 9.6.3 and 10.6.3.

WATER, SEWER AND STORMWATER CONNECTIONS Unchanged across all zones.

Comment

Agree

STORMWATER QUALITY AND QUANTITY (FOR SUBDIVISIONS CREATING 15+ LOTS) Stormwater meets quality and quantity targets in State Stormwater Strategy 2010, including:

- 80% reduction in the average annual load of total suspended solids based on typical urban concentrations
- 45% reduction in the average annual load of total phosphorus and nitrogen based on typical urban concentrations
- Stormwater quantity in accordance with the requirements of local authority.

Comment

Disagree , our major concerns with the targets are that they are detached from reality. The modelling is theoretical, treats all catchments the same and is unable to be measure and enforce. (i.e Music Model).

We have a serious concern over maintenance of interceptors & GPTs both in terms of deterioration of effectiveness and the burden on LGA to maintain.

A far better approach than installing GPTs on every development would be to contribute to strategic infrastructure that improves water quality at the point of discharge.

We would welcome further engagement on this opportunity to improve residential development.

Kind Regards

Claire Gregg
Town Planner, JAC Group



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Architects

TAS

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Friday 6 September 2024

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

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

Re: Improving Residential Standards in Tasmania

To whom this may concern,

The Tasmanian Chapter of the Australian Institute of Architects (the Institute) would like to thank the State Planning Office for the opportunity to provide feedback on the *Improving residential standards in Tasmania – Draft report* (the report). Overall, and in principle, the Institute is supportive of the recommendations outlined in the report.

The Tasmanian Chapter has consulted with our membership, had a briefing session with the State Planning Office, have reviewed the relevant documents, and has prepared the following response.

It is clear that Tasmania requires a significant investment in medium density housing that is of high quality and provides excellent urban outcomes in the places in which we live. Our cities and towns must plan for the future in a way that is considered, well planned, and focuses on the value of good design and the benefits it affords the community (both for those who live in the buildings, the people who live around and alongside these buildings, and those visiting and working in the areas) in both the short and long-term. The Institute encourages the appropriate densification of appropriate locations, with well designed and built solutions.

The Institute would like to commend the process that has been undertaken to develop the project so far, which has involved a technical reference group comprising skilled professionals from relevant fields, including architects, planners, and representatives from local and state government. The leading of the project team by highly experienced planners, ERA Planning & Environment; community-minded developers, Hip v Hype; and Studio GL, is also to be commended.

It is important to note that these standards, once implemented within the planning scheme, will require review after a period of time of them being used in practice to ensure they are working as intended, and to adequately access their suitability.

The Institute has an Affordable Housing Policy¹, along with a Multi-Residential Standards Policy², that encourage outcomes that provide high quality living spaces for residents and excellent public amenity.

¹ <https://www.architecture.com.au/wp-content/uploads/Affordable-Housing-Policy.pdf>

² <https://www.architecture.com.au/wp-content/uploads/Multi-Residential-Standards-Policy.pdf>

GENERAL COMMENTS:

It is pleasing to see that the performance pathways outlined in the report include reference to best practice design guidance in the Medium Density Design Guidelines (which is currently in draft format). The Institute notes that council and assessment bodies require the relevant skills and education to enact and implement the adherence to these guidelines along with the other considerations outlined in the performance pathways, and this will require commitment from the Government to adequately resource and coordinate a program of training and upskilling the approval authorities (councils) throughout the state.

A complementary advocacy program targeting the design and development community to explain the opportunities and benefits of high quality design outcomes and working with a performance based planning scheme, should also be considered. This also needs to target the broader community, who are often highly invested in the development that takes place in their local neighbourhoods. Both these programs will benefit from the introduction of additional design review panels, similar to the City of Hobart's Urban Design Advisory Panel, but with broader functions. The importance of providing an environment of high level of decision making competence, coupled with an informed and enlightened development community, supported by design review panels when appropriate, can not be overstated.

The Institute understands that the Apartment Development Code, as referenced within the report, is currently under development, and would be interested in seeing a draft of this when it is available.

The Institute is supportive of the proposed changes for both development standards and subdivision standards. The inclusion of bonus plot ratio allowance for the incorporation of social housing and dwelling diversity is particularly heartening. Improvements to subdivision design, particularly through lot design and urban greening, are imperative. As stated within the report, 'decisions made at the subdivision stage of a development have long terms effects on liveability...' (p. 28) and thus it is crucial to ensure these early decisions result in high quality design and outcomes. The inclusion of an architect in these early stages of subdivision design would facilitate this. The development of subdivision guidelines, also recommended in the report, would be welcomed.

Viability & Incentives

The Institute agrees that there are barriers to infill development. In consulting with Institute members who have worked with various proponents, feedback has been received about the feasibility of medium density residential development. The Chapter has heard of instances where proponents have sought to create medium density developments, but under the current planning scheme, have found that these developments aren't financially viable, due to the constraints of the site yield, due to setbacks and height limits.

Along with the inclusion of bonus plot ratio allowance for the incorporation of social housing and dwelling diversity, the Institute suggests other incentives to encourage high-quality private development in the right locations. Such 'bonus' mechanisms that allow proponents to build additional floor space or building height than would otherwise be allowed under the planning rules should be encouraged. These could include:

- Formulation of 'design excellence' architectural design competition approach, similar to the City of Sydney, and within NSW.
- Inclusion of urban realm and public amenity improvements as part of the project in collaboration with relevant councils or authorities (e.g. street tree planting, urban design upgrades, powerline undergrounding, public art, etc. to public spaces in proximity to a development site)

The formulation of a 'design excellence' competition mechanism within the planning scheme could also be used in some instances to streamline or fast-track planning approvals, giving proponents further incentive, increased confidence, and improved prospects of project feasibility if processes that support good design are utilised.

The Institute suggests there could be the consideration for implementation of 'demonstration projects', to illustrate to proponents and the community exemplary residential development across a range of scales and contexts. From this, opportunities for incentives could be identified (through expedited planning or mechanisms that improve project feasibility) for proponents who adopt principles/design exemplified in

demonstration projects as a means of encouraging desirable residential development. The NSW Government is currently undertaking the development of a pattern book of endorsed building designs, to enable proponents (who use these designs) to have access to an accelerated approval pathway.³ As this project is in the early stages, it is unclear how this will work. This approach could be reviewed by the Tasmanian Government when evidence of outcomes is available. It is an approach that could have both positive and negative results and so must be carefully reviewed before considered.

Building Typologies

It is pleasing to see consideration of a holistic approach in regard to performance assessment for setbacks, plot ratios, heights and solar access, that has the potential to recognise design excellence. These types of assessments require a high-level of design intelligence to assess and would benefit from the assistance of a design assessment panel. As noted above, council and assessment bodies require the relevant skills and education to assess these proposals, and this will require commitment from the Government to provide the necessary training and upskilling. It is essential that there is consistency in the assessment of proposals across different council jurisdictions. This holistic approach has the potential to allow for avenues to provide alternative building types, including courtyard models, which should be considered in the provision of medium-density developments. These models are used around the world and are space-efficient and allow for outdoor amenity in the middle of the property. Some of the existing planning controls in relation to setbacks preclude this type of development.

Spatial Application of Zones

The Institute notes that the report contains a proposal to revise the spatial application of residential zones, as outlined in Option 2 under the implementation options. The Institute also notes there are observations in the report that the current envelope planning control does not allow much flexibility for development proposals to adapt to site conditions. As part of the proposed revisions to the spatial application of zones suggested in the report, 'sub zones' or specific areas not curtailed by significant extant heritage fabric and where an intensity of urban renewal or future residential development is anticipated should be identified and more specific planning controls developed to ensure that future desired street types are achieved.

A more proactive and deliberate definition of planning parameters in specific areas is warranted to ensure that in areas with potential to accommodate many new buildings, developments collectively contribute towards achieving a specific and consistent 'street-type' response rather than an ad-hoc or inconsistent outcome.

Examples of some controls that may be considered for such sub-zones are as follows:

- application of consistent 4-6 storey street wall
- whether continuous awnings are included or not
- mandated cross block circulation patterns/granularity to ensure ground plane porosity
- increased plot ratio

SPECIFIC COMMENTS:

There are a couple of specific suggested revisions to the document, as follows.

It is pleasing to see examples of high-quality architecture used within the document. These images, however, should reference both the architect responsible for the work, as well as the photographer (not just that they are sourced from ERA).

On page 29 of the document, 'BUZ' is used as an acronym. This acronym should be included in the glossary.

There are some inconsistencies with the numbering of the figures included within the report, with two figures 10s included (p. 42 and p. 50).

Implementation Options

³ [Pattern book of housing design | Planning \(nsw.gov.au\)](https://www.nsw.gov.au/planning/pattern-book-housing-design)

The Institute notes that it is complex to assess the suitability of each of the three options outlined for the implementation of the recommendations. Whatever approach is taken, it should be one that simplifies the interpretation and use of the planning scheme, as well as encouraging a wider application of diverse housing types. As suggested within the report, a hybrid approach that maximises the benefits of each implementation option may be the best outcome.

The Institute has provided the following comments relating to each option.

Option 1

This option appears to be slightly limited in scope and capacity for real change, and therefore is not thought as the best course of implementation.

Option 2

This option appears at the outset to send a clearer signal to development proponents and the community as to the preferred locations for new and diverse housing types. A benefit of this option is that it appears to propose a broader application of higher density housing types with a nuanced approach based on proximity to activity centres or transit corridors. Such an approach may better suit the long-term provision of new infill housing types in more areas.

Option 3

A downside of this option is that it appears to propose a narrower application of higher density housing types to only those areas within 400m of activity centres or transit corridors. Careful attention would need to be made to identify whether the extent of land that would fall within these areas will adequately address future housing needs (i.e. published mapping may be required to better assess this).

A benefit of this option is that it appears to propose a simpler application of the proposed changes to the planning scheme, making the use and interpretation of the planning scheme easier than in Option 2.

Ultimately, our cities require high quality designed outcomes that incorporate innovative design responses. The quality of design affects how places and people function, is able to stimulate the economy, enhance the environment and improve wellbeing for all. Good design adds value for all people and can play a transformative role in the lives of every person.

The Institute commends the development of the report and looks forward to seeing this project as it continues to develop. The Institute would welcome the opportunity to discuss any of the above further. If we can be of any assistance, please don't hesitate to contact us.

Kind regards,

Daniel Lane
President, Tasmanian Chapter
Australian Institute of Architects

Jennifer Nichols
Executive Director, Tasmanian Chapter
Australian Institute of Architects

The Australian Institute of Architects (Institute) is the peak body for the architectural profession in Australia. It is an independent, national member organisation with over 14,500 members across Australia and overseas. The Institute exists to advance the interests of members, their professional standards and contemporary practice, and expand and advocate the value of architects and architecture to the sustainable growth of our communities, economy and culture. The Institute actively works to maintain and improve the quality of our built environment by promoting better, responsible and environmental design. To learn more about the Institute, log on to www.architecture.com.au.

Submission to the Improving Residential Standards in Tasmania Draft Report July 2024

Climate change is a present and increasing threat to the wellbeing of people and the fabric of Australia's infrastructure and environment. Therefore it is vital that the human 'habitat', ie housing and towns, provides shelter that helps maintain wellbeing in the face of this growing threat. In the same vein, human habitation should not unduly impact on the ability of nature to continue to provide essential ecological services.

The SPPs and its limited range of zones and codes, always felt inadequate to these challenges, therefore it is refreshing to read a draft consultation paper that aims to improve this situation. Australia cannot continue to have towns and cities that sprawl unchecked across the landscape, comprising large footprint single houses, often with inadequate insulation, acres of concrete, black roofs and limited potential for active and public transport. Not only is this style of planning bad for the environment, it is bad for people and does not nothing to build community or climate resiliency.

I am fully in agreement with the following list of improvements required to the Tasmanian Planning Scheme (page 15):

- Housing choice: including affordability, diversity, and density, particularly in well located areas close to activity centres and public transport.
- Design quality: enabling opportunities for innovation and design excellence.
- The quality of subdivision: elevating the layout and liveability of new neighbourhoods.
- The connection between desired strategic outcome for residential development in urban areas through the spatial application of zones: promoting greater application of zones that allow more density and diversity of housing in the right locations.

Rather than commenting in detail on the technical recommendations, I would like to provide support to the following principles enshrined in the document:

- Prioritising private and common open space.
- Emphasising the need to maximise permeable ground surfaces (eg deep soil).
- Creating a standard for landscaping requirements.
- Increasing urban canopy.
- Retaining existing trees where feasible.
- Developing design guidelines (I am keen to see guidelines that not only dictate issues relating to density and common space, but also go to the climate adaptability of individual dwellings. Eg: High insulation standards, passive solar, thermal mass, rain-tanks, solar panels, solar hot water, greywater recycling, roof colours etc).
- Sensitive significant densification of towns and cities.
- Mixed-use and mixed dwelling-type developments.
- Height and/or density bonuses as an incentive for including a sizeable percentage of social housing in developments.

- Active transport connectivity.
- Increasing density around public transport nodes.
- Reducing the requirements for parking spaces, especially for multi-dwelling buildings and those within walking distance of public transport nodes.
- Greater use of the IRZ, even in small towns and townships (with mandatory application if necessary).
- Standards and requirements for infrastructure contributions.

With respect to dwellings in business areas, I would really like to see more innovative use of spaces that remain vacant or underutilised, such as turning the floors above shops into dwellings. Increasing the number of dwellings in business areas can provide a range of benefits (over and above increasing housing supply), including revitalising urban areas, providing passive surveillance over otherwise emptied streets outside office hours, maximising the use of building footprints etc.

While these recommendations are a huge step in the right direction, there is currently no review of rural zones such as Rural, Landscape Conservation and Rural Living. None of these zones is fully satisfactory. There are numerous problems in rural areas which are not being addressed by these zones. Problems include:

- Continual subdivision into 2-10ha plots, eventually creating congregations of sizeable populations with no public facilities, no open space/ recreation area, no active transport or public transport links and subsequent problems with lack of community cohesion/ resilience, bushfire and other emergency exposure, roadkill, road safety etc.
- Inconsistent application of the new zones throughout the state and between adjoining municipalities, with many perverse applications of the new Rural Zone, which has a far broader range of permitted and discretionary uses than the more sensible/ appropriate Rural Resource Zone which largely preceded it.
- Large-scale vegetation-clearing which often evades compliance action or is retrospectively approved either through the usual planning routes, or via Forest Practice Plans, which are increasingly being used to clear for buildings (against the provisions of LUPAA), with the Forest Practices Officers under no obligation to look into for what reason vegetation is to be cleared 'to remain cleared'.
- Huge opposition to the poorly named 'Landscape Conservation Zone' which has set communities against one another, and about which there remains significant lack of information/ knowledge – again not helped by its inconsistent application.
- Reducing opportunities for conserving private land, either full or part-titles, with conservation covenant applications apparently languishing and not being granted.
- An expectation by property investors to keep subdividing Rural Zone land down to its minimum size regardless of non-existent local facilities, the environment's bushfire potential, lack of public/ active transport, and the high cost of providing roading etc by the local council (an expense passed onto ratepayers).

A further problem is the increasing rate of housing insecurity in regional and rural areas. Many people are driven to living in buses, caravans or shacks, often on other people's properties. The cost of land is in itself prohibitive to most, and those that manage to purchase a plot, often cannot afford to building anything other than a very small dwelling. The following planning improvements might be considered:

- Providing a level of security to those dwelling in tiny homes on wheels and caravans on private land not designated as a caravan park.
- Allowing a caravan or tiny home on wheels to be classified as an ancillary dwelling whether or not it is within 40m of the main house or shares services with it.
- Considering allowing landowners to provide a designated portion of their land as a 'caravan park' such that more than one caravan or tiny home on wheels could park there permanently or temporarily.
- Easing the hurdles to be negotiated for developing strata titles, to make it easier for communities to self-organise and self-build eco-friendly dwellings with shared services on a shared land title.
- Considering introducing new zones and/or codes to allow buffer zoning around townships of allotments, community gardens, leased market gardens, with larger titles beyond.

It is great to read a consultation report full of sensible suggestions. Congratulations and thanks go to ERA Planning. I hope to read something similar soon for rural zones/ codes.

Jenny Cambers-Smith

From: [Megan Baynes](#)
To: [State Planning Office Shared Mailbox](#)
Cc: [McPhail, Sean](#); [Wolf, Claire](#)
Subject: RE: Improving Residential Standards Project - Technical Reference Group (TRG) Workshop #4
Date: Friday, 6 September 2024 4:49:42 PM
Attachments: [image001.png](#)
[1 MINUTE BUILDING ENVELOPE NOTION_MB_06092024.pdf](#)

Dear Claire and Sean,

I have a few comments to make. **Please take these and my personal remarks. They are not representative of Council. This is very important.**

I realise the way I write is not conventional planning language. However, the convoluted nature of planning might be queried. What is planning for? If we do more the same, we will likely get more of the same. So please read on and see what you think.

Housing diversity

So much of our work is done to ensure that there are 'more homes in Tasmania'.

I ask, what are the mechanisms for achieving housing diversity given the stated aims of 'providing more housing' etc

The big push may just result in more real-estate, if we do not have mechanisms to deliver housing diversity on the table concurrently. This might even exacerbate inequality.

There are plenty of examples regarding how housing diversity is achieved eg co-housing, tax incentives and affordable zoning.

The experience in SYD, MLB and BSB has been reform followed by a glut of poor-quality apartments and rising unaffordability. I think we should be very very careful about our reforms so that we do not repeat the mistakes of other capitals.

Action: Review the outcomes of planning reform in other capitals cities and compare our draft strategies with their policies. Consider the likely outcomes of our reforms.

Simplify the rules

I think rules should be very simple – its too hard to do development in this town – this is what I hear.

Complex rules deter investment.

I think a great reset would be to allow tall buildings in Leigh Woolley's basin – which is identified in the Planning Scheme. Beyond that, we would say 'no bulky buildings beyond the basin'.

2 and 3 storey townhouses can fit into the many small sites that are underutilised.

We need to reduce the complicity of the stipulations if we want investment.

A benefit of small-scale development is that local companies can build townhouses.

Many small businesses are not set up for large scale construction projects.

There is an economic reason to be small scale as well as the clear view of the community that modest scale is preferred in residential contexts.

Another simple rule might be 'one house, two trees' for every dwelling retain or plant two trees.

Action: consider writing objectives in plain English and creating simple rules that are easy to understand and deliver.

Gardens

Residential development in Hobart is most often just units in rear gardens.

Because you can demolish a garden and put a unit in relatively easily, this is the dominant development model, it appears.

The complexity of doing larger multi-res development applications, let alone getting them financed, only serves to reinforce the putting of units into gardens.

Gardens are important as they are a part of the spatial pattern of the city and they also constitute permeable ground. This is important in relation to stormwater and climate change eg urban heat sink effect.

At the time when there is a notion to expand urban canopy, we are in effect doing just the opposite. Demolishing gardens.

This seems a very backward policy scenario.

While we may all be doing work to 'encourage' infill on caryards and inner urban sites, the ease with which small-scale developers can 'develop' the garden seems to be trumping the more strategic consolidation of the city.

The outcome is often a unit in a carpark – which is why we are trying to improve residential standards.

I think the idea of 25% plot ratio is great, but I do hope that the 25% implies landscaping eg trees and foliage and permeable surfaces. Terraces are very useful to slow down water, so terraced gardens would be great to encourage. Eg reduce flasj flooding.

Its important to note that any garden, not just a heritage garden, is valuable.

We need to stop destroying gardens if we want to maintain let alone increase urban canopy and urban resilience.

Action: review exemptions: for vegetation removal in residential areas – cutting and trimming is fine, large tree removal and half to full site clearance could be regulated.

Action: consider spatial pattern not just plot ratio – eg garden at the rear and house at the front of the block.

Housing stock

The existing housing stock of the city is valuable.

Like the gardens issue -its not so much about cultural heritage but embodied carbon and urban resilience.

I am aware of research that suggests that 20th century residential construction has an expected lifespan of 300 years. 21st century construction just 50 years. So we are demolishing robust structures, in a time when people find it hard to rent, to replace them, with less robust structures. Better protection of the existing housing stock is another way to improve residential standards thusly.

Action: consider updating demolition provisions eg to assess (prevent) fullscale demolition of houses built before 1950?

Action update NCC to preclude flimsy construction systems eg require materials with their own surface that will be long lasting/durable.

Building envelope

The building envelopes that are in the planning scheme are very different to the shape of the buildings in the streets.

This creates awkward junctions.

Is seems very evident that there is a rhetoric of loss around change in some parts of the community.

This is not related to Tasmania alone. In other states there has been significant pushback regarding densification initiatives.

Changing the rules is unlikely to change the fundamental attitudes and forces at play.

I think we need to consider a building envelope that might be better aligned with community expectations.

If development were more familiar it might be more easily accepted.

If you look at inner Hobart the Georgian Townhouse and the Federation era townhouse offer a sensible building envelope.

Looking around Hobart, Sorell and Kingston I see a few townhouse developments being built and fitting in well. This might be a modest compromise. I can provide addresses of constructed projects that increase density without increasing height upon request.

Action: use the city as a guide – refer to historic building envelopes to guide future development. Eg sheer façade. The intersection of Elizabeth Street and Collins Street provides examples of building envelopes. AMP tower has a street wall and tower form. No 88 and No 38 have sheer facades and are modest in height. I think that we will get more infill with many-modest-buildings that few-tall-buildings.

Building surveyors input to Planning Reform

Building Surveyors make critical and informed judgments about development. Regarding, for example shop top living, I would be interested to get advice from a building surveyor about what rules to change to increase occupancy of existing buildings in cities and to improve residential building standards. Could we have a Tasmania specific set of rules that are slightly different to the National Code that enable the reuse of non-compliant houses and commercial buildings for economic benefit in the provincial capital? What might work? Innovative thinking is required. For example, if 50m is the max distance to travel to a fire exit for the sake of human safety, might it be possible to line longer corridors with fireproof products to enable time for safe egress? Its about getting people out, not the dimension per say. This is not my area of expertise – but Building Surveyors can provide advice.

Other issues

Given the small population growth measured year to year, regulation of short-term accommodation plus very modest infill might be adequate to provide homes.

Localised datums may be useful to set building heights. I would like to see a definition for datum in the planning system. This word/concept is worthy of debate in a tribunal setting. Nuanced conversations around it are feasible.

I would also like to suggest that trees may be a possible way to create buffers between say activity centres (bigger buildings) and residential areas (smaller buildings) People can look at trees (soft fascination – eg mental health and productivity benefits. Rather than people looking into each other's rear rooms, which means closed blinds, all day every day. If the reforms are done as planned the awkward scale changes are likely to be an issue in the community. The diagrams I have seen don't take into consideration slope nor the likely disparate scales of development. We are looking to offer visual seclusion in physical proximity. Not just physical proximity.

I would also like to suggest that energy efficiency of domestic rooms is regulated and therefore it seems logical to me that the energy efficiency of urban form is a valid planning matter. Natural light and ventilation can be provided to apartments via voids and courtyards. This is a traditional urban form worldwide. A stepping building envelope or 'wedding cake' is a recent invention that precludes courtyard or perimeter development. I think the Tasmanian building envelope should

be a simple traditional form that can enable a courtyard. Stepping building forms reduce yield at the street, and in my mind are not very useful. Because light is diffuse, in a built-up city diffuse light is the best we can hope for. In cities, people use parks and streets and live in compact rooms. They go outside to get greenery and light. That is city life. Green spaces are however important for infrastructure for city living. We need to provide good parks and streets to create a good city life.

Urban gardens – this is a Hobart (and Georgian tradition) houses were set back 3.6m from the street and fences and garden were planted. Our streets are therefore too narrow for trees and cars, so urban gardens might be a way to green our streets. The 1811 Meehan Plan shows how an intention for urban gardens was part of the plan for Hobart Town. Urban Gardens could be a developer contribution, Council could be vested the land and maintain urban gardens for the benefit of the community.

Resources

[Sustainability Guides by Breathe](#) - some very good work here.

I attached some work to illustrate my thoughts.

I also would like to suggest that the HUGs (DRAFT Urban Design Guidelines) being developed at HCC are important work to assist the improvement of residential building standards in Tasmania. More on them soon....

Best

Megan Baynes B Env Des, B Arch (Hons)

I acknowledge palawa as the Traditional Owners and ongoing custodians of lutruwita (Tasmania). I pay my respects to their Elders past, present and emerging.

A house can be 1, 2, 3, 4, 5 + stories without changing the building envelope.

It just gets taller its 3m + 1m

One storey house=4m

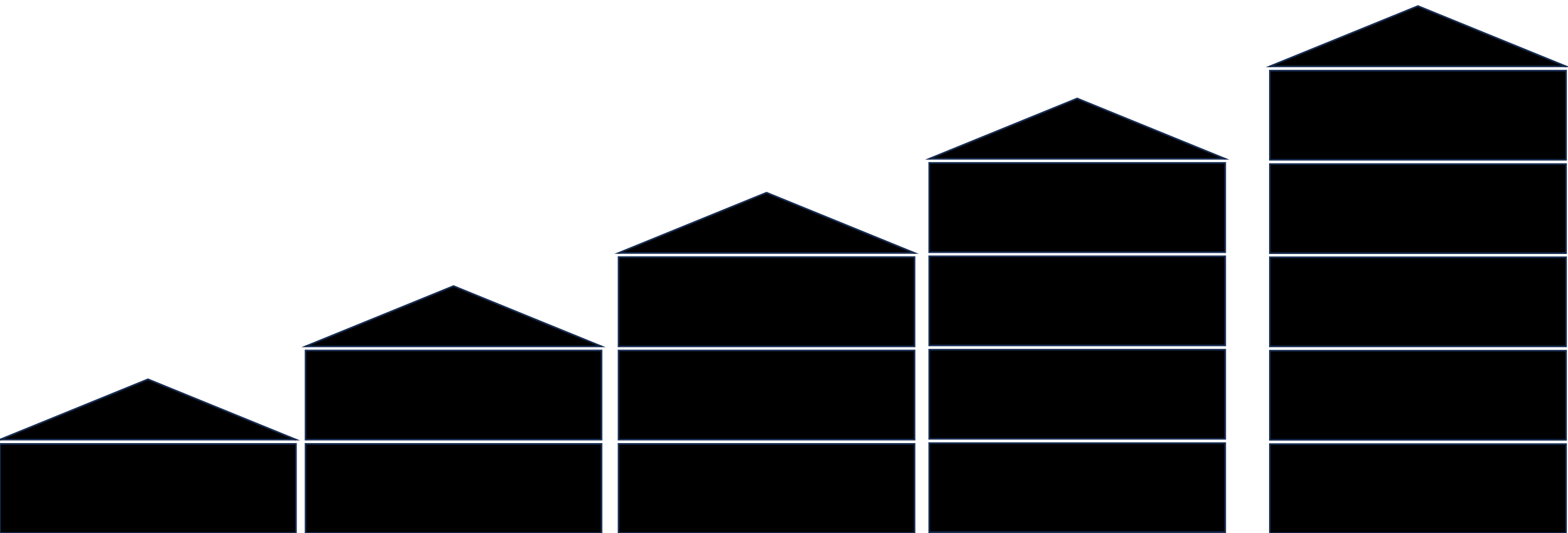
Two storey house=7m

Three storey house =10m

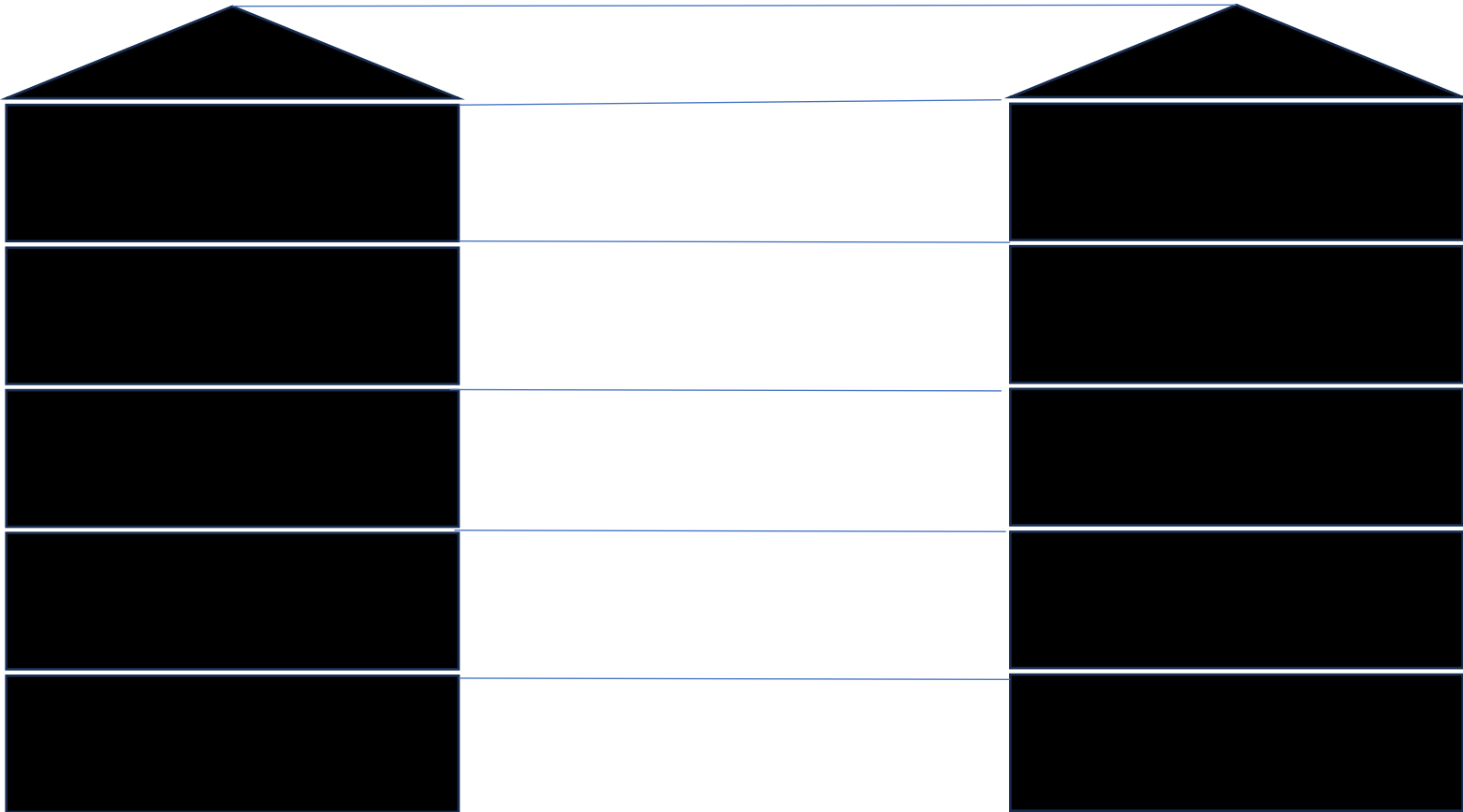
Four storey House = 13m

Five storey house = 16m

And so on.



Courtyards can be created by spacing building envelopes





Example of a traditional building envelope with modern architecture.

Note: zero setback, shear façade, modern design, re-entrant entry and the way the development responds to the height of its neighbours.

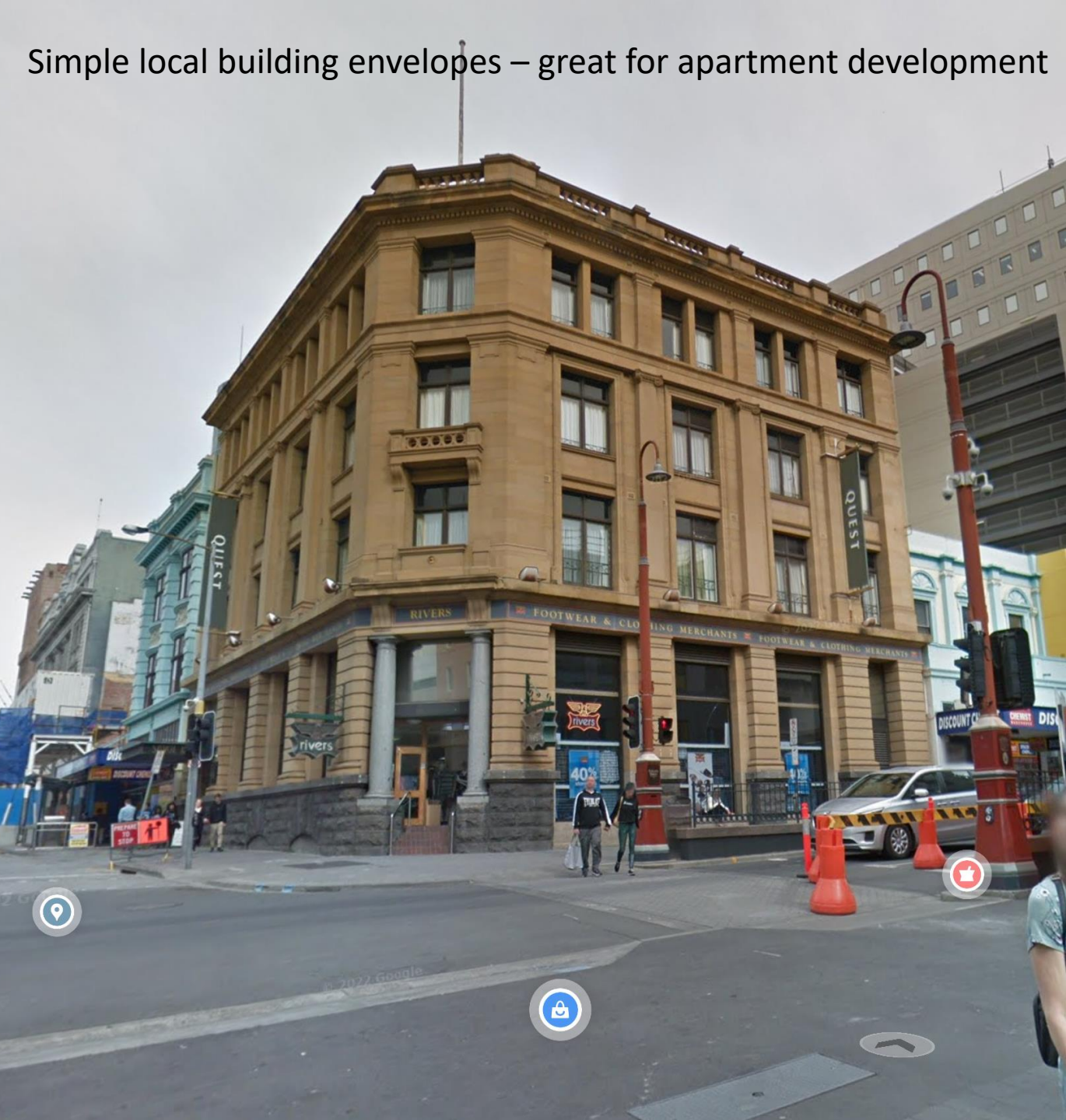
The exact number of stories from ground to eave can be varied to suit the context eg 1, 2, 3, 4, 5, 6, 7 levels.

[Source: Fifty architecture studios leading the social housing revival \(dezeen.com\)](https://www.dezeen.com)

Photo by Andreas Buchberger

Nerma Linsberger, Austria

Simple local building envelopes – great for apartment development



Urban garden



Simple is good!

Thankyou

6 September 2024

State Planning Office
Department of Premier and Cabinet
By email: StatePlanning@dpac.tas.gov.au

RE: Draft Recommendations Report - Improving Residential Standards in Tasmania Project

I refer to your email dated 24 July 2024 to Heritage Tasmania inviting comments on the Draft Recommendations Report - Improving Residential Standards in Tasmania project. Heritage Tasmania provides the following response.

We recognise the benefit that can be gained from reviewing the residential development standards of the State Planning Provisions (SPPs) to improve housing supply, affordability and diversity for residential development in Tasmania. We also accept that this undertaking is highly complex, and recognise the effort invested into the project and the quality of the report produced.

Our feedback is from the perspective of managing impact on Tasmania's built heritage environment. It is foreseeable that the recommendations for amendments to the residential standards will have flow-on effects for heritage places where more intensive residential land-use is proposed and may cause heritage values of affected places to diminish.

Application of Recommended Residential Standards to Places on Tasmanian Heritage Register

The recommended residential standards appear to be tailored for places that are not subject to the *Historic Cultural Heritage Act 1995*, which provides for protection of the heritage values of places with historic cultural heritage significance at a state level. As such, the design proposals for places that are on the Tasmanian Heritage Register (THR) that may be consistent and comply with recommended residential standards under the planning scheme, are unlikely to satisfy the stringent requirements of the Tasmanian Heritage Council's *Works Guidelines*. This may result in disappointment for owners/developers who propose development at THR places.

It may be worth acknowledging the difference in the outcomes under the recommended residential standards and the THC's *Works Guidelines* in an appropriate pathway/mechanism so that proponents have realistic expectations when considering the development potential at THR places.

Application of Recommended Residential Standards to Places/Areas of Local Heritage Value

There is a history of some local councils not having completed the process of local heritage listing in their planning schemes. Implementing the recommended residential standards in these municipalities where the local historic heritage code has not been applied is likely to irreversibly diminish the

heritage values of not-yet listed places, precincts and historic townscapes. For example, heritage values are likely to be lost if the recommended residential standards were applied in an area such as the Westbury township where there is: (a) market pressure for development of increased density, and (b) individual places and areas of heritage character. In such an area, design proposals could well be consistent and comply with recommended residential standards under the planning scheme, while also diminishing the area's historic character.

Should the recommended residential standards be adopted, we suggest considering a staged implementation based on the level of progress of councils in local heritage management. This might include delaying implementation for some councils until the local heritage code is applied or a credible heritage study concludes that the subject areas have low or no heritage values.

The report indicates that the non-statutory Medium Density Design Guidelines (guidelines) will be incorporated in the recommended residential standards. It is acknowledged these guidelines have regard to heritage values, although they provide limited direction for appropriate design in the context of heritage places. It is suggested more clarity is given to the terms 'heritage', 'heritage places', and 'heritage areas' which are used in the guidelines, and how applicable the guidelines are for development proposals at THR places.

Lastly, we are keen to understand, for a non-statutory instrument, the incentives for proponents to apply the Medium Density Design Guidelines to development proposals.

Thank you for the opportunity to comment and we hope the feedback is useful.

Yours sincerely

Melissa Ford
Director Heritage Tasmania

Introduction

The State Government is conducting concurrent reviews of related planning matters: The Improving residential standards in Tasmania, Draft Report, and the Medium Density Design Guidelines, Draft, Jul 2024.

Seeing as they're so closely related, I've decided to address both documents in a single response. Part A is focussed on the Residential Development Standards, and Part B is focused on the Medium Density Development Guidelines. I also added a third part, dealing with some problematic sections of the Tasmanian Planning Policies, because they carry-over into the Medium Density Design Guidelines.

- Part B specifically addresses the Greater Hobart Committee's July 2024 Draft Medium Density Design Guidelines.
- And Part C contains my response to certain sections of the Draft Tasmanian Planning Policies (TPPs).

Part A: My submission to the State Planning Office's *review of Tasmania's residential use and development standards within the State Planning Provisions (SPPs)*.

Primary resources:

- Feature Document: *Improving residential standards in Tasmania, Draft Report*.¹
- Improving Residential Standards in Tasmania, project - homepage.²
- Improving Residential Standards in Tasmania, project - online presentation.³
- Improving residential standards in Tasmania, project overview.⁴
- Improving residential standards in Tasmania, subdivision standards.⁵
- Improving residential standards in Tasmania, development standards.⁶
- Improving residential standards in Tasmania, implementation framework.⁷
- Tasmanian Planning Scheme, State Planning Provisions.⁸
- Enquiries: stateplanning@dpac.tas.gov.au
- Submissions: yoursay.planning@dpac.tas.gov.au

This section starts with general comments on the social and economic context in which the Planning Scheme operates, drawing on evidence from a wide variety of sources to argue the case for a radical shift in Planning Scheme priorities. It then addresses each of the State Planning Scheme provisions, specifically the objectives, and makes recommendations on each one. It was originally written as a review of the Hobart Interim Planning Scheme's Residential Development Standards, for a TAFE building design/drafting course assignment, so I apologise if it's overly Hobart-oriented.

¹ *Improving residential standards in Tasmania, Draft Report*, ERA Planning and Environment, 15 Jul 2024, commissioned by the State Planning Office, https://www.stateplanning.tas.gov.au/_data/assets/pdf_file/0028/367444/Improving-residential-standards-in-Tasmania-Draft-recommendations-report-15-~-final-16-July-2024.PDF, accessed 6 Sep 2024.

² *Improving Residential Standards in Tasmania, project - homepage*, State Planning Office, <https://www.stateplanning.tas.gov.au/has-your-say/consultations/state-planning-provisions-amendments/state-planning-provisions-review-project-a#Lifecycle>, accessed 6 Sep 2024.

³ *Improving Residential Standards in Tasmania, project - online presentation*, State Planning Office, <https://vimeo.com/997573039/edcba853bd>, accessed 6 Sep 2024.

⁴ *Improving residential standards in Tasmania, project overview*, State Planning Office, https://www.stateplanning.tas.gov.au/_data/assets/pdf_file/0028/368326/Engagement-Factsheet-No-1-Project-Overview-V22-final-16-July-2024.PDF, accessed 6 Sep 2024.

⁵ *Improving residential standards in Tasmania, subdivision standards*, State Planning Office, https://www.stateplanning.tas.gov.au/_data/assets/pdf_file/0030/368328/Engagement-Factsheet-No-2-Subdivision-V22-final-16-July-2024.PDF, accessed 6 Sep 2024.

⁶ *Improving residential standards in Tasmania, development standards*, State Planning Office, https://www.stateplanning.tas.gov.au/_data/assets/pdf_file/0023/368330/Engagement-Factsheet-No-3-Development-V22-final-16-July-2024.PDF, accessed 6 Sep 2024.

⁷ *Improving residential standards in Tasmania, implementation framework*, State Planning Office, https://www.stateplanning.tas.gov.au/_data/assets/pdf_file/0024/368331/Engagement-Factsheet-No-4-Implementation-V22-final-16-July-2024.PDF, accessed 6 Sep 2024.

⁸ Tasmanian Planning Scheme, State Planning Provisions, Tasmanian Planning Commission, https://www.planning.tas.gov.au/_data/assets/pdf_file/0011/711002/Tasmanian-Planning-Scheme-State-Planning-Provisions-effective-26-June-2024.PDF, accessed 6 Sep 2024.



*'If the supply of new rental dwellings can outpace current demand growth, the rental vacancy rate will increase and there will be an easing of weekly rental payment growth.'*¹⁰

*'Changes to land use regulation such as zoning and planning schemes were seen as critical mechanisms for affecting change in addressing a lack of affordable and social housing, and subsequent homelessness.'*¹¹

A shortage of housing stock has made it difficult for many people to find an affordable property to buy or rent. The average rental vacancy rate in Australia from 2011 to 2023 was 3%.¹² Hobart's rental vacancy rate was estimated to be 1.5% in June 2024,¹³ and Australia-wide it was 1.3%.¹⁴ Facilitating the construction of sufficient housing stock to get Hobart's rental vacancy rate back in line with Australia's historical average rental vacancy rate of 3% should be the primary objective of planning reform. According to my calculations, which are discussed in the following footnote,¹⁵ to achieve a rental vacancy of 3%, the four councils that are the subject of the 30-Year Greater Hobart Plan (Hobart, Glenorchy, Clarence and Kingborough) need roughly 1,378 more dwellings in addition to those that will be needed due to population growth. The 30-Year Greater Hobart Plan estimated that we will need 30,000 new homes in the next 30 years, but it didn't acknowledge the substantial backlog of housing demand.¹⁶ And if we meet this need for more housing, as we should, then population growth will likely exceed forecasts, particularly while the rest of Australia continues to experience a housing shortage.

According to CoreLogic's August 2024 property report, rent increased by 7.8% in Australia in the 12 months to July, while it increased by 3.1% in Hobart.¹⁷ In the same period, dwelling prices fell by 1.2% in Hobart overall, however, the dip in price was entirely in the mid-to-upper price bracket.¹⁸ The most affordable houses (the lowest quarter or 25th percentile price) increased by 2.4% in Hobart in the 12 months to July 2024, although most of that increase was in the first quarter.

⁹ Images left to right: <https://commons.wikimedia.org/wiki/File:Autistic-sweetiepie-boy-with-ducksinarow.jpg>; <https://www.change.org/p/hobart-city-council-stop-skyscrapers-in-hobart>; <https://pulsetasmania.com.au/news/single-hobart-mother-fears-shell-be-homeless-hungry-and-living-in-car-with-children/>; <https://www.abc.net.au/news/2018-05-04/homeless-campers-evicted-from-hobart-parliament-house-lawns/9723466>; <https://www.dailymirror.lk/opinion/white-elephants-that-gulp-public-money-editorial/172-27658>; accessed 11 Aug 2024.

¹⁰ *Background Paper 6: Housing and Affordability*, Greater Hobart Committee, https://www.greaterhobart.tas.gov.au/_data/assets/pdf_file/0019/283015/Background_Paper_-_6._Housing_and_Affordability_as_at_Mar_2021.PDF, accessed 4 Aug 2024.

¹¹ *Affordable Housing and Homelessness Commitment 2021–23*, p.8, City of Hobart, <https://www.hobartcity.com.au/files/assets/public/v/2/council/strategies-and-plans/affordable-housing-and-homelessness-commitment-2021-23.pdf>, accessed 31 Jul 2024.

¹² *Statement 4: Meeting Australia's Housing Challenge*, Budget Paper No. 1, 2024–25, https://budget.gov.au/content/bp1/download/bp1_bs-4.pdf, accessed 4 Aug 2024.

¹³ *Residential Vacancy Rates, Hobart*, SQM Research, https://sqmresearch.com.au/graph_vacancy.php?region=tas-Hobart&type=c, accessed 4 Aug 2024.

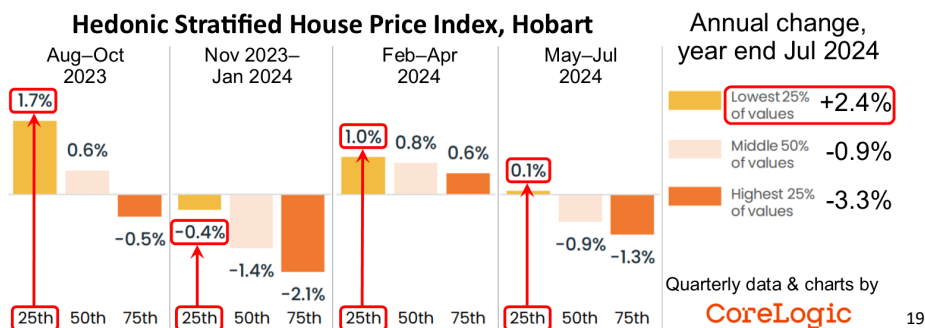
¹⁴ *Residential Vacancy Rates, National*, SQM Research, https://sqmresearch.com.au/graph_vacancy.php?national, accessed 11 Aug 2024.

¹⁵ These figures as calculated as 1.5% of the estimated current number of dwellings. The 1.5% figure comes from deducting Hobart's current estimated vacancy rate of 1.5% from the 3% historical average national vacancy rate. I base my calculation on the total number of dwellings rather than the number of rental properties because there's no reason to believe the proportion of rentals and owner-occupied properties would change substantially if more dwellings were constructed. Source data: https://www.greaterhobart.tas.gov.au/30-year_greater_hobart_plan; <https://www.abs.gov.au/statistics/economy/price-indexes-and-inflation/total-value-dwellings/mar-quarter-2024/643201.xlsx>; <https://www.abs.gov.au/census/find-census-data/quickstats/2021/6GHOB>; <https://www.abs.gov.au/census/find-census-data/quickstats/2021/6>; and https://sqmresearch.com.au/graph_vacancy.php?region=tas-Hobart&type=c, accessed 4 Aug 2024.

¹⁶ *30-Year Greater Hobart Plan*, Greater Hobart Committee, https://www.greaterhobart.tas.gov.au/30-year_greater_hobart_plan, accessed 4 Aug 2024.

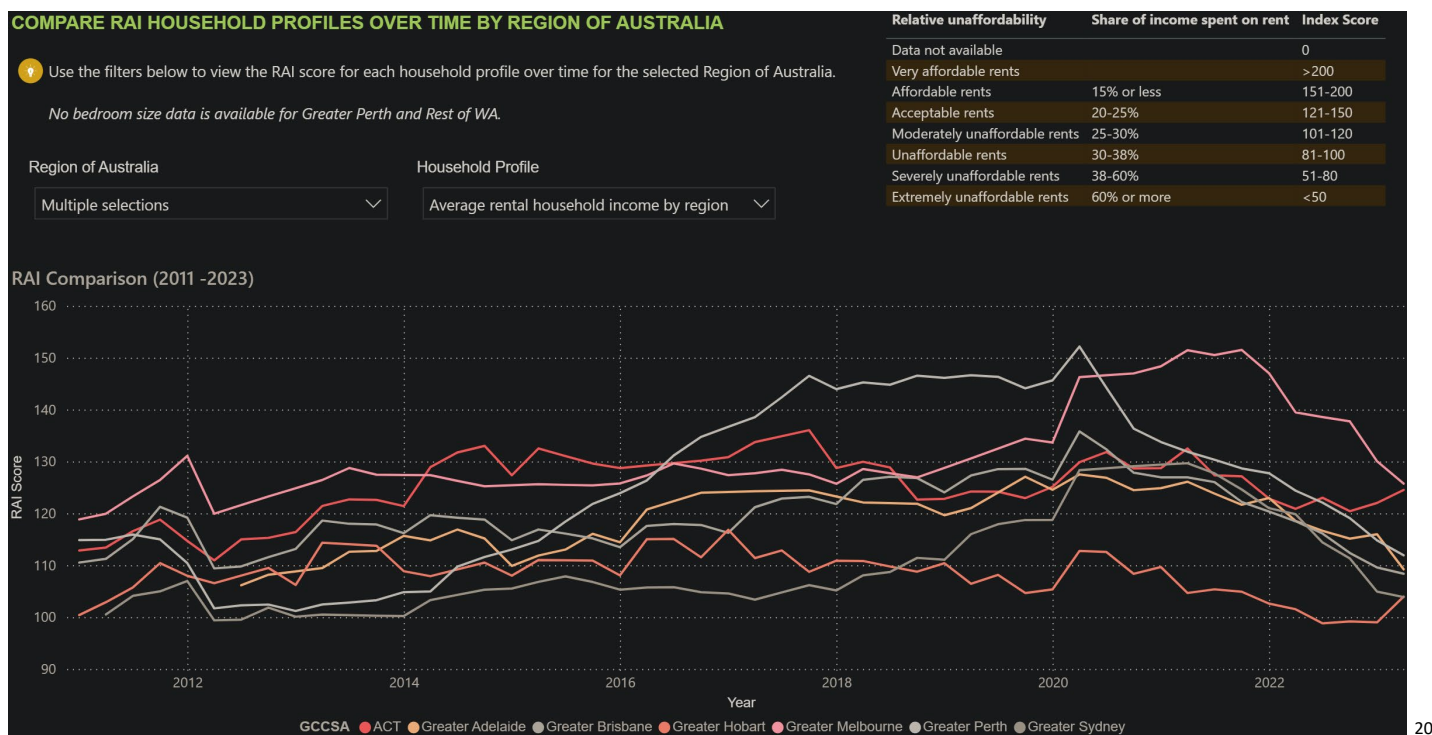
¹⁷ *Monthly Housing Chart Pack, August 2024*, p.27, CoreLogic, https://content.corelogic.com.au/l/994732/2024-08-07/21m1sv/994732/1723026908koqEMAAAn/202408_monthly_chart_pack_2_.pdf, accessed 11 Aug 2024.

¹⁸ *Ibid*, p.5.



SGS Economics & Planning produce a capital-city rental affordability index, and Greater Hobart has been at the bottom of the list for affordability for the average rental household since quarter 4 of 2018, and we only just drew equal-last with Greater Sydney in quarter 2 of 2023. Our Q2 2023 rental affordability index (the latest available from SGS Economics & Planning), was 104, which means the median rental household income in Greater Hobart was 104% of the level deemed necessary to afford the median rent.

RAI = Rental Affordability Index, lower is less affordable; Greater Hobart: ●



There are often no self-contained dwellings available for rent in any capital city in Australia that are deemed affordable for unemployed people, and the dearth of apartments in Greater Hobart accentuates the problem, forcing people into psychologically traumatic sharehouses, where good people are often preyed on by bad people who either dominate or harass them, don't clean up after themselves, steal, or leave owing rent or utility debts, or else people are forced to stay with relatives or ex-partners who can be even worse, or they're forced into homelessness.

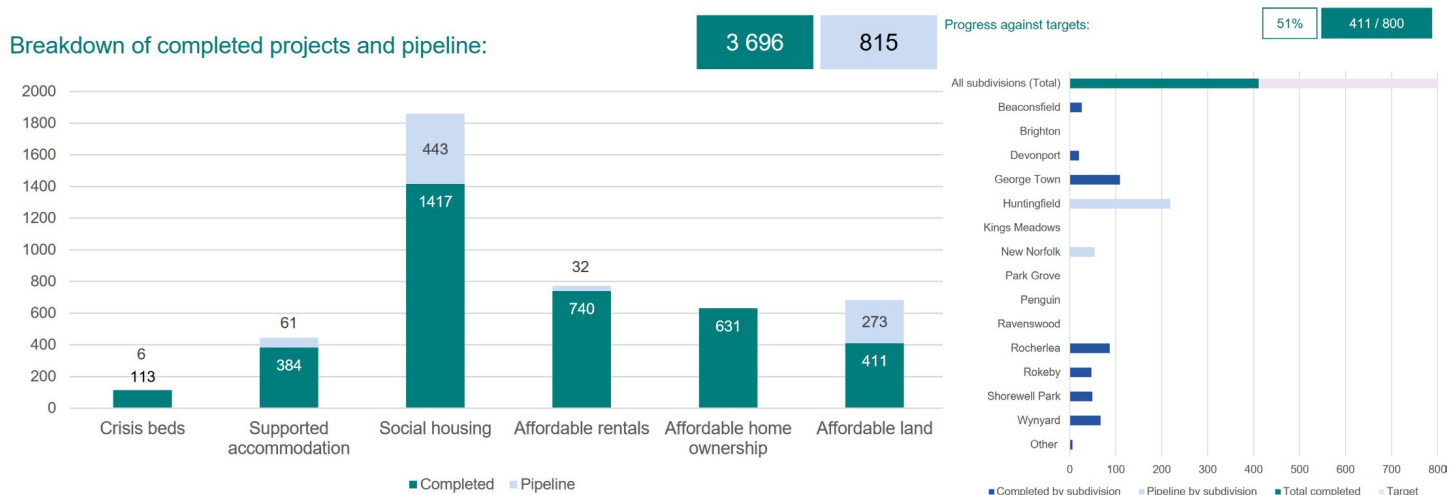
Our development standards are not delivering and will not deliver the type of housing needed, where it is needed, in anywhere near the volume that's required. Between 2001 and 2021, the proportion of single-person households in Tasmania increased from 26.1% to 29%, while the proportion of dwellings that are apartments fell from 6.9% to 5.3% – the

¹⁹ Monthly Housing Chart Pack, p.7, CoreLogic. Aug-Oct 2023: Nov 2023 report, https://www.westpac.com.au/content/dam/public/wbc/images/personal/services/Monthly_chart_pack_Nov.pdf.pdf; Nov 2023-Jan 2024: Feb 2024 report, <https://goodyer.com.au/files/202402-chart-pack.pdf>; Feb-May 2024: May 2024 report, <https://www.mitchellsrealty.com.au/wp-content/uploads/2024/05/Core-Logic-Monthly-Residential-Housing-Pack-May-2024-1.pdf>; May-Jul 2024: Aug 2024 report, https://content.corelogic.com.au/l/994732/2024-08-07/21m1sv/994732/1723026908koqEMAAn/202408_monthly_chart_pack_2_.pdf. For an explanation of the index see Hedonic Home Value Index, p.8, CoreLogic, https://www.corelogic.com.au/_data/assets/pdf_file/0028/22969/CoreLogic-HVI-JUN-2024-FINAL.pdf, accessed 11 Aug 2024.

²⁰ Rental Affordability Index: research report, SGS Economics & Planning, <https://sgsep.com.au/projects/rental-affordability-index>, accessed 11 Aug 2024.

lowest in the country. In May 2024, there was an unmet demand of 4,731 applications for social housing on the Tasmania housing register.²¹

According to the Homes Tasmania Housing Dashboard June 2024, in the year ending Jun-24, there were just 87 lots of land released, 58 additional units of homeless accommodation constructed, and just 59 affordable private rentals constructed.²² The government's new version of the Housing Dashboard from July 2024 onwards doesn't report those figures,²³ but it does report a lot of spin intended to give the false impression that the government is on track to meet its commitment to deliver 10,000 more social and affordable homes by 2032,²⁴ such as counting toward the target 'Affordable land' releases, existing homes acquired by government and community housing organisations, and homes, including existing homes and even existing government or community housing that were sold to people who qualified for the MyHome shared equity program,²⁵ regardless of whether it meets industry standard definitions of affordable (max. 30% of household income according to AHURI).²⁶ And most of the land that was released or is in the pipeline, is well-outside the urban development boundary, and not affordable to many people due to travel costs.



The *30-Year Greater Hobart Plan* made a lot of motherhood statements about densification and infill development, but little has materialised. The council has failed to re-zone significant amounts of land to higher densities.²⁷ The state government has also effectively done nothing to remedy the problem since it created the Inner Residential Zone in 2017, despite numerous reports identifying a need for planning reform to facilitate densification, for example:

*'Past planning controls... have excluded higher density housing forms... and excluded lower income groups from accessing housing.'*²⁸

²¹ *Improving Residential Standards in Tasmania, Draft Report*, pp.8-9, ERA Planning and Environment, 15 Jul 2024, commissioned by the State Planning Office, https://www.stateplanning.tas.gov.au/_data/assets/pdf_file/0028/367444/Improving-residential-standards-in-Tasmania-Draft-recommendations-report-15-~final-16-July-2024.PDF, accessed 6 Sep 2024.

²² *Housing Dashboard June 2024*, p.19, Homes Tasmania, https://www.homes Tasmania.com.au/_data/assets/pdf_file/0025/280753/Housing-Dashboard-June-2024.pdf, accessed 6 Sep 2024.

²³ *Housing Dashboard July 2024*, Homes Tasmania, https://www.homes Tasmania.com.au/_data/assets/pdf_file/0021/281217/Dashboard-July-2024.pdf, accessed 6 Sep 2024.

²⁴ 10,000 Social and Affordable Homes for Tasmanians, Tasmanian Liberals, <https://tas.liberal.org.au/10000-social-and-affordable-homes-tasmanians>, accessed 6 Sep 2024.

²⁵ MyHome shared equity program, Homes Tasmania, <https://www.homes Tasmania.com.au/Buying-a-Home/MyHome>, accessed 6 Sep 2024.

²⁶ What is the difference between social housing and affordable housing - and why do they matter?, Australian Housing and Urban Research Institute, <https://www.ahuri.edu.au/analysis/brief/what-difference-between-social-housing-and-affordable-housing-and-why-do-they-matter>, accessed 6 Sep 2024.

²⁷ The only references to the 'General Residential Zone' in the table of amendments at the start of the *Hobart Interim Planning Scheme 2015*, amended 22 Mar 2024, are for literally a handful of properties, and most of them were rezoned Low Density Residential. *Hobart Interim Planning Scheme 2015*, p.2, Tasmanian Planning Commission, https://www.planning.tas.gov.au/_data/assets/pdf_file/0019/712108/Hobart-Interim-Planning-Scheme-2015-22-March-2024.pdf, accessed 5 Aug 2024.

²⁸ *Improving Residential Standards in Tasmania, Draft Report*, p.80, ERA Planning and Environment, 15 Jul 2024, commissioned by the State Planning Office, (via AHURI Final Report 349), https://www.stateplanning.tas.gov.au/_data/assets/pdf_file/0028/367444/Improving-residential-standards-in-Tasmania-Draft-recommendations-report-15-~final-16-July-2024.PDF, accessed 6 Sep 2024.

*'Feedback from the development sector noted that Tasmania's planning system can cause **delays, uncertainty** and add **risk** to **infill** projects.'*²⁹ (Emphasis added).

The benefits of infill development resulting in increased residential densities are numerous:

- *More efficient use of physical and transport infrastructure;*
- *Reduced vulnerability to increases in petrol costs and peak oil;*
- *Reduced ecological footprint of urban development and reduction in loss of biodiversity*
- *Increased opportunities for social interaction and reduction in social segregation;*
- *A greater proportion of the population living in proximity to services and employment opportunities;*
- *Increased economic viability of public transport, and subsequent extension thereof;*
- *Better utilisation and revitalisation of other public infrastructure, including parks and open spaces;*
- *Provision of a greater range of housing options to suit the decreasing size of households and ageing population;*
- *Promotion of health and wellbeing by eliminating distance as a barrier to walking and cycling as preferred modes of transport; and*
- *Maximising agglomeration potential of inner cities through intensification of land use.'*³⁰

The State government, via the State Planning Commission, has adopted densification and affordability objectives into the *Southern Tasmania Regional Land Use Strategy 2010-2035*, for example, SRD 2.6 'Increase densities to an average of at least 25 dwellings per hectare (net density) within a distance of 400 to 800 metres of Integrated transit corridors...' and SRD 2.11 'Increase the supply of affordable housing.'³¹ Under section 35N(c) of the LUPAA, Local Provisional Schedules must be reviewed for consistency with Regional Land Use Strategies, but these policies within the Regional Land Use Strategy calling for higher densities and more affordable housing have yet to be reflected in the State Planning Provisions / Residential Development Standards, and the City of Hobart hasn't even adopted the Tasmanian Planning Scheme yet.

It's obvious to me why planning restrictions increase the cost of housing – things like excessive building offset requirements, bloated heritage & significant tree registers, shadow and privacy restrictions, restrictions on building height (other than due to engineering or geotechnical limits), and 'acceptable solution' land density or plot ratio limits (other than due to services capacity limits that can't be economically overcome), landscaping requirements, etc, etc – but I was surprised to read by how much:

*'Recent estimates from the Reserve Bank of Australia (Kendall and Tulip 2018) suggested that planning and zoning restrictions could contribute two-fifths of the cost of a house in Sydney or Melbourne and nearly a third of the cost in Brisbane.'*³²

The City of Hobart advocates for inclusionary zoning,³³ and the *National Planning Reform Blueprint* obliges state governments to 'consider the phased introduction of inclusionary zoning and planning to support permanent affordable, social and specialist housing in ways that do not add to construction costs.'³⁴ That last bit is key. If new developments had to subsidise affordable housing, without any assistance from the government, then those who don't qualify for subsidised housing would have to pay more.³⁵

²⁹ *Toward Infill Housing Development*, p.24, Prepared for the Tasmanian Department of State Growth, Aug 2019, https://www.stategrowth.tas.gov.au/_data/assets/pdf_file/0019/216172/Toward_Infill_Housing_Development.pdf, accessed 8 Aug 2024.

³⁰ *Southern Tasmania Regional Land Use Strategy 2010-2035*, p.91, Southern Tasmanian Councils Authority, <https://www.stca.tas.gov.au/wp-content/uploads/2023/10/Southern-Tasmania-Regional-Land-Use-Strategy-2010-2035-Effective-17-May-2023.pdf>, accessed 14 Aug 2024.

³¹ *Ibid*, pp.97-99.

³² *Vulnerable Private Renters: Evidence and Options*, p.37, Productivity Commission Research Paper, Sep 2019, <https://www.pc.gov.au/research/completed/renters/private-renters.pdf>, accessed 1 Aug 2024.

³³ *Affordable Housing and Homelessness Commitment 2021–23*, p.15, City of Hobart / Community Input – What we heard, <https://www.hobartcity.com.au/files/assets/public/v/2/council/strategies-and-plans/affordable-housing-and-homelessness-commitment-2021-23.pdf>, accessed 31 Jul 2024.

³⁴ *Working together to deliver better housing outcomes*, Media release, Meeting of National Cabinet, PM Anthony Albanese, 16 Aug 2023, <https://www.pm.gov.au/media/meeting-national-cabinet-working-together-deliver-better-housing-outcomes#a1>, accessed 4 Aug 2024.

³⁵ *Vulnerable Private Renters: Evidence and Options*, Productivity Commission Research Paper, Sep 2019, pp.36-38, <https://www.pc.gov.au/research/completed/renters/private-renters.pdf>, accessed 31 Jul 2024.

The *July 2024 Improving Residential Standards in Tasmania, Draft Report* claims there's a preference for inclusionary development incentives such as dwelling height and density bonuses, rather than mandatory measures,³⁶ but it's certainly not my preference. If we were to restrict higher-density development to only those developments that include some 'inclusionary' i.e. subsidised dwellings in the development, as is proposed in the draft report, then that would create a strong bias towards lower-density developments that don't require the provision of 'inclusionary' dwellings.

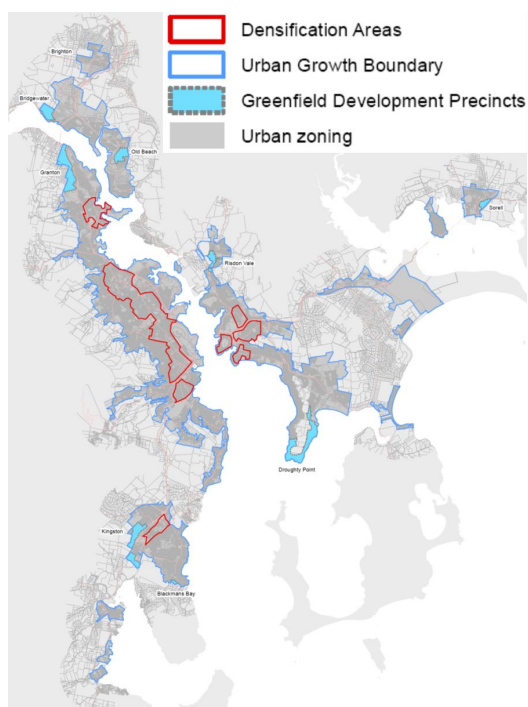
The HIA described inclusionary zoning as 'minuscule and random relief,'³⁷ and while I wouldn't put all inclusionary zoning policies in that category, the proposed inclusionary zoning policy certainly fits that description.

There is an economical way to make housing affordable though: Large subsidies for higher-density, affordable housing construction, paired with an easing of development restrictions. South Australia's inclusionary zoning program, which was the most effective in the country, delivering around 17% of total dwellings, did so by offering government subsidies for inclusionary development.³⁸

And of course, *how* affordable housing subsidies are raised matters. It doesn't help those struggling to pay for affordable housing if the subsidies come from regressive taxation like car rego or profits on electricity supply. To be most effective, affordable housing subsidies should mostly come from the wealthy, for example, mansion taxes, holiday home taxes, luxury car registration surcharges, or a reduction in government spending on things that are more of a priority for the wealthy than the poor, such as beautification of public spaces, whiskey distilleries, music festivals, V8 Supercars, the TSO, AFL, a new stadium, private schools, private health, etc, etc.

Taxation of low-density land usage in the 'Densification Areas' (shown below) would also be an economical way of funding affordable housing because it would strengthen the incentive to redevelop low-density land in the densification areas.

The *Southern Tasmania Regional Land Use Strategy 2010-2035* seeks to as much as possible restrict development to the 'Urban Growth Boundary' (shown below). In my opinion, until the current housing affordability crisis has passed, this objective should be set aside.



39

³⁶ *Improving Residential Standards in Tasmania, Draft Report*, p.80, ERA Planning and Environment, 15 Jul 2024, commissioned by the State Planning Office, https://www.stateplanning.tas.gov.au/_data/assets/pdf_file/0028/367444/Improving-residential-standards-in-Tasmania-Draft-recommendations-report-15~final-16-July-2024.PDF, accessed 6 Sep 2024.

³⁷ *Inclusionary Zoning in Australia: Can it encourage supply of affordable housing across the spectrum of community need? Literature Review*, p.14, Planning and Urban Policy Branch, ACT Government, Nov 2022, https://www.environment.act.gov.au/_data/assets/pdf_file/0007/2435218/24_017238-Documents-Part-1-1-2.pdf, accessed 1 Aug 2024.

³⁸ *Improving Residential Standards in Tasmania, Draft Report*, p.80, ERA Planning and Environment, 15 Jul 2024, commissioned by the State Planning Office, (via AHURI Final Report 297), https://www.stateplanning.tas.gov.au/_data/assets/pdf_file/0028/367444/Improving-residential-standards-in-Tasmania-Draft-recommendations-report-15~final-16-July-2024.PDF, accessed 6 Sep 2024.

³⁹ *Southern Tasmania Regional Land Use Strategy 2010-2035*, Attachment 1, p.106, Southern Tasmanian Councils Authority, <https://www.stca.tas.gov.au/wp-content/uploads/2023/10/Southern-Tasmania-Regional-Land-Use-Strategy-2010-2035-Effective-17-May-2023.pdf>; *Sthn Tas Regional Land Use Strategy boundaries*, ArcGIS, Department of State Growth, <https://maps.stategrowth.tas.gov.au/portal/apps/mapviewer/index.html?webmap=b33eb22ec8244295abcb577cd59cb000>, accessed 14 Aug 2024.

According to the City of Hobart's *Action on Homelessness* page, 'Housing stress in Hobart is caused by many factors, including population growth, the rise of the sharing economy and increased demand for student accommodation.'⁴⁰ Unfortunately planning doesn't rate a mention. They're implying that it's someone else's problem or that they don't have the power to fix it, when in fact, it is their problem, and they do have the power to fix it, via planning reform.

The City of Hobart continues to advocate for the restriction of Airbnb, and last year they implemented a tax on short-stay accommodation.⁴¹ The rapid growth of short-stay accommodation in the Greater Hobart area is widely seen as a significant contributor to the housing crisis.⁴² However, the number of rental properties that have been converted to short-stay accommodation in Hobart is dwarfed by the number of dwellings *not built* due to planning restrictions. In 2016, the number of residences in Inner Hobart was 23,737 while in 2021 it was 24,795, an increase of just 4.5%. Contrast that with Inner Melbourne where in 2016 the number of residences was 306,654 while in 2021 it was 358,845, an increase of 17.0%. If Inner Hobart had grown at Inner Melbourne's rate from 2016 to 2021, we would have an extra 2,982 dwellings (6.7 times the number of non-primary residence permit short-stay properties).⁴³ Another issue is that restricting short-stay accommodation foregoes income into the state. And if it weren't for the city's hostility to highrise, more, larger hotels would've been built, which would've taken away much of the demand from short-stay accommodation.

The *Tasmanian Planning Scheme's* 'Development Standards for dwellings' in the General Residential Zone are contained in Section 8.4 Development Standards for Dwellings (pdf pages 61-71). Section 9.4 (pdf pages 83-94) covers residential development standards in the Inner Residential Zone, and section 10.4 covers the residential development standards for development in the Low-Density Residential Zone. Each of the standards starts with an Objective, and then lists one or more Acceptable Solutions (A1, A2...) and Performance Criteria (P1, P2...). I have chosen to mainly focus on the objectives contained in section 8.4, but many of the points I raise are also applicable to the other residential zones.

8.4.1 Residential density for multiple dwellings

Objective (a) is to 'make efficient use of land for housing,' and *Objective (b)* is to 'optimise the use of infrastructure and community services,' yet Acceptable Solution A1, perpetuates the under-utilisation of land and infrastructure by setting a minimum site area of 'not less than 325m² per dwelling'. The Performance Criteria are a little more permissive, but under clause 6.61(b) of the *Tasmanian Planning Scheme*, relying on Performance Criteria makes it a discretionary development that the Planning Authority has the discretion to refuse. Performance Criteria P1(a), which applies to anywhere more than 400m from a bus stop or higher-density development zone, is quite restrictive too, requiring new development to be 'compatible with the density of existing development on established properties in the area'. The intention of heavily restricting medium to high-density development more than 400m from the identified zones is clearly to promote public and active transport, but it would undoubtedly reduce the number of dwellings constructed. And there are ways of achieving increased public transport usage without restricting development, such as park & ride facilities and modal cross-subsidisation. And there are better ways of steering development into such zones, such as public housing, and cross-subsidisation (higher council rates on low-density land use in Densification Areas, used to subsidise medium to high-density affordable development in those areas).

Recommendation: Abolish the density limit as it stands. If a service capacity would be exceeded, the development may only proceed if they're willing to pay for an upgrade of the network capacity.

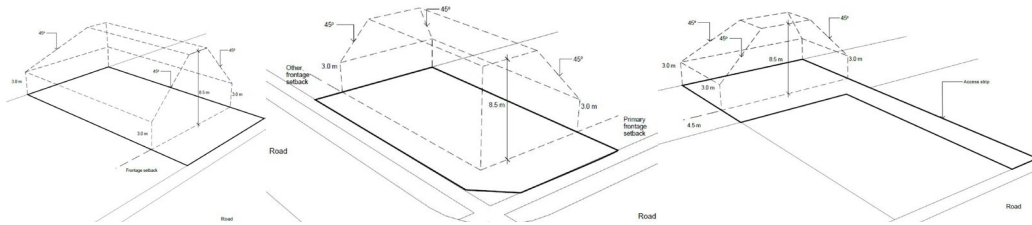
⁴⁰ *Action on homelessness*, City of Hobart, <https://www.hobartcity.com.au/Community/Action-on-homelessness>, accessed 31 Jul 2024.

⁴¹ *Hobart council implements higher rates, adds 'Airbnb tax' to tackle housing crisis*, Pulse Tasmania, 20 Jun 2023, <https://pulsetasmania.com.au/news/hobart-council-implements-higher-rates-adds-airbnb-tax-to-tackle-housing-crisis/>, accessed 1 Aug 2024.

⁴² *Impact of Short-term Rentals on Tas Housing Evidenced in New Report*, Media Release, Shelter Tas, 1 Jul 2022, via Tasmanian Times, <https://tasmaniantimes.com/2022/07/impact-short-term-rentals-tasmania-housing-evidenced-in-new-report/>, accessed 5 Aug 2024.

⁴³ *Hobart dwellings 2016*, ABS, <https://www.abs.gov.au/census/find-census-data/quickstats/2016/60105>; *Hobart dwellings 2021*, ABS, <https://www.abs.gov.au/census/find-census-data/quickstats/2021/60105>; *Melbourne dwellings 2016*, ABS, <https://abs.gov.au/census/find-census-data/quickstats/2016/206>; *Melbourne dwellings 2021*, ABS, <https://abs.gov.au/census/find-census-data/quickstats/2021/206>; and *Short-stay accommodation data*, CBOS https://cbos.tas.gov.au/_data/assets/pdf_file/0006/760317/Short-Stay-Accommodation-Report-16-Quarter-3-2023.PDF, accessed 1 Aug 2024.

8.4.2 Setbacks and building envelope for all dwellings



Objective (a): 'provides reasonably consistent separation between dwellings and their frontage within a street.'

When a frontage has a driveway, a certain amount of setback can improve pedestrian safety, but the required setbacks in the General Residential zone go far beyond what is required for pedestrian safety. Spread of fire can be an issue that setbacks aim to solve, but firewalls can potentially solve it more economically where there's a shortage of well-located land for housing. Setbacks also preserve and enhance streetscapes and property values and potentially improve access to sunlight, views and ventilation, but setbacks often mean fewer dwellings can fit on a block of land, which impacts housing affordability, especially at the bottom end of the market. The requirement for setbacks on well-located land also impacts the viability of active and public transport.

Objective (b): 'provides consistency in the apparent scale, bulk, massing and proportion of dwellings.'

Like most of the planning scheme, this provision puts the interests of property owners before the interests of the homeless by artificially creating a housing shortage by locking in the housing density status quo.

Objective (c): 'Provide separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.'

In the age of LED lights that can provide sunlight-like light very cheaply, this objective is antiquated. Removing this objective would not deprive people of light, but it would make a difference to housing affordability.

Objective (d): 'Provide reasonable access to sunlight for existing solar energy installations.'

This objective goes too far. The winter solstice midday sun is roughly only 23.6° above the horizon in Hobart, so there are going to be a lot of houses, particularly on hills that slope downwards to the South, and small blocks, where almost any development at all could impact a solar installation. People should be expected to consider the possibility of future development within the Acceptable Solution building envelope before installing solar.

Objectives such as these fail to balance the rights of property owners with the rights of the homeless and those who struggle to pay rent. And they fail to exploit the potential for mutually beneficial arrangements involving compensation for loss of amenity.

Recommendation: Instead of having restrictions on development like these, appoint an arbiter to determine the compensation payable by a developer to neighbours for the estimated loss of property value if the development would've likely been disallowed under the old planning scheme. If the neighbouring properties are rented, share the compensation between the owner and the tenant in proportion to their loss.

8.4.3 Site coverage and private open space for all dwellings

Objective

That dwellings are compatible with the amenity and character of the area and provide:

- (a) for outdoor recreation and the operational needs of the residents;*
- (b) opportunities for the planting of gardens and landscaping; and*
- (c) private open space that is conveniently located and has access to sunlight*

The requirement for private open space undoubtedly significantly increases the minimum cost of housing and directly causes poverty and homelessness and negatively impacts health and wellbeing. The poorest members of society cannot afford to devote any of their accommodation budgets to private outdoor space, yet our current planning scheme tries to force them to anyway, making a bad situation worse. The poor would be much better off if we left it to the market to decide what proportion of properties have private open space, or better yet, do the exact opposite of this objective: bias the system in favour of medium to high-density development.

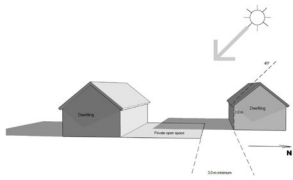
We need to radically rebalance our housing mix and land use to provide much more well-located minimum-cost housing. Between 2001 and 2021, the proportion of single-person households in Tasmania increased from 26.1% to 29%, while the

proportion of dwellings that are apartments fell from 6.9% to 5.3% – the lowest in the country.⁴⁴ We have an ageing population, and many elderly people are unable to maintain gardens. Many childless professional couples also neither have a passion for gardening nor have the time to maintain a garden, let alone want to bear the burden of the consequent higher housing costs and the higher transport costs and council rates resulting from lower urban density.

There's no way the government should be dictating that residences must have private open space, particularly in a city where most residences currently have private space, so it's not at all hard for anyone who is particularly keen on private open space to find a dwelling that has some. It's like requiring all new cars to come with a trailer, or all ice-creams to be double-scoops. Too bad for anyone who doesn't want one or can't afford one.

Recommendation: Abolish this objective

8.4.4 Sunlight to private open space of multiple dwellings



Objective: That the separation between multiple dwellings provides reasonable opportunity for sunlight to private open space for dwellings on the same site.

Recommendation: Abolish this objective (for the same reasons as those outlined in the previous section).

8.4.5 Width of openings for garages and carports for all dwellings

Objective: To reduce the potential for garage or carport openings to dominate the primary frontage.

This objective unjustifiably disadvantages the poor, especially those who live in sharehouses and apartments, and people who have adult or adolescent children living at home who are looking to rent, buy or build somewhere close to an urban centre that is compact and affordable yet accommodates three off-street parking spaces. Planning objectives like this lead to scenes like the one from the 1997 Australian comedy/drama classic 'The Castle' where Darryl says: 'Steve, can you move the Camera, I need to get to the Torana out so I can get to the Commodore,' and Steve replies: 'I have to get the keys to the Cortina if I'm gonna move the Camera.'

Recommendation: Abolish this objective from the General Residential zone standards. Consider instead using Specific Area Plans for the preservation of certain streets that currently have exceptional streetscapes.

8.4.6 Privacy for all dwellings

Objective: To provide a reasonable opportunity for privacy for dwellings.

The objective is OK, but the Acceptable Solutions and Performance Criteria don't address the worst privacy issues while wasting money addressing things that are non-issues for most people, like the neighbours being able to see into the outdoor part of the property. Most people are only concerned about privacy behind closed doors and will hang some opaque lace in front of windows the neighbours can see into. The real issue with privacy for dwellings is soundproofing for conjoined or very close dwellings, particularly older buildings. In one property I rented, the neighbour's bedroom which was directly above ours was only separated by drafty floorboards, and in another, I could hear the neighbour's bedroom clock ticking through the wall from our bedroom.

Recommendation: Remove the existing Acceptable Solutions and Performance Criteria from this objective, and instead require privacy options for windows, such as fixing points for lace curtains. Require solid-core doors and double-glazing for soundproofing on doors and windows less than 3m from a shared walkway/driveway, or neighbouring property, and soundproofing for all shared walls, floors & ceilings in conjoined dwellings. Implement measures to get the rental vacancy rate above 3% ASAP, and once it is above 3%, raise the minimum standards for rental dwellings, and fund a program of government acquisition and renovation or demolition and rebuilding of old rental properties to address

⁴⁴ *Improving Residential Standards in Tasmania, Draft Report*, p.9, ERA Planning and Environment, 15 Jul 2024, commissioned by the State Planning Office, https://www.stateplanning.tas.gov.au/_data/assets/pdf_file/0028/367444/Improving-residential-standards-in-Tasmania-Draft-recommendations-report-15~final-16-July-2024.PDF, accessed 6 Sep 2024.

issues such as soundproofing, condensation, inadequate water pressure, inadequately sized hot water cylinders, lack of a heat-pump, inadequate insulation, and asbestos.

8.4.7 Frontage fences for all dwellings

Objective

The height and transparency of frontage fences:

- (a) provides adequate privacy and security for residents;
- (b) allows the potential for mutual passive surveillance between the road and the dwelling; and
- (c) is reasonably consistent with that on adjoining properties.

The sections dealing with fences seem unnecessarily detailed and complicated – for example, there are no Acceptable Solutions listed, however, there is a Performance Solution. And instead of offering an Acceptable Solution, the reader is referred to the planning permit exemptions in Table 5.6. The subclauses on fences within that table are hard to interpret, for example, it’s not immediately obvious when paragraph 5.6.2 (b) would apply. After a couple of readings, I gather it only applies to fences within 4.5m of a frontage in zones other than the General Residential and Inner Residential zones. It would be much easier to interpret if there were separate subclauses for each of the combinations of zone (or group of zones) and proximity to the frontage, rather than requiring double application of the words ‘within’ and ‘excluding’ as well as a reference to another subclause.

From the Table of planning permit exemptions:

5.6.2	fences (excluding fences within 4.5m of a frontage in the General Residential Zone or Inner Residential Zone)	The construction or demolition of: (a) side and rear boundary fences not adjoining a road or public reserve or not within 4.5m of the site’s primary frontage and not more than a total height of 2.1m above natural ground level; (b) boundary fences adjoining a road or public reserve or within 4.5m of the site’s primary frontage (excluding a fence under subclause 5.6.3) and not more than a total height of 1.2m above natural ground level;
5.6.3	fences within 4.5m of a frontage in the General Residential Zone or Inner Residential Zone	Fences (including free-standing walls) within 4.5m of a frontage, if located in the General Residential Zone or Inner Residential Zone if not more than a height of: (a) 1.2m above existing ground level if the fence is solid; or

Recommendation: Rewrite the sections on fences to make them easier to interpret.

8.4.8 Waste storage for multiple dwellings

Objective: To provide for the storage of waste and recycling bins for multiple dwellings.
Pretty self-explanatory really, and perfectly reasonable.

- For a more in-depth review of current and proposed future development standards for dwellings in residential zones, see:
- Appendix A: My submission to the State Planning Office’s review of Tasmania’s residential use and development standards within the State Planning Provisions (SPPs);
 - Appendix B: My submission to the Greater Hobart Committee’s July 2024 Draft Medium Density Design Guidelines; and
 - Appendix C: My comments on the Draft Tasmanian Planning Policies.

Part B: My submission to the Greater Hobart Committee's *July 2024 Draft Medium Density Design Guidelines*.

Primary Resources:

- Feature Document: *Medium Density Design Guidelines, Draft, Jul 2024*.⁴⁵
- Draft Medium Density Design Guidelines, submissions webpage.⁴⁶
- Enquiries: contact@greaterhobart.tas.gov.au

Chapter 2 of the *July 2024 Draft Medium Density Design Guidelines*, presents what the authors consider to be a model context analysis for medium-density residential development, and while they may have raised some good pointers for building designers to consider, these certainly shouldn't flow through to development standards or planning permit decisions, because of the adverse effect it would have on dwelling supply and affordability.

The most important contextual information for those drafting or administering our residential development standards is that Greater Hobart has had a persistent shortage of housing for over two decades, and it has caused homelessness, poverty, and misery, and our planning schemes and discretionary planning decisions (both locally and nationally), have reduced the number of dwellings built and increased costs (including transport and building services costs due to urban sprawl).

The average rental vacancy rate in Australia from 2011 to 2023 was 3%.⁴⁷ Hobart's rental vacancy rate was estimated to be 1.5% in June 2024,⁴⁸ and Australia-wide it was 1.3%.⁴⁹ We need an immediate increase in the housing stock of around 1.5% to get Hobart's rental vacancy rate back in line with Australia's historical average rental vacancy rate of 3%.

In my opinion though, the *Draft Medium Density Design Guidelines*, as well as the *Improving Residential Standards in Tasmania, Draft Report*, will not have anywhere near sufficient impact on the housing stock and affordability to eliminate homelessness and lift Tasmanians out of poverty. Even with the proposed reforms, the balance will still be weighted far too far in the interests of existing property owners and other well-to-do people, at the expense of those who won't be able to afford to buy or rent a self-contained dwelling close to their place or work or study without suffering extreme deprivation, if at all.

Both documents make baby steps towards densification and affordability. They introduce what they call 'dwelling diversity,' but I'd call it fake diversity – diversity within a very narrow spectrum that's a long way from the kind of dwelling diversity needed to provide affordable self-contained National Construction Code-compliant dwellings for everyone who needs one. The *Improving Residential Standards in Tasmania, Draft Report's* proposal to introduce 'plot ratios' is a tiny improvement over the existing planning scheme's 'acceptable solution' building envelope. The plot ratio is the ratio of floorspace to plot size. The *Draft Guidelines* specify a plot ratio of 1.0 for Inner residential, and 0.6 for General Residential, with a 10% density limit bonus for townhouses and social housing outside of the densification zones and a 20% density limit bonus for social housing inside the densification zones.

I'd like to see the proposed plot ratio limits increased by an order of magnitude, however, I concede that that's unlikely to happen this century, so below I discuss some possibilities for more incremental improvements.

Social housing isn't defined in either document, and I fear that the most natural interpretation of the term would favour a very narrow definition such that one would have to be very lucky indeed to benefit from it. The proposed plot ratio limits would deliver far greater and broader benefits to housing affordability if we substituted the phrase 'more affordable

⁴⁵ *Medium Density Design Guidelines, Draft, Jul 2024*, Department of State Growth in collaboration with Councils of the Greater Hobart region, https://hdp-au-prod-app-sgtas-engage-files.s3.ap-southeast-2.amazonaws.com/3817/2067/2222/Draft_Medium_Density_Design_Guidelines_-_print_version.pdf, accessed 27 Aug 2024.

⁴⁶ *Draft Medium Density Design Guidelines, Jul 2024, submissions webpage*, <https://engage.stategrowth.tas.gov.au/medium-density-design-guidelines>, accessed 27 Aug 2024.

⁴⁷ *Statement 4: Meeting Australia's Housing Challenge*, Budget Paper No. 1, 2024-25, https://budget.gov.au/content/bp1/download/bp1_bs-4.pdf, accessed 4 Aug 2024.

⁴⁸ *Residential Vacancy Rates, Hobart*, SQM Research, https://sqmresearch.com.au/graph_vacancy.php?region=tas-Hobart&type=c, accessed 4 Aug 2024.

⁴⁹ *Residential Vacancy Rates, National*, SQM Research, https://sqmresearch.com.au/graph_vacancy.php?national, accessed 11 Aug 2024.

housing' in place of 'social housing,' and defined it as any development where the estimated price per dwelling is below the 25th percentile dwelling price in Greater Hobart. Data on the 25th percentile dwelling price is freely available.⁵⁰

We could more efficiently use plot ratio limits to encourage more well-located affordable development if rather than having plot ratio limit bonuses for social housing and townhouses, we instead had a fixed and a variable component to the plot ratio limit, with the variable component being proportional to the number of dwellings. For example, in the Inner Residential zone, we could make the maximum plot ratio $0.6 + 0.3x$, where x is the number of dwellings. Similarly, in the General Residential zone, we could make the maximum plot ratio $0.4 + 0.2x$, where x is the number of dwellings.⁵¹ In addition, we could retain the proposed 10-20% bonus for well-located affordable housing, however, I think a 25-50% bonus is more appropriate.

The followers of certain guru planners promote the idea of a so-called 'missing middle,' (conjoined double-storey dwellings and small apartments) in Hobart. I'm not a fan of low-rise apartments though, because it's generally not economical to provide an elevator, and certainly not economical to provide multiple redundant elevators to residential buildings with less than five floors. What we're missing most in Greater Hobart is well-located minimum-cost self-contained dwellings, i.e. medium-to-highrise apartments like the University's inner-city student accommodation towers. Nowhere near enough land is available for these types of developments in Hobart, and decisions on medium-highrise developments are far too politicised and dominated by dogmatists who won't tolerate highrises anywhere no matter the cost; people who want to stop population growth; economically naïve idealists who expect the government to build thousands of hectares of low-density public housing all serviced by trains; and petty, selfish whingers who genuinely care more about things like shadows and the colour of a building's façade than they do about homelessness. I think most of the Densification Areas identified in Attachment 1 of the *Southern Tasmania Regional Land Use Strategy 2010-2035* should be made available for apartments that are large enough for multiple redundant elevators to be economical, and I think that the 'missing middle' paradigm runs counter to federal and state government accessible housing policies. From an accessibility perspective, we're much better off allowing buildings that are large enough for elevators to be economical.

I also think there should be some refinement of the Densification Areas. Given that we want to encourage public and active transport, the walking distance to the nearest high-frequency bus stop is more relevant than whether or not a plot of land is within a given distance from *any point on the corridor*. The only drawback of defining the Densification Areas that way is that it would shrink them, however, we can compensate for this by increasing the distance. The *Southern Tasmania Regional Land Use Strategy 2010-2035* allows up to 800m:

*'LUTI 1.2 Allow higher density residential and mixed use developments within 400, and possibly up to 800 metres (subject topographic and heritage constraints) of integrated transit corridors.'*⁵²

I recommend the following refinement to the above land use strategy...

LUTI 1.2 (revised) Provide extensive Planning Scheme exemptions to things like the building envelope and setbacks to facilitate more of the following types of development:

- Medium-density residential development within 400m of a business district in North Hobart, New Town, Moonah, Claremont, Rosny, or Kingston; or
- Medium to High-density residential development within:
 - 600m walking distance of high-frequency public transport route stops from Hobart to Glenorchy; or
 - 800m of the Hobart CBD.

One of the reasons I suggest this change is that it would be a lot cheaper to upgrade the link from Hobart to Glenorchy by a lane each-way than it would be to upgrade the link from Hobart to either Rosny or Kingston.

Ideally though, I think we should completely abolish the discretionary right of councils to reject development applications based on them exceeding restrictions like plot ratio and building height or infringing on a neighbour's sunshine or privacy, and instead, appoint an arbiter to estimate the reduction in the resale value of neighbouring properties due to the

⁵⁰ *Monthly Housing Chart Pack*, p.7, CoreLogic. May-Jul 2024: Aug 2024 report, https://content.corelogic.com.au/l/994732/2024-08-07/21m1sv/994732/1723026908koqEMAA/202408_monthly_chart_pack_2.pdf. For an explanation of the index see *Hedonic Home Value Index*, p.8, CoreLogic, https://www.corelogic.com.au/data/assets/pdf_file/0028/22969/CoreLogic-HVI-JUN-2024-FINAL.pdf, accessed 11 Aug 2024.

⁵¹ In the case of non-residential development in residential zones, set x to 1.

⁵² *Southern Tasmania Regional Land Use Strategy 2010-2035*, p.54, Southern Tasmanian Councils Authority, <https://www.stca.tas.gov.au/wp-content/uploads/2023/10/Southern-Tasmania-Regional-Land-Use-Strategy-2010-2035-Effective-17-May-2023.pdf>, accessed 14 Aug 2024.

development being outside that of the legacy planning scheme's acceptable solution, and have the developer compensate the owner of the neighbouring property for their loss, with a portion going to renters who are on a lease.

The *Draft Medium Density Design Guidelines* state: 'In areas experiencing change and increased density, align front setbacks with the desired future character of the street.' This is at least a small improvement on the existing planning schemes which locked us into ridiculously excessive setbacks, however, I think it doesn't go nearly far enough. I believe setback requirements should generally only be what is required for pedestrian safety.

The *Draft Medium Density Design Guidelines* state: 'Ensure separation in proportion to building height and the location of open space.' – This restriction on development would have a significant adverse effect on housing affordability, poverty, health, and well-being. We can't provide housing that's affordable for the poor if we have an "amenable housing or nothing" approach. We ought to think about how unpleasant it is for people to have to live in a car or a tent, or with an abusive ex-partner because they can't afford a home of their own before coming up with development restrictions like these, same with things like recommending every property has landscaping and a deep-soil area for a large tree. With any provision that increases the cost of housing or reduces the number of dwellings that can be built on a block of land, we should ask ourselves, 'Would most homeless people consider it more important than housing affordability?'

The entire section on Streetscape serves to substantially increase the cost of housing. Landscaping costs money. Reserving land for frontages sometimes reduces the number of dwellings that can be built on a property. The interests of the homeless and those struggling to afford a home are not being given due consideration. I'd limit these aesthetic considerations to Specific Area plans applying to a few fully-developed streets that aren't likely to be redeveloped for several generations, that the poor aren't going to be able to afford to live in anyway, which currently have an exceptional streetscape.

There's no need for biodiversity and landscaping to be part of our urban design guidelines. The urban areas of Tasmania account for a minuscule proportion of the state, so our settlement's impact on biodiversity in Tasmania would be minuscule too, so it's perfectly reasonable to put humans first in the tiny little patch that we've claimed for ourselves. And there will always be plenty of houses for those who can afford them that have gardens. Those who can't afford or don't have the time or ability to maintain a private garden can always visit the Botanical Gardens or similar attractions. Gardens are nothing but a chore to maintain for many, possibly most people, and gardens, particularly large trees, can cause trouble with building foundations, clog drains, create a bushfire and hurricane hazard and impinge on neighbour views, sunshine & solar power, and can even affect motor vehicle and pedestrian safety if at the front of the house. Requiring, or even advising that biodiversity and landscaping should be considered in every medium-high-density development would substantially and unjustifiably increase the minimum cost of housing.

The *Draft Medium Density Design Guidelines* state on page 43:

*'The City of Hobart has an ambitious target of increasing tree canopy cover across its urban areas to 40% by 2046. The benefits of urban greening and canopy cover are vast - not only for the environment but also for the economy, for physical and mental health, and for future generations.'*⁵³

The so-called 'City of Hobart' are in fact the representatives of a small portion of Greater Hobart from the privileged inner-Hobart and south-central suburbs, and I believe this policy, more than most, would be significantly misrepresentative of the interests and opinions of Greater Hobart. I think wanting to increase Hobart's tree canopy cover is a ridiculous priority when we've got a massive shortage of housing, homelessness, and poverty. And it's not even an environmentally friendly policy, because it causes urban sprawl, car dependence, and longer commutes that emit more CO₂.

The second sentence of the above quote claims "vast benefits," yet as is the case with most of the bold claims in the *Draft Medium Density Development Standards*, there are no supporting references or even any attempt to prove the claim. It's not evidence-based policy, it's pure fantasy and enthusiast dogma. It's an obsession. And it's a blind imitation of policies that were designed for cities that are very different to Hobart – metropolises, concrete jungles with serious air pollution and heat-island problems.

On a per-capita basis, Hobart has vastly more parkland and reserves than most cities do, and we're even more overburdened with parkland and reserves relative to our income. And the value of the foregone revenue (the revenue that

⁵³ *Medium Density Design Guidelines, Draft, Jul 2024*, Department of State Growth in collaboration with Councils of the Greater Hobart region, https://hdp-au-prod-app-sgtas-engage-files.s3.ap-southeast-2.amazonaws.com/3817/2067/2222/Draft_Medium_Density_Design_Guidelines_-_print_version.pdf, accessed 27 Aug 2024.

we would've had if the land had been developed) would be staggering. So no, there are no vast benefits for the economy of urban greening in Hobart, quite the opposite.

Hobart currently sits at the extreme-green end of the spectrum for the accessibility of nature. In many metropolises, people have to drive for nearly an hour at times to access the kinds of public gardens and bushwalks that are accessible from most parts of Greater Hobart within 15 minutes. And there are diminishing returns to all things, including urban greening.

The above quote from the *Draft Medium Density Design Guidelines* claims "vast benefits" to physical and mental health from urban greening. Elsewhere, (p.41) it claims 'Access and exposure to green spaces and mature trees provide endless benefits.' "Endless benefits," seriously! This is not science, it's not even a professional manner of speaking. It's propaganda.

The *Draft Medium Density Design Guidelines* state on p.37:

'Access to adequate daylight is vitally important to resident health and wellbeing. Studies have found links between levels of natural light in homes and physical and mental health of residents.'

Studies have found benefits of natural light in homes,⁵⁴ and the same with greenery, however, we also need to take account of local conditions before jumping to conclusions – local conditions such as Hobart's existing very high level of connectedness to nature, our exceptionally good air quality, our more than sufficient levels of sunlight and vitamin D, our exceptionally high proportion of existing housing stock that has a large amount of private outdoor space, and our severe and persistent shortage of affordable housing. And we need to acknowledge that research on the benefits of residential amenities rarely if ever considers that amenities don't come for free. They require financial outlay, maintenance, and a sacrifice of some of the best-located residential land. They create gentrification, poverty, dispossession, displacement, urban sprawl, increased transport emissions, and homelessness, and at a certain point, these negatives would dwarf the benefits, and I'd say that Hobart has gone way past that point already. Hobart's extreme prioritisation of the preservation of nature, built heritage, streetscapes and sunlight over housing affordability has made us one of the most unaffordable cities in the country.⁵⁵

The amenity-prioritising objectives of the *Draft Medium Density Design Guidelines* work against certain objectives of the *Southern Tasmania Regional Land Use Strategy 2010-2035*, such as policy SRD 2.11 'Increase the supply of affordable housing.'⁵⁶

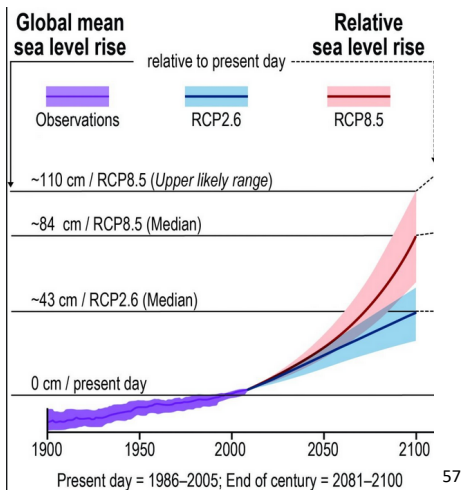
Regarding the benefits of shade from trees, most sidewalks and private open spaces in Tasmania's residential zones are so sparsely/infrequently occupied that the benefits of shade provided by trees would in most cases be dwarfed by the costs. From a housing affordability perspective, without a doubt, the best way to provide shade is to allow taller buildings and reduced offsets. There is however a significantly impactful lack of shade on many of Tasmania's beaches and bus stops and that's something local and state governments as well as Metro could address.

Regarding sea-level rise, the Intergovernmental Panel on Climate Change's 2022 upper bound estimated sea-level rise, in the case of limited global action on CO₂ emissions, was just 1.1m by 2100. This would affect a relatively small proportion of developed land in Hobart.

⁵⁴ *Lighting in the Home and Health: A Systematic Review*, National Library of Medicine, US Government, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7828303/>, accessed 14 Aug 2024.

⁵⁵ *Rental Affordability Index: research report*, SGS Economics & Planning, <https://sgsep.com.au/projects/rental-affordability-index>, accessed 11 Aug 2024.

⁵⁶ *Southern Tasmania Regional Land Use Strategy 2010-2035*, p.99, Southern Tasmanian Councils Authority, 17 May 2023, <https://www.stca.tas.gov.au/wp-content/uploads/2023/10/Southern-Tasmania-Regional-Land-Use-Strategy-2010-2035-Effective-17-May-2023.pdf>, accessed 5 Aug 2024.



Although climate change is expected to increase extreme-rainfall events, Hobart is not particularly vulnerable. The cost of the 2018 Hobart one-in-a-hundred-year flood was put at ‘over \$137 million’ by the Insurance Council of Australia,⁵⁸ while the cost of the 2022 flooding in south-east Queensland and northern New South Wales was estimated to be \$6 billion,⁵⁹ (around 39 times as much after adjusting for inflation).

Several planning and building policies, guidelines and related documents, if followed, provide quite adequate mitigation of flood risk:

- CBOS Director’s Determination: *Building in coastal inundation hazard areas*.⁶⁰
- CBOS Director’s Determination: *Building in riverine inundation hazard areas*.⁶¹
- National Construction Code 2022, vol.2, sections H1P2 *Buildings in flood areas* and H1D10 *Flood hazard areas*.⁶²
- Australian Building Codes Board Standard, *Construction of buildings in flood hazard areas*.⁶³
- *Construction of Buildings in Flood Hazard Areas, 2012.3 Handbook*, ABCB, (non-mandatory document).⁶⁴
- Section 159. *Land subject to flooding* of the *Building Act 2000* (applying as a transitional provision until all councils adopt the Tasmanian Planning Scheme).⁶⁵
- State Emergency Service Local Community Flood Guides.⁶⁶
- Tasmanian Planning Scheme/flood-prone area LISTmap layers.⁶⁷

⁵⁷ *Special Report on the Ocean and Cryosphere in a Changing Climate*, ch.4, Sea Level Rise and Implications for Low-Lying Islands, Coasts and Communities, p.328, United Nations’ Intergovernmental Panel on Climate Change, 24 Sep 2019, https://www.ipcc.ch/site/assets/uploads/sites/3/2022/03/06_SROCC_Ch04_FINAL.pdf, accessed 31 Aug 2024.

⁵⁸ *Hobart flash flooding, 2018*, Australian Institute for Disaster Resilience, <https://knowledge.aidr.org.au/resources/2018-flood-tas-hobart-flash-flooding/>, accessed 24 Aug 2024.

⁵⁹ *Insurance costs reach record high as floods, storms become more severe*, ABC News, 19 Aug 2024, <https://www.abc.net.au/news/2024-08-19/home-insurance-costs-unaffordable-floods-storms-increase/104242714>, accessed 24 Aug 2024.

⁶⁰ *Director’s Determination - Coastal Inundation Hazard Areas*, Consumer, Building and Occupational Services, Department of Justice, Tas, 27 Sep 2021, https://cbos.tas.gov.au/data/assets/pdf_file/0003/607008/Directors-Determination-Coastal-Inundation-Hazard-Areas.PDF, accessed 30 Aug 2024.

⁶¹ *Director’s Determination - Riverine Inundation Hazard Areas*, Consumer, Building and Occupational Services, Department of Justice, Tas, 8 Apr 2021, https://www.cbos.tas.gov.au/data/assets/pdf_file/0014/607010/Directors-Determination-Riverine-Inundation-Hazard-Areas-v1_1-2021.pdf, accessed 30 Aug 2024.

⁶² *National Construction Code 2022, vol.2*, Australian Building Codes Board, <https://ncc.abcb.gov.au/editions/ncc-2022/adopted/volume-two/h-class-1-and-10-buildings/part-h1-structure>, accessed 3 Sep 2024.

⁶³ *Construction of buildings in flood hazard areas, ABCB Standard 2012.3*, Australian Building Codes Board, <https://www.abcb.gov.au/sites/default/files/resources/2022/Standard-construction-of-buildings-in-flood-hazard-areas.pdf>, accessed 25 Aug 2024.

⁶⁴ *Construction of Buildings in Flood Hazard Areas, 2012.3 Handbook*, Australian Building Codes Board, <https://ncc.abcb.gov.au/sites/default/files/resources/2022/Handbook-flood-2012.pdf>, accessed 25 Aug 2024.

⁶⁵ s.159 *Land subject to flooding*, of the *Building Act 2000* (Tas), <https://www.legislation.tas.gov.au/view/html/inforce/2010-07-01/act-2000-100#GS159@EN>, accessed 30 Aug 2024.

⁶⁶ *Local Community Flood Guides*, State Emergency Service (Tas), <https://www.ses.tas.gov.au/plan-prepare/flood-plan/>, accessed 30 Aug 2024.

⁶⁷ *LISTmap Planning Scheme layers*: <https://www.planning.tas.gov.au/other-resources/Tasmanian-planning-scheme> and <https://www.planning.tas.gov.au/other-resources/Interim-planning-schemes-in-effect>. The City of Hobart’s Flood Risk Areas LISTmap layer (<https://maps.thelist.tas.gov.au/listmap/app/list/map?bookmarkId=878873>) seems to be broken at the moment, however it’s still available on ArcGIS: *City of Hobart: Potential Inundation Hazard Areas – Modelled 2100 1% AEP Flood Areas*, <https://www.arcgis.com/apps/View/index.html?appid=3951383333b4476f9bc788d6d1ce0ba1&extent=-147.1309,-42.9425,147.4605,-42.8247>, and *C12 0 Flood Prone Hazard Areas Code*, City of Hobart Open Data, <https://data-1-hobartcc.opendata.arcgis.com/datasets/04752f5072264b4d9c4af62a69feb056/explore?location=-42.891780%2C147.342783%2C12.00>, accessed 31 Aug 2024.

The Tasmanian Planning Scheme flood-prone areas overlay is extremely conservative. It shows the estimated bounds of a 1% AEP flood based on the climate and sea level we're expected to have in 2100, but no flood hazard level is specified and I can only presume based on the vast areas unaffected by the 2018 1-in-a-100-year flood that are classified as "flood-prone", that the threshold for surface-water depth and velocity was set extremely low. Ideally, flood modelling should classify flood hazards ranging from H1 to H6 as per the advice from the Australian Disaster Resilience Knowledge Hub,⁶⁸ similarly with the bushfire hazard zone – we really ought to have one planning scheme overlay for each BAL rating from 12.5 to FZ. Having non-delineated planning scheme overlays / LISTmap layers for Flood-prone areas and Bushfire-prone areas unnecessarily increases the costs of building in low-hazard areas, while also not providing adequate levels of warning for those who are in higher-risk areas. It could also have a 'boy who cried wolf' effect. It also seems unlikely to me that it would be more economical to have such detailed hazard information privatised and collected on an ad-hoc basis than it would be to maintain a detailed hazard map with BAL and flood hazard levels that are publicly available. There's an opportunity to do this, as well as to produce wind classification maps as part of the \$4,499,531 Natural Hazards Atlas project, which could save developers having to have an assessment done by a geotechnical engineer, hydrologist, or bushfire hazard practitioner.⁶⁹

The City of Hobart's Municipal Emergency Management Coordinator advised the Senate Select Committee on Australia's Disaster Resilience:

*'... our city's critical stormwater infrastructure, some of which dates back to colonial times, needs investment to build our flood resistance.'*⁷⁰

However, it will undoubtedly take us significantly longer to find the money to pay for flood prevention infrastructure investment if we continue to blow millions on beautification and local native species repopulation projects as the City of Hobart plans to. For example, they've budgeted \$2.15 million⁷¹ to rewild the New Town canal downstream of the highway in partnership with the Glenorchy City Council.⁷² The area experiences significant upstream flooding which will likely get worse with global warming. The rewilding Project Manager said that the culverts under the highway create a hydraulic constraint which causes flooding upstream and adjacent to the site.⁷³ In the 2018 1% AEP flood event, the Brooker Hwy was impassable in the vicinity of the New Town canal, yet even after this issue was revealed, remedying the flooding problem continued to remain out of scope for the rewilding project.

The number 1 problem is the flooding. The condition of the embankment poses far less risk, given the substantial distance between the canal and the nearest house, the relatively slow flow, the very slow rate at which the concrete batters have been deteriorating (they were constructed in the 1960s), and the relative ease with which it could be patched up if a section of the concrete batter did wash away in a storm, but of course, it would be cheaper to patch it up now than after a section washes away. The lack of amenities or biodiversity also isn't nearly as big a problem as vehicles not being able to use the highway in a major flood. I used to live less than 200m from the canal, hardly anyone walks past it, and even fewer would give it a second thought.

⁶⁸ *Delineating hazardous flood conditions to people and property*, Australian Disaster Resilience Knowledge Hub, <https://knowledge.aidr.org.au/media/5662/delineating-hazardous-flood-conditions-smith-mcluckie.pdf>, accessed 30 Aug 2024.

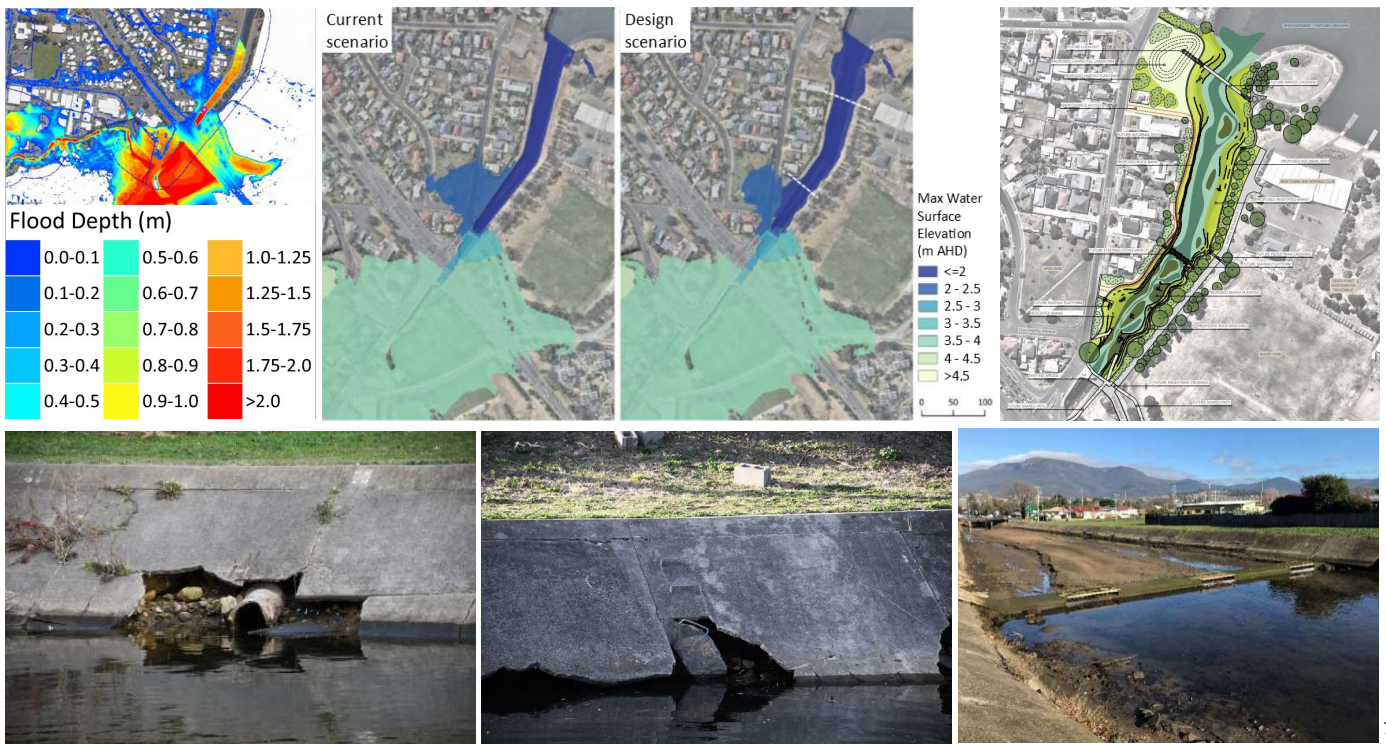
⁶⁹ *Natural Hazards Atlas kicks off with call for community participation*, University of Tasmania, <https://www.utas.edu.au/about/news-and-stories/articles/2024/natural-hazards-atlas-kicks-off-with-call-for-community-participation>, accessed 1 Sep 2024.

⁷⁰ *Senate Select Committee on Australia's Disaster Resilience*, p.26, Aug 2024, https://parlinfo.aph.gov.au/parlInfo/download/committees/reportsen/RB000053/toc_pdf/BootsonthegroundRaisingresilience.pdf, accessed 3 Sep 2024.

⁷¹ *City of Hobart to deliver a strategic and community-focused budget*, City of Hobart, 25 Jun 2024 <https://www.hobartcity.com.au/Council/News-publications-and-announcements/Media-centre/City-of-Hobart-to-deliver-a-strategic-and-community-focused-2024-25-budget>, accessed 4 Sep 2024.

⁷² *New Town Rivulet - Estuary Restoration Project*, City of Hobart, <https://yoursay.hobartcity.com.au/new-town-rivulet>, accessed 24 Aug 2024.

⁷³ *New Town Rivulet project*, Tasmania: Nigel Vivian, Sugden & Gee, Water Sensitive SA, 29 Aug 2023, https://www.youtube.com/watch?v=C2Cj_BgQUBE&t=119s, accessed 3 Sep 2024.



74

The rewilding Project Manager claimed that the ‘primary driver’ of the project is the deterioration of the concrete batters and weir abutments. They even used the term ‘end of their life,’ but the above photos are the only evidence that was offered in support of that claim. Two of the photos show minor damage (probably less than one square metre of damaged concrete) where the concrete batters were weakened by the installation of a pipe and a ladder. It certainly doesn’t look like a \$2.15 million repair bill. It’s possible to get a ready-mix spray-on concrete (shotcrete) like SikaGunitite, which is recommended for repair of concrete canals,⁷⁵ or you if you have a large volume of repair work, you could make something similar from its constituent ingredients for an insignificant amount of money. It may also be necessary to pin the repaired section into the bank with ridged galvanised rebar, and/or to dig a footing. Consult an engineer for the details.

The condition of the weir abutments is a side issue (i.e., it shouldn’t affect the decision on whether to demolish and/or rebuild the concrete batters). The plan is to fix the abutments and keep the weir regardless. The silt build-up behind the weir just proves that it’s doing its job, however to continue doing its job, it needs to be dredged/bulldozed/excavated periodically to prevent the silt from spilling over the top and entering the Derwent. Allowing an island of silt to build-up, whether it’s planted with vegetation or not, is essentially the same as having no weir from the perspective of silt transportation. The only difference is that it would have a higher flow capacity without a weir or a silt-island. The other issue is that the built-up silt that they plan to plant vegetation in is contaminated soil, so that certainly diminishes the merits of transforming it into a habitat for aquatic and riparian-dwelling animals. Another option is to simply get rid of or lower the height of the weir and allow the built-up silt to naturally erode. It would certainly be the cheapest option. The NSW government has a policy of generally removing weirs or reducing the crest-level, except in some very specific circumstances that don’t apply to the New Town canal.⁷⁶

Curvy vegetated channels are not as hydraulically efficient as straightened concrete-lined channels due to their increased length and roughness,⁷⁷ which is fine if you’ve got the room to just make it wider, but space is a little constrained – there’s housing on one side, and swift-parrot habitat on the other, and they’re already going to take up virtually all of the available space just to ensure that they don’t make flooding any worse, so if we ever want to fix the flooding, then we may have to line it with concrete again!

If it turns out the whole concrete batter does indeed need to be replaced, and it’s not just spin, (as it appears to be), then I suggest concurrently fixing the hydraulic constraint under the Brooker Hwy, while widening the canal by a few metres,

⁷⁴ New Town Rivulet Estuary Restoration Project update August 2023, Nigel Vivian (Project Manager), Water Sensitive SA, <https://www.watersensitivesa.com/wp-content/uploads/Nigel-Vivian-New-Town-Rivulet-Estuary-Restoration-.pdf>, accessed 4 Sep 2024.

⁷⁵ SikaGunitite GP, One component Gunitite dry spray applied repair mortar, Sika Australia, <https://aus.sika.com/en/construction/concrete-repair-protection/concrete-repair-mortars/cementitious-repairmortars/sikagunitite-gp.html>, accessed 4 Sep 2024.

⁷⁶ NSW Weirs Policy, https://www.dpi.nsw.gov.au/_data/assets/pdf_file/0006/633507/nsw_weir_policy.pdf, accessed 6 Sep 2024.

⁷⁷ Flood Risk Management Measures, p.60, Department of Planning and Environment, NSW Government, Feb 2022, <https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Water/Floodplains/flood-risk-management-measures-220056.pdf>, accessed 4 Sep 2024.

particularly at the highway end where its narrowest, and also smooth-out the kink in the middle of the canal, so that it can handle more intense flooding and so it can tolerate more silt build-up before it needs to be dredged.

Things like green roofs, permeable pavement, gardens, rainwater harvesting, and underground stormwater retention tanks can reduce flooding, however, in a really large downpour, most water retention systems will be filled within five minutes, and although a five-minute delay in the discharge of water from properties in the upper portion of catchment areas could be quite beneficial, in lower areas, which is where most medium density development will be, the onsite water storage systems could easily fill just as the water from further up the catchment is arriving, rendering them virtually useless. These types of systems can also improve water quality, however, there's no strong case for recommending evermore 'water-sensitive urban design' in Hobart. The 1997 *State of the Derwent Estuary* report noted: 'The Derwent River catchment is very large and sparsely populated. Water quality from the catchment is generally good.'⁷⁸ From 1997 to 2008, there were 'significant reductions in pollutant loads,'⁷⁹ and it hasn't changed much since then.⁸⁰ The most harmful sources of contaminants for Hobart's beach users today would still be the paper mill, the zinc refinery, and the sewage treatment plant discharge. The *State of the Derwent Report Card 2022* lists stormwater as a relatively minor contributor to pollution on all criteria except for sedimentary suspended solids, and even on that criterion, it only accounts for about a third, and stormwater pollution isn't broken-down into residential and other sources,⁸¹ but it's safe to presume residential runoff accounts for only a fraction of total stormwater pollution. Probably the most harmful form of residential runoff from the perspective of people who swim at Hobart's beaches, would be from people who allow their dogs & cats to defecate outside and from gardeners who use weed spray, manure, or fertilizer, so I can't imagine more gardens would help. We would undoubtedly get far more bang for our buck by improving the quality of water treatment or pumping the effluent further out to sea and infrastructure solutions to flooding than we would from creating expectations of evermore so-called water-sensitive residential design.

The Flood Mitigation section of the Hobart Rivulet Strategic Plan is literally less than three lines out of a 153 page document, and the document doesn't propose any infrastructure solutions. On page 11 they advise that Council has 'a view to retarding the volume of water entering the system from upstream through the use of water sensitive urban design principles applied to public and private developments.'



2.3.5 Flood Mitigation

The Hobart Rivulet allows for an outlet for stormwater and conveyance of flood waters. Council has in place flood gauges and a flood warning system as well as an Emergency Action Plan when a flood occurs.

2.4 SIGNIFICANCE OF THE HOBART RIVULET PARK

82

The City of Hobart managed to get \$550,000 from the *Australian Government Disaster Ready Fund*,⁸³ and has budgeted to spend an additional \$550,000 of its own money to remove willow trees from their rivulets, however, whether the true motivation was to reduce flooding rather than merely to remove an invasive species for cultural and indigenous species protection reasons, is dubious, and it remains to be seen whether it will make any difference. Numerous other councils applied for grants for infrastructure solutions to flooding.

Bushfires are expected to get a little worse due to climate change, but the City of Hobart's intention to expand urban forests and green canopy and resistance to land-clearing is only going to increase the damage done by bushfires and increase the cost of mitigating the bushfire threat. We should be much more permissive of land-clearing to lower bushfire threat / BAL levels, to make housing more affordable and durable/sustainable, and to allow the construction of more dwellings close to

⁷⁸ *State of the Derwent Estuary, Supervising Scientist Report*, Christine Coughanowr, National Heritage Trust / Tas Government collaboration, <https://www.dccew.gov.au/sites/default/files/documents/ssr129-contents.pdf>, accessed 25 Aug 2024.

⁷⁹ *State of the Derwent Estuary 2009*, Derwent Estuary Program, DPIPWE, Tas, https://www.derwentestuary.org.au/assets/State_of_the_Derwent_Estuary_2009.pdf, accessed 30 Aug 2024.

⁸⁰ *State of the Derwent*, Derwent Estuary Program, DPIPWE, Tas, <https://www.derwentestuary.org.au/state-of-the-derwent/?target=state-of-the-derwent>, accessed 30 Aug 2024.

⁸¹ *State of the Derwent Report Card 2022*, Derwent Estuary Program, DPIPWE, Tas, <https://reportcard.derwentestuary.org.au/2022/#section-pollution-1>, accessed 31 Aug 2024.

⁸² *Hobart Rivulet Park Strategic Master Plan*, Inspiring Place Pty Ltd, adopted by City of Hobart, 11 Aug 2011, <https://www.hobartcity.com.au/files/assets/public/v1/strategies-and-plans/hob-riv-park-strat-mast-plan.pdf>, accessed 6 Sep 2024.

⁸³ *Australian Government Disaster Ready Fund*, National Emergency Management Agency, <https://nema.gov.au/disaster-ready-fund>, accessed 1 Sep 2024.

the Hobart CBD, including allowing land clearing in Threatened Native Vegetation Communities, Priority Vegetation and Biodiversity Protection Areas, and removal of lesser so-called “significant trees.” I expect that investment in better firefighting equipment, including larger firefighting aircraft and automated fire monitoring systems could more than offset the risk to endangered species posed by land clearing while unlocking hundreds of millions of dollars of development and delivering more well-located and affordable dwellings.

Climate change also brings with it uncertainty regarding future maximum wind speeds, and the following line from a report by the United Nations’ Intergovernmental Panel on Climate Change is concerning:

‘by the end of the century... the number of ETCs [Extra-Tropical Cyclones] associated with extreme winds... will significantly increase [+20-50%] ... in the Southern Hemisphere (Section 11.7.2.4; Chang, 2017).’⁸⁴

We should bear in mind the risk of climate change increasing the severity of extreme winds and the potential for fallen trees to cause expense to individuals, businesses, and governments by damaging buildings and vehicles, severing power, communications, gas, sewer, and water lines, blocking roads, and potentially causing injuries or fatalities, before blindly and enthusiastically pursuing policies of preservation of existing trees and tree-planting in urban environments. And we should certainly strike-down this push to make deep-soil areas for large trees an expectation in medium-density development.



Above: Trees blown over in Tasmania on 1 Sep 2024.⁸⁵

There’s also a case for periodically making small adjustments to the Australian standards *AS 4055-2021 Wind loads for housing*, and *AS/NZS 1170.2:2011 Structural design actions Wind actions*, to ensure that buildings remain structurally adequate for future climates, and it would be reasonable for the state government raise this with Standards Australia.

⁸⁴ *IPCC Sixth Assessment Report*, section 11.7.4 Weather and Climate Extreme Events in a Changing Climate/Extreme Storms/Extreme Winds, p.1598, United Nations’ Intergovernmental Panel on Climate Change, 20 Mar 2023, https://www.ipcc.ch/report/ar6/wg1/downloads/report/IPCC_AR6_WGI_Chapter11.pdf, accessed 3 Sep 2024.

⁸⁵ *Tasmanian wild weather eases but thousands still without power and flooded rivers inundate properties*, ABC News, 3 Sep 2024, <https://www.abc.net.au/news/2024-09-02/tas-severe-weather-flooding-impact-across-state/104298890>, accessed 3 Sep 2024.

Part C: My comments on the Draft Tasmanian Planning Policies (TPPs).

Primary Resource:

- *Draft Tasmanian Planning Policies Mar 2023.*⁸⁶

This section also pertains to the Draft Medium Density Design Guidelines because they both fall for ineffective adaptations to climate change, not suited to our cold climate, that will only worsen housing affordability and create urban sprawl.

The *Draft TPPs* are a bit of a mixed bag for the cost of living and are somewhat internally inconsistent. Some sections are good, for example:

Section 1.1.3 Settlement/Growth/Strategies:

'2. Plan for growth that will:

a) prioritise and encourage infill development, consolidation, redevelopment, re-use and intensification of under-utilised land... and

b) prioritise the development of land that maximises the use of available capacity...

*5. Actively address impediments to infill development, particularly in the major urban centres.'*⁸⁷

Section 1.2 Liveability/Strategies:

'1. Promote the location of residential use and development in areas that are close to, or are well connected to, activity centres or secure and reliable employment sources.

*2... a)... and access to, safe and efficient public transport.'*⁸⁸

Section 1.5.2 Housing/Objective:

'To provide for a sufficient supply of diverse housing stock, including social and affordable housing, that is well-located and well-serviced to meet the existing and future needs of the Tasmanians.'

And section 1.5.3 Housing/Strategies:

'4. Plan and provide for a diverse range of quality housing types that meet the needs of the community...

*5. Encourage higher density housing in suitable locations...'.*⁸⁹

However, some sections of the *Draft TPPs* would unjustifiably adversely affect housing affordability and waste residential land, pushing people into more remote locations where transport costs are higher, for example:

Section 1.2.3 Settlement/Liveability/Strategies point 7:

*'Support measures to mitigate the impacts of climate change on urban environments by encouraging urban forests, community gardens, street plantings, garden roof tops (green roof), water sensitive urban design and integration of shade and water features into public spaces.'*⁹⁰

And section 1.6.3 Design/Strategies, point 3:

'Support sustainable design practices that are energy and resource efficient, address temperature extremes and reduce carbon emissions, including:

*a) reduce the urban heat island effect by promoting the greening of streets...'.*⁹¹

⁸⁶ *Draft Tasmanian Planning Policies*, Mar 2023, https://www.stateplanning.tas.gov.au/data/assets/pdf_file/0022/342067/Draft-Tasmanian-Planning-Policies-March-2023.pdf, accessed 6 Sep 2024.

⁸⁷ *Ibid.*, p.10.

⁸⁸ *Ibid.*, p.12.

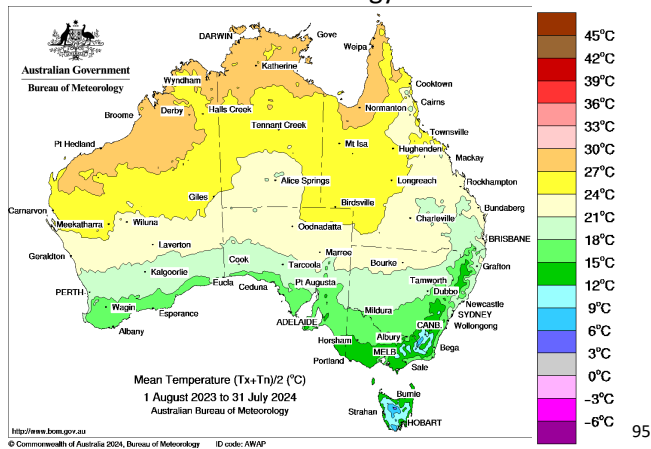
⁸⁹ *Ibid.*, p.16.

⁹⁰ *Ibid.*, p.13.

⁹¹ *Ibid.*, p.17.

Greenery provides cooling, and while that may be great for warm to hot climate cities like Brisbane or Barcelona, in Hobart, based on casual observations from having lived here for 47 years, there are typically only around 24 hours per year when it's significantly hotter than optimal. Most of the time, it's uncomfortably cold without heating. Globally, the rate of warming since 1982 has only been 0.2 degrees per decade.⁹² And even an additional four degrees of warming over the next century or two would still leave us significantly colder than Sydney is now.⁹³ In terms of amenity and pleasantness of the climate, we have nothing to fear from global warming. Most of us would be happier, healthier, more productive and go outside more in a warmer climate. A 2015 study published in the UK medical journal *The Lancet*, using daily mortality and temperature data from 384 locations across approximately 20 years attributed 7.29% of deaths to cold weather and 0.42% to heat. The data collected from three Australian cities (Brisbane, Melbourne, and Sydney) showed that the mortality minimising temperature (location-specific average over 24 hours) was 18.1 degrees,⁹⁴ (some 4.6 degrees hotter than Hobart has averaged over the last 20 years). It's frankly mind-boggling that the authors of the Draft TPPs, the City of Hobart's urban planners, and the authors of the *Draft Medium Density Design Guidelines* are all pushing policies copied from cities in warm climates. It's not evidence-based policy, it's bandwagonism. If anything, our present and likely future cold-to-cool climate is a reason to deliberately create heat islands via higher-density development, rather than trying to cool the city with greenery.

The stark difference between Hobart's climate and that of mainland cities is also pretty clearly shown in the below graphic from the Bureau of Meteorology:



And while there will be an increasing need for cooling of dwellings, even in Hobart as global warming worsens, the only truly effective way to deal with it is to mandate reverse-cycle air-conditioning or hydronic heating & cooling on new builds and rental properties, and to at some point, start funding government acquisition of and renovation or redevelopment of sub-standard rental properties, however, for the time being, the money would be better spent on policies to increase the stock of minimum-cost well-located housing as fast as possible.

Global warming is a serious problem, but most of the main effects of global warming on Hobart will not be things that state and local governments can mitigate. Planning schemes and development guidelines can't fix things like global resource shortages, higher insurance costs, more refugees, and other globally caused government budget and cost-of-living pressures. The fact that climate change will likely bring with it higher costs of living, and a greater need to provide housing for refugees only makes it all the more important that our planning policies, planning scheme and design guidelines serve to maximise the supply of well-located affordable housing, rather than being hijacked by people who don't care one iota if their priorities restrict supply, significantly raise the minimum cost of housing, and cause urban sprawl.

⁹² *Climate Change: Global Temperature*, US Government, National Oceanic and Atmospheric Administration, 18 Jan 2024, <https://www.climate.gov/news-features/understanding-climate/climate-change-global-temperature>, accessed 30 Aug 2024.

⁹³ The average temperature in Hobart over the past 20-years (taken as minum + maximum / 2) was 13.5 degrees. The equivalent figure for Sydney was 19.1 degrees. Source: Bureau of Meteorology. Hobart min.: http://www.bom.gov.au/jsp/ncc/cdio/weatherData/av?p_nccObsCode=38&p_display_type=dataFile&p_startYear=&p_c=&p_stn_num=094029; Hobart max.: http://www.bom.gov.au/jsp/ncc/cdio/weatherData/av?p_nccObsCode=36&p_display_type=dataFile&p_startYear=&p_c=&p_stn_num=094029; Sydney min.: http://www.bom.gov.au/jsp/ncc/cdio/weatherData/av?p_nccObsCode=38&p_display_type=dataFile&p_startYear=&p_c=&p_stn_num=066037; Sydney max.: http://www.bom.gov.au/jsp/ncc/cdio/weatherData/av?p_nccObsCode=36&p_display_type=dataFile&p_startYear=&p_c=&p_stn_num=066037, accessed 30 Aug 2024.

⁹⁴ *Mortality risk attributable to high and low ambient temperature: a multicountry observational study*, *The Lancet*, 25 Jul 2015, [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(14\)62114-0/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(14)62114-0/fulltext), accessed 30 Aug 2024.

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Response to the 'Improving Residential Standards in Tasmania' Draft Report (the Draft Recommendations Report)

Thank you for the invitation to provide feedback on the Draft Recommendations Report (the report). The Department of State Growth (the department) welcomes this work, and the role it will play in facilitating improved planning requirements for a variety of housing options, which balance the need to increase housing supply in a way that also encourages liveability and affordability for Tasmanian communities.

Feedback on the report is provided at **Attachment 1**. State Growth notes that this report is part of ongoing reform of the State Planning Provisions and would welcome any further opportunities to review content or be involved in ongoing discussions.

The department is particularly interested in being involved in further work around implementation; acknowledging that the planning system will need to align housing delivery with infrastructure capacity, population trends and community needs.

Thank you again for the opportunity to provide comment on this proposal.

If you have any questions regarding the feedback, please contact the department's Policy and Coordination team via coordination@stategrowth.tas.gov.au.

Yours sincerely,

Andrew Smythe
General Manager – Strategy, Policy and Coordination

9 September 2024

Attachment 1 – State Growth feedback on the Draft Recommendations Report

Section 3 – Definitions and terms	
General comment	A definition of what constitutes a ‘high frequency transit corridor’ is required. State Growth would welcome the opportunity to work with the State Planning Office to develop an agreed position on this definition.
3.2.1.6 Plot ratio	The proposed use of a plot ratio instead of site area density is supported, however further clarification is required on how a plot ratio standard will ensure a site is not underdeveloped (for example, with a minimum number of dwellings per lot).
3.2.1.7 Townhouse	A clearer definition of ‘townhouse’ is required, particularly the use of ‘adjoining’ (i.e. sharing a wall).
3.2.1.9 Residential use class	The proposed additional definitions within the Residential use class are supported.
Section 4 – A mature suite of residential standards	
4.1 Identifying the opportunity – Prescriptive versus performance-based approaches	<p>The discussion identifies issues in applying a prescriptive approach to planning schemes. It is important to mitigate the risk of developers aiming to meet the minimum rather than best practice. i.e. minimum standards have the risk of setting the bar only at what is not desired, rather than rewarding developments that seek high quality, or more holistic outcomes (e.g. urban renewal/place making/liveability/higher density).</p> <p>For example, there will be a need to ensure the right balance between ‘Permitted use’ classification for multiple dwellings under the State Planning Provisions (SPPs) and the desire for good design/planning outcomes.</p>
4.1.2 Opportunity for subdivision standards	<p>The following additions (in red text) are proposed for consideration:</p> <p>"Further rigor and breadth are required across the residential subdivision standards to ensure the quality of a proposed subdivision can be properly assessed as part of the planning process. Better subdivision design can improve public transport access and efficiency through better road connectivity and road design. There is an opportunity to improve subdivision structure, active and public transport travel opportunities, provisions of public open space, and lot size diversity to enable the delivery of alternative dwelling typologies."</p>
4.2.3.2 Height	The current building envelope acceptable solution provides control of bulk and apparent scale as a function of both setback and height. Under the proposed standards, height and setback are separated, with a simpler method for identifying setback based on number of storeys. It is noted that ‘storey’ is not an accurate measure of

	scale, and the proposed standards allow for a higher wall height closer to the boundary than the existing standards. While this is appropriate in the Inner Residential Zone, where medium density housing is to be encouraged with typologies such as townhouses with adjoining walls and apartment buildings, further consideration is required to determine whether the change would be appropriate in the General Residential Zone. Additionally, clarification on the scale of buildings that would be permitted within an existing suburban area within the General Residential Zone would be welcomed (noting that solar access provisions may work to reduce bulk).
4.2.3.3 Setback	Further clarification is needed as to why the side and rear setback has been increased in the proposed provisions, noting that only allowing townhouses for the zero-metre setback appears to limit semi-detached residences.
4.2.4.1 Lot design – high frequency transit corridors	The report references ‘high frequency transit corridors’ and proposes that this be defined through the Tasmanian Urban Passenger Transport Framework. However, this Framework does not list the high frequency corridors across Tasmania. Further work is needed to continue mapping and identifying corridors, and consideration should also be given to how this applies to smaller towns that typically do not have high frequency corridors (for example, in the North West). In light of this, it is proposed that this reference be amended to “high frequency corridors, as determined by the Department of State Growth”.
4.2.4.1 Lot design – lot size diversity	The report stipulates a minimum lot sizes for larger lots of 1000 m2 in the inner and general residential zone. While it is agreed that there is a need for diversity in lot sizes, it should be specified that these larger lot sizes are not appropriate for single dwellings. It is queried whether a minimum larger lot size should be referenced at all, as this may actively work against higher density objectives. Furthermore, additional advice is needed to understand how the SPPs would provide for these larger lots to be re-subdivided.
4.2.4.2 Movement network – subdivision structure	The objective to improve active transport networks is supported. In expanding these networks, the focus should be on supporting safe, high-quality paths that connect key destinations, including key areas of public open space, transit corridors and business zones.
4.2.4.2 Movement network – Sustainable transport	It is suggested that the sustainable transport section also include references to how a subdivision should be designed to better support public transport use. For example, the design of subdivisions and roads must be based on the logical extension of the existing public transport network, having a suitable width of road, and having logical places for buses to turn around and exit the site.
4.2.4.2 Movement network – Potential movement network	<u>Active travel</u>

parameters (permitted pathway) 'Applicable to all urban residential zones' table (pages 45-46)	<p>Further consideration should be given to the 400-metre walking distance requirement for 'active travel', noting this is not a long enough distance via bike and other faster mobility methods to encourage use of these modes. Shared pathways must be a minimum of 2.5 metres to align with the Tasmanian Cycling Infrastructure Design Guide. In many cases, it would be onerous to require shared paths on both sides of a street.</p> <p>The following changes to the active travel requirement (in red text, for table at page 46) are proposed for consideration:</p> <p>"1.5 metres minimum footpaths on both sides of all streets. 2.5-metre-wide shared pedestrian and cycling paths on at least one side of the street when within 1 kilometre of public open space, high frequency transit corridors, and business zones. Safe crossing points for busy roads."</p> <p><u>Public transport</u></p> <p>The report outlines that for a permitted pathway for the public transport criteria, a subdivision should have 90 per cent of lots within 800 metres walking distance of an existing or potential public transport route. The potential public transport network is defined as roads designated in the road hierarchy which is a direct through site link that is physically capable of accommodating a bus route. Parameters will need to be developed in the subdivision guidelines on how this is assessed. It is also noted that this criterion focuses on a public transport network which is heavily coverage focused. This is not in alignment with State Growth's bus network planning principals that are focused on simple and direct networks with good frequency. The development of new subdivision guidelines requires further consultation with State Growth's Passenger Transport team.</p>
4.2.4.3 Urban greening – Public open space	It is noted that the Local Government (Building and Miscellaneous Provisions) Act 1993 (the LGMP Act) makes provisions for public open space. Under section 116(1) of the LGMP Act., if the council requires public open space from a subdivision that exceeds one-twentieth (5 per cent) of the value of the whole area of the subdivision, the council must purchase the excess. State Growth is interested in how a requirement for 10 per cent of the subdivision as public open space would work in relation to these sections of the LGMP Act.
4.2.4.3 Urban greening – Potential urban greening parameters	The urban greening principles are supported, with the caveat that careful planning is required to ensure street trees do not impact public and active transport provision.
Section 5 – Homes in business zones	
5.2.1.3 Privacy	Acknowledging the primary purpose of Business Zones, further clarification is required around the acoustic privacy standard and how it can be written to assume a certain level of noise, even if it does not currently occur in the area the dwelling is proposed. For example, if an apartment is constructed with an empty ground floor tenancy, is there a risk that the apartment could later impede that tenancy's potential uses.

Section 6 – The right housing in the right location	
General comment	It is suggested that this section should also include reference to having continuous and a logical sequence of development patterns. This is particularly important from an infrastructure and service provision perspective. For example, places that have a continuous density and attractors along a corridor will typically have a more effective public transport perspective and generate more patronage.
6.2.1 Option 1 – Improvements through existing zones	If it is determined that Option 1 is preferred, State Growth would seek further clarification around the automatic transition to the Inner Residential Zone for land within the appropriate distance of activity centres/transit corridors.
6.2.2 Option 2 – Improvements through new zones, and revised spatial application of zones	<p>The proposed approach at Option 2 to automatically transition appropriate areas is supported, such as land within 400 metres of a high frequency transit corridor and activity centres to a zone that allows for higher density. However, the standards, particularly height standards, will require further nuance to reflect the different intensity of development that can occur across a metropolitan area.</p> <p>If Option 2 is progressed as the preferred option, State Growth will need to be involved in ongoing discussions around how it is developed and translated. While it is acknowledged that the inner residential zone is not currently well applied, it does give a clearer identification to developers where density is encouraged, particularly along transit corridors. The plot ratio may need to be refined from 400 metres to 800 metres for transit corridors/high frequency corridors and activity centres. Further clarification is also needed regarding how the neighbourhood residential zone is applied to small settlements, which would still require a mixture and diversity of housing types.</p>
Section 7 – Other improvements	
7.2.1.4 Expanded application requirements for subdivision	For large residential subdivisions, the street design section should include requirements around how the land could be serviced by public transport in the future, including how it links into the existing public transport network. This goes beyond the site-specific approach, which developers and planners should be considering.



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Dear State Planning Office,

RE: Improving Residential Standards Project

Brighton Council Officers appreciate the opportunity to participate in the State Planning Provisions Review, particularly the Improving Residential Standards Project ('the Project').

We commend ERA for their outstanding work on the Draft Recommendations Report ('the Report'). The Report effectively sets the foundation for improved residential standards that align with Tasmania's housing needs, contributing to the development of more liveable, connected, and sustainable communities.

We fully endorse the recommended improvements to the residential standards outlined in the Report, including the subdivision standards. We particularly support the inclusion of the plot ratio. However, we have a few comments and questions, which are detailed in the following section.

A rigorous approach to planning policy reform is essential to achieving better outcomes, rather than opting for the path of least resistance. If Option 1 is pursued initially in a staged approach, the likelihood of Option 2 being implemented in the near future appears remote due to potential reform fatigue within the industry and resistance from some industry groups.

Opting for the 'easy' approach in reforming Tasmania's residential development standards has, in recent times, led to the diluted standards currently embedded within the State Planning Provisions (SPP's). These standards have contributed to suboptimal planning outcomes in Tasmania's urban areas, resulting in the uniform housing stock mentioned in the Report.

Specifically, the current standards have frequently allowed for poorly designed multiple dwelling developments in the Brighton municipality, often submitted by or on behalf of the Director of Housing. In many cases, Council receives development applications for multiple dwellings that comply with all relevant acceptable solutions within the residential

development standards, making them 'as of right.' Unfortunately, these designs often fail to adequately consider site conditions and neighbourhood context etc.

As a result, Council has no discretion to refuse or amend such proposals, and the community has no right to object or appeal.

Similarly, as the Report notes, at the subdivision stage, the current standards have led to unsustainable housing developments, characterized by poor connectivity to existing public and active transport and social infrastructure, as well as unsustainable lot orientation and diversity.

The Report provides a clear pathway to address these issues and bring the standards into conformity with the Tasmanian Planning Policies and the overall objectives of the Resource Management and Resource Planning System of Tasmania, as well as the draft Tasmanian Planning Policies.

We strongly urge the Government to adopt Option 2 from the Report to implement these necessary improvements to the State Planning Provisions. Taking the easy route to planning reform has not yielded the desired outcomes in the past, and we fear that history will repeat itself if Option 1 is pursued.

What follows are some specific comments from Council Officers on the Report.

1. Landscaping/Common Areas Design

The medium-density guidelines suggest engaging a suitably qualified person to prepare landscaping plans for medium-density developments. We recommend that the definition of a "landscaping plan" be clarified within the scheme, possibly for each dwelling typology. Additionally, a threshold should be established to determine when a suitably qualified person must be engaged to prepare a plan for multiple dwelling developments.

Council frequently receives poorly designed landscaping plans that offer minimal ecological or amenity benefits. Clearer guidance would help ensure landscaping plans contribute positively to urban environments.

2. Development by Director of Housing/Community Housing Provider

We recommend the Government adopt a policy ensuring that any social housing development by the Director of Housing or a community housing provider is located within a specified distance (e.g., 400-800 metres) from a higher-order activity centre or transit corridor.

Research consistently shows that access to essential services is crucial for the economic, social, and health outcomes of individuals in social housing, helping them integrate into the broader community and fostering social inclusion. Further, ensuring that social housing is located near transit corridors is vital for enhancing mobility and access to employment, education, and other opportunities. This can help to reduce transport disadvantage.

This approach aligns with best practices from planning frameworks such as Victoria's Plan Melbourne and NSW's Metropolis of Three Cities, which emphasise the importance of connected, inclusive housing near transport and service hubs.

By embedding this standard in planning policy, the government could ensure future social housing developments are well-located, avoiding the common issue of isolated social housing and promoting better social, economic, and environmental outcomes for residents and the broader community.

3. Development Contributions

We reiterate our support for pursuing a comprehensive development contributions framework. The scope of this work should include the restructuring of lower-density areas into urban densities, particularly for infill developments. This would promote better alignment with infrastructure and services.

4. Proximity to Activity Centre/Transit Corridor Bonuses for Social Housing

We believe the allowance for increased density or plot ratio for social housing developments within 400 metres of an activity centre or transit corridor may need further refinement.

Specifically, it should differentiate the type of activity centre within the hierarchy (e.g., higher-order activity centres where government services are accessible) and/or high-frequency bus routes to these centres. For example, a service station in Gagebrook, zoned as a local business, could technically be classified as an 'activity centre', though it may not provide the services or connectivity typically associated with higher-order centres.

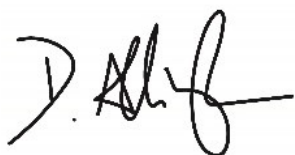
5. High-Frequency Transit Corridor

Council Officers would like to participate as key stakeholders in any future work to define this term. As the Government is aware, Brighton Council has suburbs with disproportionately high levels of social housing and poor access to public transport, which has contributed to 'transport poverty.' Addressing this issue is critical to ensuring equitable access to transport infrastructure for all residents.

Once again, Council Officers would like to reaffirm our support for the recommended improvements to the residential standards in the report. We strongly encourage the Government to adopt Option 2 for implementing these improvements into the scheme.

If you have any queries regarding this submission, please contact the Council on (03) 6268 7041, between 8:15 a.m. and 4:45 p.m. Monday to Friday or by email at development@brighton.tas.gov.au.

Yours faithfully,



David Allingham
Director Development Services

Improving residential standards in Tasmania: Draft report

Homes Tasmania submission

Purpose

- This document outlines Homes Tasmania's feedback on the Improving residential standards in Tasmania draft report.

Overview

- Homes Tasmania would like to commend ERA Planning and Environment and the State Planning Office for the provision of a detailed analysis of the residential standards.
- Our submission includes insights from Homes Tasmania's dual role as a developer of social and affordable housing, and stewards of the broader housing sector under the state's first 20-year Tasmanian Housing Strategy (the Strategy). As a high-level summary:
 - Our comments on the impacts of the proposed amendments to developments of different scales in this submission are speculative. It is difficult to know exactly how the proposed new provisions will interact and affect Homes Tasmania's, or other social and affordable housing developments, until they are tested against specific proposals. Homes Tasmania would welcome continued engagement throughout the development of SPP amendments.
 - From the perspective of Strategy, the majority of the proposed changes are positive as they allow for greater flexibility in design, include a definition of worker accommodation and address barriers to development including offering bonus density for social housing and reductions to car parking number requirements.
- The following submission is structured to align with that of the online survey followed by feedback on sections that weren't included in the survey and recommended additional areas of review in the Tasmanian Planning Scheme (TPS).

Section 1: Development Standards

Plot Ratio + density bonuses

Homes Tasmania would be supportive in principle of plot ratio controls to

- set the overall scale of development. The controls support an increase in housing diversity and density, allows for flexibility on each site and more fine-tuned design considerations. Full support would depend on the values of plot ratio applicable to each zone, and the discretion and tests to go beyond the permitted acceptable standards.
- introduce density bonuses and the proposed parameters for dwelling diversity and social and affordable housing in IRZ, GRZ and all business zones. The bonus will incentivise increase the viability of these development types.
- introduce density bonuses to incentivise Livable Housing Australia (LHA) gold and platinum level compliant dwellings, noting that it may be difficult to ensure that developments deliver the required level of accessibility as assessment is linked to building, not planning, processes. In accordance with the Tasmanian Housing Strategy and Action Plan, Homes Tasmania supports the intention to fully adopt the National Construction Code (NCC) LHA silver requirements in new residences from 1 October 2024, therefore density bonuses should not be offered for silver level.

Further detailed feedback on the plot ratio controls is provided below:

- The Plot Ratio is a measure of the total floor area of a building relative to the size of the lot on which it is built. It is calculated as the ratio of the total building floor area to the lot area. Consequently, for a Plot Ratio approach to produce the desired outcomes that align with the Planning Scheme's objectives, it needs to be paired with other controls which introduce more flexibility, but also complexity, into the design and assessment process.
- The building envelope in the Tasmanian Planning Scheme (and Interim Schemes) refers to a defined 3D shape that all parts of the residential building must be within. It is a simple way for architects and planners to design to and assess as it wraps all the standards (height, width, and setback from boundaries) into one provision.
- However, the building envelope approach does not always create the best outcome, as it:
 - doesn't work particularly well on irregular or sloping sites, both of which are increasingly common across Tasmania, particularly in well-located areas.
 - allows for higher, bigger homes with less flexibility in design and consequently buildings were more likely to cause a negative impact on neighbours.
 - has facilitated a shift to maximising the built coverage of a site and often resulted in 'fence to fence' developments that impact on the size, quality, and amenity of private outdoor spaces.
 - Discourages outcomes that might produce better outcomes designs that propose building beyond the allowable envelope trigger the more subjective and longer performance criteria process.
- If a plot ratio control is reintroduced, Homes Tasmania recommends:
 - Clarifying the performance pathway: The proposed parameters 'contribute to a range of dwelling types appropriate to the site and location' and 'not unreasonable loss of amenity' are too ambiguous without references or guidelines as to how planners will consistently assess compliance.
 - That the changes are carefully communicated to the building and construction sector and community. The building envelope may be easier and faster to assess and design to, so there may be some resistance from the building and construction industry to shift to an alternative. However, the Tasmanian planning system previously used plot ratio, height, and setbacks so the proposal would shift back to a tested method of development control.

Building height and setback controls

Homes Tasmania is supportive in principle of pairing the plot ratio controls with separate building height and setback controls that respect the character and do not cause unreasonable loss of amenity of a streetscape.

Further detailed feedback on the proposed controls is provided below:

- Planning authorities use plot ratio to ensure that buildings do not become excessively bulky or out of scale with their surroundings. While the building envelope controls the physical shape and boundaries of the building, Plot Ratio focuses on the total amount of usable floor space in relation to the lot size. If Plot Ratio is used, height and side boundary setback controls must also be introduced to help manage the spatial aspects of development. Both concepts are crucial for balancing the needs for efficient land use with maintaining the character and liveability of urban environments.
- In developing height compatible with other dwellings in streetscape, it is important to consider the implications of strict height and setback controls for the following reasons:
 - Inhibiting Architectural Innovation – Strict compatibility might limit architectural creativity and innovation. Developers and architects could be discouraged from introducing new designs that, while different, could enhance the streetscape and offer modern, sustainable housing options.
 - Historical vs. Modern Context – In areas with older, lower-height buildings, or lower density suburbs with deep front setbacks, strict compatibility might hinder the redevelopment of those areas into more vibrant, medium-density neighbourhoods. Balancing historical preservation with modern development needs can be challenging if height and setback compatibility is too narrowly defined.
 - Impact on Affordable Housing – Height restrictions tied to existing streetscapes could inadvertently raise the cost of development, as developers might be forced to build lower, more expensive units instead of more cost-effective, higher-density housing. This could affect the availability of affordable housing options in certain areas.
- If a height and setback controls are reintroduced, Homes Tasmania recommends:
 - creating parameters that assess contextual compatibility instead of requiring strict height compatibility. Compatibility could be determined by ensuring that new developments contribute positively to the overall character and amenity of the streetscape by considering factors like building materials, design coherence, and how the development interacts with the public realm. The draft Medium Density Development Guidelines provide some examples of how parameters could be defined and articulated.
 - implementing guidelines that allow for gradual transitions in height between new and existing buildings, rather than requiring exact compatibility. This can help integrate taller buildings into a neighbourhood without abrupt changes in scale.
 - referring to 'desired character' rather than 'existing character'.
 - creating allowances for suburbs where there is an expressed need for diverse and sustainable options, for example, priority housing growth precincts identified in the Regional Land Use Strategies (RLUS).

Landscape, open space and solar controls

Homes Tasmania is supportive in principle of pairing the plot ratio controls with clear landscape, open space and solar controls provided they factor in site-specific conditions.

Further detailed feedback on the proposed controls is provided below:

- The private open space parameters are clear, and the performance pathway allows for flexibility by not requiring an absolute minimum.
- Clarity is needed around the 25 per cent definition of site area for landscaping.
- Tree provision:
 - Potential concern regarding availability of space for deep soil areas in higher-density urban areas.
 - Limited room in small or infill sites without compromising viability of the development – increased costs and reduction in usable area decreases affordability which needs to balance with demand for housing.
 - 10 per cent regardless of type of dwelling – although performance pathway available clarification needed on ‘suitable’ deep soil areas.
 - Consideration should also be given to site-specific soil conditions, noting some locations may not support tree growth (such as rocky sites).
- Solar controls:
 - Logical grouping of standards into a single, concise, and cohesive clause that provides clarity and aids interpretation.
 - Cross-referencing in performance pathway allows for alternative solutions but need to explicitly state how these cross-referenced clauses will interact – how will decision-makers evaluate proposals using these interrelated standards?
 - The 0m side boundary offset for townhouses and long plot axis running north-south presents a challenge for passive solar gains. Since townhouses are typically conjoined along the long axis, this means that glazing will be limited to the east and west facades only, restricting northern solar access opportunities.
 - Depending on the site’s topography and slope direction, orienting the long axis of the lot boundary to the north may result in poor hillside construction practices.

Section 2: Subdivision Standards

Lot design subdivision controls

Homes Tasmania supports the potential lot design subdivision controls as the proposed range and mix of lot sizes aligns with Homes Tasmania's objectives. Further feedback includes:

- The parameter that 15 per cent of lots need to be a minimum of 1000m² promotes apartment buildings and strata townhouses which will support the delivery of more affordable and diverse housing.
- Performance pathway provides flexibility, so outcomes of lot design can be prioritised over strict adherence to prescriptive standards.
- Some clarification needed: no mention of the implications of gradient and need to define what the parameters are of 'faces north' are.

Urban greening subdivision controls

Homes Tasmania is generally supportive of the intent of the urban greening subdivision controls (landscaping, deep soil, and tree provisions) but notes flexibility will be required to create a pathway for small site where these requirements cannot be met.

Further feedback and questions are provided below:

- Is it anticipated that plot design will include suggested ratios for soft and hard landscaping? Balancing impermeable surfaces like roadways and buildings with soft landscaping will help reduce stormwater runoff and facilitate groundwater recharge.
- Specific comments on the new standard for public open space and landscaping:
 - Including standards provides consistency but currently unclear if financial contribution is permitted or not in lieu of provision for sites over 50 dwellings.
 - 10 per cent would be a significant increase from the current 5 per cent.
 - The proposed standards could be a potential issue for infill projects, where space is limited. The performance pathway 'to be compatible with any open space strategy or policy adopted by Council' may leave some infill sites as not cost-effective if a significant proportion of land needs to be public open space.
 - Has consideration been given to the capacity of local councils to manage the additional greenspace contribution? Many councils are already facing challenges with staff resourcing and budgeting and may struggle to take on more open space.
- Specific comments regarding tree requirements:
 - General support for mandatory street tree requirements. However, it is suggested that tree spacing be based on distance rather than per lot. For example, planting a tree every 15 metres along a streetscape would result in better design outcomes, creating well-spaced avenues and avoiding overcrowded growing conditions.
 - In cases where street trees cannot be planted on-site, will there be an option to contribute to a street tree offset fund? Alternatively, could the remaining trees be planted elsewhere on-site, such as in public open spaces?
 - The draft report mentions retaining existing trees on development sites to achieve higher subdivision standards. Although not listed as an objective, is it expected that native tree removal for subdivisions will be subject to more stringent assessment and scrutiny under planning scheme requirements?

Movement network subdivision controls

Homes Tasmania general agrees with the objectives of the potential movement network subdivision controls and the plan to integrate road hierarchy into clauses.

Further feedback and questions are provided below:

- Clear parameters are however objective (b) is missing in the 'potential movement network parameters (permitted pathways) on page 45.
- Regarding the 1.8m wide shared pedestrian and cycling paths on both sides of streets in 400m walking distance of public open space, etc – extra space requirement will possibly have impact on infill projects where space is often critical.
- Regarding public transport – how is it determined if there is a 'potential' public transport route? Will potentially involve more pedestrian paths between lots for connectivity; 'maximise connectivity with the surrounding road'. Balance between connectivity and cost of road construction and efficient use of land – Homes Tasmania potentially likes to minimise internal roads due to cost. The suggested footpath dimensioning requirements are also restrictive and might be better assessed on a case-by-case basis. For example, in areas with low foot traffic and limited amenity, a narrower footpath (e.g., 900mm) on one side may be appropriate, while a wider shared path (e.g., 2400mm) could be provided on the opposite side where shops and activity centres are located.
- Relates to permeability of subdivision. Sometimes difficult to achieve if public transport systems are not yet fully developed. Performance pathway – 'must provide an appropriate level of access' – allows flexibility.
- General support for including on-road bike lanes where appropriate. However, bike lanes should be part of a broader transport strategy that ensures meaningful connectivity, rather than resulting in fragmented cycling infrastructure in cities and towns.
- It is recommended that this section also address e-scooters and mobility aids in addition to pedestrians, cyclists, public transport, and vehicular traffic.

Subdivision service controls

Homes Tasmania generally agrees with the potential subdivision service controls.

Further feedback is provided below:

- Addition of 'potential to re-introduce stormwater requirements at subdivision stage via re-introduction of a stormwater management code or through targeted parameters for water sensitive design' creates consistent statewide standards for stormwater management and provides clearer guidance for developers, but potentially increased costs to development.
- General support for implementing water-sensitive urban design strategies, particularly those utilising passive landscapes and rainwater tank collection. From a developer's perspective, the proprietary solutions mandated by some councils are often cost-prohibitive. Support for alternative solutions is appreciated.

Section 3: Implementation framework

Option 1: Improvements through existing zones

Based on the benefits outlined for the Option 2 and Option 3 approaches below, Homes Tasmania has low support for implementing the proposed improvements through the existing zones.

Option 2: Improvements through new zones, and revised spatial application

Homes Tasmania supports Option 2 which implements the proposed improvements through new zones and aligned zone application guidelines for the following reasons:

- Consolidating the General Residential Zone (GRZ) and Inner Residential Zone (IRZ) within the settlement boundaries of Tasmania's major urban areas into a single new Urban Residential Zone (URZ) will:
 - overcome the current issue of a lack of application of IRZ land by local governments of well-served settlements with high housing demand.
 - Create clarity and increased opportunities for well-located medium-density development where it is economically viable.
- If Option 2 is the only implementation framework adopted, in converting all remaining GRZ land outside of the major urban areas into a Neighbourhood Residential Zone (NRZ) considerations need to be made as to appropriate forms of medium-density development suitable for those areas. A lack of clear pathways for small-scale medium-density neighbourhood development in regional settlements with high housing demand, particularly those facing a shortage of key-worker housing, could:
 - discourage investment in increasing new stock and subsequently negatively impact the economic prosperity of those regions.
 - disincentivise affordable forms of housing including accessible options for downsizers.
 - encourage residential sprawl:
 - with high upfront and ongoing infrastructure costs for local governments
 - that impedes the functions of, and opportunities for, agriculture and other industries.
 - into areas that are at increased risk of natural hazards including bushfire, floods, and coastal erosion

Option 3: Improvements through codes

Homes Tasmania strongly supports Option 3 which implements the proposed improvements through the new codes for the following reasons:

- Aligns best with Homes Tasmania's construction approach, noting that it's yet to be seen how this will operate. For example, will some zones make apartment buildings Permitted, discretionary or Prohibited under the Zone Use Tables?

A Medium Density Code:

- enables standards medium density development to be meaningfully implemented, by providing tailored provisions for diverse housing types in good locations, while retaining the existing SPP provisions for single dwellings.
- would apply to communal residences and multiple dwellings within 400 m of a higher order activity centre or high frequency transit corridor, on land zoned IRZ or GRZ. It would not apply to the LDRZ or business zones.

- has the potential to deliver more of the right housing in the right locations, irrespective of the zoning applying to the land. Therefore, zoning would no longer be the primary mechanism guiding spatial strategy.

A Subdivision Code:

- could improve the liveability of residential neighbourhoods through improved subdivision design.
- would apply to all subdivision development in the IRZ, GRZ, and LDRZ. If a code was the preferred method to guide subdivision development and design, any subdivision standards in the residential zones would then be redundant and cause duplication.
- approach would deviate from TPS because the zone provisions would no longer be the primary tool directing subdivision development.

An Apartment Code:

- could improve the amenity and design quality of apartment development in business zones.
- would apply to all dwellings in a business zone. Typically, dwellings in business zones form part of a mixed-use building with a non-residential use at the ground floor. Such dwelling developments will often be of greater scale than housing in residential zones.
- will retain the TPS drafting conventions where zoning is the primary tool for guiding spatial strategy because the primary purpose of the business zones is for non-residential use.
- could be combined with the dwelling standards of the Medium Density Code. But doing so would add to assessment complexity, muddy the intent of each code, and again deviate from drafting conventions.

Definitions and terms

Homes Tasmania are supportive of revising and adding new definitions to the suite of residential standards to support clarity and consistency. Specific feedback on the proposed definitions is provided below.

- **Apartment and apartment building** – an essential addition to clarify the applicability of density bonuses if the plot ration controls and an Apartment Code are introduced.
However, the current definitions:
 - contradict the NCC definitions linked to the Class 2 classification.
 - feel arbitrary, particularly the minimum of four dwellings where an ‘apartment’ itself is defined by presence only in an apartment building.
- **Common open space** – Supported – should consider implications for strata plans and whether that is specified in the definition.
- **Deep soil area** – Supported to facilitate clarity and consistency.
- **Dwelling** – supportive of the removal of the requirement for a laundry within a dwelling however noting that it is another definition that contradicts the NCC definition. Encouraging multi-residential developments to have shared laundry facilities can increase the upfront and ongoing affordability of the development. However, reliance on commercial facilities may have limited benefit for a user in the reduction of the upfront development cost compared to the ongoing cost and possibly reduced amenity, particularly outside well-served urban areas. Potential definition perhaps should include the suggestion of ‘access to on-site laundry facilities’.
- **Grouped dwelling** – supportive of the addition and the proposed definition.
- **Multiple dwellings** – supportive of the addition and the proposed definition
- **Plot ratio** – supportive of the addition if the proposed plot ratio approach is adopted.
- **Residential Use Class** – agree with definition and no issues with nesting table. Use status table looks logical.
- **Townhouse** – supportive of the addition, particularly to support the applicability of density bonuses if the plot ration controls are introduced, and the proposed definition.
- **Worker’s Accommodation** – the addition of this use definition is a positive step as it recognises growing need for affordable housing options for essential workers. Agree with the proposed definition. Needs to be broad enough to include rural and urban context. Proposed definition is sufficient. Should not be excluded from residential zones in the zone use tables.
- Further definition additions and amendments that should be considered:
 - **Affordable housing and social housing** – necessary to ensure these definitions align to the Tasmanian Housing Strategy and expectations for development supported by the density bonus.
 - **Agricultural worker accommodation** – may need a separate definition from worker’s accommodation of the proposed SPP 05/2024 Agricultural Worker LUPA amendments are implemented.
 - **Density bonus**
 - **Medium density development** – a definition should be developed as part of the Medium Density Development Guidelines project and added to RDS for clarity and alignment; should encourage that it also considers the finalised apartment and apartment building definition to ensure no overlap that impacts on the clarity of either definition.
 - **Livable Housing Standards** a definition that includes reference to silver, gold and platinum will need to be added to support clarity around the application of Livable/Liveable Housing Bonuses

Other improvements

Design guides

Homes Tasmania is supportive of:

- the provision of design guides as a means of providing support for developers, designers, assessors, and the broader community in interpreting medium-density requirements articulated in the TPS. However, the support is conditional on medium-density requirements being embedded as statutory conditions in the TPS, with the guidelines acting as either:
 - a supplementary document for a standalone code, or
 - as an incorporated document.
- the provision of apartment design guidelines, as per the recommendations for the medium-density guidelines
- the provision of subdivision design guidelines, to align with the provision of apartment and medium-density guidelines and support a Subdivision Code if Option 3 is implemented.
- embedding Livable Housing Australia's Livable Housing Guidelines as an incorporated document, noting that the National Construction Code (NCC) already has minimum silver level requirements for all new buildings that will soon become mandatory in Tasmania.

Interpretation and usability of standards

- Homes Tasmania is supportive of tools to assist developers, designers, assessors, and the broader community with the interpretation and usability of improvements.
- The tools should focus on clarifying provisions and supporting councils to use conditions, and reasons for conditions, appropriately.
- There are two circumstances where such tools would address current barriers to the objectives of the TPS:
 - **Performance pathways** – The performance pathways can encourage creative designs and flexibility to adapt to different site conditions by letting projects meet broader goals instead of sticking to strict rules. However, this flexibility can sometimes lead to subjective decisions, causing inconsistencies in how projects are assessed. While this approach allows for customised solutions that can work well, it's important to have clear guidelines and strong evaluation methods to make sure the standards are applied fairly and consistently.
 - **Interpretation of provisions and application of conditions to permits** – Homes Tasmania has experienced multiple instances of council's using the planning scheme's requests for information and conditions on permits to apply provisions beyond matters covered by the planning scheme. The following works were not required under the planning scheme and caused expensive redesign and cut-and-fill to be conducted to provide the required road widening:
 - one council's refusal to accept public open space under the Local Government (Building and Miscellaneous Provisions Act) was enforced by the request for further information provisions of LUPAA
 - another council used conditions on a permit to force works, upgrades, bike lanes, and bus bays to a section of Council Road adjoining a subdivision.
- It is recommended that the set of tools include a focus on community engagement with the broader public, such as through advertising campaigns, to build community support and knowledge for improving residential standards, particularly regarding increased densities and diverse dwelling types. During a recent Homes Tasmania community consultation session for a medium-density development, there was strong opposition and a prevalent NIMBY attitude. This was largely driven by misunderstanding and fear that increased densities lead to 'ghettos.' Despite the proposed changes, without community support and education,

delivering medium-density developments will be challenging and could discourage developers from participating.

Parking reductions

Homes Tasmania is strongly supportive of the proposed amendment to Table C2.1 of the Parking and Sustainable Transport Code to reduce the minimum on-site parking requirements for the right housing in the right place, particularly for social housing.

- The proposed amendment:
 - promotes more sustainable transportation options.
 - frees up land for more productive use, particularly with infill projects – making them more feasible.
 - lowers development costs, thus increasing affordability.
- The reductions could act as an incentive for social housing through increased viability by:
 - introducing greater reductions for social housing in a ‘development >400m from centre’.
 - by introducing no minimum requirement for residential parking in central business areas, as per regulations in the ACT.
- It should be noted that reduced car parking could negatively impact accessibility for disabled or elderly with careful plan required to not inadvertently affect these groups.

Review of out-of-scope items

- Homes Tasmania recommends that these currently out-of-scope items come under review:
 - Creating statewide provisions for residential housing models that can increase residential density and diversity, such as tiny homes and cohousing, that may sit outside of the definitions of low- and medium-density development.
 - Considering options for increasing the residential density of plots with existing dwellings, particularly those in well-located, heritage precincts. South Australia recently released a [‘co-located housing policy’](#) proposing a new Co-located Housing Overlay and definition of ‘co-located housing’ be added to their planning scheme via a new Future Living Code Amendment. The proposal provides a new model for low-density multi-residential development around existing dwellings that addresses some of the issues around the ancillary dwelling or strata titled ‘battle axe block’ unit infill models.
 - Scope of the review excludes some residential zones. Reviewing some aspects of residential Standards in all zones may address some inconsistencies in development expectations across LGAs for prospective home builders and local governments.
 - Placemaking: suggest greater placemaking initiatives be somehow enshrined and encouraged in the planning system.

Minor comments

- Page 5 ‘medium and high-density housing’ repeated in a sentence.
- Page 26: footnote reference ‘Building Council of Australia’ should be the Business Council of Australia’ (re: Regulation Rumble).
- If the liveable housing bonus is included, need to make a decision on the spelling of liveable/livable; the Tasmanian housing strategy talks about ‘liveability’ but the Livable Housing Design Guidelines and their respective silver, gold and platinum standards use ‘livable’ spelling.

Improving Residential Standards project – Clarence City Council

At officer level the proposed improvement to the residential standards is generally supported. Feedback on each aspect of the project is provided below, with the intention of providing a balanced view of multiple opinions.

Definitions

The purpose of definitions is to provide clarity, and particular attention should be given to ensure the definitions achieve this. Accordingly, the following is suggested.

Apartment building – why limit an apartment building to four dwellings above or below each other? This presents a problem for categorizing a two or three-storey building with two or three dwellings above or below each other. What building form would this be?

It is suggested that last sentence of the definition should say ‘An apartment building may also contain non-residential use’. This is because it is not clear why an apartment dwelling would contain a non-residential use, when a home-based business (a residential use albeit commercial in nature) is allowed within a dwelling, and any non-residential use over and above that shouldn’t be in a dwelling.

Plot Ratio – The simple definition proposed, that includes the existing gross floor area (GFA) definition is generally supported. However, it is suggested that the GFA be expanded to include detached buildings such as outbuildings, for the purpose of accurately showing the site coverage (which includes roofed outbuildings).

Townhouse – to distinguish the built form of a townhouse from a single dwelling, a townhouse whether it be on a single lot or part of a future strata lots, it should be attached in a row of dwellings and be multi-storey. A suggested definition is ‘A single or multiple dwelling with direct frontage to a street and comprising one of two or more adjoining dwellings erected side by side, with shared side walls and a minimum of two storeys’.

Worker's accommodation – the types of workers that will use the accommodation strengthens the definition, provides clarity and emphasizes the temporary nature of the accommodation for key workers (noting that permanent accommodation for key workers forms part of regular housing profile).

Nesting table for Residential uses

The nesting table provides clarity and is generally supported. However, Worker's accommodation is proposed to be in the form of either single or multiple dwellings or communal residences, and for that reason the nesting table should show workers accommodation under those headings as is the case for Townhouse (freehold) and Townhouse (strata title).

The need to nest different dwelling typology such as townhouse (strata or freehold title) or apartment in the Residential use class has been questioned, noting that an apartment building

is not represented in the nesting table. It may be simpler to include the different dwelling typology into the three definitions, those being single dwelling, multiple dwelling (horizontally attached or detached built forms, comprising one or more storeys), and apartment building (vertical built form, where dwellings are above or below each other), as opposed to making the dwelling typology or development individual uses within the Residential use class.

Use status

It is important to note that NPR proposals/application type are not regulated by Division 2 – Development Control and other subsequent Divisions of LUPAA, in that Division 2 only relates to use and/or development requiring a permit under the planning scheme. Therefore, statutory timeframes and the assessment framework of LUPAA more generally would not apply to NPR application types. It is only when the NPR application type is shown to rely on performance criteria requiring discretionary consideration that the application would then require consideration under the LUPAA assessment framework. Furthermore, the NPR assessment process and decisions are not subject to third party appeal rights. Another point to consider is that NPR applications cannot be conditioned because it is not a permit under LUPAA. This may have implications for regulated entities such as TasWater.

The proposed multiple dwelling category and Communal residence category (excluding assisted housing) as NPR is not supported, and should be permitted at the very least. While having a permitted status excludes the community from participation in the decision-making process which is contrary to the Objectives of LUPAA, it does at least make the application subject to LUPAA, including established assessment timeframes and appeal rights.

The 28-day assessment timeframe for large projects, such as apartment buildings under a permitted assessment pathway is an incredibly short assessment timeframe when a comparison is made to other jurisdictions across Australia.

Another reason for permitted or discretionary pathway is that it enables the planning permit to be conditioned for Part V purposes (Bushfire Code if relying on adjoining land for BHM for example).

It is not clear why a single dwelling would be NPR in the IRZ, when the purpose of this zone is to accommodate a range of dwelling types at higher densities. It is strongly suggested that single dwellings, including additions and alterations to existing single dwellings be discretionary in the IRZ.

Development Standards

The integration of the other standards into the performance criteria has been generally questioned. While there is support for the concept of cross-referencing standards, the actual application of this concept in practice is not clear. Specifically, the weighting of the 'degree' to which the proposal meets the other standards nominated in the performance criteria requires further explanation and clarification. This is applicable to all standards and is not further discussed for each standard below.

Plot Ratio

It has been observed that based on the information provided, it appears that the plot ratio as proposed would be suitable for multiple dwelling projects, and not as effective for single dwellings/townhouses on a small lot. An example would be legacy lots created under a former Village zone that are now zoned LDRZ (owing to environmental and servicing constraints), where single dwellings require area for wastewater systems, water tanks and maintain stormwater onsite. These sub-minimum lots in the LDRZ may present challenges for assessment and compliance with the new standards. It is noted that the plot ratio is proposed to be lesser for less dense zones, it is the size of the existing lots which may be problematic.

The 400m limitation on a social housing bonus seems too small and should be increased to at least 800m, a reasonable walking distance to business nodes or high frequency public transit options.

What is a high frequency transit corridor? There should be a minimum requirement to be able to easily access public transport on the 'high frequency transit corridor'. Just being close to a high frequency transit corridor doesn't guarantee proximity to accessible public transport nodes or modes.

Is there any likelihood of special consideration of locally listed and state listed heritage places in the proposed plot ratio standard?

Height

Separating the height standard from the building envelope standard is supported. However, the proposed performance criteria require the siting, scale and bulk of development to have a height that is compatible with other dwellings in the streetscape. It is difficult to bring about change if the new building typology must be compatible with what is existing in the streetscape. For example, in an area, including the IRZ where the dominant built form is one storey dwellings/buildings, for the proposed building to be compatible it would arguably be no more than two maybe three storeys (depending on the effects of topography on the building scale and bulk). Numerous tribunal decisions indicate that to be compatible is to be in harmony with, and the inclusion of the requirements to contribute to a range of dwelling types appropriate to the site and location is not likely to have greater determining weight than the compatibility test. To that end, introducing the missing middle typology would be difficult in many established areas across the state where infill development is needed.

The proposed performance criteria require the proposal to not cause an unreasonable loss of amenity to adjoining properties and the streetscape. The term amenity while defined is ambiguous in this context. What aspect of amenity is to be established or protected relative to height of a building? Is it visual bulk when viewed from the adjoining property and streetscape, or is it streetscape character, given the degree to which the proposal meets the standards for plot ratio, setback, landscaping, and solar access are considerations? It would be helpful to proponents and the decision maker if the tests in the performance criteria are

clear, then the argument about whether a proposal meets the performance criteria is narrowed to aspects relevant to that standard in the first instance.

Setback

The reasons for the improvements to the setback standard are supported. Although, similarly the compatibility issue and use of the term amenity as outlined above is relevant to the drafting of this standard.

The acknowledgment of legacy lots in the LDRZ is appreciated.

Landscaping

The return of landscaping standards is whole heartedly welcomed. The emphasis on the number of trees (grouped into small, medium, or large) and the amount of deep soil area as opposed to the species of tree is supported.

The performance criteria require the landscaping to contribute positively to the amenity of residents and neighbours. The current drafting raises red flags. Amenity means, in relation to a locality, place or building, any quality, condition or factor that makes or contributes to making the locality, place or building harmonious, pleasant or enjoyable. Some people love large trees and like falling leaves in Autumn, others don't. The phrase 'contribute positively to the amenity of residents and neighbours' is ambiguous and requires further consideration to ensure the intent of the standard can be achieved. For example, what attributes of amenity are important to the provision of landscaping and its effect on the residents and adjoining sites (neighbours). Essentially, what are we trying to achieve (establish and protect), put another way what amenity impacts are to be avoided in the context of landscaping (both hard and soft)? Perhaps the standard should only refer to character of the area and/or environmental benefit (ecological functions and climate resilience), as opposed to amenity of residents and neighbours if the relevant aspects of amenity for landscaping are not easily quantified.

Careful consideration should be given to the performance solution of this standard because an increase in disputes under *Neighbourhood Disputes about Plants Act 2017* will not incentivise positive change or the uptake of these provisions within the development industry and community.

Solar Access

The move away from three separate clauses addressing solar access is supported.

It is expected that the solar access requirements would be more easily achieved by conventional single dwelling construction. It is difficult to see how requirements of the solar access standard permitted pathway would be achieved easily in many common scenarios of the desired denser building typologies, and therefore may work against the other incentives such as plot ratio and height provisions.

Indirect daylight access for private and common open space is generally not supported as a performance solution. Outdoor areas should receive some direct sunlight, particularly the deep soil areas to ensure the health of trees and the like (let alone the health and wellbeing of people). More generally, indirect daylight access for private, common open space areas and habitable spaces has the potential to achieve poor outcomes for residents.

Front elevation

Excluding parking in the frontage setback is strongly supported as a permitted pathway, and tests to ensure it doesn't dominate the primary frontage is also strongly supported as a performance pathway.

Increasing passive surveillance of the public realm is supported, as is the reduction of blank walls facing the frontage. Active frontages supporting interaction between private and public realms in all zones is key.

Privacy

It is anticipated that the privacy requirements would be more easily achieved by conventional single dwelling design, as opposed to achieving the privacy requirements with the desired denser building typologies, and therefore may work against incentives such as plot ratio, height, setback, solar access provisions. Perhaps the privacy provisions would be better suited to building typology as opposed to the zone in the first instance?

It would be beneficial for the other standards to be integrated into the performance pathway, as the current drafting seems to omit this.

Storage

The proposed improvements to the storage area for dwellings and non-dwellings in the residential zones is supported. There are issues with the proposed waste storage for multiple dwellings.

There needs to be onsite waste storage areas of a size relative to waste storage needs, such as a minimum area for at least three bins. An 'as per council requirements' line would be advantageous, as it would allow flexibility between municipal areas, and would take into account internal lot requirements and cul-des-sacs, where curbside areas are limited (most council policies for waste collection deal with these matters).

In addition, waste storage should not be limited to multiple dwellings and needs to include the communal residence category, home business category and the workers accommodation.

Subdivision standards

Lot design

The lot size diversity requirements as drafted would be easily applied to greenfield sites and doesn't seem to address subdivision for infill development for underutilized land and

greyfields sites, and lot consolidation and boundary realignment/adjustment (that doesn't meet the general provision) for all sites.

In addition, it is agreed that the public transport reference with 90% lots to be within 800m of existing public or future public transport needs to have reference to size of the subdivision, but a blanket rule on the number of lots may disadvantage smaller development (particularly infill development/subdivision).

For lot size minimum, what is the preferred mechanism to ensure these lots remain for the intended dwelling typology, such as townhouses; and how will the planning scheme or the RMPS ensure these lots are not consolidated or adhered at a later date, seeing the loss of lot size diversity overtime.

Relative to vehicle access, without rear access lanes, it appears likely that new large subdivisions with smaller lot sizes may work against desirable streetscaping outcomes, as a result of crossovers, and parking/garages to the narrower frontages.

It would be beneficial for vehicular access/driveway location to be on the south side of the block where feasible to provide opportunity for maximum utilization of the sunlight into the habitable areas.

Movement network

The use of rectilinear, modified and radiant grids is strongly supported for all the reasons listed in the draft.

These provisions would be easily applied to greenfield sites, and it is not clear how these provisions would be applied to greyfields or underutilized sites to facilitate urban regeneration. In addition, it is not clear if these provisions would apply to small subdivisions creating one to three lots on existing parcels of land, for example.

It has been suggested that pedestrian permeability between cul de sac and a roads, should be included as mandatory requirement and not just a preferred option in the performance criteria, subject to CPTED requirements.

A minimum shared path width of 2.50m in accordance with the Austroads guidelines and generally at one side of the street with footpath on other side would be beneficial, noting that wider paths on both sides means a wider road reserve. Also, active travel should include minimum 2.5m shared path on one side of the Sub Arterial road or any road with public transport possibility.

Council's Traffic Engineers have made the following observations. In relation to the movement network, the proposed road layouts (page 45-46) need to consider local area traffic management (LATM) principals and junction controls for safety and speed management. Existing road networks laid out like this have required significant cost to councils to mitigate and modify the network with road closures, speed humps, roundabouts and the like. There is an increased number of 4-way intersections that can result in higher crashes compared to

other intersection types. Same for “legibility” (page 46) where direct straight roads are preferred (mainly for active transport) but can be problematic for vehicle traffic resulting in higher traffic speeds, unless properly designed to manage this issue. “Busy roads” (page 46) is not defined so it’s not clear where pedestrian crossings might need to be provided as part of the subdivision and development. Potential public transport routes (page 46) need to be design and constructed as suitable for the increased heavy vehicle traffic resulting from buses using these streets (i.e. increased pavement strength and the like).

Urban greening

In relation to the provision of public space, while the concept of 10% land contribution is generally supported, changes to S116 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* is required to stop Council from having to pay compensation to the subdivider when the public open space land proposed exceeds the value of one-twentieth of the whole area comprised in the plan of subdivision. It is not clear at this point in time if the provisions in LGBMP, such as s85A protects Council’s against the need to pay compensation when s116 would otherwise be enacted.

Furthermore, the reasoning behind the 50-lot threshold is unclear. For example, if a proposal includes 49 lots, the 10% land contribution would not apply and subdividers could use this ploy to increase their lot yield on land that could otherwise be given to Council as Public Open Space. In this context, it’s not clear if utility land, like detention basin, counts as a lot, clear definitions or explanations are needed to provide clarity to proponents and decision makers. However, it is recommended that utility land should not be considered as Public Open Space for land contribution, and this distinction should be clearly stated.

The limitation on cash-in-lieu only applying to subdivision with fewer than 50 lots is not generally supported. This is because there are occasions when it is necessary to require land for a track or footway to connect with the existing network of tracks and trails, forming part of the open space network. Limiting compensation to subdivision with fewer than 50 lots could create complications and increase the burden on councils, and generally conflicts with most Council Public Open Space policies.

Given the acceptable solution for Public Open Space does not include fit for purpose provisions, it is recommended that both the acceptable solution and the performance criteria required compliance with the relevant policy adopted by Council. Alternatively, the acceptable solution could include best practice public open space requirements to ensure the land is fit for purpose for the community and Councils, and then it would only by the performance criteria that needs to include the relevant policy adopted by council. The Tribunal decisions for *P Barker & A Woolley v Clarence City Council* [2017] TASRMPAT 15 (30 August 2017) illustrates this point.

With respect to the design of Public Open Space, road frontage to the proposed Public Open Space should be encouraged in the standard, because having a road along at least one expanse of the area enhances accessibility, safety, and passive surveillance for residents. It can also

appear to increase in the area of Public Open Space for built up areas when a street extends along a length of the Public Open Space and the street trees are planted on the side of the street furthest from the public open space (the street appears to become part of the area).

One street tree for every two lots is generally supported. However, it may be too rigid when the length of the frontage is taken into account. This is particularly relevant given the opportunity for lot size diversity with varying frontage lengths. Areas with relatively short frontages per lot would require more trees per street block, as opposed to longer frontages where there would be less trees required per street block. Both scenarios could eventuate in areas of higher density where street trees are needed for environmental reasons.

Services

The re-introduction of the stormwater code is welcomed (can you please enlighten us on when this is likely to occur). However, limiting to subdivision applications is not generally supported, and a broader assessment pathway across all use and development is preferred. That aside, the proposed requirements for stormwater services to only be for subdivision greater than 15 lots is not supported and fails to achieve design and environmental outcomes.

Council Engineers noted concern about how any proprietary water treatment devices are out of the acceptable solution, when in many cases they are appropriate and probably preferred to a bespoke system. Having a list of “preferred or acceptable” proprietary devices would likely be a better option for the standard.

Homes in Business zones

Landscaping

The landscaping standard is generally supported. However, the proposed objective refers to the provision of a sufficient area of public open space. In developments other than subdivision, it is difficult to combine public and private areas in what is essentially a private development, in terms of ownership and/or ongoing maintenance. It is unlikely Council’s will want to accept public land or the responsibility of areas within an apartment development or the like, where strata cooperation management is involved or is the better management mechanism.

The concern discussed previously about the use of the word amenity is applicable to this performance criteria. The attributes of amenity relative to landscaping needs to be spelt out to avoid confusion and give effect to this standard.

Solar Access

The solar access standard is generally supported. However, there is concern about the use of the term indirect daylight. This is because the term indirect daylight could be misused and result in scenarios with borrowed light, which should be avoided. Definitions may help resolve this. The terms sunlight and/or daylight are preferred for both the acceptable solution and performance criteria.

The acceptable solution currently requires 60% of dwellings to receive two hours of direct sunlight access to a habitable room, and it also requires not more than 50% of dwellings on an adjoining property to receive less than two hours of direct sunlight access to a habitable room. This could result in a proposal being approved and constructed on the basis that it meets the acceptable solution, and then a building on the adjoining land could be approved under the same acceptable solution, but it would cause the first building that originally had 60% of dwellings receiving two hours of direct sunlight, to then be reduced to only 50% of the dwellings receiving two hours of direct sunlight. This doesn't seem right when both buildings were approved under the acceptable solution. It is suggested that the acceptable solution has the same percentage of dwellings whether on the subject site or adjoining lot receiving the same percentage of sunlight (its understandably different for the performance criteria, but even then, there should be no unreasonable loss as a test).

Privacy

The privacy standard is supported. However, it would be valuable for several acoustic engineers to test the performance criteria to see how it would perform, to ensure the drafting is robust and the standard achieves the objective.

Storage

The proposed improvements for dwelling storage area in the residential zones is supported. There are matters to be worked through for the proposed provision of waste storage, as highlight previously.

Dwelling mix

Greater dwelling diversity is needed across the state. The ten-dwelling threshold in this regard is perhaps too high. It appears that most current multiple dwelling developments are generally two to three dwellings and are normally two-to-three-bedroom dwelling (there will be a transition time for the building industry to catch up with the 'new dwelling typologies', given they favour single detached dwellings, and we need standards to bridge that gap in time). It makes sense from a planning perspective to lower the number of dwelling thresholds to force change, although this may not be economical from a construction perspective. Further explanation on this point would be appreciated. At the end of the day, it is all about making sure planning provides the right settings to enable change, given there are so many other factors that influence or impact the delivery of dwellings.

The liveable housing bonus is supported, as is the social housing bonus (affordable housing is more challenging).

Implementation options

Option 1 – Improved standards in existing zones

Not supported because the right housing is likely to not be provided in the right locations if this option is used.

Option 2 – Improved standards in new zones, and spatial application of zones

Supported because there is a greater likelihood of getting the right housing in the right locations using this option.

Option 3 – Improved standards in new codes

Not supported. With the exception of the subdivision code, are development-type code-based controls really a shift from zones as primary expression of spatial strategy? Isn't it more of a 1 + 1 scenario?

General comments about the practicality/insufficient information on zone application mechanisms:

It is difficult to see how the options could be mapped/applied to local settings in a more precise(/enthusiastic) way than IRZ and GRZ are, without putting in the work to thoroughly differentiate areas suitable for either zoning within an LGA. With option 1, we have and maintain an oversupply of GRZ; with option 2, we risk creating an oversupply of URZ (within Greater Hobart and Greater Launceston). Perhaps more detail is required on the mechanisms/zone application guidelines as part of the recommendations package. More understanding of the risk associated with option 2 (i.e., blanket application of URZ to Hobart UGB) might also better inform commentary (see p.67).

From: Vanessa Tomlin

Sent: Monday, September 16, 2024 3:39 PM

To: Wolf, Claire

Cc: State Planning Office Shared Mailbox <StatePlanning@dpac.tas.gov.au>

Subject: FW: Consultation open on Draft Recommendations Report - Improving Residential Standards in Tasmania project

Hi Claire

I have just received some comments, that you may or may not be able to add to Clarence's submission (I think it has been loosely captured in our submission already, but I'll leave it up to you). Please see below.

Services

- Services- Most of the Councils are operating under their stormwater policy or procedure as the TPS lacks clear guidance on clear stormwater quantity and quality, and most of the Councils have a set of parameters to apply. The proposed requirements for services to only include for subdivisions greater than 15 lots is not acceptable in terms of achieving design environmental outcomes for the individual stormwater catchments. We recommend to apply the previous stormwater code's targets or with some minor/practical modification into the target be applied.

Reintroducing the TPS stormwater code is a fundamental issue which needs further regional discussion.

Kind regards

Vanessa



Vanessa Tomlin

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Clarence City Council pays respect to all First Peoples, including the Mumirimina (mu mee ree mee nah) People of the Oyster Bay Nation whose unceded lands, skies, and waterways we are privileged to conduct our business on. We pay respect to, and value the deep knowledge of Elders past and present, and we acknowledge the survival and deep spiritual connection of the Tasmanian Aboriginal People to their Country, a connection which has endured since the beginning of time. Our work reflects our ongoing commitment to truth-telling and respectful understanding.

12 September 2024

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

Improving Residential Standards in Tasmania – Submission

Meander Valley Council welcomes the opportunity to provide officer feedback on the Draft Recommendations Report for improving residential standards within the Tasmania Planning Scheme (TPS). We acknowledge the importance of this project in addressing housing targets and housing diversity across the State and appreciate the review undertaken. How these standards and recommendations are rolled out will have a critical impact upon how and where housing is delivered and upon the amenity of communities across Tasmania. This is not reform that should be rushed and instead requires significant amounts of careful thought and deliberation to ensure the outcomes of the reform are equitable, further the tenet of natural justice, and improve the quality of life for the people of Tasmania. The extension of time to submit comments is also appreciated. Below are our detailed, but not exhaustive, comments on the proposed changes:

SECTION 1 - SCOPE

It is noted that both residential and business zones are being considered in this review. Absent from this review, however, is the Village Zone which represents the rural equivalent of the General Business / Urban Mixed Use Zones. The Village Zone is used in a variety of small and large towns as their Main Street zoning. This zone provides equally for business and for residential. It is suggested that the Village Zone is included in this review.

SECTION 3 - DEFINITIONS

Clear and legible definitions are essential to proper interpretation and implementation of standards within the Planning Scheme. Poor drafting leads to uncertainty, angst, and legal appeals and the heavy time and cost burdens arising from them. It is therefore imperative that any new definitions align with existing definitions and terms used not only within the planning scheme but also used within relevant building and local government legislation to better align terms and consistency across processes.

3.2.1.1 - Apartment building

The definition of 'apartment building' should align with the description of a Class 2 building (apartment buildings) within the National Construction Code. In this respect, apartments (sole-occupancy units) are multi-unit residential buildings where people live above and below each other but can also include two attached dwellings above a common basement or carpark.

Calling such buildings apartments under the planning scheme only where they involve four or more dwellings will reduce consistency across legislation and increase confusion.

Suggested definition:

A building containing two or more dwellings, where dwellings are located above the ceiling level or below the floor level of:

- (i) another dwelling;*
- (ii) a common basement; or*
- (iii) a common carpark.*

An apartment building may also contain non-residential use.

3.2.1.2 - Common Open Space

Introducing a definition for common open space is supported.

However, the purpose of the shared use of common open space needs to be clarified. Otherwise, the area dedicated to a shared garbage bin storage area and the like could theoretically fit this definition. The current definition of public open space prescribes the purpose of being to provide for public recreation or public gardens or for similar purposes and is a much more workable definition as a result.

While the relevant provisions provide this context of purpose within their objectives, where relevant, by considering:

- outdoor recreational space
- operational needs of occupants
- reasonable space for the planting of gardens and landscaping; and
- being capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play,

the acceptable solution is often not enough to ensure that the area dedicated is actually useable for these purposes. This is because the current private open space definition is similarly not defined to embed the purpose of the dedication.

The existing definition of private open space should also be updated to put its purpose front and centre.

If the term 'principal private open space' is to become embedded in standards, then this also needs a definition.

3.2.1.3 Deep soil area

Introduction of a definition for deep soil area is generally supported.

3.2.1.4 Dwelling

Reference to laundry facilities should either be removed or be a 'may'. The requirements for laundry facilities are regulated by the Building Approval processes, noting that the Volumes One and Two of the National Construction Code of the BCA prescribes requirements in relation to laundry facilities for Class 1 and Class 2 (i.e. including flats and apartments) buildings.

The below suggested wording would still reference laundry facilities but leave it up to the NCC to determine what the most appropriate level of provision is.

Suggested wording:

'Means a building, or part of a building, used as a self-contained residence and which includes food preparation facilities, a bath or shower, a toilet and sink, and any outbuilding and works normally forming part of a dwelling. May include laundry facilities.'

3.2.1.5 Grouped dwellings and multiple dwellings

Grouped dwellings are commonly referred to as 'villas' or 'villa units' in Tasmania. Adoption of this term, if possible, would provide continuation of existing terminology used by the public.

Frontage is defined the planning scheme as *'means a boundary of a lot which abuts a road'*. A lot is a defined term that does not include strata lots. Therefore, all dwellings will have a frontage to a public road if the site has frontage to a public road. This distinction is not considered to be significant enough to be included in the definition. The key consideration here is whether or not they face the public road.

Suggested wording:

Villa Dwellings

Two or more detached or semi-detached dwellings on a site.

It is noted that there is no proposed definition of semi-detached dwellings. If providing a suite of new terms this should be included. There is also no need to reference strata titles in the definition for multiple dwellings as strata plans are managed under separate legislation.

3.2.1.6 Plot Ratio

As further discussed below, the introduction of plot ratio as a concept is not supported.

3.2.1.7 Townhouse

Again, frontage is defined the planning scheme as *'means a boundary of a lot which abuts a road'*. Lots do not include strata lots and so all sites, and therefore all dwellings, will have a frontage. This term does not sufficiently differentiate between other types of

dwelling. The key consideration here is that the townhouse dwelling face, and are visible from, a public road.

There appears to be no proposed definition for semi-detached dwellings. If providing a suite of new terms this should be included. This would provide context to why the townhouse definition is three or more dwellings (rather than just two or more).

The phrasing 'side by side' is too vague. Instead the definition needs to refer to a common wall or party wall.

Suggested wording:

A single or multiple dwelling that faces a public road and shares at least one party wall with an adjoining dwelling.

3.2.1.8 Workers Accommodation

Improved approval pathways for accommodation for rural workers is critical. However, the introduction of this definition will not meaningfully provide for this.

If workers accommodation is intended as temporary (i.e. short-medium term) and shared accommodation, then the appropriate use class may be visitor accommodation. In which case it may be appropriate to update the definition of hostel (currently '*means a supervised place of accommodation, usually supply board and lodging for students or the like*') to be broadened to encompass temporary workers accommodation, rather than introduce a completely new sub-set.

The Macquarie dictionary already defines a hostel as:

a supervised place of accommodation, usually supplying board and lodging, provided at a comparatively low cost, as one for students, nurses, etc.

The Oxford Dictionary defines a hostel as:

a building that provides cheap accommodation and sometimes meals to students, workers or travellers.

The tweaking of an existing definition to provide for short-medium term student, worker, and traveller accommodation under the visitor accommodation use class is preferred over introducing a new, and rather niche, definition of workers accommodation.

Considerations upon compatibility and unreasonable loss of amenity can then be addressed through the usual visitor accommodation use standards.

3.2.1.9 Residential Use Class - Nesting Table

While the benefits of the nesting table are appreciated, if it is to be included it should not be embedded within the definition and given statutory weight as currently proposed. No other definition needs to use a diagram to explain itself and adhering to current convention is preferred to adding in such a diagram.

SECTION 4 – RESIDENTIAL STANDARDS

4.2.1 Use Status

Multiple dwellings should not be No Permit Required and must remain Permitted Uses in the residential zones. These applications are complicated beasts that require conditioning to ensure that the appropriate works are completed in the appropriate sequence. This cannot be done with No Permit Required application. Having clear record of planning permits for multiple dwellings is also important for future residents so that they have a clear idea of what was or wasn't approved. This can be very difficult to achieve through the NPR process. Providing clear expectations for development is important, however removing the ability to impose conditions on these permits is not an appropriate trade-off.

4.2.3.1 Plot Ratio

While the density standards do require revision, the introduction of a plot ratio is not considered to be the most appropriate means of doing so.

Plot ratio reads as technical jargon that makes planning less accessible to the general public. It will be too abstract for the general public to understand what the particular number represents until they are face to face with the resulting spike in intensity of dwellings in their area. This will play out locally and regionally through increased representations and appeals if such a significant change is proposed.

Different styles of multiple dwellings have different minimum site area per dwelling 'sweet spots'. Townhouses differ from villas, which differ from apartments. The current density thresholds seem to only support villa style development. Providing for denser development through the site area per dwelling threshold – in suitable inner urban areas that have sufficient infrastructure to support the intensity of activity – is reasonable. However, unlocking broadbrush densification beyond what may be considered incremental will be damaging to the character of small townships and suburbs and overburden infrastructure networks that were not designed for that level of intensity.

The issue many of our rural community's experience is the imposition of poorly designed multiple dwellings that are a jump too far from what has been experienced in the past (i.e. single dwellings on ¼ acre lots). These same rural townships have the General Residential Zone or Low Density Residential Zone applied to them in accordance with the No. 1 Guidelines issued by the TPC.

If attempting to transition between the two, the jump in allowable density between the Low Density Residential Zone and the General Residential Zone does not currently provide for a smooth incremental increase in intensity. The same applies for the

transition between the Rural Living Zone and the Low Density Zone. By imposing greater density in the General Residential Zone, rather than making the Inner Residential Zone the more unique higher density zone, this jump in allowable density will be much larger and not well received by small towns and outer suburbs.

Exemptions from the density standards for apartments may be an appropriate approach. For example, excluding apartments from the residential density for multiple dwelling standards and including an Apartments Code that prescribes requirements would be more appropriate. The visual bulk and scale impacts of a single storey building that covers an entire site are not comparable to a tall and thin multiple storey building.

4.2.3.3 Setback

The building envelope as a concept works well, even if it something that is best explained through a visual aid, as building height and setbacks often need to be considered in tandem because it is the interaction between the two that determines whether the building is bulky or not. Perhaps a better alternative to its removal is to increase the slope of the building envelope to 1:2 instead of 1:1, raise the starting height from 3m to 4-4.5m, or provide different building envelopes for different housing typologies if the intention to provide for different kinds of housing that require being located on or close to a boundary.

It is going to be hard for townhouses to naturally develop when they aren't considered townhouses until three are all lined up together. Most new lots also do not have the requisite frontage width to enable the development of townhouses that face the public road all on one site. Perhaps side boundary setbacks should be significantly loosened in more built-up zones like the Inner Residential Zone to enable that transition. That said, townhouses are usually not pursued by developers because of the additional, and costly, requirements for fire rating, soundproofing, and insulation that detached villa units do not otherwise require. While currently aided by planning regulations, the predominance of villa units has primarily been a financial and market decision of the development and housing sector.

Providing two setback pathways in the LDRZ seems unnecessary. Using the 'not less than existing or on either side if vacant' approach would work fine for legacy sites without complicating things.

The performance criteria assessment test of (c) to contribute to a range of dwelling types appropriate to the site and location seems like a surefire way to restrict single dwellings from relaxing boundary setbacks but allowing multiple dwellings to do so. This is not an equitable approach. Setbacks should be based upon potential impact to adjoining properties, not based on whether or not it is delivering multiple dwellings.

There is great concern with trying to embed design guidelines as a reference document (whether incorporated or not). This just unnecessarily complicates the assessment process and will make it more difficult for developers to understand what is expected of them. More references within standards to local area objectives so that they are actually relevant to assessments is supported.

4.2.3.4 Landscaping

This is overregulation as currently presented. Retaining major trees (i.e. trees with a diameter greater than 1m) may have some merit but it should not be applied so broadly as to force people what to do with their own backyard, particularly for single dwellings. This requirement will force single dwellings into landscaping before the occupants have had time to occupy and decide for themselves what works best for the site is also unreasonable. These landscaping area and tree provision standards are going to be very difficult to regulate and enforce compliance with. Landscaping for common areas of multiple dwellings is more reasonable, to ensure a better end product that melds with the surrounding area, however this should not extend to the private open space of individual dwellings.

4.2.3.6 Frontage

The requirement to have each dwelling contain a fully transparent window facing the public realm will result in unnecessary discretions, particularly for multiple dwellings. Villa units and individual apartments will automatically trigger this discretion if facing the internal driveway (which is not the public realm).

Tandem parking on driveways is a reasonable approach to off-street parking that is not being proposed to be provided for. Limiting parking in front of dwellings to no more than 4 or so is reasonable but a blanket restriction will not be complied with by the general public. For many residential areas, they will park where they want to park regardless of what the planning scheme requires.

4.2.4.1 - Lot Design

Improvements to lot design parameters would be well received, however there are some concerns about lot size diversity as described.

Firstly, solar orientation needs to provide a range (i.e. 30 degrees east or west of North). What considerations will there be to townships or suburbs where the existing layout not facing north due to historical circumstances? Perhaps this should also have a threshold of minimum number of lots before being triggered.

Secondly, are Right of Carriageway options still supported by these recommendations?

4.2.4.2 – Movement Network

There is strong support for improved road network and layout considerations however road layouts are inherently require discretionary consideration and should not be provided with a permitted pathway. Yes, cul-de-sacs should be minimised and have a maximum length but small scale cul-de-sacs can also be an appropriate form of infill, particularly where there is no demand for more intense dwelling activity such as apartments. Street block guidance is welcomed but this seems to be something that a localised Road Network Plan is better suited to provided than a one size fits all standard across the State. Straight streets, if not broken up by variation or speed reduction techniques, promote speeding and excess through traffic. A street can be direct without being straight, particularly if needing to respond to localised circumstances such as topography or views.

The active travel standards, whilst aspirational and desirable, appear to be set too high. 1.8m wide shared pedestrian and cycling paths on both sides of streets within 400m walking distance of public open space, high frequency transit corridors and business zones is rarely feasible, particularly for existing urban areas. What happens if the planning scheme requires these to be installed but the Council does not want them in that particular location? There also needs to be a minimum number of lot threshold (e.g. 10-15) before this kind of requirement kicks in.

References to external documents, such as the LGAT standard drawings or the subdivision design guidelines, should be minimised as much as possible. Without constant updating of the planning scheme, these documents quickly become outdated and yet councils must still enforce the incorporated reference.

There is a risk here of overprescribing the requirements of infrastructure in the road reserve and then being unable to practically achieve that when it comes time to actually develop or it being contrary to what Council and the community want in the road reservation.

4.2.4.2 - Public open space contributions

Forcing Council to take a cash in-lieu contribution for subdivisions less than 50 lots is not supported in the strongest of terms. It provides for no strategic discretion, particularly if Council has identified that there is suitable public open space to acquire. As the vast majority of subdivisions applied for within the Tasmania context are smaller than 50 lots and the vast majority of strategic opportunities to acquire public open space will likewise be lost as a result.

Involving the State in the rollout of local public open space through holding public open space contributions and issuing grants to Council is likewise not supported. This removes local community agency and adds an unnecessary level of bureaucracy to the funding of public open space. There is also a question here of how such an approach

would be facilitated. Permits cannot require that the developer pay an external party unless otherwise provided for in legislation.

Requiring 10% POS contribution, instead of 5%, is a significant jump and will just lead to elevated land/dwelling prices for the end consumer. Excessive contributions deter development.

Providing additional standards relating to landscaping streets and public open spaces is generally supported. For subdivisions within existing urban areas, this would likely best be facilitated through cash-in lieu pathways, rather than requiring developers to install it. For new streets it would be appropriate for the developer should install. One tree per lot, or one lot per 12m, seems to be a more appropriate threshold when having regard to the likely frontage widths of new lots. Consideration should be given to what life stage / size the tree must be when planting.

SECTION 5 – HOMES IN BUSINESS ZONES

5.2.1 – Business Zone Development Standards

The introduction of additional standards relating to residential amenity for dwellings in business zones is strongly supported and long overdue. The zones currently have no density requirements for residential uses in business zones and make residential uses discretionary where not behind or above businesses. This is an appropriate permitted use pathway but the discretionary pathway of impacting the activity centre does not appear to be strong enough to properly inform good outcomes. The complete lack of residential amenity standards such as private open space, overshadowing, and the like are serious gaps that need to be addressed if there is to be appealing and desired dwellings being developed in these business zones. However, the level of residential amenity needs to be balanced with ensuring that existing businesses are not adversely affected.

5.2.1.1 Landscaping, deep soil areas and tree provision

Landscaping, deep soil areas, and tree provision in the business zones is impractical and against the intent of the scale of activity intended for these properties.. These zones are designed to promote buildings on the frontage. Where would landscaping go that provides any benefit? Again, referencing the Medium Density Design Guidelines as a reference document is not supported.

5.2.1.2 Solar Access

Solar access to dwellings in business zones should be protected.

SECTION 6 – HOUSING IN THE RIGHT LOCATION

Out of the proposed options, Options 1 is the most preferred option as it appears to be the most achievable in the current state of planning reform at all levels currently being undertaken.

Option 2 is not preferred. Combining the General Residential and Inner Residential Zones will potentially result in areas that do not have appropriate infrastructure capacities suddenly allowing inappropriately intense development. Instead, the Inner Residential Zone needs to be provided with a marked difference that makes it worthwhile (e.g. directing larger apartments / higher densities to this zone). This approach may also require significant amendments to planning schemes, which would be reliant upon individual Councils to initiate and progress.

Option 3 is likewise generally not preferred but an Apartment Code may be a more streamlined way to apply standards that relate to them if they are predominantly the same across zones. A 'Contribution Code' may assist in consolidating any proposed cash-in-lieu provisions.

SECTION 7 – OTHER IMPROVEMENTS

Miscellaneous improvements

In respect to car parking, reducing car parking requirements can be a positive policy outcome to assist in transition to active transport – but it needs to be partnered with significant improvements to active transport and public transport networks and the provision of housing closer to activity centres. There is much evidence coming out of the USA that developers will continue to provide the number of car parking spaces that they believe are needed to meet market expectations regardless of planning requirements. A number of cities have removed minimum parking standards to increase density, promote a modal shift, and reduce regulatory burdens and excessive costs associated with constructing car parks. That said, rural villages and towns – and indeed Launceston – will still require parking. However means such as consolidated public parking are also options within the available toolkit. Focus here upon certain distances from larger activity centres (e.g. possibly District and above) seems appropriate.

We appreciate the opportunity to provide input into this review and look forward to ongoing collaboration with the State Planning Office moving forward.

Kind regards

Thomas Wagenknecht
Senior Strategic Planner

13 September 2024

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

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

Dear Mr McPhail

Improving Residential Standards in Tasmania Draft Report

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

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

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

Issues difficult to regulate on a statewide basis

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

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

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

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

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

Managing the Impact of short stay accommodation on housing

Local government has resolved that action must be taken on the short stay market's impact on the housing market, described in LGAT submissions¹ and General Meetings^{2,3}. We are finalising for public release, a comprehensive Local Government Housing Position Statement and will provide this to the SPO as soon as possible. Short stay is a matter of high importance to local government because of its impact on housing supply. Local government is focused on whole-of-home short stays, with home sharing of a room or ancillary dwelling not having a noticeable impact on the housing market.

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

¹ See: [LGAT Submission – Tasmanian Housing Strategy Exposure Draft](#)

² See: March 2024 LGAT General Meeting [agenda](#) and [minutes](#)

³ See: [September 2024](#) LGAT General Meeting

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

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

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

Yours sincerely

Dion Lester

CHIEF EXECUTIVE OFFICER



Housing Position Statement

August 2024

Local government delivers the services and infrastructure that shape the daily experiences of every Tasmanian.

It is councils that deliver the services and infrastructure that shape the daily experiences of every Tasmanian. They are place shapers who drive people's attachment and satisfaction with the area they live.

In representing their communities, Tasmanian councils have 263 elected representatives and undertake their functions and services with close to 4,000 employees. Councils by their definition come from each and every one of our state's communities.

As the closest level of government to the community, local government is a critical partner for the State Government, business and community sector to build prosperity and improve community wellbeing locally.



About us

We have been the peak body for local government for over 110 years supporting them to undertake their diverse roles.

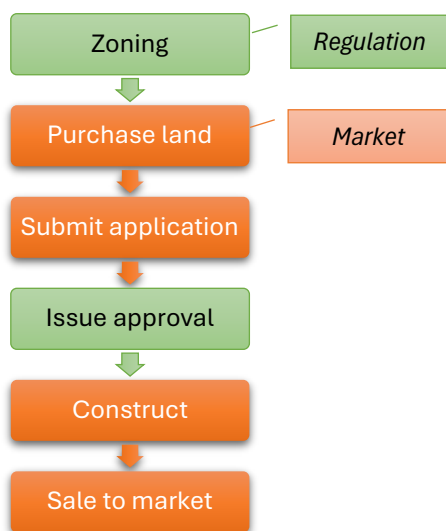
Our role is to support, promote, advocate for, and represent the local government sector so our members are in the best possible position to serve their communities.

All 29 of Tasmania's councils are members.

Government role in housing

In Australia, we rely on market forces that result from private investment decisions to deliver housing supply. Market-supplied housing is shaped by our regulations to ensure quality.

When we think of land release, we tend to think of regulation and blame governments, often councils. But government regulation controls only two of the six steps of getting houses to market: zoning and approvals.



The other four steps – land purchase, development application, housing construction, and release to market – are managed by landowners. They may elect not to lodge a development application for housing, or not to proceed with an approved housing development to wait for better market conditions, which withholds housing opportunities from the market. Construction is risky, and property value appreciates in a constrained market without productive effort or risk, so choosing to simply hold property might be the preferred choice. It is the sum of all private landowner and developer decisions together that sets the speed of new housing construction and its release to the market to be available to improve housing security.

Regulatory planning decisions, like strategic zoning and approvals, set the location and quality standards of new housing development, but not the speed. A better resourced planning system could make small improvements to average development assessment times. Yet this would have a barely perceptible effect on the overall rate of housing development. Councils do not control the number of applications they receive, whether approvals will be acted upon and seen through to completion, or if the finished housing product will be released to the market.

The speed and quantity of new housing development is dictated by landowner decisions. The overwhelming control of land release for housing is held in private holdings, not being activated, built to the highest capacity, and released to the housing market.

These landowner decisions are based on risk and incentives. Governments at all levels play a role in setting the market risk and incentives (like taxation policy) so that our housing market meets our needs, or otherwise must intervene by directly building new houses for release to market.

Act strategically, fix systemically



Tasmania is at the peak of a housing crisis.

Central to addressing the challenges is a strengthened partnership between local government and the State Government that recognises councils role and capability, with our planning system offering an immediate opportunity.

The intention of our land use planning system is to provide a structured and strategic approach to development. This means that development is guided towards the right areas, is of good quality and is coordinated with infrastructure and service delivery.

Some responses to the housing crisis have reached for immediate and superficial effects to our development approval processes, rather than the root causes at the strategic tier.

New housing supply needs planning approvals, but Tasmania's system is the fastest in the nation and councils are delivering these well within the statutory timeframes of 28 (permitted) or 42 (discretionary) days, averaging 21 and 38 days respectively.

However, a small percentage of assessments are more challenging. Land needs to be rezoned. Flooding hasn't been detailed. Services haven't been planned. The community is unprepared for a new direction.

This is typically a sign of a gap in strategic planning.

With this gap, individual proponents have to fully justify and validate their proposal. This is complex, difficult, costly and time-consuming. Councils are often blamed for these delays. Proponents rightfully are only interested in developing their site, and don't want to use their resources planning for a broader area.

Good strategic planning addresses these challenges, improving certainty and resolving or clarifying issues before a development application is even made. It allows well planned housing to be delivered faster, in the right places, with the right services.

Tasmania does have Regional Land Use Strategies. These should guide good development, but ours are very out of date. This means that instead of improving certainty for housing supply, they've become a barrier. They are not providing appropriate direction and coordination for supplying much needed new housing. This makes the development application process more complex, difficult and worst of all for housing, slower.

Our position

Reform and implementation effort needs to be on the strategic elements of land use planning, not on tinkering with regulations or development assessment processes.

Significant, at scale improvements in housing delivery is supported with well-coordinated strategic planning. The Regional Land Use Strategies are the keystones in our planning system. Councils need them updated and kept relevant to our ongoing housing demands.

The Tasmanian Government needs to elevate state agency prioritisation of regional strategic planning needs and supporting project delivery.

Establish an infrastructure delivery system



Delivering new housing supply requires infrastructure, and delivering infrastructure requires sharing the costs fairly amongst those who benefit from it.

When the costs of infrastructure cannot be properly shared, it falls upon the first developer, or ratepayers to provide it. This creates a situation where developers avoid infrastructure costs by delaying their development until another developer has constructed the infrastructure that they will rely on. Without a proper infrastructure charging system, we get a market where developers are competing to *not* develop first. This is known as the first mover problem. This stops new housing supply in its tracks.

Tasmania needs a clear, structured system to plan for the infrastructure needed to unlock housing supply. This system needs to equitably share the costs of delivery between development proponents and beneficiaries so that the right infrastructure can be delivered at the right time.

Every other Australian state resolves these problems with infrastructure charging systems that have been steadily refined over years. The charges are clear and certain for developers. They account for incremental use of infrastructure network capacity and support better infrastructure planning and delivery.

This creates certainty for development and helps housing supply.

The case and need for a Tasmanian infrastructure contributions system to support development is clear. It has been identified and articulated by multiple plans, strategies, policies, reviews and reports, including:

1. [Future of Local Government Review Final Report, Local Government Board.](#)
2. [Tasmanian Housing Strategy and Action Plan, Tasmanian Government.](#)
3. [Draft Tasmanian Planning Policies, Tasmanian Government.](#)
4. [State Planning Provisions Review, Tasmanian Government.](#)
5. [Toward Infill Housing Development Report, for Tasmanian Government.](#)
6. [30-Year Greater Hobart Plan, Greater Hobart Committee.](#)
7. [LGAT's Infrastructure Contributions Discussion Paper.](#)

Now is the time to properly activate Tasmania's housing supply pipeline with a best-practice infrastructure contributions system that's fair for everybody.

Our position

The Tasmanian Government must commit to developing a complete and best-practice infrastructure charging system in partnership with local government. This will properly support councils, and the development industry deliver new housing supply. The system would include a legislative framework and associated guidelines for implementation.

Housing for residents



The growth in short stay accommodation has disrupted visitor accommodation and impacted housing availability. Traditional home sharing and the like is having a negligible impact on housing. However, where investors are using whole homes for temporary stays, they are removing them from the housing market altogether.

It is important to note that impacts vary across the state and are most pronounced in popular tourist areas.

These commercially let short stay properties have a higher daily return than true rentals but pay only residential-level property costs and avoid higher building regulation requirements, unlike commercially located hotels and motels.

Councils strategically plan their residential zones to supply housing for their communities. But as more homes are converted to commercial short stay, these zones become less effective at delivering available housing for people throughout their stages of life. The residential capacity of residential zones is reduced, and availability of housing is restricted.

Placing commercial uses into a residential zone can create issues that impact residents and in dense short stay areas, change the very nature of neighbourhoods.

Our position

Tasmania's councils want action to help communities manage non-residential use of dwellings and address the housing crisis. They want:

1. **Targeted action:** measures should target commercially let residences in residential areas and avoid impacting true home sharing, or short-stay accommodation in non-residential areas.
2. **Better transparency and enforcement:** the Tasmanian Government must better enforce legislated data reporting by short stay letting platforms and regularly update and publish the data in a dashboard.
3. **Fair regulation of non-housing use:** councils should be enabled to manage the impact of commercial short stays through their planning schemes.
4. **Markets incentivised for housing security:** councils seek economic measures, such as land tax, stamp duty, capital gains tax, and negative gearing, to incentivise helpful market behaviours and return commercially let residences back to residential use.
5. **Councils empowered with local incentives for housing security:** where short stay is impacting housing supply and security, councils will investigate and apply a differential rating regime for commercial short stays in residential areas.

Supporting people in need



Tasmania's housing issues are a significant contributing factor to our homelessness crisis.

All of us are witnessing the increase in people who are resorting to taking refuge in public places, sleeping rough. These places are often managed by a council.

Councils desire best-practice approaches to support people experiencing homelessness. The Tasmanian Government leads housing and homelessness services, with the help of community and not-for-profit service providers. It is often councils that are the first to encounter someone experiencing homelessness sleeping rough in our public spaces.

Councils understand that the state laws they must enforce and local by-laws¹ can make a crisis situation worse for our most vulnerable community members. Tasmanian councils seek a compassionate approach to homelessness and housing insecurity, and to ensure that our regulations don't carry unintended consequences for people in a crisis.

There is an opportunity to better join up the various service providers to reduce gaps, provide certainty and a clearer pathway to long-term housing.

Our position

Councils support the Tasmanian Housing Strategy's vision to end homelessness and ensure any instances of homelessness are rare, brief, and non-recurring.

Councils seek better coordination of crisis responses to homelessness between state and local governments and service providers.

Councils want to ensure that regulations don't make marginal housing situations worse. These include state planning and building regulations that councils must enforce, such as for tiny homes, as well as local by-laws around camping, temporary use, or use of public spaces. The Tasmanian Government needs to work closely with local government around planning and building regulations to ensure they achieve the right outcomes and don't have unintended consequences.

¹ See [LGAT General Meeting December 2019](#), item 2.5.

Other issues

Help communities face the challenge of change for housing

Delivering new housing supply means change to local places – and we need a lot of houses. Between 2016 and 2022, Tasmania’s population grew at an unprecedented rate, more than double the highest projections. This growth brings many benefits to the state, but it also creates pressure, particularly for houses. We must provide the new housing supply to meet this rising demand, but this requires urban change.

Change can be hard, especially change to places we are familiar with. Rapid change, as we’ve seen, is even harder. The community needs to be brought along with the reasoning: why we need to change, how we need to develop our urban centres. Without this the community can splinter, and some can resist passionately – “not in my backyard”!

Community-level resistance to sensible change makes it incredibly challenging to provide timely development responses to house people who desperately need it.

We need to connect with communities about the challenges and opportunities that growth brings. An increased understanding and acceptance in the community means that councils can properly undertake their planning and growth management responsibilities.

The Tasmanian Government needs to lead a healthy, honest and positive conversation with communities to allow us to guide the growth we want.

Incentivise affordable housing

Affordable forms of housing are badly needed to help address our housing crisis, but our planning framework has virtually no mechanisms to assist their supply.

In other parts of Australia, councils have taken the initiative to encourage affordable and social housing and other diverse housing forms. However, the Tasmanian Planning Scheme means that councils have no control over their scheme provisions.

Councils want the Tasmanian Government to act on their affordable housing ambitions by encouraging and incentivising social and affordable housing options in planning scheme provisions. This should include:

1. Planning policies that support affordable housing.
2. Regional land use strategies that supply appropriately zoned residential land.
3. Planning scheme or zone objectives to support affordable housing.
4. Zone provisions that allow flexibility for affordable housing.
5. Planning and regulatory incentives for proposals that improve housing diversity and especially for social and affordable housing.



Prohibit restrictive covenants that target vulnerable people or housing forms

Councils have encountered situations where previous landowners have placed covenants on land prior to their sale that seek to prevent use and development of the land for public housing or to lease to tenants in receipt of government payments.

Such restrictive covenants threaten to undermine efforts by both state and local governments to improve the availability of well-located affordable housing and help alleviate the impacts of our housing crisis on our most vulnerable community members. They also seek to regulate land use outside of the [Land Use Planning and Approvals Act 1993](#), a very questionable practice.

Neither the [Land Titles Act 1980](#) nor the [Anti-Discrimination Act 1998](#) appear to prevent the use of restrictive covenants in this way.

Councils find the use of restrictive covenants in this way to be in contravention of the intentions of land use planning, unempathetic and even discriminatory to our most vulnerable, and, arguably, unethical. They also challenge one of the primary functions of councils under the [Local Government Act 1993](#), to provide for the health, safety, and welfare for their communities.

Councils want the Tasmanian Government to act on this practice by preventing the use of restrictive covenants to suppress the use of land for public, social, or affordable housing, or for leasing to tenants based on income, personal, social or financial circumstances.



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City of **HOBART**

13 September 2024

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

Dear Sean,

RE: Improving residential standards in Tasmania – Draft report July 2024

Thank you for providing an opportunity to comment on the Improving residential standards in Tasmania – Draft Report July 2024 ('the draft report'), which forms a critical element of the implementation of the 30 year Greater Hobart Plan and more broadly, the State Government's planning reform agenda.

The City of Hobart ('the City') welcomes this draft report at a time when the need for improving housing design could not be more significant in shaping and delivering a more compact city through high-quality built form responses that adequately serve the City's residents and visitors.

As an active partner and collaborator in driving planning system reform, the City looks forward to continuing working closely with the State Government to work out the most effective mechanisms to implement these reforms through future amendments to the State Planning Policies. Furthermore, the City anticipates that the raft of residential standards set out in the draft report will encourage increased housing diversity and density in the market including affordable, social and key worker housing.

Specific feedback to the questions included in the survey have been set out in the following sections:

- Section 1: Development Standards
- Section 2: Subdivision Controls
- Section 3: Implementation

Lastly, additional feedback has provided at the end of the submission for your consideration.

Section 1: Development standards

1. Do you support the use of plot ratio to set the overall scale of development that is suitable for a site?

Note: Plot ratio is a tool that manages the scale and coverage of buildings on a site and is proposed as an alternative to the current density and building envelope controls. It would work with other requirements for building height, setbacks, landscaping, and solar access.

The City supports the introduction of a plot ratio tool to work with other requirements for building height, setbacks, landscaping and solar access.

2. Do you have any further feedback on the potential plot ratio controls?

The City supports the proposed plot ratio standards and associated additional 10% dwelling diversity bonus, 10% social housing bonus, and 20% social housing bonus for dwellings within 400m of a business zone or high frequency transit corridor.

The City strongly supports the additional standards for setbacks, solar access, and landscaping to work in conjunction with the plot ratio controls and note they are critical in providing amenity for the subject site and adjoining lots.

3. Do you support the use of separate building height and setback controls?

Note: By separating height and setback standards, this part of the assessment process is simplified and enables a more appropriate design response.

The City is generally supportive of this and has provided further feedback below.

4. Do you have any further feedback on the potential building height or setback controls?

Building envelope

The current building envelope method allows for solar access to neighbouring properties through a 45 degree angle which is built into the standards in both the IRZ and GRZ. This is an effective requirement to protect the amenity of a neighbouring property. If this were to be removed, then alternative standards would be required to protect solar access and reduce potential visual impact on neighbouring properties.

Height

The City supports enabling 3 storey development within the IRZ zone (or alternative implementation mechanism), as it is appropriate to provide for greater dwelling density.

The City supports the proposed increase to the height of townhouses, apartments, and communal residences in the IRZ to 11m. We note that a maximum building height of 11 m in the IRZ would be roughly equivalent to requirements for medium density residential zones in other Australian jurisdictions.

However, we have provided some feedback below regarding building envelope requirements under the section relating to side setback.

Side setbacks

We support the proposed changes to side setbacks to 0 m for shared walls of townhouses, to enable conjoined townhouses (terrace housing), within the one lot (strata) and on adjoining lots.



Minimum setbacks (with a dimension of 1.5m or less) can result in long narrow spaces with very little value, or amenity such as access to sunlight. Better utilising this space could enable greater dwelling density. A 0m side setback up to 1 storey high (3-4m) could potentially be included in the standard to allow for single storey development including garages/carports built up to the boundary.

It is our understanding that the proposed side setbacks (see page 34) include a significant increase in height at the 3m side setback point.

The draft Report states the following in relation to side setbacks:

- 0 m (for shared walls of townhouses)^
- 1.5 m (up to 2 storeys)
- 3 m (>2 storeys)

This appears to indicate that a height of up to 3 storeys or 11m would be possible as a permitted pathway under the proposed Acceptable solution. This is a significant departure from the existing 6m height possible at the 3m side setback point under the building envelope standards set out in the IRZ and GRZ of the Tasmanian Planning Scheme's SPPs.

We seek clarification on the intended permitted height at the 3m side setback point.

A diagram comparing the existing Acceptable solution in the relevant standard in relation to the proposed height/setback standards would be useful to ensure the correct interpretation of the proposed standards.

The visual impact of an 11m high/3 storey building just 3m from the side boundary would be significant, with an additional 5m in height possible under a permitted pathway.

The Acceptable Solution for the building envelope standard in the SPPs IRZ and GRZ includes a 0m side setback to a height of 3m in combination with a 45 degree pitch, the proposed increase to 11m setback 3m from the side boundary is significant, as are potential "... visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property". (Taken from the current Performance Criteria of 9.4.2 of the IRZ in the SPPs).

A reduced permitted height at the 3m side setback point could be considered with the 11m height permitted at a point further setback from the side boundary. Alternatively, a building envelope standard could potentially provide a more palatable permitted pathway through the Acceptable Solution whilst also allowing for increased heights particularly in heritage precincts or sites adjacent to heritage listed properties.

It may be intended that the amenity of neighbouring lots will be protected by a potential new requirement for solar access as expressed in the draft Report. This is necessary to mitigate/manage the potential impacts of new development, especially in existing suburbs.

It appears that the Performance Criteria for height and setback discretions solar access is going to be the only consideration of impact from built form on adjoining properties. For example, would a 11 m high (or higher under discretion) townhouse on a boundary adjoining an existing low scale development be considered acceptable if it was to the north and therefore solar access impacts were not unreasonable? Consideration needs to be given to whether this is a desired potential outcome under the proposed provisions.

It would be necessary to include specific heights (as opposed to a reference to the number of storeys), as well as a diagram of the existing height/setbacks permitted in the building envelope in the IRZ and GRZ and the proposed height/setbacks permitted in order to provide meaningful feedback on this option.

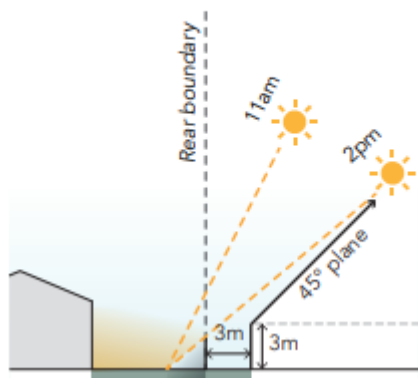
★ ***Clarification of the permitted height at a side setback of 3m is required.***

Rear setback

The City supports the inclusion of a minimum rear boundary setback in the standards. A minimum 3m rear boundary setback for dwellings of any height (that is 1 storey and over) would provide a more appropriate width than the proposed 1.5m for up to 2 storeys and 3m for over 2 storeys, to better enable the resulting space to be used as private or communal open space. It would also reduce adverse impacts on neighbouring properties. Such as the provision of solar access to open space and habitable rooms within the neighbouring dwelling, an increased setback would also improve privacy for neighbouring dwellings.

We have proposed a minimum 3m rear setback (in combination with a building envelope) in the draft North Hobart Neighbourhood Plan (NHNP) to enable solar access to neighbouring properties to be retained. Whilst orientation is relevant, we believe that this is an appropriate setback for an Acceptable Solution, with potential for discretion under Performance Criteria which ensure alternative configurations meet solar access requirements for neighbouring properties.

Figure 22. Residential rear boundary setback (solar access)



Draft NHNP diagram for a proposed rear boundary setback above.

A consistent 3m rear setback allows for greater amenity, especially where townhouses (with shared walls) can have a 0m setback from the side boundary. It would better facilitate adequate ventilation, solar access, POS etc.

Height in Business zones

The draft report states:

“Typically, dwellings in business zones will form part of a mixed-use building with a non-residential component and will often be of greater scale and/or height than housing in residential zones.”

However, there is no proposed increase to the Acceptable Solution set out in the height standard of the Urban Mixed-use zone, therefore if the 11m height limit for townhouses, apartments and communal residences in the IRZ proceeds, this would be greater than the 10m max. height under the Acceptable Solution set out in the UMUZ height standard of the SPPs.

Is it worth proposing an increase to the height of townhouses, apartments, and communal residences in the UMUZ? Consideration of protecting solar access to residential use would still be appropriate.

5. Which of the following landscaping and open space controls do you support?

Landscaping, including private and shared open space, is an important factor in housing development and how they are enjoyed by residents.

The City supports the inclusion of the landscaping and open space controls.

6. Do you have any further feedback on the potential landscaping and open space controls?

Private Open Space (POS)

We would like to better understand why ground floor apartments require 15m² POS, as opposed to it relating to the number of bedrooms. Does this relate to universal (wheelchair) access?

The ground floor area is likely to be a contested space in regard to providing communal open space, car parking and driveway, front setback areas.

We are concerned that this requirement for 15m² POS may result in disincentivising ground floor apartments.

Common Open Space (COS)

Is COS necessary for grouped dwellings or townhouses? This type of dwelling would have access to individual POS of min. 24m².

Should this requirement for COS be required for a minimum of over 5 apartments, as opposed to 10? Why would residents of a smaller apartment block have any less requirement for COS?

For example, if a proposal is for 6 dwellings/apartments on a site, (2 apartments per floor, over 3 storeys) and they are only required to have 8m² of POS each, probably a balcony, then where is the access to a green space for liveability, or for amenity such as a clothesline?

7. Do you support a potential new requirement for solar access?

Solar access controls will ensure dwellings get appropriate access to sunlight and will also protect adjoining developments from overshadowing.

The City supports the new solar access requirements.

8. Do you have any further feedback on the potential solar access controls?

Solar access controls are an important part of this work, and we would not support an increase to heights or changes to side setbacks without them. They need to be clear to designers and able to be easily assessed by planners to protect the amenity of neighbouring properties. Where there is reliance on determining acceptability or performance in respect of solar access, consideration should be given to standardised method of measuring sunlight/daylight or verification of methodology.

Are the proposed solar access provision for dwellings in the business zones applying to only 60% dwellings equitable considering these residences will be occupied equally? It is appreciated that there can get difficulties ensuring solar access to all dwellings in higher density residential development. However perhaps are more nuanced approach such as convenient access to communal space or inclusion of sizable lightwells be required as acceptable and performance solutions.

Section 2: Subdivision standards

The City strongly supports the range of potential improvements proposed to the existing suite of subdivision standards that are explored in the report, in particular, lot design, subdivision design and lot layout, urban greening and landscaping, movement networks, and services. A detailed analysis is provided below on the topics of urban greening and services (stormwater).

9. Do you support the potential lot design subdivision controls?

By creating diverse lot sizes within a subdivision, we can enable a greater variety of homes for Tasmanians. This is particularly important in areas with good access to transport, community services, and facilities.

The City supports the new lot design subdivision controls.

11. Do you support the potential urban greening subdivision controls?

Providing residents with access to green spaces improves health, wellbeing and biodiversity outcomes. They may include local parks, tracks and trails, and places to play, socialise and access nature.

The City supports the inclusion of urban greening subdivision controls.

13. Do you support the potential movement network subdivision controls?

Well-designed movement networks are people-focused and consider things like permeability, accessibility, functionality, the road hierarchy, and the comfort and safety of those moving through the network.

The City supports the potential movement network subdivision controls.

15. Do you support the potential subdivision services controls?

Including stormwater requirements at the subdivision stage has the potential to better integrate meaningful water sensitive design. It also reduces potential delays at the final plan stage.

Stormwater

The City strongly supports the introduction of stormwater requirements to the SPP's to ensure stormwater overland flow paths are a key design requirement early in the subdivision process that dictate road, pathways and public open space layouts. This issue is critical because large-scale detention and treatment (and their access requirements), along with any street-scale Water Sensitive Urban Design elements, are extremely difficult to retrofit in later design stages.

The proposal that nominates a threshold of subdivisions creating over 15 lots to trigger the need for stormwater quality and quantity provisions to be imposed is questioned however, as the City currently requires detention and treatment for far smaller developments and subdivisions and will continue conditioning for such via the City's *Stormwater Management Policy for Developments*. It is noted that the 15 lot threshold is inconsistent with regional standards, demonstrated in individual Council stormwater policies and the Derwent Estuary Program / LGAT's *Tasmanian Stormwater Policy Guidance and Standards for Development*.

Furthermore, the 15 lot threshold is problematic because the majority of development in the Hobart LGA is infill rather than larger greenfield subdivisions and would therefore not meet this criteria, potentially resulting in unmitigated environmental impacts. It would be useful to include a discussion around stormwater flow and detention provisions as increased densities create additional flows into existing systems that are not designed for these additional flow rates.

It is suggested that a stormwater quality contribution be investigated to ensure that appropriate stormwater treatment is provided in appropriate locations, which may not be available in a subdivision site and to provide an option to offset these requirements, similar to the way Public Open Space is addressed. This option would allow for requirements to implement water quality treatment to all development.

For these reasons, it is recommended that the current proposal could greatly benefit from further input from engineers and stormwater professionals and throughout the next stages of this project, the City would be very interested to provide further technical assistance and advice in the drafting of the stormwater provisions.

16. Do you have any further feedback on the potential services controls?

Urban greening (including public open space)

The City emphatically supports the inclusion of a mechanism to provide public open space in the SPP's to support its comprehensive planning and delivery.

The City's current approach to the provision of public open space (POS) through the development approval process is articulated in the adopted *Public Open Space Contributions Policy*, which outlines expectations and best practice methodology to guide the development industry. While it is acknowledged that there is much scope for this approach to be improved, the City notes that the proposed changes to the SPP's are a positive step in the right direction to improve POS provision and delivery. In the long term, the ultimate goal for POS delivery is through a comprehensive and statewide legislative reform of the infrastructure contributions system.

The City agrees with the commentary in section 7.2.2.2 Infrastructure Contributions of the report that states that introducing the urban greening standards in the improved subdivision suite is ‘the first step in a larger process’ that is beyond the scope of this project.

Section 3: Implementation framework

17. What is your level of support for Option 1 which implements the proposed improvements through the existing zones?

There is no change to the spatial application or policy intent of the existing zones under this option. This option presents a ‘business as usual’ implementation approach.

18. What is your level of support for Option 2 which implements the proposed improvements through new zones and aligned zone application guidelines?

This option redefines where residential zones are applied in the major urban areas of Tasmania to deliver the right housing in the right locations. It provides a balanced approach that recognises the role of our cities is different to that of our regional towns.

19. What is your level of support for Option 3 which implements the proposed improvements through the new codes?

This option implements the recommended improvements through three new codes: the Medium Density Code, Apartment Code and Subdivision Code. This will mean that the desired outcomes rely on codes, rather than the use of zones as the primary mechanism for delivery.

General comments

The City acknowledges that while the fundamental objectives and principles guiding this reform process are laudable, one of the greatest challenges is identifying the most effective and timely mechanisms to implement and enact these significant reforms.

As such, the City has considered each Option in detail and offers a preferred implementation methodology for consideration and further refinement.

In analysing each option, the Report could have benefited from an unequivocal definition of a ‘higher order activity centre’ and a ‘high frequency transit corridor’. It is understood that this terminology will be forthcoming in due course from the Department of State Growth and through the preparation of the updated *Southern Tasmanian Regional Land Use Strategy* (STRLUS).

Option 1 - improvements through existing zones

The City generally supports the recommended improvements being made through changes to the residential standards in each zone, notwithstanding the preceding commentary regarding suggested changes to some development standards.

Arguably the most straightforward and effective method, Option 1 would appear to achieve the stated aims of these reforms through changes to the residential standards in the General and Inner Residential Zones.

Although the City has probably the greatest amount land in the IRZ across Tasmania, the capacity of these areas to accommodate higher densities are constrained by heritage listings. Nonetheless, through the structure planning process in Central and North Hobart, and Sandy Bay, the City has

started to analyse underutilised sites and the capacity of commercial and business zones to accommodate much of the anticipated need for medium density mixed use development.

Option 2 – improvements through new zones, and revised spatial application

The City holds misgivings about Option 2 given the far-reaching implications that this approach would have in order to achieve increased housing density and diversity at a statewide level. While this Option, for some LGA's without little, if any land within the IRZ would appear to be a timely and cost-efficient way to achieving increased medium density, compared with undertaking structure planning work, for the City, this Option would offer superfluous results due to the existing extent of land within IRZ. Moreover, the aim of facilitating increased medium density development through structure planning work has already commenced in Central Hobart, North Hobart and Mount Nelson and Sandy Bay.

It is also acknowledged that the General Residential Zone (GRZ) serves a purpose in Hobart by facilitating residential development at lower densities and is not generally appropriate to accommodate an increased density above that which is currently permitted due to the environmental constraints of slope, bushfire and flooding. For these reasons, the City remains unconvinced that this Option is the most appropriate method of increasing housing density and diversity.

Option 3 – improvements through codes

The City maintains that there is merit to introducing a new Apartment Code to provide design guidance on the full gamut of housing typologies that fall under the medium density banner. It is recommended that the Code contain definitions of low-rise (2-3 storeys) and mid-rise (3-6 storeys) medium density residential development.

It would appear that development at higher densities (3-6 storeys and above) has fallen outside the scope of this report and as such, the City would support the Apartment Code to provide detailed guidance on design excellence where residential development is permissible across the Urban Mixed Use, Local Business and General Business Zones.

In addition, the City holds reservations regarding the introduction of a Medium Density Code and a Subdivision Code due to the extra level of complexity that might result through the development assessment process. Arguably, many of the key areas of reform could be incorporated in updating the land use zones as per Option 1 which is the preferred course of action.

Preferred implementation methodology

The preferred implementation methodology would involve:

- New use, development and subdivision standards in the SPP's to incorporate increased residential density, diversity, and achieve design excellence and;
- the introduction of an Apartment Code to guide design excellence in low-, mid- and high-rise residential development in all land use zones where residential development is permissible.

The City recognises there is further research and consideration required to refine these options and looks forward to working closely with the State Government to build on this significant reform.

20. Do you have any further feedback on the potential implementation framework options, or other options you would like to suggest?

Visitor accommodation

Visitor accommodation is a permitted use in the SPPs. Has changing this use to discretionary or prohibited been considered in this work?

Zone Purpose: "To provide for Visitor Accommodation that is compatible with residential character."

The City would prefer to see residential zone purpose statements be reconsidered, so that residential zones are primarily for residential use.

Car parking

The City welcomes reforms that would result in a reduction of the number of required car parking spaces.

It is considered that 1 car parking space per dwelling is adequate for medium density dwelling development that is located in the IRZ and close to public transport, pedestrian and cycling infrastructure and activity centres.

Bicycle Parking

With the growth of cycling and other micro mobility options as a popular sustainable transport options which is likely to continue as the Tasmanian Government injects 4.7m into cycle network and infrastructure, it is logical to include bicycle parking facilities in residential development. It is important to consider these facilities and supporting infrastructure at the design stage of medium and high-density development, particularly as they can be difficult to incorporate retrospectively.

Inclusionary zoning

The City is committed to exploring different mechanisms to achieve increased supply of both social and affordable housing through the planning system, including through the introduction of mandatory and voluntary inclusionary zoning.

While it is recognised that voluntary inclusionary zoning can incentivise provision of affordable and social housing through a range of different bonuses, the use of density and plot ratio are supported, whereas the use of additional height beyond what is permitted / discretionary, is a problematic proposition because of potential impacts on amenity of neighbouring properties. The City recommends that solar amenity provisions be maintained for bonus plot ratio.

With regard to mandatory inclusionary zoning, the City remains committed to advocating for this reform to be adopted in the appropriate mechanism of the statewide planning system as the most effective way to achieve reform in this area.

Indeed, the City's *Affordable Housing and Homeless Commitment 2021-2023* identifies mandatory inclusionary zoning as a priority area of reform required to the planning system to achieve greater supply of affordable and social housing. The City continues to advocate this important reform in various stakeholder working groups and at all levels of Government.

Design guides

For the improved suite of residential development standards, the Medium Density Design Guide (currently in draft form) should be finalised and included as an **incorporated document** in the SPPs. Given its applicability, the Liveable Housing Design Guidelines should also be included as an incorporated document in the SPPs.

Infrastructure contributions

The City agrees that fundamental reform of infrastructure contributions is required through changes to the *Land Use and Planning Act*, which will provide the necessary legislative framework to ensure the consistent, predictable and equitable provision of infrastructure upon which all development depends. The City will continue to advocate for this reform in the appropriate forums.

Yours faithfully,

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Dear Sir / Madam

Submission – Improving Residential Standards in Tasmania Draft Report

Thank you for the opportunity to provide feedback about the Improving Residential Standards in Tasmania Draft Report. This submission is made on behalf of the Northern Tasmania Regional Planning Group which represents Break O'Day, Dorset, Flinders, George Town, Launceston Meander Valley, Northern Midlands and West Tamar Councils.

The Regional Planning Group acknowledge the importance of the review of the residential standards with the opportunity to improve planning outcomes for residential development. Please note that while the table below providing detailed comments nominating which Council raised an issue, the Regional Planning Group provides general support for all issues raised.

I also acknowledge and appreciate the extension of time to make the submission.

Document reference	Submission	Raised by
General	Amending the residential standards has the potential to significantly impact the community through changes in density and ultimately character of residential neighbourhoods. When developing the implementation pathway for any of the recommended improvements, consideration should be made about those impacts, the community's views and aspirations about the future in addition to the additional demand density may place on existing infrastructure – which may not have been designed to accommodate the increases in density proposed in the Draft Report.	RPG
General	Consideration should be made to legislative amendments that allow assessment of performance criteria without the need for public exhibition. There are models in other states where the assessment / decision process does not trigger public exhibition when performance criteria are assessed and also provides for planning authorities to refuse applications that don't meet the standards.	
General	Suggest that drafting is tightened up to ensure: <ul style="list-style-type: none">definitions are provided for all relevant terms that can be reasonably expected in the operation of the provision and/or clauses,	FLI

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	<ul style="list-style-type: none"> performance criteria are clearly drafted to achieve a stated outcome, by reference or regard to specific criteria, and References to the Medium Density Housing Guidelines in PC are removed and replaced with clear and specific criteria that can be assessed, rather than having to gauge the vibe, ala The Castle. <p>Providing for the reasonably foreseeable application and interpretation of standards at this point is a relatively small amount of work. Going through opposing legal advice and the appeal process with TASCAT is time consuming, hostile and incurs unnecessary expense for all users of planning schemes. Particularly when those appeals and expenses can be easily avoided at this stage by providing clarity on intent and interpretation.</p>	
General - Scope	The project should be considering the Village Zone as it functions as both a residential and business zone and is often the zoning of the main street of many towns.	MVC FLI WTC
Intent – zones	<p>The use of the same requirements across the range of zones for issues such as privacy or separation is likely to be counterproductive to the project purpose.</p> <p>Transitional zones such as Inner Residential and more intensive development typologies such as townhouses should provide for lesser or different ways to meet standards when promoting different building types or built form outcomes.</p> <p>As a policy, the requirements for different development types must be linked or addressed across multiple standards. This should be addressed across the range of reforms.</p>	FLI
3.2.1.1	<p>The definition of apartment building should align with the description of Class 2 Buildings under the NCC as much as possible to avoid misaligned definitions for the same terms. Class 2 buildings are described as:</p> <p><i>typically multi-unit residential buildings where people live above and below each other. Class 2 buildings may also be single storey attached dwellings with a common space below. For example, 2 dwellings above a common basement or carpark.</i></p> <p>I'm not suggesting the same wording, but artificially requiring apartments to be four or more dwellings is contrary to existing application of the term through the building process.</p>	MVC
3.2.1.2	Common open space needs to be better defined to ensure it has minimum dimensions, size, and certain characteristics ie. landscaping, seating, sunlight access etc. If not incorporated into the definition, this should be incorporated into the provisions regarding common open space.	WTC
3.2.1.2	The purpose of the shared use of common open space needs to be clarified. Otherwise, the area dedicated to a shared garbage bin storage area and the like could fit this definition. The current definition of public	MVC

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	<p>open space prescribes the purpose of being to provide for public recreation or public gardens or for similar purposes and is a much more workable definition as a result.</p> <p>If the term principal private open space is to become embedded in standards, then this also needs a definition.</p>	
3.2.1.4	Reference to laundry facilities should either be removed or be a 'may'. Laundry facility requirements for dwellings are dictated by the NCC – no need to duplicate.	MVC
3.2.1.5	Question the need to make reference to Strata Title within the potential definition for multiple dwellings. Strata Schemes are achieved under separate legislation. Multiple dwellings can be developed and maintained without a strata scheme. Local governments, like BODC, may have a policy on Strata Schemes that require the development to be built prior to Council issuing a certificate of approval. Reference to strata title does not contribute to the definition for multiple dwellings and introduces another development concept that is unnecessary for the definition.	BODC MVC
3.2.1.5	<p>Definition of grouped dwellings</p> <p>Seems like grouped dwellings are usually referred to as villas in Tasmania. Perhaps the planning scheme should adopt the language that is used by the development sector here. Reference to frontage to a public road is also redundant for grouped dwellings. They will be on site that has frontage to a public road, but the individual dwellings just may not be facing the frontage.</p>	MVC
3.2.1.7	Definition referencing "side by side" is too vague. Side by side could refer to 3 detached grouped dwellings built next to each other. Definition needs to refer to a common wall or similar rather than simply "side by side".	WTC
	<p>Agree that side by side is too vague. Definition needs to refer to a common wall (possibly use the term party wall?).</p> <p>Again, they misunderstand the definition of frontage. All dwellings will have frontage – I think they mean directly face onto a public road.</p> <p>Potential wording:</p> <p><i>A single or multiple dwelling that faces a public road and shares at least one party wall with an adjoining dwelling.</i></p>	MVC
3.2.1.7	My understanding of a townhouse is that it can be attached or detached but the definition relies on 'three or more'. This implies the presence of common property and consideration should be given to including that within the definition maybe. The distinction of townhouses being 3 or more has been used by other states where they include a definition for dual occupancy or 'plexes e.g. duplex'. May illustrate more consideration needs to be given to consistent terminology and meaning.	BODC
3.2.1.8	Not sure this is necessary in the residential zone context. There is already an SPP amendment 05-2024 to introduce an agricultural	WTC

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	<p>worker's accommodation definition, so this other definition could be in conflict. Also, why can't worker's accommodation in residential zones just be assessed as residential use in single and multiple dwellings?</p> <p>The type of worker's accommodation in residential/urban zones that we would want is accommodation that looks exactly like normal single or multiple dwellings and can be converted to this easily. Development standards should be the same or it could be assessed as a boarding house. Not sure where the benefit lies in having another definition. Where worker's accommodation is the biggest challenge is when it involves building large numbers of units or dongas on rural sites rather than in urban areas.</p>	
3.2.1.8	<p>If differentiating workers accommodation it needs to be followed through with specific standards. The temporary nature must be clearly enforceable to avoid legacy issues.</p> <p>Note: We raised the idea of updating the SPP amendment 05-202 to include all forms of temporary workers accommodation and made the point above.</p>	GTC
3.2.1.8	<p>Worker's Accommodation</p> <p>The word temporary can be problematic. Worker's accommodation should be linked to the term of employment. Alternatively, it could be considered as a form of "Affordable Housing" to assist localities in attracting a seasonal workforce e.g. tourism. In any case it is linked to the term of employment. Consideration should also be given to ensuring the accommodation includes use by the workers families. This requires an expansion of the understanding of workers accommodation and is not limited to DIDO or FIFO but is a tool to provide accommodation for workers to ensure the economic viability of a place. Some variance in examples might be workers accommodation in the Agriculture Zone for an Abattoir (Resource Processing) and specific accommodation attracting hospitality staff or allied health professionals that also provides for them to bring their families for the duration of the term of employment or contract.</p> <p>When off-site and linking to employment, enforcement will become difficult.</p>	BODC
3.2.18	<p>Improved approval pathways for accommodation for workers is critical but this definition doesn't appear to achieve anything. If anything, Workers Accommodation seems to be a square peg in a round hole.</p> <p>If workers accommodation is intended as temporary (i.e. short-medium term) and shared accommodation, then the appropriate use class may be visitor accommodation. In which case it may be appropriate to update the definition of hostel (currently '<i>means a supervised place of accommodation, usually supply board and lodging for students or the like</i>') to be broadened to encompass temporary workers accommodation, rather than introduce a completely new sub-set.</p> <p>This is backed up by the Macquarie Dictionary that describes hostels as: <i>a supervised place of accommodation, usually supplying board and</i></p>	MVC

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	<p><i>lodging, provided at a comparatively low cost, as one for students, nurses, etc.</i></p> <p>That way impacts upon compatibility and impact upon amenity can be properly considered without adding a completely new suite of standards.</p>	
Figure 7	Should the Nesting table for residential use class include 'Temporary Housing'. I don't think references to strata title are required or helpful.	BODC
Figure 7	Nesting table for residential use class - I can see the benefit but it shouldn't be embedded in the definition and given statutory weight.	MVC FLI
3.2.1 general	Secondary residence – the definition for secondary residence essentially includes assessment criteria. This is not addressed in the draft report however a secondary residence provides an important and affordable housing option however the definition is too restrictive due to the assessment criteria approach. Transferring the assessment criteria into zone provisions would allow council to assess any variance in these requirements.	WTC
4.2.1	<p>We believe that changing the status of multiple dwellings from "Permitted" to "No Permit Required" introduces a greater risk. For developments involving driveway relocations or services such as TasWater and stormwater infrastructure, these issues would not be addressed until a Building Application is lodged with the Council. By this stage, significant expenses, including detailed engineering drawings, would have already been incurred. If changes are required, this could lead to additional costs for the developer.</p> <p>We recommend that works to existing residential uses, such as multiple dwellings, should be changed to have an NPR status, however new developments should remain as Permitted.</p>	CoL
4.2.1	Agree with CoL that multiple dwellings should be Permitted. Multiple dwellings often require conditions to ensure they are being done correctly and in the right order. This can't be done via the NPR pathway. It is also important for future residents to have a clear idea of what was or wasn't approved. This can be difficult through NPR processes.	MVC
4.2.1	Further a NPR pathway reduces the potential for improved design to be incorporated into development and a risk that development is designed to comply. While this may reduce timeframes, the long term impacts on community may be significant.	WTC
4.2.3.1	It should be specified if the plot ratio is a maximum or minimum requirement and whether all outbuildings contribute the plot ratio.	WTC
4.2.3.1	Plot ratio should be a maximum in the General Residential Zone, and LDRZ, but should be both maximum and minimum in the IRZ to discourage lower density development. If the intention is to encourage infill and break away from the grouped housing model, provisions should not accept continuation of that model particularly in the IRZ. A lenient minimum could also be applied to GRZ to ensure that large lots are developed to an appropriate density.	GTC

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4.2.3.1	<p>Plot Ratio</p> <p>State-wide consideration needs to be given to the current state of stormwater and other infrastructure and that it is able to cope with the increase in density. This is a common issue for BOD when considering multiple dwellings and causes delays and additional costs.</p>	BODC
4.2.3.1	<p>Plot Ratio</p> <p>Not convinced that this will lead to better results. I understand and appreciate trying to shift the conversation away from density and more towards built form (particularly in the business zones), but the term and application feels like technical planning jargon that the public will not understand and is too amorphous. The public do, however, understand site coverage and density metrics.</p> <p>If they are suggesting a plot ratio somewhere in the order of 0.3 to 1.0 could be appropriate, then what is the point of implementing it?</p> <p>Agree with BODC that site coverage is more important as it directly and clearly informs how much stormwater the system needs to collect.</p> <p>The visual bulk and scale impacts of a single storey building that covers an entire site are not comparable to a tall and thin multiple storey building. Plot ratio seems to equate the two as equal.</p> <p>Exemptions from the density standards for apartments may be an appropriate approach. For example, excluding apartments from the residential density for multiple dwelling standards and including an Apartments Code that prescribes density requirements may be more appropriate.</p>	MVC
4.2.3.2	<p>Performance pathway: Need to be careful that reference to compatibility with the height of existing dwellings in the street does not constrain new development too much ie. a traditionally GRZ area that is rezoned for IRZ or URZ, will usually have single storey dwellings, and some 2 storey. If greater height and plot ratio is encouraged in IRZ and URZ, it's expected these previously GRZ areas will be transformed overtime into higher density. It is hard for the first developments in the street to begin this transformation while needing to remain compatible with existing development.</p>	WTC
4.2.3.2	<p>Potential height parameters (performance pathway)</p> <p>Within the GRZ references to compatible with other dwellings in the streetscape can be problematic in areas undergoing transformation but are still in the majority, small 'shacks'. Particularly in areas with 'water views'. Compatibility with the intent of the zone and the 'area' may be more relevant and noting streetscape is defined at a distance of 100m of each side boundary.</p>	BODC
4.2.3.2	<p>Maybe define compatibility. Heights need to be relatable, but not the same.</p>	GTC

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	<p>The term 'compatible' is frequently defined in case law as being not necessarily the same but at least similar to, or in harmony of broad correspondence with, the surrounding area.</p> <p>Definitions of both compatible and consistent would be useful to include the SPPs now that they are both fairly well defined by case law.</p>	
4.2.3.3	<p>Permitted pathway: The increased setback to 3m for >2 storey development needs to be clarified for steep blocks. Often steep blocks result in dwellings that are single storey at the street, and 2 or 3 storey at the back of the block. One particular floor of the house may be at ground level on one end, but be 3 storeys high at the other end. So does the whole floor get assessed as 3rd storey, or only where it rises to 3 storeys from the ground level?</p>	WTC
4.2.3.3	<p>Setbacks should be determined with reference to a height, not the number of storeys. A two storey building with high ceilings and a parapet wall or a gabled roof could be substantially taller than anticipated.</p> <p>Would a three storey building be discretionary? Needs reference to taller buildings or could be interpreted as the standard does not contemplate buildings over 2 storeys.</p>	GTC
4.2.3.3	<p>The building envelope as a concept seems to work well, even if it is a little clunky to explain over the phone. Building height and setbacks often need to be considered in tandem as it is the interaction between the two that determines whether the building is bulky or not. Perhaps a better alternative is to increase the slope of the building envelope to 1:2 instead of 1:1 or raise the starting height from 3m to 4-4.5m.</p> <p>It's going to be hard for townhouses to naturally develop when they aren't considered townhouses until three are all lined up together. Perhaps side boundary setbacks should be significantly loosened in more built-up zones like the inner res to enable that transition.</p> <p>Providing two setback pathways in the LDRZ seems unnecessary. Using the 'not less than existing or on either side if vacant' approach would work fine for legacy sites without complicating things.</p> <p>The performance criteria assessment test of (c) to contribute to a range of dwelling types appropriate to the site and location seems like a surefire way to restrict single dwellings from relaxing boundary setbacks but allowing multiple dwellings to do so. Doesn't seem fair.</p> <p>Greatly concerned with trying to embed design guidelines as a reference document (whether incorporated or not). This just unnecessarily complicates the assessment process.</p> <p>Support more references to local area objectives so that they are actually relevant to assessments.</p>	MVC FLI
4.2.3.4	<p>There needs to be more robust requirements either in the definition or in the provisions regarding common open space. What should it look like, where should it be and how should it function? Otherwise it could be located in an undesirable spot on the property, be of an unusable shape</p>	WTC

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	and incorporate little to no amenity. Needs to be a meaningful, quality space. Perhaps requirements for seating areas wouldn't go astray.	
4.2.3.4	Performance pathway – Deep soil zones: There should be a requirement to gain advice from a geotechnical engineer or similar to prove that the soil is not suitable for a deep soil zone, or that services make it impossible. Otherwise we will see many developers try to justify not providing this.	WTC
4.2.3.4	<p>Ongoing compliance is extraordinarily difficult for vegetation. Vegetation walls die. Henty House is supposed to have trailing vegetation all over it from the planters on various levels. It doesn't, because it became too difficult for a range of reasons. Vegetation should have a degree of set and forget, rather than an ongoing obligation.</p> <p>Limiting the parameters for tree provisions to a few major trees is supported.</p> <p>Uncertain why a single dwelling needs a larger area of POS than other forms of dwelling. Linking POS requirements to bedroom numbers is supported.</p> <p>Also clarify if roofed undercover areas, patios, verandahs, alfresco etc. are part of principle open space areas that need to be considered as part of this standard.</p>	GTC
4.2.3.4	<p>This is overregulation as currently presented. Why are we trying to tell people what to do with their own backyards, particularly for single dwellings? Why would we want to force single dwellings into landscaping before the occupants have had time to occupy and decide for themselves what works best for the site?</p> <p>These landscaping area and tree provision standards are going to be very difficult to regulate and enforce compliance with.</p> <p>Retaining major trees (i.e. trees with a diameter greater than 1m) may have some merit but it should not be applied so broadly.</p> <p>Principal private open space needs to be defined.</p> <p>Potential alternative to providing common private open space onsite is a small public open space contribution so that multiple dwellings can be better serviced.</p> <p>Similarly, perhaps a better alternative to tree provision is a financial contribution going towards street trees in the surrounding area.</p>	MVC
4.2.3.5	Permitted pathway – Impact on adjoining property: A requirement to ensure a proposal does not cause overshadowing of >50% <u>common open space</u> should also be incorporated.	WTC
4.2.3.5	Performance Criteria need to be clearer. Applicants are submitting developments that entirely overshadow on the 21 st June. However, no one is outside on the 21 st June. It's dark when we wake up, it's dark when we get home. It's cold and it's wet. So it's arguably reasonable to have no sun at that time, provided there is sun when people are likely to	GTC

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	be using it. If it's to provide for drying of cloths, then specify that, or any other purpose, in the Performance Criteria.	
4.2.3.6	<p>Passive surveillance</p> <p>Not sure transparent windows (or doors) on frontages will achieve improved surveillance. Many people tint these or put blinds and curtains up because they very reasonably don't want people looking into their house.</p> <p>The way this threshold is described, group dwellings will automatically trigger this discretion if facing the internal driveway (which is not the public realm) or apartments that don't have the frontage.</p> <p>Parking</p> <p>Tandem parking on driveways is a reasonable approach to off-street parking that is not provided for. Limiting parking in front of dwellings to no more than 4 or so is reasonable but will not be complied with by the general public. They will park where they want to park.</p>	MVC
4.2.3.6	<p>Prohibiting parking between the dwelling and the frontage for single dwellings in the GRZ is contrary to Australian culture. It is common practice. It is simply not enforceable. Even people with a garage, fill it full of stuff and park on the driveway.</p> <p>Consideration needs to be given to the cumulative impacts of blank walls and lack of passive surveillance. However, it tends to result in inconsistent application as one dwelling in a street may not compromise passive surveillance, but the cumulative impacts can. The Performance Criteria need greater capacity to push back when people have no real reason to erect a solid fence other than the perception of privacy.</p>	GTC
4.2.3.6	<p>Frontage Elevation</p> <p>Whether it be permitted pathway or performance pathway, how development contributes to the streetscape through design elements, needs to be incorporated. That is integrated streetscapes, casual surveillance, screening and building appearance that contributes to attractive streetscapes through design elements. This includes orientation of buildings to the street and other public spaces. Dwellings should address streets with a front door, pedestrian access and landscaping to enhance the streetscape – clear entry points. Screening/fencing should complement the streetscape character and help define public from private spaces.</p> <p>If solid fencing is unavoidable – variation in materials and incorporation of landscaping – reduce visual dominance.</p>	BODC
4.2.3.7	<p>Privacy related to windows - need to be careful with the use of “or” in Acceptable Solutions and the structure of the clause.</p> <p>Consideration of impacts on windows and principal open space need to be separate Acceptable Solutions or better phrased so compliance with a 1.5m offset from windows doesn't achieve compliance with the whole standard, when it may not achieve an appropriate setback from open space. You can meet one without achieving the other.</p>	GTC

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4.2.3 generally	Concern regarding the following wording that often appears in the performance pathway: <i>“the degree to which the proposal meets the standards for plot ratio, height, landscaping, and solar access”</i> . This is very vague. What does “degree” mean? Do we really have standing to refuse a development that seeks to justify against the performance pathway for the side setback, if it doesn’t meet the permitted pathway for plot ratio or height either? How many performance pathway solutions are too many? Seems ambiguous. It’s assumed “standards” refers to the permitted pathway only. This should be specified, as “standards” is also a bit ambiguous.	WTC FLI
	Agree with above. It also references best practice and the Medium Density Design Guidelines. Are these going to be incorporated into the scheme? The Performance Pathways are very ambiguous.	GTC
4.2.3.1	<p>If plot ratios are introduced into the planning scheme there will be a significant change in density, which we understand is the intention to meet the housing supply standards. We support proposed increased density, however the implications of the proposed densities need to occur in a thoughtful way as it will result in the loss of existing streetscape character, loss of existing deep soil areas, and, in many areas of Launceston, may result in undesirable consequences.</p> <p>In the General Residential Zone, an average 700sqm lot would currently be able to accommodate two dwellings on the site. Under the proposed plot ratio, this would allow a gross floor area of 420sqm, which could accommodate 5 two-bedroom dwellings with a floor area of 84sqm for each dwelling. This has the likelihood to significantly change the character of our suburban areas and we would need to reconsider the spatial application of our zoning.</p> <p>The proposed plot ratios may be achievable and desirable in new residential areas, however applying this scale of change into existing areas will result in a significant change in character. We recommend there would need to be management of this change through neighbour character statements for existing areas, as there is the potential that infill development will not require a planning permit having an NPR status.</p>	CoL
4.2.3.2	We support the separation of setbacks and height for certain developments and in particular single storey dwellings in the General Residential Zone. However, consideration still needs to be given to dwellings with two or more storeys where they are located in close proximity to a boundary setback. We believe that a setback of 1.5 metres for a two storey development may cause significant overshadowing issues in certain situations and greater control would be beneficial. We believe the Inner Residential Zone. where applied appropriately. Can support the proposed separation of setbacks and height. However greater controls in the General Residential Zone should be provided.	CoL
4.2.3.4	The landscaping and deep soil provisions should be adjusted to a sliding scale based on development typologies. This approach would ensure appropriate landscaping across various types of developments.	CoL

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	<p>Deep soil planting provisions should remain mandatory, with existing trees incorporated into calculations. A landscaping plan would need to be provided with development applications to demonstrate compliance with landscaping, deep soil, and tree provisions.</p> <p>We support the initiative to increase vegetation in urban areas but emphasise that the proposed standards must be practical, manageable, and achievable. While long-term sustainability is crucial, requiring large vegetation in constrained spaces has significant implications, including potential impacts on services, foundations, neighbouring boundaries, sunlight, and views.</p> <p>Currently, tree removal is exempt from requiring a planning permit, and if trees are required, it raises concerns about whether the Council is expected to monitor and manage compliance for trees that are approved as NPR. There are also concerns about the practicality of enforcing these standards, such as whether the tree must maintain its height or if pruning is allowed. Under the proposed standards a planning permit will be required when a property owner prefers a smaller tree or they prefer planting a vegetable garden rather than a 12 metre tree.</p> <p>Typically, trees should not be planted within 3 metres of a dwelling or boundary fence and this may pose challenges on many sites, especially within the Inner Residential Zone where the lot sizes may only be 200sqm. For instance, requiring a large tree over 12 m high within close proximity to dwellings could negatively impact building foundations and cause plumbing issues for property owners, as well as causing impacts on neighbouring properties from overhanging branches, leaf litter or reduced sunlight.</p> <p>We suggest considering more achievable standards, such as allowing for vegetable gardens or smaller trees, which will balance sustainability goals with practicality.</p> <p>We note a reference within the landscaping provisions to have regard to the Local Area Objectives. The current planning scheme does not consider Local Area Objectives, however we would support the reintroduction of these into the planning scheme to assist in maintaining character within our existing residential areas.</p>	
4.2.4	<p>Subdivision design should ensure diverse lot sizes consider stormwater connection points of a size suitable to the intended development e.g. single dwelling sites vs multiple dwelling sites to promote housing diversity and density. Stormwater is often a cause of delay and additional costs for applications for multiple dwellings as the existing site connection is inadequate. Potential lot size diversity parameters and achieving the outcome for lot diversity is dependent on stormwater infrastructure capacity and being able to accommodate the varying plot ratio aimed at supporting housing diversity. The subdivision guidelines should provide guidance on the stormwater connections to lots to support higher plot ratios and housing diversity. That is the expected size stormwater connection for the lot size diversity within urban zones.</p>	BoDC

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	<p>Infill – within the BOD this often ends up being internal lots created. Some guidance on managing the number and location of internal lots should be considered e.g. not within 300m of another internal lot – dispersal guidance. Multiple internal lots has the potential to alter the character of an area and impact more efficient development.</p> <p>Mechanism for providing housing diversity and diversity in lots is often by providing diversity in lot widths. Should we specifically consider provisions for 'narrow lots' as part of a larger subdivision to create diversity in lots and ultimately housing diversity. Individual houses on narrow lots could form part of the mix of housing diversity and provisions for built to one or both side boundaries could be considered.</p>	
4.2.4.1	<p>Strongly support improved lot design parameters, however have some concerns about lot size diversity as described.</p> <p>Are Right of Way options still supported by these recommendation?</p> <p>Solar orientation needs to provide a range (i.e. 30 degrees east or west of North). What considerations will there be to townships or suburbs where the existing layout not facing north due to historical circumstances? Perhaps this should also have a threshold of minimum number of lots before being triggered.</p> <p>Not sold on the benefits of lot size diversity. As the REMPLAN study showed us, the average lot sizes in most of our zones exceed the minimum allowable lot sizes by a fair margin anyway. What is the purpose of providing more 1000m² lots? Is it to provide for large single dwelling lots? Or to provide for large sites to develop apartments etc? If the latter, then is 1000m² sufficient to provide for that type of development? If not, it will just be developed with the villa unit design we currently have.</p>	MVC
4.2.4.2	<p>Permitted pathway – layout: How are smaller subdivisions where there is only 1 road proposed to be assessed? Perhaps grid layout provisions should only apply to subdivisions with more than 1 road.</p>	WTC
4.2.4.2	<p>We suggest that the road network requires the agreement to the design and details of infrastructure to be provided by the relevant road manager, to prevent unacceptable outcomes to be forced through the planning application process.</p>	FLI
4.2.4.2	<p>Permitted pathway – cul de sacs: Is the 15% referring to the entire cul-de-sac road, or just the cul-de-sac head?</p>	WTC
4.2.4.2	<p>Permitted pathway – public transport: Not sure what this means. How can we control how many lots are within 800m of a public transport route?</p>	WTC
4.2.4.2	<p>Strongly support greater guidance regarding road and pedestrian network layouts.</p> <p>Cul-de-sacs are often an appropriate means to achieve infill sometimes with all lots fronting the cul-de-sac. 15% fronting cul-de-sacs only possible for larger scale subdivisions.</p>	GTC

Document reference	Submission	Raised by
	<p>Street Blocks – where there is an existing network of road reserves, the development must utilise the existing network – there is a propensity for developers to create new road patterns that try to avoid using existing road reserves due to the perception that someone on the other side of the road reserve will benefit from their development.</p> <p>Design parameters around pedestrian links needs to be clarified. Narrow fenced pedestrian connections are not supported. Wide connections are viewed by developers as an opportunity to argue about open space contributions. Clarity regarding appropriate design for pedestrian links that are safe, support passive surveillance, are welcoming and are readily maintained needs to be inserted in the acceptable solution. Straight lines of sight, minimum widths etc.</p> <p>Also clarity regarding pedestrian links being part of the movement network and not public open space would also provide developers, Council's and designers with clarity.</p> <p>Acceptable Solutions need to be measurable. The standards in 4.2.4.2 are highly subjective and there may not be a meeting of the minds as to whether the development meets the parameters or not.</p> <p>It also potentially compels Council's to take on more assets than they would choose to or assets that are not fit for purpose. Council can't be compelled to take on road and pedestrian assets that it does not choose to. In addition to the Acceptable Solutions listed, it would be good to include one that requires the advice of the Road Authority or General Manager that the road/pedestrian network is acceptable, having had regard to the matters currently outlined in the Acceptable Solutions.</p> <p>With respect to Road Hierarchy – please ensure these are consistent with the LGAT standards. Advocate updating the LGAT standards if necessary, but introducing standards that are inconsistent does not assist with efficient design and assessments.</p>	
	<p>Strongly support improved road network and layout considerations however road layouts are inherently require discretionary consideration and should not be provided with a permitted pathway.</p> <p>Yes, cul-de-sacs should be minimised and have a maximum length but small scale cul-de-sacs can be an appropriate form of infill, particularly where there is no demand for more intense dwelling activity such as apartments.</p> <p>Street block guidance is welcomed but this seems to be something that a localised Road Network Plan is better suited to provided than a one size fits all standard across the State.</p> <p>Straight streets, if not broken up by variation or speed reduction techniques, promote speeding and excess through traffic. A street can be direct without being straight, particularly if needing to respond to localised circumstances such as topography or views.</p> <p>The active travel standards, whilst aspirational and desirable, appear to be set way too high. 1.8m wide shared pedestrian and cycling paths on both sides of streets within 400m walking distance of public open space, high frequency transit corridors and business zones is rarely</p>	MVC

Document reference	Submission	Raised by
	<p>feasible, particularly for existing urban areas. There needs to be a minimum number of lot threshold (e.g. 10-15) before this kind of requirement kicks in.</p> <p>References to external documents, such as the LGAT standard drawings or the subdivision design guidelines, should be minimised as much as possible. Without constant updating of the planning scheme, these documents quickly become outdated and yet councils must still enforce the incorporated reference.</p> <p>There is a risk here of overprescribing the requirements of infrastructure in the road reserve and then being unable to practically achieve that when it comes time to actually develop.</p>	
4.2.4.2	<p>Should the subdivision provisions provide for orientation of streets for solar access e.g. best solar access will occur if streets are aligned approximately east-west. Streets aligned north-south should generally be the short side of the block.</p> <p>Consideration given to guidance on the use of laneways.</p>	BoDC
4.2.4.3	<p>If introducing standards relating to POS or contributions, clarity must be provided regarding how a valuation is to be undertaken for that purpose. Tribunal decisions advise that valuation should be done based on the day of sealing (so that the contribution is enough to buy an equivalent piece of land) – not pre-development. Significant difference between these values causes significant angst. Ensure interpretation is consistent with current case law and clearly communicated in the standard.</p> <p>Increasing to 10% is acceptable, however, a lot of Council's would probably see a significant increase, just by the correct approach to valuations.</p> <p>10% is inconsistent with LGBMP Act. Will there be any moves to amend LGBMP.</p> <p>800m is not considered walkable. Generally a distance of 400m is considered walkable. Lots should be within 400m of some form of public open space.</p> <p>Landscaping has generally been managed through conditions and Engineering Design approval. It is welcomed that this will be more clearly entrenched in planning. Trees and services need to be adequately catered for. Landscaping should be 1 per lot <u>or</u> as meets the requirements the General Manager. Council can't be compelled to take on vegetation it cannot manage, and local strategies should not be undermined by a 1 tree per 2 lot means of achieving compliance. Council's strategy should always take precedence to complying with the Acceptable Solution. Don't leave it to Planning Authority as this requires a Council decision before a DA can even be lodged, better to refer to the General Manager.</p>	GTC
4.2.4.3	Permitted pathway – public open space: Requirement of cash in lieu for subdivisions less than 50 lots is not supported. What if a local strategy	WTC

Document reference	Submission	Raised by
	specifies POS has to be located here? Or the developer decides to lodge multiple subdivision applications of 49 lots? I don't think there should be any mandate on when to take CIL over POS as that's for each Council to decide.	
4.2.4.3	<p>We oppose the 50-lot minimum mandate for POS contributions, the concept is poorly conceived and does not address the realistic range of circumstances where it must work. Flinders will never get any, and many other places will have issues.</p> <p>If a minimum threshold is specified, it needs to be relevant to both the zone and range of real life circumstances that it will be used in.</p> <p>Any minimum threshold should be set in a table through the LPS and related to zone and location.</p> <p>A similar tool to the Parking Precinct Plans in the relevant Code must also be provided to allow delivery of local open space strategy on the consistent basis with other provisions within the SPP.</p>	
4.2.4.3	<p>Permitted pathway – public open space.</p> <p>Forcing Council to take a cash in-lieu contribution for subdivisions less than 50 lots is not supported. It provides for no strategic discretion, particularly if Council has identified that there is suitable public open space to acquire.</p> <p>Involving the state in the rollout of local public open space through grants is not supported. How can a permit require that the developer pay an external party?</p> <p>10% POS contribution is a significant jump and will just lead to elevated land/dwelling prices for the end consumer. Excessive contributions deter development.</p> <p>Landscaping streets and public open spaces is supported. This would likely best be facilitated through cash-in lieu pathways for existing streets rather than requiring developers to install. For new streets then the developer should install. One tree per lot is more appropriate. Consideration should be given to what life stage / size the tree must be when planting.</p>	MVC
4.2.4.3	<p>Permitted pathway – landscaping: Council prefers 1 street tree per lot as we currently have mandated. This works well. It's understood subdivisions may create smaller townhouse lots, but in that case the street tree requirements can be approved under the performance pathway.</p>	WTC
4.2.4.3	<p>Urban Greening</p> <p>The BOD has a policy on the provision public open space contributions. Whether or not we require public open space is determined via guidelines that refer to our Recreation Open Space Strategy. This approach determines whether we require public open space or opt for cash in lieu of public open space. The policy directs the application within zones and how the valuation occurs. Should the development</p>	BoDC

Document reference	Submission	Raised by
	standards include an option of in accordance with any planning authority adopted policy and strategic documents? AM02-Public-Open-Space-Contributions-Policy.pdf (bodc.tas.gov.au)	
4.2.4.4	Permitted pathway – stormwater quality and quantity: significant concerns with the incorporation of the State Stormwater Strategy requirements and WSUD requirements. To meet the specified targets, it would often come down to the installation of gross pollutant traps which are very expensive for the developer to install, but also expensive for Council to maintain. WSUD is also expensive to maintain. Because of the likely significant cost, the threshold to meet these targets should be raised to only apply to subdivisions of 50-100 lots minimum. These requirements should also not be a blanket rule across all localities, as some localities will have inherently less pollutants than others due to their regional rather than urban nature eg. Greens Beach vs Riverside. For this reason, Figure 10 should be updated to include services in the High Impact, High Difficulty quadrant.	WTC
4.2.4.4	<p>Stormwater Connection Unchanged – the Acceptable solution that they connect to a stormwater network gives no consideration to the appropriateness of the connection or downstream network. It's possible to tick the box, without being able to effectively deal with stormwater. Capable of connecting and advice of the authority that the downstream network has sufficient capacity would be a better means of Complying with the Acceptable Solution.</p> <p>The quality and quantity standard doesn't really deal with quantity. Greater clarity around developer responsibilities for stormwater needs to be incorporated in the Acceptable Solution.</p> <p>There is a general reluctance by developers and consultants to undertake stormwater and catchment modelling as part of the planning process due to the significant cost and uncertainty of approval. While making it more difficult to avoid this legwork is acceptable, significant education must occur to socialise this approach.</p> <p>From experience, developments that access existing discharge points have significant difficulty achieving the reduction targets. It is suggested that these only apply to new discharges unless the development results in a 50% increase, rather than to a lot number.</p> <p>Is there capacity to introduce a Infrastructure contribution scheme through this review?</p>	GTC
4.2.4.4	<p>Considering stormwater quality is appropriate but it should not be done in a manner that is so unreasonable that it restricts the viability/affordability of development.</p> <p>WSUD features are a significant investment and asset to maintain. Council's do not want to be taking on assets that are too costly to maintain.</p> <p>We should not be incorporating/referencing a document from 2010, regardless of the merit of the targets.</p>	

Document reference	Submission	Raised by
4.2.4	<p>4.2.4 Services</p> <p>Stormwater management is a key parameter of subdivision that is not being addressed through the SPPs.</p> <p>Can consideration be given to giving guidance on the size of connection point provided on lots through the subdivision process that facilitates dwelling diversity. That is ensuring the connection provided is suitable for townhouses or multiple dwellings. Is there an option for the permitted pathway to include in compliance with the relevant local government stormwater policy.</p> <p>State Stormwater Strategy and the Subdivision Design Guidelines need updating.</p> <p>Council stormwater infrastructure is often inadequate and at capacity.</p>	BoDC
5.2.1	<p>When incorporating residential uses in business zones, priority must firstly be given to retail and commercial activities. We actively encourage inner city living within the Launceston municipality, however converting our heritage-listed buildings into dwellings can be challenging and therefore we would like to see flexibility in the standards to ensure that there is an approval pathway for retrofitting existing buildings. Additionally, the proposed deep soil planting controls in business zones are impractical, and urban greening should focus on the public realm instead.</p>	CoL
5.2.1 generally	<p>There needs to be more provisions about encouraging colocation of dwellings and business uses. Otherwise we will continue to have the issue where entire business zoned lots are developed for housing only, impacting the ability of the centre to provide services. This removes any justification for the higher density, because there aren't the services to justify it. There needs to be discretionary standards for residential uses in the business zone. Perhaps a density bonus if the dwellings are above shops.</p>	WTC
5.2.1	<p>We need improved standards for dwellings in business zones.</p> <p>The zones currently have no density requirements for residential uses in business zones and make residential uses discretionary where not behind or above businesses. This is an appropriate mechanism but the discretionary pathway of impacting the activity centre does appear to be strong enough.</p> <p>Residential amenity should be considered in the Urban Mixed Zone. The purpose of that zone is to provide for a mix of residential, retail, etc.</p>	MVC

Document reference	Submission	Raised by
5.2.1	<p>The BoD has existing single dwellings (not all with Residential Use Class). Should consideration be given to how single dwellings are considered in the Use Table (qualification) within Business Zones if these are to be discouraged or permitted?</p> <p>Additionally, the permitted and performance pathway seems to relate to medium density / multiple dwellings. How will this relate to single dwellings within the Residential use class?</p> <p>The permitted pathway and the performance pathway seem to relate to medium density/ multiple dwellings. How will this relate to single dwellings? We have an ongoing issue that is a compliance matter under the Interim Scheme where the approved use is Visitor Accommodation and it is being used for Residential use. The Interim Scheme made the Residential use prohibited. It adjoins premises that provides entertainment – music/ karaoke and entertainment at night. There are complaints from the user of the accommodation regarding noise from adjoining commercial use. Under the TPS they will now be able to apply for a Residential use (discretionary). How can the provisions of the applicable zones address these matters. We have a number of historic single dwellings within the General Business zone and so development standards are may not be relevant, as it is likely to be a change of use application. How can we ensure, through use standards that the GBZ won't be impacted via complaints. Acceptable solution is the existing dwelling has adequate privacy and acoustic treatments and there is no Performance Criteria??</p> <p>Should new use and development for Residential use be limited to multiple dwellings. Where existing dwellings occur, a change/additional use of Residential should rely on demonstrating adequate privacy and acoustic as an acceptable solution, otherwise unable to satisfy the standards? Should the provision discourage single dwellings and promote re-development of existing single dwellings to medium density?</p>	BoDC
5.2.1.1	<p>Landscaping, deep soil areas, and tree provision in the business zones is impractical and against the intent of the scale of activity intended for these properties.. These zones are designed to promote buildings on the frontage. Where would landscaping go that provides any benefit?</p> <p>Again, referencing the Medium Density Design Guidelines as a reference document is not supported.</p>	MVC
5.2.1.2	Solar access to dwellings in business zones should be protected.	MVC
5.2.1.2	<p>Unclear if solar access protected from the impacts of non-residential development?</p> <p>Impact on adjoining property habitable rooms – most not cause more than 50% of dwellings to be overshadowed. Thats going to be a fun</p>	GTC

Document reference	Submission	Raised by
	discussion with people living in the 50% that get overshadowed completely by a new build.	
5.2.1.3	<p>Acoustic privacy – is this just achieved through design? Or is it expected residential developments will need to procure costly acoustic studies on a case by case basis? Interested in understanding how this is effectively and affordably demonstrated. Modern glazing and insulation requirements should be sufficient to provide greater comfort than in the past.</p> <p>Again does the visual privacy provisions protect dwellings from non-residential development?</p> <p>Not really understanding why taller buildings need greater separation for privacy. If 6m horizontally is ok for the first 4 floors, why isn't it for higher up? Vertically the separation will have increased. So really privacy for upper floors is better even with the same standard.</p>	GTC
5.2.1.3	<p>Acoustic privacy relates to a technical design element of construction and is subject to the statutory prohibition at section 9 of the Building Act.</p> <p>While the Commission may be able to establish the rule in the planning scheme, planning authorities cannot condition permits for compliance without ministerial approval.</p> <p>This will result in the absurd outcome where some will comply because they are good and most will not because the conditions that are required to meet the standard are arguably legally void. It is understood there is no process for Ministerial approval, so how would that work? Or are planning authorities expected to cause section 59's while the Ministers office gets around to providing a response.</p> <p>Implementation and enforcement is also problematic and requires consideration on how these standards will actually operate.</p>	FLI
5.2.1.4	<p>Dwelling Mix.</p> <p>In regional areas and for example in Regional District Centres like St Helens or Towns like St Marys, achieving more social and affordable housing, as well as dwelling diversity to suit an aging population and deteriorating affordability, is also relevant.</p> <p>Within the business zones there is existing dwellings and opportunities for housing. In these instances, a building height bonus is unlikely to generate a voluntary contribution. Similarly, a building height bonus is unlikely to incentivise the provision of Liveable Housing in regional district centres or towns.</p> <p>With regard to the potential dwelling mix parameters, we are unlikely to see a development of greater than 10 dwellings. So maybe the Use Standards or the Use Table, when seeking a Residential use class, encourages existing single dwellings to be modified to multiple or vacant blocks to multiple.</p>	BoDC

Document reference	Submission	Raised by
	<p>Performance Pathway – need to understand how single dwellings are considered. – Qualification in the Use Table restricting single dwellings?</p> <p>Query whether the Village Zone could also incorporate standards to assist with housing diversity and density in regional district centres.</p>	
5.2.1.5	How does the 1 story height bonus work? There are Performance Criteria for height, so they can get height without needing to build livable housing. Not objecting just not sure it's really an effective way of incentivizing it.	GTC
6.2	<p>Option 2: It's unclear how far a "major urban area" extends ie. Would Trevallyn and Riverside and parts of Legana be included in this and therefore zoned URZ?</p> <p>If, for example, all residential areas of the Greater Launceston area were to be included in the Urban Residential Zone, there are potentially significant increases in density – how will the infrastructure implications with regard to increased demand be considered? We need to ensure appropriate strategic planning is undertaken before a conversion of current zoning to Urban Residential.</p> <p>The options also refer to transit corridors or high frequency transit corridors and it is unclear when density provisions would trigger higher densities if within 400m. Is it just a bus route?</p>	WTC
6.2	Option 3: Not preferred. Some of the landscaping provisions should also be applied to single dwellings which Option 3 does not allow for. However, the Apartment Code is favorable.	WTC
6.2	<p>Option 1 is preferred.</p> <p>Option 2 is not preferred. Combining the Gen Res and Inner Res will result in areas that do not have appropriate infrastructure capacities suddenly allowing inappropriately intense development. Inner Res needs to be provided with a marked difference that makes it worth it while (e.g. directing apartments to this zone)</p> <p>Option 3. Generally not preferred but an Apartment Code may be a more streamlined way to apply standards that relate to them if they are predominantly the same across zones. A 'Contribution Code' may assist in consolidating any proposed cash-in-lieu provisions.</p>	MVC
OPTIONS	When considering the options, consideration also needs to be given to regional areas like BoD who also have needs in terms of housing diversity, housing suitability, affordability etc. As there are no differences between the recommended development standards under Options 1 & 2, then it is likely that there will be no difference between Options 1 & 2. District Service Centers like St Helens or Rural Towns like St Marys would need to go through an amendment to the LPS if seeking the URZ which is unlikely to be demonstrated through strategic planning investigations. Funding should be considered by the State to assist regional centers to target areas and methodology to achieve dwelling diversity and appropriate typologies for their communities whilst	BoDC

Document reference	Submission	Raised by
	working within the parameters that are clearly designed to assist major urban areas.	
7.2.1.3	The size of the centre needs to be defined ie. Reduction to parking provisions in proximity to Legana town centre may be logical, however access to employment and education also needs to be considered in addition to the option to walk to a shopping centre.	WTC
7.2.1.3	<p>Reducing car parking requirements can be a positive policy outcome to assist in transition to active transport.</p> <p>Much evidence coming out of the USA is that developers will continue to provide the number of car parking spaces that they believe are needed to meet market expectations regardless of planning requirements. While cities have removed minimum parking standards to increase density, promote a modal shift, and reduce regulatory burdens and excessive costs associated with constructing car parks.</p> <p>That said, rural villages and towns will still require parking. However other options such as consolidated public parking is also another option.</p> <p>Within certain distances of larger activity centres (e.g. possibly District and above) seems appropriate.</p>	MVC
General	<p>There will need to be a lot of education around the new standards. They introduce a level of detail and complexity that has previously not been required. Designers will need to understand that the additional information needs to be incorporated into design plans.</p> <p>Training of local government planners / engineers strongly supported to achieve a generally consistent approach to application.</p> <p>There needs to be a whole of system approach to education or we are going to be back reviewing it in a few years when all the stakeholders blame Council for RFIs and delays.</p>	
Education	<p>State needs to prepare education components for licensed professions.</p> <p>CBOS regulate most of the associated professions, but there is no education on the planning system, reforms such as these or Professional Development opportunities available to those licensed professions. Most, if not all, other states in Australia provide extensive education for property owners, the building sector and associated professions.</p>	FLI

The Regional Planning Group would welcome future opportunities to provide input as the project progresses and future amendments to the State Planning Provisions are being developed. We also appreciate the State Planning Office's use of Technical Reference Groups to support the development of policy and encourage this approach to continue.

Please contact me on 03 6323 9300 or michelle.riley@wtc.tas.gov.au if you have any queries or would like to discuss this matter further.

Yours faithfully

Michelle Riley
Chair – Northern Tasmania Regional Planning Group



13 September 2024

State Planning Office
Department of Premier and Cabinet
GPO Box 123
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yoursay.planning@dpac.tas.gov.au

Submission - Improving residential standards in Tasmania

Thank you for the opportunity to make this submission on the improving residential standards in Tasmania project.

PIA is the peak body representing planning professionals in Australia. We support reforms that improve planning processes and outcomes, especially through well-resourced strategic planning based on strong evidence consistent with PIA Australia's positions on liveability, health, [national and local settlement strategies](#), [climate conscious planning systems](#) and management of risk in a changing environment¹.

As stated in previous submissions, PIA Tasmania Division support the long overdue review of the residential standards within the State Planning Provisions (SPP). The overriding need to deliver a variety of housing choices in Tasmania makes this review urgent. We note PIA's overarching principles to support housing diversity within planning systems were included in the review.

General comments

Understanding of planning

The discussion at section 4.1 identifies a discouragement for discretionary or performance-based assessment. We would appreciate a better understanding of this feedback and drivers of those responses – whether they are about management of project risk by the proponent (i.e, use of discretion) or whether other factors influence those decisions. This links to understanding of the planning system and the need for education (discussed later in this submission).

Project data

The project data is based on that used for the recently finalised Tasmanian Housing Strategy which uses projections prepared by the Department of Treasury and Finance. This data is not consistent with that being used for the Regional Land Use Strategy review and prepared by the REMPLAN demand and supply project.

A consistent data source is required to inform all planning reform activities. For example, the Housing Snapshot (iv)– dwelling approvals figure of 239 per annum, as the Southern Council average, is at odds with the indicative REMPLAN result of 722 dwellings delivered on average over a 30 year period. Noting that the REMPLAN figure obviously refers to building approvals. Hence the snapshot data to be meaningful needs to be more nuanced and refer to the numbers that reflect end development process outputs, and use planning approvals and building approval as indicators of outcomes.

While the Report uses the available data, it identifies that better data is required across a range of areas to monitor impacts of these and other reforms. Some examples include:

¹ <https://www.planning.org.au/ourcampaigns>

- some analysis of dwelling creations across all zones of the SPP;
- dwelling conversions and uptake for visitor accommodation;
- the impacts of implementation of the SPP, which do not appear to have been represented in the data sources within the Report;
- comparison of different data sets, as previously mentioned;
- not using the most recent and up to date data (such as the REMPLAN work now completed around the State; and
- the lack of data on delivery of infill housing in the Tasmanian context.

A clearly defined position is required within the State Government to oversee the relevant standardised data sources, such as the previously announced position for a State demographer.

Use of terms

The report uses the expression 'fit for purpose', yet it is not clear what is meant by this.

Throughout the report the purpose appears to be 'resolve the housing crisis', but appears to provide a very narrow focus. A better description of the role of planning in housing, is '*to enable appropriate housing for all in the most appropriate locations*', especially in the context of this report and intended revisions to the SPP's, limiting the role to those in need is artificially constraining.

This is also reflected throughout the document by the emphasis on the delivery of more diversity, density, affordability and improved design quality – which is almost word for word out of the Medium Density Guideline discussion paper. Although an integral element of the residential standards, medium density developments, is one type of residential development and too narrowly focused for an activity purported to be a review of residential standards.

Quantitative versus qualitative

While providing sufficient housing is important, the review of the residential standards should not only respond to quantitative but also the qualitative demand. For example, the impact of climate change and how that imperative requires a different built form in our cities, including preservation of green corridors, urban forests and stormwater management. Some attempt is made throughout the discussion paper by including the comparisons with other jurisdictions, however the relationship to 'fit for purpose' is not well defined.

It is recommended that the discussion paper is structured to identify and discuss the good design elements that are common to all residential development, and then consider specific provisions that may be required to achieve them depending on the proposed development form and within their local area context. Clarity in the revised SPP provisions will provide greater certainty for developers and end consumers. Some of this would be clarified if the project scope was articulated in the Executive Summary, which at the moment focuses primarily on Section 2 – the housing we need.

The proposed reforms established at section 4.2.3 include a number of measures. We suggest that the proposed plot ratio reforms to enable increased housing diversity and encourage design that responds to the site context, have significant impacts on the character of existing suburbs in both the density of dwellings and building typology. Notwithstanding that the plot ratio definition links back to the existing site definition, it would be simpler if it is left as site ratio or site density ratio. Virtually every comparable place in Australia has stopped using plot ratios because building envelopes lead to better outcomes. It disbenefits small sites.

We suggest that if plot ratio is pursued, then it should be a more targeted approach to specific areas that are identified for intensification (either through a specific tool such as an overlay or through use of specific zones such as Inner Residential, Urban Mixed Use etc). Where plot ratio is

used within existing residential areas, we submit that additional standards are required that give improved consideration of impacts to existing neighbourhood amenity and character, heritage places and precinct and streetscape (varying scales of context).

Standards

The proposed reforms to development standards separate consideration of specific issues, but do not appear to provide a strong linkage between competing requirements through the Paper. Examples include the deconstruction of the building envelope and the requirements for separation, privacy and screening in different zones, across different development types (houses, townhouses, units, apartments etc) and consideration of specific development issues (such as deep soil zones, common space, common open space, private open space, structures residents may require and shared services etc). We suggest that better correlation between development type, zone and the specific requirements may improve outcomes for future residents.

Many of the reforms include terms that are either not defined or may not be clearly relevant to the range of circumstances that they will need to operate within. PIA supports the clearest use of language and definition of all relevant and required terms, through this process to minimise the potential for differing interpretation and future appeals as a result of these reforms.

Implementation

PIA has considered the implementation options and prefers option 1, that is that the new standards be implemented through the existing zoning suite. The report states that there have been issues with implementation and this being the reason for introducing new zones or codes. It is considered that adopting new zones will not overcome this issue and instead stronger guidance is required on implementation. This would be required whether new zones or codes are adopted. A significant negative impact of adopting new zones is that this will lead to a further round of review of the LPSs which will be disruptive and again divert resources away from strategic planning.

Industry and Community education

PIA notes that this is a significant set of reforms that will have a major impact on where and how we live, and particularly through redevelopment of existing suburbs and areas. Recent work by Studio THI identified a significant lack of understanding of how the planning system works across government and the community. This suggests that education campaigns are required on planning and planning schemes, along with more meaningful consultation programs on planning reforms and community and industry education programs that are delivered by the State.

An education campaign is required for the general community to inform them of these changes, what they mean, and what they can expect.

In addition to this, professional development on these reforms is essential for State and Local Government and consultant planning sectors, to ensure the changes are communicated across the full range of regulatory regimes. Ongoing professional development and education is also essential for the development sector to ensure that design and associated professions understand these changes and can access ongoing education. PIA has a well-established professional development program for urban and regional planners and could assist with development of appropriate training.

These changes are significant. The full weight of education of the community and industry cannot be left to local government and consultants, if the full benefit of the proposal is to be achieved.



Submission

Improving residential standards in Tasmania

Resourcing

Finally, PIA as would like to reiterate its concerns, raised in a budget submission earlier this year, about the resourcing of the State Planning Office with these significant planning reform tasks being undertaken. We are concerned that the lack of operational resources will become an impediment in the planning system: preventing good planning outcomes or slowing down the assessment process for key instruments² and major projects.

Thank you for the improved consultation and engagement process for this project. We appreciate having been part of the Reference Group for the project.

Yours sincerely,

Mick Purves
President

² Regional Land Use Strategies (RLUSs) State Planning Provisions (SPPs), Local Planning Provisions (LPS) including LPS amendments.

From: Meg Kluver <mkluver@dvc.tas.gov.au>
Sent: Friday, 13 September 2024 4:58 PM
To: State Planning Office Your Say
Subject: Improving Residential Standards Project

Good morning,

Derwent Valley council provides the following feedback on the project.

4.2.4.2 Movement Network

We are not opposed to the scheme providing improved consistency and clarity in the design and hierarchy of road and pedestrian networks, however the provision of a permitted pathway for a new public road would need to account for all road design criteria to avoid Council's being forced to acquire assets that are not to an appropriate standard.

For example:

- The permitted criteria proposed do not have a maximum gradient provision such that the requirement for grids could override the requirement to design in accordance with topography
- Footpath on one side of a local road may not be sufficient particularly near public transport, schools, etc. The permitted pathway should require both sides for all through roads.
- Reference to Austroads Guide to Road Design as a standard.

4.2.4.4 Services

The proposed modifications bring in stormwater design standards that are otherwise absent in the scheme. All developments, regardless of the zone, have a need to manage stormwater and the provision of a stormwater clause within only some zones creates inconsistency. We suggest that it would be better dealt with as a reintroduced stormwater code.

The permitted pathway specifically excludes proprietary devices because of "specific obligations for repair and maintenance to be undertaken by the manufacturer; this results in more onerous repair and maintenance duties". This is not necessarily true as maintenance can be undertaken by others for many systems. All WSUD systems (eg rain gardens, swales) require ongoing repair, maintenance and replacement. For subdivision, the stormwater treatment would be gifted to council and therefore it should be to the satisfaction of the local authority. An option for contribution in lieu of on-site WSUD should be included.

Regards

Meg Kluver
Development & Stormwater Engineer

derwentvalley.tas.gov.au

Derwent Valley
COUNCIL

We acknowledge and pay respect to the Tasmanian Aboriginal Community as the traditional and original owners and continuing custodians of this land on which we work on, and acknowledge and pay respect to Elders, past, present, and emerging.



#PlanningMatters
www.planningmattersras.org.au

16 September 2024

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PMAT Submission: Improving Residential Standards in Tasmania, Draft Report July 2024 and associated Medium Density Design Guidelines

The [Planning Matters Alliance Tasmania](http://www.planningmattersras.org.au) (PMAT) welcomes the opportunity to comment on the [Improving residential standards in Tasmania Draft Report \(July 2024\)](#) (Draft Report) and the associated [Medium Density Design Guidelines](#).

State Planning Provisions poor residential standards

PMAT's founding platform seeks to improve the liveability and wellbeing of all Tasmanians.

One of PMAT's founding concerns was the poor residential standards of the State Planning Provisions. This concern was shared by the Local Government Association of Tasmania who resolved in 2018 to write to the then Minister for Planning Peter Gutwein to request a review of the State Planning Provisions for residential standards as they:

'...have led to confusion and anxiety in our communities with overshadowing, loss of privacy, solar access, height, private open space and site coverage to name a few. A review will highlight these concerns across the State and give the community some expectation of change that can ensure their concerns are heard'.

Professor of Environment and Planning Michael Buxton, RMIT University, Melbourne also shared our concerns when commenting on the Draft State Planning Provisions *'The Government argues the new [planning] system is vital to unlock economic potential and create jobs, but the state's greatest economic strengths are the amenity and heritage of its natural and built environments. Destroy these and the state has no future'*.

Many of Tasmania's residential areas are unique but more recent suburbs are becoming the same as the bland, boxed, non-descript, and squashed suburbs of mainland Australia.

Five-yearly review of the State Planning Provisions and re-submitting previous PMAT submissions

Improving residential standards is a core component of the current five-yearly review of the State Planning Provisions.



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PMAT has been advocating for improving Tasmania's residential standards for eight years - since 2016.

PMAT made a submission as part of GHD's survey on residential standards in July 2020.

PMAT made a comprehensive submission in 2022 to the review of the State Planning Provisions including separate consultancy reports prepared to support key aspects of PMAT's position. This submission – and especially the *Plan Place Pty Ltd* report - cover many of the issues canvassed in the current residential standards review. The 2022 submission reflects PMAT's position on key State Planning Provisions issues.

The Plan Place Pty Ltd 2022 submission covered the following zones: General Residential Zone (GRZ); Inner Residential Zone (IRZ); and Low Density Residential Zone (LDRZ). The terms of reference of the submission considered these zones and their statutory function in the context of the below dot points and they equally apply to this current project which aims to not only *improve housing supply, affordability and diversity* but aims to ensure the residential standards are fit for purpose and can '*improve liveability, equity, healthy spaces and sustainability*':

- Adapting provisions to respond to climate change in urban and sub-urban settings (e.g. to reduce flood risk and heat island effects);
- Improving residential amenity and the liveability for Tasmanians;
- Subdivision standards and improving the quality of new residential lots through the provision of street trees;
- Improving the quality of densification;
- Improving health outcomes, including mental health for Tasmanians;
- Facilitating an increased supply of housing choice and social justice;
- Achieving a higher standard of building design, to provide community with more certainty in the planning process;
- Supporting and encouraging the long-term security of natural biodiversity, regenerate native endemic habitat, protect old-growth trees, bush and forests, and value and encourage space for gardens, food security and nature, by offering incentives and planning gains, as appropriate;
- Improving terms and definitions within the *State Planning Provisions*;
- Benchmark the above against the world's best practice residential standards (e.g. [The Living Community Challenge](#)); and
- Exemptions at Clause 4.0 of the *State Planning Provisions*.

In February 2024 PMAT submitted a response to the *Discussion Paper to inform the Improving Residential Standards in Tasmania Project*.



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As PMAT's concerns raised in the above submissions remain current, we wish to resubmit these documents as part of our response to the *Draft Report*. Specifically, the documents are:

- *State Planning Provisions (SPPs) – Scoping Review submission (August 2022)*. The submission and associated consultant's reports can be found [here](#) and [here](#).
- *Discussion Paper to inform the Improving Residential Standards in Tasmania Project response (Feb 2024) – see Attachment 1 - Attach 1 PMAT Improving Residential Standards in Tas Feb 2024 FINAL*.

PMAT's Density Principles

PMAT's position is that increased density must be underpinned by three key principles:

1. Improved design;
2. Increased liveability; and
3. Ensuring the community has a right of say over what is built next door to them and in their suburbs (including merits-based planning appeals with opportunity for mediation to ensure good planning outcomes for all). Having the opportunity to engage with the planning system not only builds confidence in the system but is consistent with PART 1 - Objectives of the Resource Management and Planning System of Tasmania to '(c) to encourage public involvement in resource management and planning'.

The *Improving residential standards in Tasmania Draft Report* has a strong emphasis on increasing density as a means of meeting housing supply targets. PMAT recognises the severe problems being caused by the current housing crisis. Although the causes of the housing crisis are complex – and largely unrelated to the planning system – good planning has an important part to play in the solutions. Increasing residential density must only be encouraged where it is part of overall good neighbourhood and building design that promotes liveability and sustainability.

Tasmania's suburbs are by in large single dwellings on relatively large sites. Providing increased density and housing choice in Tasmania's suburbs inevitably means change and impacts on the character of those suburbs. It would be very welcome if the existing and future housing needs of Tasmanians could be met while maintaining character and liveability whilst also ensuring the community has a right of say on developments in their communities.

The [Medium Density Design Guidelines](#) released for comment in association with the residential standards *Draft Report* includes many positive elements. However, to be effective they must be incorporated in the residential standards in a way that will require new housing developments to comply with them. At the same time the Guidelines must be consistent with the draft Tasmanian Planning Policies (TPPs) and at this stage there appear to be some discrepancies.

PMAT provisionally endorses the issues and recommendations raised in the submission by the Tasmanian Planning Information Network (TasPIN). The Submission can be viewed here as



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Attachment 2 - TasPIN Improving Residential Standards Sep 2024. However, PMAT is concerned by the suggested three implementation options in the *Draft Report*. Further to TasPIN's submission we recommend the consideration of a fourth implementation option which is outlined below.

Implementation options for increasing housing density

The *Draft Report* identifies three options for increasing housing density in Tasmania:

Option 1 – through existing zones

Option 2 – through new zones, and revised spatial application

Option 3 – through codes

PMAT is concerned with all three options as they are not underpinned by our three key principles of improved design, increased liveability and ensuring the community has a right of say including merits-based appeals and opportunities for mediation to improve planning outcomes. Some of our concerns are highlighted below.

Option 2 – create new zones

We note Option 2 would include the creation of a new **Urban Residential Zone made up of the existing Inner Residential Zone and General Residential Zone and that there will be 'No Permit Required' for all dwelling types in this new zone.** A new Neighbourhood residential zone (all GRZ not converted to URZ) would be created where single dwellings were also **'No Permit Required' for all single dwellings.**

It is our understanding that 'No Permit Required' developments provide a pathway to demonstrate to a building surveyor that the proposed building work does not require consent from the council as planning authority, as the work is exempt or 'no permit required'. This would most likely mean there would be a level of self-certification which lacks accountability.

This is a worse scenario than what we have now as it removes public involvement in resource planning and is undemocratic. No Permit Required would mean that the public could not comment/appeal/mediate on developments. How could we ensure that liveability standards are required and prioritised? Will it be up to the developers to ensure liveability standards are met? How would standards be prioritised?

It is our view that introducing a 'No Permit Required' pathway is unjustified. In terms of timeframes, our planning system is ranked well nationally. The *Project Overview July 2024 Engagement Factsheet for the consultation on the Draft Report* states itself that *'The Business Council of Australia's national review of planning systems shows that Tasmania's system ranks well among the other states and territories. Specifically, its speedy approval timeframes, and consistent statewide standards.'*

It is also noted that the majority of merits-based planning appeals are mediated showing that our current systems works to ensure better planning outcomes for all. The planning appeals process also



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helps build confidence in our planning system as people have a fair right of say and opportunity for hearings via the independent Tasmanian Civil and Administrative Tribunal. This option is also inconsistent with PART 1 - Objectives of the Resource Management and Planning System of Tasmania to '*(c) to encourage public involvement in resource management and planning*'.

Option 3 – create new codes

The Tasmanian Planning Scheme has 16 Codes. The Codes set out standards for use or development for matters which are not necessarily confined to one Zone area and can apply over and above Zone provisions, eg natural assets (biodiversity), bushfire-prone, scenic protection, telecommunications, parking etc. Where there is a conflict, Codes provisions override Zone provisions. While Codes address issues which may transcend Zone boundaries, Codes must not be used to distort the underlying zoning of land. Therefore, a Code should not alter the Zone's purpose but it may limit or alter the manner in which a use or development can occur. Under the Tasmanian Planning Scheme, Councils are required to consider the purpose of any applicable Codes in determining an application for a discretionary use.

PMAT is concerned that introducing new codes into the planning system will increase not only the complexity of the planning system but will introduce a new way that codes are applied.

The codes are for example for safety issues, environmental protection, heritage, infrastructure and amenity. Codes identify areas or issues that cross boundaries of properties or zones. They apply in addition to zone requirements.

Fourth Option

A fourth implementation option for increasing housing density could be via SAPs – Specific Area Plans. The major benefit of this is there would be some control of local character and amenity rather than an anything goes approach. This idea is expanded in more detail below.

PMAT's Key Issues/Recommendations

1. PMAT's position is that increased density must be underpinned by three key principles:

ONE: Improved design;

TWO: Increased liveability; and

THREE: Ensuring the community has a right of say over what is built next door to them and in their suburbs (including merits-based planning appeals with opportunity for mediation to ensure good planning outcomes for all). Having the opportunity to engage with the planning system not only builds confidence in the system but is consistent with PART 1 - Objectives of the Resource Management and Planning System of Tasmania to '*(c) to encourage public involvement in resource management and planning*'.



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2. Option 4 - Increased housing density and liveability could be achieved via the use of SAPs

At present there are three options for varying the State Planning Provisions to protect or enhance local character via Special area Plans (SAPs), Particular Purpose Zones (PPZs) and Site Specific Qualifications (SSQs).

Increased housing density and ensuring liveability could be achieved via the use of SAPs.

A SAP enable provisions for a particular area of land to be included in a Local Provisions Schedule that provide for use or development with significant social, economic or environmental benefit to the State, a region or a municipal area [section 32(4)(a) of the Act].

Applying a SAP would have the benefit of being more flexible in its application and could be applied over specific Zones and in specific areas where increasing density might be appropriate.

- 3. The *Draft Report* places too much emphasis on promoting medium density housing.** While this may be important, it should not detract from the other work required to make the State Planning Provisions overall a more effective planning instrument.
- 4. Residential standards that promote liveability must be given equal weighting.** The *Draft Report* is trying to introduce new standards to improve liveability like green spaces and tree cover, deep soil and solar access to reduce the impact of great height and plot ratio standards. However, the big question is how to ensure that it will have the desired outcomes. Experience indicates it is difficult to give the residential standards equal weight. Numeric standards like minimum lot size, plot ratio, setback and height are prioritised over the elements that support liveability and make the difference to making high density acceptable and less of a negative to the existing character of an area and to the existing inhabitants. Thus, it is essential that the suggested standards for aspects like common open space, landscaping, solar access, and privacy are given the same weight and importance of traditional numeric standards like setback and height.
- 5. The Performance Criteria need to be tightened by removing such words as ‘unreasonable impact’.**
- 6. Maximum permitted height limits on a block that is on the north side of an existing dwelling should not be automatically permitted** unless a generous setback is possible that maintains their existing solar access to their habitable rooms and solar panels.
- 7. Local Area Objectives/character statements for all areas/zones must be reinstated to guide planning decisions.** Local Area Objectives (LAOs) are created by the SPPs (clause LP1.3) and set out the planning objectives for particular localities. They may be included in a zone or SAP. It is not mandatory for planning authorities to include LAOs in their Local Provisions Schedule and it is our understanding that most Councils have not implemented Local Area Objectives. LAOs may be considered by a planning authority when determining an application for a discretionary use. This is especially important given the aims of this current project which is to not only improve housing supply, affordability and diversity but aims to ensure the residential standards are fit for purpose and can ‘*improve liveability, equity, healthy spaces and sustainability*’.
- 8. Quality design should be a central part of Residential Standards and broader planning system.** This is essential for liveability of new dwellings, neighbourhood amenity and environmental



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outcomes. Access to green space, private and communal open areas and design for water management and climate change mitigation are important in this context.

9. **While it is recognised that review of State Planning Provisions is still in progress, the current provisions provide limited scope for delivering good design in new residential developments, liveability, and neighbourhood amenity.** It can be argued that the 'lowest common denominator' approach of using acceptable solutions works against good neighbourhood design and optimum community outcomes. We do need significant reform of the State Planning Provisions.
10. **The Medium Density Design Guidelines should not have been released for public comment at the same time as the *Improving residential standards in Tasmania Draft Report (July 2024)* as it is difficult for the community to comment on both simultaneously.** The State Planning Office has been mindful in the past about not overloading the community with consultation. But this approach appears to have changed. We are currently being inundated with public consultation and sadly with little effect as the community is being routinely ignored. We sincerely this will not be the case with this submission.
11. **The draft *Medium Density Design Guidelines* are inconsistent with the Tasmanian Planning Policies.** The draft *Medium Density Design Guidelines* are a big step forward and include a lot of useful design guidance. However, they are not fully consistent with the Draft Tasmanian Planning Policies, which are expected to be implemented in the near future. The *Medium Density Design Guidelines* do not refer to some of the newer planning concepts being introduced by the Tasmanian Planning Policies. Specifically, there is no mention of sense of place, placemaking, green roofs, distributed energy resources or Aboriginal cultural heritage.

The Tasmanian Planning Policies will have a significant impact on the State Planning Provisions, Local Provisions Schedules (particularly Planning Scheme/Local Provisions Schedule amendments) and medium density residential development. If not made consistent with the Tasmanian Planning Policies, the *Medium Density Design Guidelines* will be out of date by the time they are finalised. This will be confusing for developers, designers, planners and the public.

In our view, for the *Medium Density Design Guidelines* to be considered best practice and fully integrated with contemporary Tasmanian planning concepts they should (at least) be made consistent with the following parts of the draft Tasmanian Planning Policies:

- 1.2 Liveability
- 1.5. Housing
- 1.6 Design
- 4.0 Sustainable Economic Development
- 4.4 Renewable Energy
- 6.1 Aboriginal Cultural Heritage
- 6.2 Non-Indigenous Cultural Heritage
- Glossary



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12. Development using a place-based perspective is likely to lead to better long-term outcomes for communities and cities. Rather than focusing on infill development, the emphasis should be on a regenerative place-based approach as per for example that taken by [Village Well](#). The Village Well difference is that it is:

- Human experience-led, not design-led
- Their ground plane experience visions create buy-in, attract investment and generate return
- Collaboration, not consultation
- Their regenerative urban strategies and engagement solutions position projects for enduring success.

13. State Planning Provisions must ensure the public has a meaningful right of say and access to appeal rights across the residential zones, in particular by amending what is “permitted” and “discretionary” use and development. The requirements for notifying an adjoining neighbour that a Development Application has been lodged should be reinstated. Our planning system must include meaningful public consultation that is timely, effective, open and transparent if the planning system is to be trusted by the community it is meant to serve.

14. The State Planning Provisions review should take a comprehensive approach to looking at residential standards. In this context it is also unclear how the review sees the future standards taking into account the varying requirements across the different residential zones (e.g. Low Density Residential compared with Urban Mixed Use).

15. Social connection constitutes the largest single factor in overall well-being and resilience. [Research](#) shows that social connection constitutes the largest single factor in the overall well-being and resilience. It is critical we create residential standards that encourage connection with each other and our environment.

16. Better regulation of short-stay accommodation. One key area where the State Planning Provisions can contribute to better housing outcomes for people on low incomes is to allow for better regulation of short stay accommodation by local government in ‘hot spots’ where short term rental is having a significant impact on long term rental availability and cost. Amending the State Planning Provisions to make short stay rentals discretionary and so allow each Council flexibility in approving and regulating short stay accommodation in the at least Inner Residential Zone, General Residential Zone and Low Density Residential Zone. This is likely to be the most flexible and effective way to limit the impact of short-term rental on housing availability/cost at the local level.

17. A community representative be placed on the Technical Reference Group. It is noted with disappointment that that the ‘Improving residential standards in Tasmania project’ is supported by a Technical Reference Group that includes no community representatives. We would like to re-submit our request that a community representative be placed on the Technical Reference Group.



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We are happy for our submission to be made public.

Yours sincerely,

Kerry

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9 February 2024

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

By email: engagement@eraplanning.com.au, stateplanning@dpac.tas.gov.au

Dear State Planning Office,

RE: PMAT Submission - Discussion Paper to inform the *Improving Residential Standards in Tasmania* project

The [Planning Matters Alliance Tasmania](http://www.planningmatterstas.org.au) (PMAT) thanks the State Planning Office for the opportunity to comment on the *Improving Residential Standards in Tasmania* project.

PMAT was identified as a key stakeholder and was asked to provide feedback on the Discussion Paper to inform the project moving forward.

Comment was invited between 8 December 2023 and 2 February 2024. PMAT appreciates having an extension of time to make our submission.

PMAT has been engaged in advocating for improving Tasmania's residential standards for eight years - since 2016. In 2018, PMAT commissioned a video highlighting residential standard planning issues. Watch video [here](#). In July 2020, we made a submission as part of GHD's survey on residential standards. Then in 2022, we made a submission on the first stage of the State Planning Provisions Review. Our 2022 submission also engaged expert planner Heidi Goess from [Plan Place](#) to write part of our submission on improving Tasmania's residential standards (both attached).

The Improving Residential Standards in Tasmania project

The State Planning Office is progressing the review of Tasmania's residential use and development standards within the State Planning Provisions (SPPs). The *Improving Residential Standards in Tasmania* project aims to develop recommendations that will inform future amendments to the SPPs.

A discussion paper entitled *Improving residential standards in Tasmania Discussion paper For stakeholder engagement, December 2023* was prepared by [ERA Planning and Environment](#). It was released on the 8 December 2023 for comment and was the first step in delivering the Project. It sets the context, supposedly highlights best practice, and plots the methodology for developing and testing recommendations.



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The Discussion Paper contains the following:

- Introduction to the project and background context
- Analysis of Tasmania's housing profile and best practice planning review across Australia
- Conversation starters for potential change
- Proposed methodology for testing recommendations

Case Studies were also provided for comment, as ideas for improving residential standards in Tasmania.

PMAT's submission

PMAT's submission covers:

1. What is PMAT; and
2. PMAT's Key comments.

Yours sincerely,

Kerry

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1. WHAT IS PMAT

The [Planning Matters Alliance Tasmania](#) (PMAT) is a growing network of [almost 70 community groups](#) from across *lutruwita* /Tasmania which is committed to a vision for Tasmania to be a global leader in planning excellence. Our Alliance is united in common concern over the new Tasmanian state planning laws and what they mean for Tasmania's future. The level of collaboration and solidarity emerging within the advocacy campaign of PMAT, as well as the number of groups involved is unprecedented in Tasmania and crosses community group genres: recreation, environment, urban/local community associations, historic built heritage, ratepayers and 'Friends of ' groups.

Land use planning impacts every inch of Tasmania. We hold that good planning is fundamental to our way of life and democracy. PMAT works hard to raise community awareness about planning and Local Government and encourages community engagement in the relevant processes.

PMAT is an independent, apolitical, not-for-profit [incorporated association](#), governed by a [skills-based Board](#). PMAT is funded entirely [by donations](#).

In 2020 PMAT was named Australia's Planning Champion, a prestigious honour awarded by the Planning Institute of Australia that recognises non-planners for their advocacy and for making a significant contribution and lasting presence to the urban and regional environment. PMAT was awarded the Tasmanian Planning Champion title in 2019.

PMAT's purpose is to achieve a values-based, fair and equitable planning scheme implemented across Tasmania, informed by [PMAT's Platform Principles](#) and delivering the objectives of the *Land Use Planning and Approvals Act 1993*.

As outlined in [PMAT's Strategic Plan 2021–2023](#), 'PMAT's vision is 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.'

Land use planning must offer a balance between development, individual rights and community amenity, and not just make it easier for development and growth at the cost of community well-being and natural and cultural values. PMAT aims to ensure that Tasmanians have a say in a planning system that prioritises the health and well-being of the whole community, the liveability of our cities, towns and rural areas, and the protection of the natural environment and cultural heritage. PMAT considers that the incoming [Tasmanian Planning Scheme](#) and the 'planning reform' in general will weaken the protections for places where we live and places we love around Tasmania.



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2. PMAT'S KEY COMMENTS

PMAT endorses the attached submission by the Tasmanian Planning Information Network (TasPIN) in its submission on the Discussion Paper.

Furrher to TasPIN's submission, PMAT's key comments are outlined below:

1. The Paper is intended to guide the overall review of Residential Standards but appears to be focussed largely on medium density and especially the apartment code. The review should take a comprehensive approach to looking at residential standards. In this context it is also unclear how the review sees the future standards taking into account the varying requirements across the different residential zones (eg Low Density Residential compared with Urban Mixed Use). PMAT supports the creation of additional zone(s) to better deal with medium density development in some situations.
2. It is important that the Review of Residential Standards is informed by the draft Tasmanian Planning Policies (TPPs) and especially the proposed Settlement Policy. Although the TPPs are not yet finalised they are intended to provide strategic guidance to the wider planning system including the State Planning Provisions (SPPs) and Residential Standards.
3. Quality design should be a central part of Residential Standards and broader planning system. This is essential for liveability of new dwellings, neighbourhood amenity and environmental outcomes. Access to green space, private and communal open areas and design for water management and climate change mitigation are important in this context.
4. While it is recognised that review of SPPs is still in progress, the current provisions provide limited scope for delivering good design in new residential developments, liveability, and neighbourhood amenity. It can be argued that the 'lowest common denominator' approach of using acceptable solutions works against good neighbourhood design and optimum community outcomes. We do need significant reform of the SPPs.
5. Demand for housing – and especially affordable housing - is a key concern of the Discussion Paper. Two specific aspects be that should be considered are:
 - Better regulation of Short-stay accommodation to reduce its impact on rental availability – especially in urban areas; and
 - Mandating a proportion of affordable housing for all medium density developments over a minimum size.
6. In 2022 PMAT provided a comprehensive submission to the Review of SPPs which was supported by independent reports commissioned from expert consultants in three areas. One of these consultant reports prepared by *Plan Place Pty Ltd* deals largely with residential



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standards. PMAT recommends that both our overall submission (Attached) and the *Plan Place Pty Ltd* report (Attached) be considered as part of the current residential standards review.

7. It appears that there has been only targeted stakeholder consultation on the *Discussion Paper to inform the Improving Residential Standards in Tasmania project*. There has been no broad public comment. Please clarify why only targeted consultation has been conducted as opposed to public consultation. To ensure transparency, a list of the targeted stakeholders should also be publicly disclosed so it is clear who is being consulted with.
8. Any changes to our residential standards should be informed by learnings from the failings of mainland Australia. This week, The Age/Sydney Morning Herald published '[rabbit-warrens-and-bottlenecks' Labor councils join chorus of criticism over Minns housing plan](#)'. The article states that Canterbury-Bankstown and Inner West councils criticised the government because the proposed changes to low and medium density housing. **They say the proposed changes will reduce living standards:** Two Labor councils in Sydney have joined a growing chorus of opposition to the Minns government's proposed housing reforms, arguing the overhaul of the state's planning system is "overly simplistic" and will reduce living standards. The Innes Examiner also published [Housing revolt erupts over NSW plan to ramp up building](#) on the 7 February 2024.
9. Rather than focusing on infill development, the emphasis should be on a regenerative place-based approach as per for example that taken by [Village Well](#). The Village Well difference is that it is:
 - Human experience-led, not design-led
 - Their ground plane experience visions create buy-in, attract investment and generate return
 - Collaboration, not consultation
 - Their regenerative urban strategies and engagement solutions position projects for enduring success
10. As per conversation starters and the baseline criteria and measures we would suggest they could include, but not restricted to the below. Note that these dot points were raised in our 19 August 2022 submission on the SPPs of the 19 August 2022.

The Planning Matters Alliance Tasmania, in their platform seek to improve the liveability and wellbeing of all Tasmanians, engaged Plan Place Pty Ltd to prepare a submission to the State Planning Provisions (SPPs) 5-year review concerning the following zones:

- General Residential Zone (GRZ);
- Inner Residential Zone (IRZ); and
- Low Density Residential Zone (LDRZ).



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The terms of reference of the submission considers these zones and their statutory function in the context of:

- Adapting provisions to respond to climate change in urban and sub-urban settings;
- Improving residential amenity and the liveability for Tasmanians;
- Subdivision standards and improving the quality of new residential lots through the provision of street trees;
- Improving the quality of densification;
- Improving health outcomes, including mental health for Tasmanians;
- Facilitating an increased supply of housing choice and social justice;
- Achieving a higher standard of building design, to provide community with more certainty in the planning process;
- Supporting and encouraging the long-term security of natural biodiversity, regenerate native endemic habitat, protect old-growth trees, bush and forests, and value and encourage space for gardens, food security and nature, by offering incentives and planning gains, as appropriate;
- Improving terms and definitions within the SPPs;
- Benchmark the above against the world's best practice residential standards (e.g. The Living Community Challenge); and
- Exemptions at Clause 4.0 of the SPPs.

Our August 2022 submission to the SPPs called on the review to modify the SPPs, highlighting the need for action. Recommendations are stated in each section and in the conclusion in Attachment 3 of our submission. The submission recommends changes to the SPPs for the four residential zones to improve integration of liveability principles and to respond appropriately to climate change.

Also note that the baseline criteria could be based on placemaking perspective rather than a 'baseline criteria and measures' perspective. Thus the intention/focus could be on the actual place we are trying to create as the starting point rather than just clinical measures etc As per Village Well's definition of place making: *Placemaking is the art of creating meaningful, inclusive and connected places. It is the collaborative process of making places that benefit all people, everyday. A thriving place is a place where the environment and community are vibrant, vital and resilient.* See [here](#).



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Placemaking thinking. Source: <https://www.villagewell.org/the-new-local-masterclass>

We could also learn from country centred knowledge systems. The Monash University [Whyte Lecture 2020 – Learning from Country centred knowledge systems](#) – was a ‘*compelling and insightful yarn about the characteristics and modern application of Australian Aboriginal knowledge systems and what we can all learn from the world’s oldest continuous culture. The yarn covered the critical importance of connecting to Country, the inherent benefits and characteristics of embodied and relational knowledge systems, the concept of framing humans in context rather than in a human centred view, and includes practical examples of Country Centred Design applied to anything from Artificial Intelligence to urban planning.*’

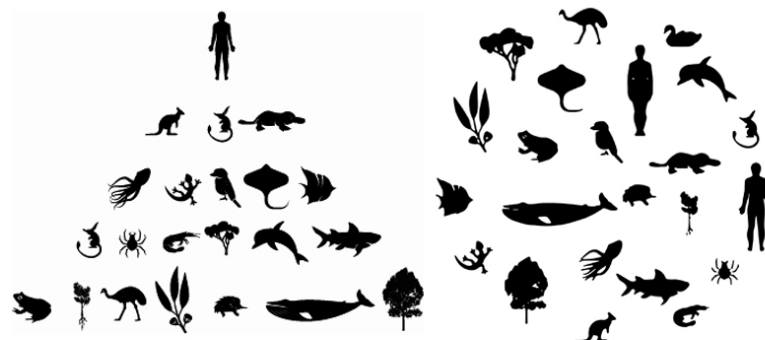


Image: Copyright Old Ways, New Pty Ltd

In Western worldviews, man positions themselves in a hierarchical relationship above all non-human beings. All Western systems are typically based on this world view: social, justice, financial, political, cultural and built environment systems. Indigenous worldviews understand humans are part of the environment in a reciprocal and symbiotic relationship with all that is in it. It is relational in structure and dynamics. Country Centered Design embodies these principles through a design process which enables the development of systems, places, experiences and services.

11. PMAT’s feedback on the Discussion Paper will inform the *Improving Residential Standards in Tasmania* project moving forward. It would be very useful to the community, that what is



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proposed is provided in written form as well as visual form/renders. It is very difficult for the average person to understand planning terminology/language.

12. Human population numbers are a critical factor in any assessment of good planning and the journey to a sustainable society.

We question the assumptions in the Discussion paper, namely that Tasmania's population densities are not meeting the targets of the Land Use Strategies. Who decides these targets?

The community consultation period on the Tasmanian Government's Refreshing Tasmania's Population Strategy Consultation Paper closed in March 2023. A report on the consultation findings has still not been publicly released. For more information see [here](#).

It is also interesting to note that a recent article published in The Mercury on the 1 February 2024, [Demographer Lisa Denny: Tasmania's slowing population growth a 'new phenomenon'](#) stated that Tasmania's annual population growth is down almost 75 per cent on the decade average, and a leading demographer to says the situation is "a new phenomenon".

'Dr Lisa Denny, a demographer who is an adjunct associate professor at the University of Tasmania's Institute for Social Change, said the decline was being driven by increasing interstate departures from the island, which she said "started before the pandemic and has continued".

"It's a new phenomenon for Tasmania as usually when we have relatively good economic performance we see arrivals increase and departures decrease but now we have slowing arrivals and increasing departures and skill/labour shortages," she said.

Dr Denny is currently undertaking a survey on interstate migration from Tasmania, seeking to determine why about 15,500 people are leaving the state every year'.

13. Our State Planning Provisions must ensure the public has a meaningful right of say and access to appeal rights across the residential zones, in particular by amending what is "permitted" and "discretionary" use and development. The requirements for notifying an adjoining neighbour that a Development Application has been lodged should be reinstated. Our planning system must include meaningful public consultation that is timely, effective, open and transparent.



TasPIN Submission

6 Sept 2024

Improving Residential Standards in Tasmania, Draft Report July 2024

TasPIN understands the push for increased density in our residential zones, cities, suburbs, and townships. However, this must not be at the expense of what matters for Tasmanians and future proofing for climate change. Character, sense of place, climate resilience, quality design and building, housing choice, affordable housing, and retaining the comparative advantage of Tasmania: all these are critical as the planning reforms push for increased density.

We consider that one of the main reasons for the recent rapid increase in house prices and the shortage of residential accommodation is the Tasmanian Government's refusal to prevent the unfettered spread of Short-stay Accommodation. For other factors, please see p 10 below.

Amenity Recommendations

There are many positive recommendations about amenity and liveability in the Draft Report and the Medium Density Guidelines. We support requirements for common open space and the inclusion of deep soil areas, improved landscaping, storm water management and improved subdivision standards for example. It is hoped that whilst at the moment many will only take effect through Performance Criteria, they will form the basis of revised Acceptable Solutions which will be mandated at some stage in the near future.

Improved Acceptable Solutions

TasPIN considers that the Acceptable Solutions currently set a low bar. The Medium Density Design Guidelines (MDDG) only apply to Performance Solutions or discretionary development. They are a good start, but are not mandatory. In our view, more needs to be done to improve the Acceptable Solutions to mandate good design, and improve amenity. The Acceptable Solutions do not deliver different typologies of housings, neither do they incentivise good design.

We would like to see residential amenity standards reinstated from the Interim Schemes. Things like passive solar to habitable rooms, direct connection of habitable rooms to private open space, no more building up on the side, rear boundary in GRZ, no increases in total hard surface coverage of a lot.

TPC Recommendations from 2016

The TPC in 2016 suggested various aspects of the SPPs needed review. Hence a review of the Residential Standards in SPPs should be broad ranging, and it seems very limiting to make it all about Medium Density. "The housing we need to have" is very important of course, but not the only aspect of the SPPs residential standards needing review.

Local Area Objectives (LAO)

We consider that:

- LAOs could usefully be adopted in all zones, given the absence of Desired Future Character Statements under the SPPs.
- the Local Area Objective at SPPs 6.10.2b should be changed to allow the LAO to guide all discretionary use and development, not just discretionary land use. This change would assist in retaining the character, built and natural heritage for which Tasmania is deservedly recognised and which locals cherish,

The 3 Options

TasPIN has considered all 3 options.

Option 1 This may be less effective in enabling denser housing along with liveability. We note the paper suggests it may be possible to start off with Option 1 and then establish new zones (Option 2) over time. This would seem to add to the complexity and delay implementation.

Option 2 This might work but would depend on the following critical factors

- That strategic work is done first, as with the RLUS and TPPs
- That zone purposes/intent and exact criteria are finalised, to determine where the 2 new zones of Urban Residential and Neighbourhood Residential might apply
- That Local Government can actually spatially apply the 2 new zones.
- That Local Government has the appetite to re-work the zones, after 10 years of planning reforms, and the inevitable planning fatigue.

Option 2 Transfer of Mount Stuart to Urban Residential Zone/Inner Residential Zone

Mount Stuart is a suburb which has bus-stops within 400 m of every house in the suburb. It will likely be a candidate for transfer from General Residential to Urban Residential, but the infrastructure will not support increased density, particularly multi-unit developments, as many of its streets are just two car-widths wide. This will result in issues during and after construction.

Option 3 The Overlays or Codes may be easier to apply than re-working the IRZ and GRZ. However, we consider that the Codes, should remain as overlays for natural threats like fire, coastal erosion, landslip etc. Assessment against codes as in Option 3 could involve more paperwork and a longer time for assessment against firstly the zone, then the code, so may not fit with the aims of the planning system of cheaper, faster, fairer etc.

Criteria for deciding a Zone

We have suggested in earlier submissions that Zone purpose statements for the suggested Residential Zones (in this case URZ and NRZ) could examine criteria such as location, specific figures for desired density, infrastructure and services, green open space and public transport capacity. This demands strategic work be done up front.

Alignment with Tas Planning Policies (TPPs)

We are concerned that the Medium Density Guidelines may not be aligned with many of the TPPs.

It is absolutely critical in our view that the State Policies, TPPs, Strategic planning such as Land Use Strategies cascade down and take effect through the SPPs. The fact that all the planning reforms since 2013 have operated from the bottom-up is appalling. We do not want the TPPs and other high level planning instruments retro-fitted to align with the SPPs. We want high level planning policies and strategic work which drive the lower planning instruments and produce good on- ground outcomes.

Incorporated documents

TasPIN endorses the preparation and/or inclusion of the “design guides as incorporated documents in the SPPs detailed in Section 7.2.1.2 of this report, summarised as:

- (a) Medium Density Design Guidelines (finalisation of draft guidelines required)
- (b) Subdivision design guidelines (new guidelines required)
- (c) Liveable housing design guidelines (existing guidelines by Liveable Housing Australia)”

The Medium Density Design Guidelines (MDDG) should also apply to apartments in business zones as an interim measure until a standalone apartment design guide is created, for high rise living in mixed use developments.

At this stage the MDDG are not mandated so whilst containing some good ideas, they can be ignored.

We are of the opinion that for DA assessment purposes, a new clause could be added in respect of compliance with Acceptable Solutions provisions to the effect that “Compliance with the recommendations of the Medium Density Design Guidelines shall be demonstrated” as part of any residential planning permit application.

It is absolutely critical that MDDG and Subdivision Guidelines are completely aligned with the TPPs.

Section 3 Definitions and terms

TasPIN thinks many of the terms need clarification. Sample pictures or diagrams would be helpful and assist in future assessments relying on these definitions.

3.2.1.2 Common open space – should structures that residents may want, such as covered areas to protect from adverse weather over a BBQ, be allowed? This needs to be clear or residents may end up covering all the open space. Should vegetation be the only covering allowed?

Driveways and carpark must not be considered as common open space.

3.2.1.3 Deep soil area, is likely to ‘form part of the common and/or private open space area for the site’. The potential definition for deep soil area states ‘not impeded above or below’ so that area could not be covered.

3.2.1.4 Replacing existing reference to **laundry facilities** in the definition of a dwelling raises concerns. The idea should only apply to certain medium density developments and so could be considered in Apartment Guides rather than Residential Standards.

3.2.1.5 Images need to be produced which show how the grouped and multiple dwellings satisfy the new deep soil, greenspace, stormwater run-off and common open-space provisions.

3.2.1.7 As per our comments at 3.2.1.5, it would be most beneficial if visual examples of the different typologies could be provided to show how plot ratio is assessed for the different built forms. Examples of single dwellings, grouped dwellings and apartment buildings would be most useful.

3.2.1.8 Workers Accommodation – potential **definition for workers accommodation** addresses key workers being accommodated on a temporary basis while they carry out their employment. This needs more definition. What is temporary? Are there to be limits on numbers or definitive timeframes?

On page 23 **The nesting table** needs to include the building classifications [1,2,3,4] to be clear as to which typology is included. Builders use those classifications so it would ensure everyone is aligned and on the same page.

Section 4 Residential Standards

TasPIN strongly endorses the inclusion of the following considerations in Residential Standards:

- Landscaping and deep soil areas
- Common open space for multiple dwellings; driveways etc not counted as COS
- Front elevations and passive surveillance
- Stormwater
- Plot ratio
- Environmental performance (including solar access, ventilation, noise, and water sensitive design)
- Lot size diversity
- Public open space and developer contributions

TasPIN members have experience in Hobart, Kingborough and Clarence municipalities. We do not understand or agree with the assertions that 'proponents are being discouraged from using performance based solutions that achieve good design and amenity outcome due to the narrow basis for discretion by Planning Authorities under the performance criteria and the broader perception in the industry and community that reliance on a performance criterion means that the application does not comply with the planning scheme and requires a higher level of scrutiny.' [p27]

Our experience is that developers commonly push the envelope and use Performance-Based solutions in applications to achieve relaxations. This delivers less than optimal results for liveability.

4.2.3.1 Plot Ratio

It would be useful to have fully compliant NPR Plot Ratio diagrams for each zone.

TasPIN strongly endorses setting a maximum amount of development (gross floor area) which relates to the area of the lot or the site. The old understanding of Plot Ratio.

Whilst the basis for improved development standards for plot ratio is to enable increased housing diversity and encourage design that responds to the site context, this MUST give regard to neighbourhood character, heritage places, precinct and streetscape.

TasPIN does not endorse full site coverage in any Residential Zone. Residences need setbacks and open space.

Diagrams on page 32 should be supplemented with pictorial examples

Section 4.2.3 Heights

Separating height and setback standards is supported as simplifying the assessment process.

The height parameters on page 33 are appropriate to Tasmanian residential needs but they must be in defined zones and provide amenities to the residents – close to transport, shopping centres, medical facilities, schools etc.

One of the advantages is that it may remove the apparent incentive to build “bulky boxes”, and fill the building envelope which seems to have prevailed since the de facto introduction of the SPP's through councils' interim planning schemes.

Section 4.2.3.3 Setbacks

Setbacks are to be considered in context of plot ratio, height, and solar access and the potential parameters on p35 seem appropriate. Zone applications will say where provisions apply. Setback greatly impacts privacy requirements and horizontal separation distances.

A new development on a northern boundary which could overshadow an existing building on the southern boundary needs a greater side setback.

Section 4.2.3.4 Landscaping

Green streetscapes, open space and tree cover are important for amenity. This includes countering urban heat in a warming climate. Co-ordinated investment in green infrastructure can also unlock new economic opportunities for our cities.

Significant policy and institutional reforms, guided by a new vision, are essential to ensure a healthy environment, community well-being and the liveability and prosperity of our cities for decades to come.¹

TasPIN has long campaigned on the need for urban planning to prepare for future liveability and amenity in Tasmania. Landscaping, which includes private and common open space, is a vital part of new planning, with other residential standards such as height, setback, amenity considerations etc

Implementation of these residential standards may require legislation that answers these questions:

- What is to stop a property owner from concreting over a “deep soil” area?
- Will there be a requirement for owners to maintain a percentage of the site as “deep soil” or “open space”?
- How will this be enforced?
- What happens when a large tree dies?

TasPIN would expect controls of the minimum landscaped area on a site, ensure that there is sufficient deep soil area for the planting or retention of trees, and require a minimum provision of soft landscaping, including trees.

TasPIN supports a minimum landscaping area covering 25% of the site, and deep soil area covering 10% of the site.

Landscaping would generally refer to common open space. Private open space is part of the building structure and must maintain the minimum standards adopted elsewhere.

Section 4.2.3.5 Solar Access

Simplification that a new solar access standard offers is a good idea. The objective would be to ensure that 2 to 3 hours of direct sunlight access to a habitable room is achieved in mid-winter. There will be issues with achieving this, but the introduction of separate parameters is a worthwhile idea. Sunlight access will need to be considered in conjunction with other parameters.

One aspect which appears to have been overlooked in the review is ensuring that solar panels on neighbouring properties are not overshadowed by a development.

P37 There are two primary objectives for the new solar access standard. Firstly, that building layouts optimise sunlight and daylight access within a development. Secondly, that built form and

¹ https://theconversation.com/our-legacy-of-liveable-cities-wont-last-without-a-visionary-response-to-growth-93729?utm_medium=email&utm_campaign=The%20Weekend%20Conversation%20-%2098618559&utm_content=The%20Weekend%20Conversation%20-%2098618559+CID_2f62ad13fb55cd882a240911852bdabc&utm_source=campaign_monitor&utm_term=Our%20legacy%20of%20liveable%20cities%20wont%20last%20without%20a%20visionary%20response%20to%20growth

siting minimises unreasonable overshadowing of neighbouring properties and their solar panels in mid-winter.

Together, the new standards should address parameters for solar access to dwellings, solar access to open space, and the impact of a proposal on adjoining properties solar access needs.

Section 4.2.3.6 Frontages

There are some issues with the current standards for fencing and street-facing garages. Introduction of a new standard for frontages should ensure that fencing, openings for garages and carports, passive surveillance and parking are of a higher standard. Frontages should be reviewed in conjunction with other property development standards.

4.2.3.6 Frontage elevations – the potential frontage elevation parameters through the permitted pathway excludes existing vehicle parking spaces. These may include open bays

Section 4.2.3.7 Privacy

Privacy considerations need to be coordinated with other planning standards. TasPIN considers mechanisms to prevent intrusion on neighbours' private spaces are essential to community amenity and so supports

- new windows in the IRZ, GRZ and LDRZ to have a setback of 3m from side and rear boundaries. These usually should include both glazed doors and windows.
- A balcony, terrace, parking space, or habitable room window that has a finished floor level more than 1 metre above existing ground level must be screened or otherwise designed to minimise overlooking of habitable rooms and private open space of dwellings on adjoining properties and on the same site, having regard to
 - (i) the design quality of the proposal referring to best practice design guidance in the Medium Density Design Guidelines, and
 - (ii) the prevailing topography, the location and site characteristics.

Section 4.2.3.8 Storage

The minimum provision of 1.5 m² appears to be an underestimation for City of Hobart residential properties as most of them have three waste bins. Each of these bins could be up to about 0.6 m x 0.75m, which means that you would need an area of at least 2.7 m² with a minimum width of 1.8 m and minimum depth of 1.5 m to accommodate three large bins with provision for manoeuvrability in a walled area.

Section 4.2.4.2 Movement Networks

Street design options can better provide and facilitate active transport as discussed within the sustainable transport paragraph. Provision of roads and driveways need further investigation. Emergency vehicles must be able to access multi-unit sites.

Subdivisions

TasPIN considers all Strata-titling should be considered a form of subdivision. Approvals for strata-title developments should be subject to the same development standards as subdivisions. The current definition excludes the strata title form of subdivision from the requirement to contribute to the provision of new or provide financial contributions for Public Open Space to cater for this increased demand. Accordingly, it is not considered to be aligned with the LUPAA *objective 1 (b) to provide for fair, orderly and sustainable use and development of air, land and water*.

4.2.4.1 The overarching objective of the new lot size diversity parameter is to ensure that a subdivision delivers a range and mix of lot sizes suitable for development of diverse dwelling typologies including single dwellings, grouped dwellings, townhouses, apartments, and communal residences.

TasPIN queries how this fits with private and common open space? Are they part of the lot size?

4.2.4.2 Movement and transport and street design need considerably more work. We know of cases where emergency vehicles such as a fire truck cannot access the unit at the rear because of narrow driveways.

An improved roads standard is needed to encompass the broader scope of planning requirements essential for a successful subdivision movement network. This includes the parameters outlined below for subdivision structure, sustainable transport, and street design. A standardised road hierarchy is often defined in planning schemes and policies in other Australian jurisdictions. This enables clear and transparent expectations for proponents and assessment authorities for subdivisions.

In the SPPs there is no standardised road hierarchy to form a basis for consistent decision making.

4.2.4.3 Urban greening and public open space should be a major part of any residential area and any residential development including subdivisions. This is particularly important as dwelling density increases.

TasPIN supports the public realm of roads and open space must

- provide for a range of users and activities,
- contribute to an attractive streetscape,
- link between existing or proposed areas of open space,
- include landscaping that contributes to improved canopy cover and ecological functions, and be compatible with any open space strategy or policy adopted by Council.

The assessment test is to have regard to (i) the design quality of the proposal referring to best practice design guidance in the Subdivision Design Guidelines; and (ii) compatibility of the proposal with any relevant Local Area Objectives.

4.2.4.4 Services

The current services standards for residential subdivision need revision, especially stormwater management. All area of urban development require permeable surfaces that absorb stormwater and thus reduce flooding.

TasPIN agrees that subdivisions should ensure stormwater meets quality and quantity targets in the State Stormwater Strategy 2010, including all matters referred to in the report.

TasPIN supports the recommendation to:

Substitute the suite of residential subdivision standards in the IRZ, GRZ and LDRZ by implementing the improvements detailed in Section 4.2 of this report, summarised as:

- Add lot size diversity provisions into the lot design standards at clause 8.6.1, and 9.6.1.
- Replace the roads standards at clause 8.6.2, 9.6.2, and 10.6.2 with a new movement network standard.
- Include a new standard for urban greening, including provisions for public open space.
- Landscaping of the public realm.
- Add stormwater management provisions into the services standard at clause 8.6.3, 9.6.3 and 10.6.3.

Chapter 5 Homes in Business Zones

TasPIN supports the recommendation to:

- Substitute the suite of residential development standards in the UMZ, LBZ, GBZ and CBZ by implementing the improvements detailed in Section 5.2 of this report, summarised as:
- Replace the private open space provisions in the dwellings standards at clause 13.4.6, 14.4.6, 15.4.6, 16.4.6 with a new landscaping standard.
- Include a new standard for solar access, including parameters for solar access to habitable rooms, solar access to private open space, solar access to common open space, and impacts to adjoining dwellings solar access needs.
- Include a new standard for privacy, including parameters for visual privacy, acoustic privacy, and dwelling separation.
- Replace the dwelling storage provisions in the dwellings standards at clause 13.4.6, 14.4.6, 15.4.6, 16.4.6 with a new storage standard, including parameters for dwelling storage and waste storage.
- Include a new standard for dwelling mix, including parameters for dwelling mix and liveable housing.

Chapter 7

TasPIN opposes a new general provision at clause 7.0 of the SPPs permitting subdivision occurring along a zone boundary; detailed in Section 7.2.1.1 of this report. The given example of a residential block near a landscape conservation zone would meet with our strong opposition.

There is some support for amending Table C2.1 of the Parking and Sustainable Transport Code to reduce the minimum onsite parking rates for the right housing in the right place, such as social housing and development close to activity centres; detailed in Section 7.2.1.3 of this report.

7.2.1.4 Expanded application requirements for subdivision

TasPIN supports the recommendation that:

A robust assessment of a subdivision application is reliant on documentation of key information including:

- Site analysis plan demonstrating existing conditions
- Subdivision plan demonstrating an appropriate design response
- Street sections and plans communicating the role and function of streets
- Landscape plan demonstrating the location of canopy vegetation in streetscapes and public open Space.

TasPIN supports the recommendation to:

Insert new application requirements for subdivision at clause 6.0 of the SPPs, including landscaping and street design plans; detailed in Section 7.2.1.4 of this report. Section 7.2.1.4

TasPIN considers it is essential to adopt tools to assist with the implementation, interpretation, and useability of the new standards, including those detailed in Section 7.2.1.5 of this report, summarised as:

- (a) Fact sheets (utilise fact sheets supplementing this report)
- (b) Technical guides with explanatory figures (new technical guides required; part of Improved Guidance Project)
- (c) Model conditions (new model conditions required; part of Development Manual Project) Medium priority

The technical guidance should have diagrams with figures to maximise usability of the improved standards. Some of the figures could then be included and referenced directly in the relevant standards, although this is not considered essential for the initial implementation phase.

7.2.2 Additional considerations

Larger and more complex matters warrant additional work to develop a considered response before implementation into the SPPs. There is a high degree of risk involved in prematurely applying changes regarding the matters highlighted below.

7.2.2.1 Inclusionary zoning

TasPIN supports the recommendation to:

Undertake additional work to investigate opportunities and feasibility for inclusionary zoning; detailed in Section 7.2.2.1 of this report.

Also to introduce the concept of employing a development bonus for social housing providers, through a voluntary inclusionary housing approach. The dwelling mix standard in the improved dwelling standards for the business zones also contemplates a height bonus for social housing.

7.2.2.2 Infrastructure contributions

TasPIN supports the integration of developer contribution systems in the planning process, though a comprehensive scheme must first be conceived, including cohesive legislative frameworks, backed by strategic infrastructure planning.

TasPIN supports

- the urban greening standard in the improved subdivision suite introducing the concept of a development contribution for public open space into the SPPs.
- introducing open space contributions for all multiple dwelling strata development as canvased in Section 4.2.4.3.



TasPIN Recommendations

TasPIN supports the use of **plot ratio** to set the overall scale of development by managing the scale and coverage of buildings on a site and as an alternative to the current density and building envelope controls. It would work with other requirements for building height, setbacks, landscaping, and solar access.

TasPIN supports the use of **separate building height** and **setback controls** to simplify this part of the assessment process.

TasPIN supports **landscaping, deep soil and open space controls** including private and shared open space, as an important factor in housing development.

TasPIN supports a potential new requirement for **solar access** to ensure dwellings and solar panels get appropriate access to sunlight and to also protect adjoining developments and their solar panels from overshadowing.

TasPIN supports the potential improvements proposed for the existing suite of **subdivision standards**. These include lot design, urban greening, movement networks, and services.

TasPIN supports **re-instatement of Local Area Objectives, and a focus on building quality and design**.

TasPIN strongly supports the return of privacy and solar access provisions to the SPPs.

TasPIN supports the introduction of **developer contributions**, as happens in other states.

TasPIN supports the view that when a discretion is triggered, consideration must be given to how well it balances with all other performance criteria. Any bonuses or relaxations granted to a developer under Discretions could possibly be linked to **delivering improved amenity standards**.

TasPIN considers that the **housing crisis** is more complicated than the overview in this Report. Much more work is needed. Short stay accommodation is a massive issue. Other factors include labour shortages, materials supply, finance costs, the taxation/economic system, and the fact that large scale infrastructure projects are reducing the available workforce for building housing. Migration which increases demand is also a factor.

We recommend increased **storage areas** and waste space allocation. 3 garbage or recycling bins need more space than that allocated in the Report.

TasPIN supports the view that **Climate Change risks** must be a major consideration in all planning documents

Pictorial examples included in the Draft Report rely on Performance Criteria. Does this suggest that the Acceptable Solutions are too minimal? We would like to see many more examples or diagrams for NPR (No Permit Required) and Permitted development.

TasPIN considers that all **subdivisions should be discretionary**, as they used to be, so any environmental constraints can be assessed at the subdivision stage.

State Planning Office

Department of Premier and Cabinet
Executive Building
Level 7, 15 Murray Street, Hobart, TAS 7000

Response to Improving Residential Standards in Tasmania – Draft Report

Dear Sir/Madam,

Master Builders Tasmania would like to express our appreciation for the opportunity to provide feedback on the ***Improving Residential Standards in Tasmania Draft Report***. We commend the State Planning Office for taking a forward-thinking approach to address the growing demand for diverse and affordable housing across Tasmania.

As representatives of the building and construction industry, we would like to highlight several points that require careful consideration to ensure the proposed recommendations foster industry growth while balancing affordability for households.

Affordability and Housing Diversity

We support the draft report's focus on increasing housing diversity by encouraging the construction of smaller homes, such as apartments and townhouses. However, it is important to acknowledge that this transition will require the industry to adapt and will necessitate builders acquiring new skills and knowledge in these types of developments. We encourage the State Planning Office to support industry-wide training initiatives to equip builders with the experience needed to meet these new standards effectively and efficiently.

Additionally, we urge the State Planning Office to ensure that the cost structures related to these varied housing typologies remain manageable for builders, developers, and homeowners alike. Maintaining affordability is critical, and we believe this focus should remain central to the new standards.

We also note the proposed incentives for integrating social housing into developments. While this is a positive step towards addressing the affordability crisis, we recommend further clarity on how these incentives, such as increased plot ratios, will function in practice. Specifically, we suggest that density bonuses, such as extra height or additional dwellings, be included wherever feasible and not contingent on design assessments that could be open to interpretation. This will help ensure developers can plan with greater certainty and confidence.

Streamlining of Approvals and Project Timelines

We are encouraged by the draft report's commitment to reducing approval times, especially for medium-density housing developments. Delays in the approvals process have long been a barrier to efficient project delivery. Streamlining this process will not only reduce project timelines but also lower costs for developers and consumers. We support this initiative and encourage the Planning Office to apply these streamlined processes consistently across all local government areas.

Challenges and Industry Capacity

The draft report acknowledges the challenges faced by Tasmania's construction industry, particularly the shortage of skilled workers. While we are eager to embrace the proposed changes, it is essential to recognise that these workforce shortages could lead to extended project timelines and increased construction costs, potentially offsetting the benefits of quicker approvals and diverse housing options.

Master Builders Tasmania, in conjunction with other industry organisations, shares a strong focus on increasing the skilled workforce in the construction industry through programmes such as the Hi-Vis Army and Pathways. We believe it is essential to continue and expand these initiatives into the future to build a robust and capable workforce that can meet the growing demand and adapt to new standards.

We encourage the State Planning Office to collaborate with the industry on further initiatives aimed at building capacity within the sector, ensuring we have the necessary resources to meet future demand effectively.

Cost of Infill Development

Infill development, while essential for meeting housing targets in urban areas, presents a unique set of challenges, particularly regarding cost. The redevelopment of existing urban sites often involves higher risks and expenses compared to greenfield developments. Factors such as site constraints, the need for infrastructure upgrades, and potential contamination issues can significantly increase the costs associated with infill projects.

These higher costs can deter developers from pursuing infill projects, which in turn can impact the overall housing supply and affordability. While the draft recommendations aim to mitigate some of these risks through various measures, further financial incentives or supportive planning mechanisms may be required to make infill projects more attractive and feasible for the industry.

To address these challenges, we suggest the implementation of targeted financial incentives, such as grants or subsidies, to offset the higher costs associated with infill development. Additionally, simplifying and expediting the planning and approval processes for these projects can help reduce financial risks and improve project viability. Providing clearer guidelines on infrastructure requirements and potential cost-sharing arrangements with local councils could also alleviate some of the financial burdens associated with infill development.

By making these infill projects more financially viable, we can better support the goal of increasing housing density in urban areas while ensuring that the development process remains efficient and cost-effective.

Implementation of the Improvements

Upon reviewing the options for implementing the recommended improvements, Master Builders Tasmania prefers **Option 2: Improvements through New Zones and Aligned Zone Application Guidelines**. We believe this option, which involves creating new zoning categories or significantly revising existing ones, offers a more precise and tailored approach to addressing the unique needs of various areas. Although it entails a more extensive implementation process, it is expected to minimise confusion and deliver the most effective and sustainable outcomes.

Establishing new zones will better align zoning regulations with long-term strategic goals, including enhanced housing diversity and density. Furthermore, this approach can positively impact housing affordability by creating more targeted development opportunities that address local needs and constraints. It also facilitates a clearer understanding of State Planning Policies, which can simplify compliance and reduce administrative burdens for developers.

In terms of project timeframes, while Option 2 may require a longer implementation period, the benefits of a more structured and precise zoning framework are likely to outweigh this initial investment. This option helps to mitigate regular development barriers by providing clear, actionable guidelines that support well-coordinated urban growth and streamline the development process.



In conclusion, we believe that the proposed recommendations in the Improving Residential Standards in Tasmania Draft Report present a significant opportunity to encourage growth within the building and construction industry. However, it is critical that these recommendations remain sensitive to the issue of housing affordability, both for Tasmanian households and for the industry that supports their development.

We look forward to working closely with the State Planning Office as these recommendations evolve and would welcome any further discussion on how we can collaborate to ensure Tasmania's housing future is both affordable and sustainable.

Thank you for considering our feedback.

Regards

Jessie Fiddymont
Acting Technical Manager
Master Builders Association of Tasmania

