

Revised LUPAA Development Assessment Panels Bill 2025

Submissions 351 - 400

Number	Name/Organisation
351	David Wanless
352	Cement Concrete & Aggregates Australia
353	Vicki Crase
354	Scott Carlin
355	Ben Tiefholz
356	Penny Wells and Pavel Ruzicka
357	Brian Chapman
358	Deirdre Macdonald
359	Julie Alexander
360	Jenny Chester
361	Filareti Sahla
362	Andrew Ricketts
363	Bonnie Tilley
364	Lorna Boxall
365	Planning Matters Alliance Tasmania
366	TasNetworks
367	Hobart not Highrise
368	Climate Action Hobart
369	Sarah Lewis
370	Launceston Heritage not Highrise
371	Gerry Willis
372	Tasmanian Conservation Trust Inc
373	Leslie Frost
374	Hannah Brosow
375	Lynden Howells
376	Sean Manners
377	Liz Sharman
378	Lynette Taylor
379	Roger Harlow
380	Mark Lawrence
381	Janiece Bryan
382	Wendy Wilkinson
383	Aditya Munshi
384	Susan Friend
385	Nicola Cox
386	Ruth Pye
387	Rosemary Sharman
388	Mark Lawrence
389	Jane Catchpole and Peter Crofts
390	Damian Devlin
391	Astrid Miller
392	Chris Wilson
393	Debra Dragonheart
394	Kerry Dunleavy
395	Georgina Ferguson
396	Howden Progress Association
397	Maggie Mars
398	Robin Badcock
399	Susan West
400	Annetta Mallon

From: [David Wanless](#)
To: [State Planning Office Your Say](#)
Cc:

Subject: Please reject the DAPs bill again
Date: Thursday, 24 April 2025 3:31:10 PM

Dear Madam/Sir,

I have lived in Hobart for decades and work in the city. I am also a regular visitor to our wonderful parks and reserves, including Kunanyi/Mount Wellington, the Walls of Jerusalem and many other National Parks. I am deeply concerned about the many proposals for commercial developments inside our parks and reserves. The community has had to fight hard to keep inappropriate developments, such as cable cars, ziplines and commercial huts from degrading our precious parks. Such parks are under enormous pressure already and it is vital that the community, and our elected local representatives, have a strong say in their management and protection. Our city is also under great pressure from inappropriate developments and is in great danger of losing its charm and liveability from highrise buildings and the stadium.

Thankfully, parliament rejected the 2024 DAPs legislation. The proposed revised 2025 legislation retains all the key flaws; it has not changed significantly. Please reject it again.

Otherwise, local councils and the general community which they represent, will be largely excluded from planning decisions on many important and potentially destructive projects.

It is only with strong community involvement that projects can establish that they have a social licence and achieve community acceptance.

I oppose the creation of Development Assessment Panels (DAPs) and increasing ministerial power over the planning system, for the following reasons:

- They're undemocratic, bypassing local councils and the community, and removing vital merit based appeals which are an essential part of accountability. Any appeals will need to go via the Supreme Court, on narrow grounds and at great expense.
- As proposed, the DAPs will not have transparent and objective appointment or decision-making processes (including regarding conflicts of interest). They would not even need to provide written reasons for their

decisions. They will not include proper and early community consultation. They will consult with developers and government officials, make decisions and only then will the community have a say.

- They will make it easier to approve large scale contentious developments like the kunanyi/Mount Wellington cable car, Lake Malbena development and highrise buildings in Hobart.
- Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions.

Please reject the bill.

Please also ban property developers from making donations to politicians and political parties, and create a strong anti-corruption body for Tasmania.

Yours sincerely,

David Wanless.

--

David Wanless

24 April 2025

State Planning Office
Department of State Growth
GPO Box 536
Hobart TAS 7001

Via email to haveyoursay@stateplanning.tas.gov.au:

Revised Land Use Planning and Approvals (Development Assessment Panel) Bill 2025

Cement Concrete & Aggregates Australia (CCAA) welcomes the opportunity to provide comments to the Department of State Growth on the Revised Land Use Planning and Approvals (Development Assessment Panel) Bill 2025.

CCAA is the voice of the heavy construction materials industry in Australia. Our members operate cement manufacturing and distribution facilities, concrete batching plants, hard rock quarries and sand and gravel extraction operations throughout the nation. CCAA members produce the majority of Australia's cement, concrete & aggregates, and ranges from large global companies to SMEs and family operated businesses.

Representing an industry that generates \$15 billion in annual revenues and contributes to the employment of approximately 110,000 Australians, CCAA supports effective community and stakeholder engagement to ensure a sustainable industry.

CCAA supports the concept behind the introduction of Development Assessment Panels (DAPs) to take the politics out of planning by providing an alternative approval pathway for the more complex development applications. The opportunity to use DAPs will also help remove perceived conflict of interest between Councillors having to act as a Planning Authority while also being elected to represent their constituents.

CCAA has experience in DAP type planning panels elsewhere in Australia and they have in many instances reduced time and costs for the proponent as well as for Government without lowering environmental safeguards or limiting community engagement.

Recommendation

Development applications that are subject to the *Environmental Management and Pollution Control Act 1994* (EMPCA) and are for *an industrial use that provides essential material for State significant infrastructure and housing construction projects* will be eligible for a DAP determination.

It is clear that one of the aims of introducing the DAP process is to enable approvals for a range of housing so that Government can reach its housing target. In order to reach the housing target, Government must also enable the supply chain to support the construction of the required number of houses and expected increased demand for construction materials.

Heavy construction materials are key ingredients in the housing build with the average new house requiring 110 tonnes of sand and stone and over 50 m³ of concrete. With many quarries currently at or near production capacity, a streamlined development approval process via a DAP would help to increase business confidence to invest in new production capacity and facilitate the expansion of existing, or the development of new quarries close to market.

CCAA is not calling for any change in environmental requirements or changes to community engagement requirements of EMPCA, but rather supports a streamlined, independent decision-making process for those sites with a good compliance history compared to the current costly, time consuming, complex approval process.

CCAA is proposing only Industrial uses that provide essential material for State significant infrastructure and housing construction projects that are subject to EMPCA to be eligible for the DAP process. Developments such as quarries and concrete batch plants would be included under this industrial use criterion. These development applications generally satisfy the other proposed DAP criteria:

- Development value over \$10 million in the city and \$5 million in the regions;
- State significant development;
- The planning authority has, or is likely to have a conflict of interest;
- The planning authority does not have the technical expertise to assess the application.

They are also generally complex, involving significant capital investment, significant local employment, delivering significant economic value to the State and are essential for the local supply of affordable heavy construction materials that help deliver affordable Government infrastructure and local housing construction.

Locally sourced construction materials are the essential building blocks to improve affordability and grow the economy. With continued, coordinated reform across Government, the sector stands ready to play its part in supporting the construction sector as the engine for economic and social recovery that is sensitive to Tasmania's unique environment.

Tasmania's regulatory environment needs to be internationally competitive to continue to attract capital to invest into Tasmania to ensure a sustainable and competitive heavy construction materials industry. This in turn facilitates Tasmania's improved productivity, housing affordability and lower infrastructure costs.

To discuss this submission further, please contact Roger Buckley at roger.buckley@ccaa.com.au.

Yours sincerely

MICHAEL KILGARIFF
Chief Executive Officer

From: [Vicki Crase](#)
To: [State Planning Office Your Say](#)
Cc:

Submission - Draft Development Assessment Panel - Draft Bill 2025
Thursday, 24 April 2025 2:55:34 PM

Subject:
Date:

You don't often get email from v

The [2025 revised DAPs legislation](#) is not significantly changed from the 2024 version that was refused by the parliament and retains all the key flaws. I oppose the creation of Development Assessment Panels (DAPs) and increasing ministerial power over the planning system, for the following reasons:

- **The DAPs represent an alternate planning approval pathway allowing property developers to bypass local councils and communities. This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities.** Handpicked state appointed planning panels, conducted by the Tasmanian Planning Commission, will decide on development applications not our elected local councillors. Local concerns will be ignored in favour of developers who may not be from Tasmania.
- **The Tasmanian Planning Commission is not independent** – DAPs are hand-picked, without detailed selection criteria and objective processes. DAPs are inconsistent with the principles of open justice as they do not hold hearings that are open to any member of the public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review). DAPs do not have to provide written reasons for their decision (making it difficult to seek judicial review). Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision.
- **Research demonstrates DAPs are pro-development and pro-government,** they rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions.
- **DAPs will make it easier to approve large scale contentious developments**

like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus re-development.

- **Removes merit-based planning appeal rights** via the planning tribunal on all the issues the community cares about like impacts on biodiversity; height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more. The Tasmanian Civil and Administrative Tribunal (TASCAT) review of government decisions is an essential part of the rule of law and a democratic system of government based on '*checks and balances*'.
- **Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.**
- **Developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus and are prohibitively expensive.**
- **Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy.** The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption. Mainland experience demonstrates planning panels favour developers and undermine democratic accountability. Local planning panels, which are often dominated by members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum [say](#) they favour developers and undermine democratic accountability. Mainland [research](#) demonstrates removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social.
- **Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.
- **Eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked.** The Minister can declare a development to be assessed by a DAP based on a '*perceived conflict of interest*', '*a real or perceived bias*', '*the application relates to a development that may be considered significant*'. The Planning Minister has political bias and can use this subjective criteria to intervene on virtually any development in favour of developers.

NOTE: The scope of the DAPs includes a range of other subjective factors that are not guided by any clear criteria:

- Valuations of \$10 million in cities and \$5 million in other areas.
- A determination by Homes Tasmania that an application includes social or affordable housing. There is no requirement for a proportion of the development to be for social or affordable housing. For example, it could be one house out of 200 that is affordable.

- **Poor justification – there is no problem to fix.** Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in Australia. In some years as many as 80% of appeals are resolved via mediation. The Government wants to falsely blame the planning system for stopping housing developments to cover its lack of performance in addressing the affordable housing shortage.
- **Increases complexity in an already complex planning system.** Why would we further increase an already complex planning system which is already making decisions quicker than any other jurisdiction in Australia?

2025 legislation not significantly changed

- The changes made to the DAPs legislation that was refused by the Parliament in November 2024 are not significant and all the key flaws remain. The changes made do not have any significant practical impact.
- One eligibility criterion has been removed, that a project is likely to be 'controversial', but the other equally broad and undefined criteria are retained (as listed above). There is no impact from this change because virtually any development can fit the remaining criteria.
- Removal of the option for the minister to transfer a development partway through a council assessment is not significant because a proponent can remove their development from council assessment before requesting the minister have it assessed by a DAP.
- The dollar value thresholds have been increased to \$10 million and above in metro areas and \$5 million and above in non-metro areas which is claimed will restrict the number of DAP applications. Projects under these values are still eligible under the other broad and undefined criteria.
- The Tasmanian Planning Commission will be able to issue guidelines to assist with applying the eligibility criteria, but this makes no difference as the Commission is not required to make the guidelines and the Minister only needs to 'consider' them.
- There has been an amendment to allow the DAPs to undertake mediation, but the Tasmanian Planning Commission is inexperienced in mediation and no clear process or rights have been established for objectors, unlike the Tasmanian Civil and Administrative Tribunal (TASCAT). The amendment does not allow the DAP approval to be decided by mediation just minor disputes in the process.

Say yes to a healthy democracy

- I call on you to ensure transparency, independence, accountability and public participation in decision-making within the planning system, as they are critical for a healthy democracy. Keep decision making local, rather than bypassing it, with opportunities for appeal. Abandon DAPs and instead invest

in expertise to improve the local government system and existing planning processes by providing more resources to councils and enhancing community participation and planning outcomes. This will also help protect local jobs and keeping the cost of development applications down.

- I also call on you to prohibit property developers from making donations to political parties, enhance transparency and efficiency in the administration of the ***Right to Information Act 2009***, and create a strong anti-corruption watchdog.

Yours sincerely,

Vicki Crase

From: [Scott Carlin](#)
To: [State Planning Office Your Say](#)
Cc: Protect our rights & our voice - #SCRAPTHEDAP
Thursday, 24 April 2025 2:48:18 PM

Subject:
Date:

Dear Tasmanian Parliamentarians,

I urge you to keep politics out of planning, leaving it in the hands of elected local government. Despite what has been said, the development approvals process is faster in Tasmania than in any other state.

The [2025 revised DAPs legislation](#) is not significantly changed from the 2024 version that was refused by the parliament and retains all the key flaws. I oppose the creation of Development Assessment Panels (DAPs) and increasing ministerial power over the planning system, for the following reasons:

- **The DAPs represent an alternate planning approval pathway allowing property developers to bypass local councils and communities.** This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities. Handpicked state appointed planning panels, conducted by the Tasmanian Planning Commission, will decide on development applications not our elected local councillors. Local concerns will be ignored in favour of developers who may not be from Tasmania.
- **The Tasmanian Planning Commission is not independent** – DAPs are hand-picked, without detailed selection criteria and objective processes. DAPs are inconsistent with the principles of open justice as they do not hold hearings that are open to any member of the public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review). DAPs do not have to provide written reasons for their decision (making it difficult to seek judicial review). Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any

relevant government agencies and adopted its draft decision.

- **Research demonstrates DAPs are pro-development and pro-government**, they rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions.
- **DAPs will make it easier to approve large scale contentious developments** like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus re-development.
- **Removes merit-based planning appeal rights** via the planning tribunal on all the issues the community cares about like impacts on biodiversity; height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more. The Tasmanian Civil and Administrative Tribunal (TASCAT) review of government decisions is an essential part of the rule of law and a democratic system of government based on '*checks and balances*'.
- **Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.**
- **Developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus and are prohibitively expensive.**
- **Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy.** The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption. Mainland experience demonstrates planning panels favour developers and undermine democratic accountability. Local planning panels, which are often dominated by members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum [say](#) they favour developers and undermine democratic accountability. Mainland [research](#) demonstrates removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social.
- **Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of**

corrupt decisions. The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.

- **Eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked.** The Minister can declare a development to be assessed by a DAP based on a '*perceived conflict of interest*', '*a real or perceived bias*', '*the application relates to a development that may be considered significant*'. The Planning Minister has political bias and can use this subjective criteria to intervene on virtually any development in favour of developers.

NOTE: The scope of the DAPs includes a range of other subjective factors that are not guided by any clear criteria:

- Valuations of \$10 million in cities and \$5 million in other areas.
- A determination by Homes Tasmania that an application includes social or affordable housing. There is no requirement for a proportion of the development to be for social or affordable housing. For example, it could be one house out of 200 that is affordable.

- **Poor justification** – there is no problem to fix. Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in Australia. In some years as many as 80% of appeals are resolved via mediation. The Government wants to falsely blame the planning system for stopping housing developments to cover its lack of performance in addressing the affordable housing shortage.
- **Increases complexity in an already complex planning system.** Why would we further increase an already complex planning system which is already making decisions quicker than any other jurisdiction in Australia?

2025 legislation not significantly changed

- The changes made to the DAPs legislation that was refused by the Parliament in November 2024 are not significant and all the key flaws remain. The changes made do not have any significant practical impact.
- One eligibility criterion has been removed, that a project is likely to be 'controversial', but the other equally broad and undefined criteria are retained (as listed above). There is no impact from this change because virtually any development can fit the remaining criteria.
- Removal of the option for the minister to transfer a development pathway

through a council assessment is not significant because a proponent can remove their development from council assessment before requesting the minister have it assessed by a DAP.

- The dollar value thresholds have been increased to \$10 million and above in metro areas and \$5 million and above in non-metro areas which is claimed will restrict the number of DAP applications. Projects under these values are still eligible under the other broad and undefined criteria.
- The Tasmanian Planning Commission will be able to issue guidelines to assist with applying the eligibility criteria, but this makes no difference as the Commission is not required to make the guidelines and the Minister only needs to 'consider' them.
- There has been an amendment to allow the DAPs to undertake mediation, but the Tasmanian Planning Commission is inexperienced in mediation and no clear process or rights have been established for objectors, unlike the Tasmanian Civil and Administrative Tribunal (TASCAT). The amendment does not allow the DAP approval to be decided by mediation just minor disputes in the process.

Say yes to a healthy democracy

- I call on you to ensure transparency, independence, accountability and public participation in decision-making within the planning system, as they are critical for a healthy democracy. Keep decision making local, rather than bypassing it, with opportunities for appeal. Abandon DAPs and instead invest in expertise to improve the local government system and existing planning processes by providing more resources to councils and enhancing community participation and planning outcomes. This will also help protect local jobs and keeping the cost of development applications down.
- I also call on you to prohibit property developers from making donations to political parties, enhance transparency and efficiency in the administration of the *Right to Information Act 2009*, and create a strong anti-corruption watchdog.

Yours sincerely,

Scott Carlin

From: [Ben Tiefholz](#)
To: [State Planning Office Your Say](#)
Cc: Development Assessment Panels are not supported
Thursday, 24 April 2025 2:45:41 PM

Subject:
Date:

You don't often get email from

Dear representative

You would have received this email from others.

I do not support DAP as democratic input by members of the community would be curtailed by this bills implementation.

The 2025 revised DAPs legislation is not significantly changed from the 2024 version that was refused by the parliament and retains all the key flaws. I oppose the creation of Development Assessment Panels (DAPs) and increasing ministerial power over the planning system, for the following reasons:

The DAPs represent an alternate planning approval pathway allowing property developers to bypass local councils and communities. This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities. Handpicked state appointed planning panels, conducted by the Tasmanian Planning Commission, will decide on development applications not our elected local councillors. Local concerns will be ignored in favour of developers who may not be from Tasmania.

The Tasmanian Planning Commission is not independent – DAPs are hand-picked, without detailed selection criteria and objective processes. DAPs are inconsistent with the principles of open justice as they do not hold hearings that are open to any member of the public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review). DAPs do not have to provide written reasons for their decision (making it difficult to seek judicial review). Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision.

Research demonstrates DAPs are pro-development and pro-government, they rarely deeply engage with local communities, and they spend most of their time on smaller applications

and take longer than local councils to make decisions.

DAPs will make it easier to approve large scale contentious developments like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus re-development.

Removes merit-based planning appeal rights via the planning tribunal on all the issues the community cares about like impacts on biodiversity; height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more. The Tasmanian Civil and Administrative Tribunal (TASCAT) review of government decisions is an essential part of the rule of law and a democratic system of government based on 'checks and balances'.

Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.

Developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus and are prohibitively expensive.

Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy. The NSW Independent Commission Against Corruption recommended the expansion of merit-based planning appeals as a deterrent to corruption. Mainland experience demonstrates planning panels favour developers and undermine democratic accountability. Local planning panels, which are often dominated by members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum say they favour developers and undermine democratic accountability. Mainland research demonstrates removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social.

Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions. The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.

Eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked. The Minister can declare a development to be assessed by a DAP based on a 'perceived conflict of interest', 'a real or perceived bias', 'the application relates to a development that may be considered significant'. The Planning Minister has political bias and can use this subjective criteria to intervene on virtually any development in favour of developers.

NOTE: The scope of the DAPs includes a range of other subjective factors that are not guided by any clear criteria:

- Valuations of \$10 million in cities and \$5 million in other areas.
- A determination by Homes Tasmania that an application includes social or affordable housing. There is no requirement for a proportion of the development to be for social or affordable housing. For example, it could be one house out of 200 that is affordable.

Poor justification – there is no problem to fix. Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in Australia. In some years as many as 80% of appeals are resolved via mediation. The

Government wants to falsely blame the planning system for stopping housing developments to cover its lack of performance in addressing the affordable housing shortage.

Increases complexity in an already complex planning system. Why would we further increase an already complex planning system which is already making decisions quicker than any other jurisdiction in Australia?

2025 legislation not significantly changed

The changes made to the DAPs legislation that was refused by the Parliament in November 2024 are not significant and all the key flaws remain. The changes made do not have any significant practical impact.

One eligibility criterion has been removed, that a project is likely to be 'controversial', but the other equally broad and undefined criteria are retained (as listed above). There is no impact from this change because virtually any development can fit the remaining criteria.

Removal of the option for the minister to transfer a development partway through a council assessment is not significant because a proponent can remove their development from council assessment before requesting the minister have it assessed by a DAP.

The dollar value thresholds have been increased to \$10 million and above in metro areas and \$5 million and above in non-metro areas which is claimed will restrict the number of DAP applications. Projects under these values are still eligible under the other broad and undefined criteria.

The Tasmanian Planning Commission will be able to issue guidelines to assist with applying the eligibility criteria, but this makes no difference as the Commission is not required to make the guidelines and the Minister only needs to 'consider' them.

There has been an amendment to allow the DAPs to undertake mediation, but the Tasmanian Planning Commission is inexperienced in mediation and no clear process or rights have been established for objectors, unlike the Tasmanian Civil and Administrative Tribunal (TASCAT). The amendment does not allow the DAP approval to be decided by mediation just minor disputes in the process.

Say yes to a healthy democracy

I call on you to ensure transparency, independence, accountability and public participation in decision-making within the planning system, as they are critical for a healthy democracy. Keep decision making local, rather than bypassing it, with opportunities for appeal. Abandon DAPs and instead invest in expertise to improve the local government system and existing planning processes by providing more resources to councils and enhancing community participation and planning outcomes. This will also help protect local jobs and keeping the cost of development applications down.

I also call on you to prohibit property developers from making donations to political parties, enhance transparency and efficiency in the administration of the Right to Information Act 2009, and create a strong anti-corruption watchdog.

Yours sincerely,

Ben Tiefholz

Supporting the Proposed Bill for Development Assessment Panels

Submission from Penny Wells and Pavel Ruzicka, Nicholls Rivulet, Tasmania.

24/04/2025

Ensuring Fairness and Efficiency in Tasmania's Planning System

As set out in background material, the introduction of Development Assessment Panels to Tasmania's Planning System represents a significant and positive step towards improving the fairness and efficiency of planning assessments across the state. The proposed bill, planned for Parliamentary debate in 2025, aims to create a more streamlined and transparent process for evaluating development proposals, enhancing accountability, and reducing the delays and inconsistencies often encountered under the current system.

Advantages of Development Assessment Panels

We strongly support the establishment of Development Assessment Panels (DAPs) as we strongly believe it will bring numerous benefits to Tasmania's Planning System:

- **Improved Transparency:** DAPs will provide a clear and structured framework for assessing development proposals, ensuring that decisions are made based on consistent criteria and transparent processes.
- **Enhanced Expertise:** The panels will be composed of professionals with relevant expertise, ensuring that decisions are informed by technical knowledge and experience, rather than solely by local government officials who may lack specialized skills, or are influenced by local pressures.
- **Reduction of Delays:** DAPs are designed to streamline the assessment process, reducing the time taken to evaluate and approve development proposals. This efficiency is crucial for developers and property owners who often face significant delays under the current system.
- **Consistency in Decision-Making:** By centralizing the assessment process, DAPs will help to standardize decisions across different regions, minimizing the variability that can arise from local government interpretations and practices.

Recommendation for Amendments to the Draft Bill

While supporting the bill, we also believe it is essential to consider additional measures that address the specific needs and challenges faced by Tasmanian residents and farmers. We strongly recommend that the Tasmanian Government include amendments to the draft bill that would enable Mum's and Dad's and Tasmanian family farmers to access the Development Assessment Panels in cases where their residential or farm development proposals have been treated unreasonably by local government councils. These amendments would serve to hold local governments accountable for any unreasonable bylaws or practices that contribute to the cost-of-living crisis or add unnecessary red tape to our farmers who are essential for Australia's food security.

Addressing Unreasonable Costs, Conditions, and Timeframes

Local government councils sometimes impose unreasonable costs, conditions, or timeframes on development proposals, which can hinder progress and add undue financial burdens to individuals and families seeking to improve their homes or farms. This has a compounding impact on the health and wellbeing outcomes particularly for Tasmania's regional communities.

We hear almost daily examples of local government costly 'red tape' from our friends and acquaintances, particularly in the Huon Valley and Kingborough Municipalities, that at face value, simply do not meet any reasonable standard of good governance or cost efficiency.

Some recent examples include:

- 1) A local friend has been battling for four years to build a family home on their bush block in Kingborough. During the DA process the family paid for required consultants reports, which were then disregarded by council planners. After being "offered" a \$144,000 offset cost, as well as being advised their quote to build the house has now doubled during the four year delay, the family has given up the plans to build a new home. The home had been designed to accommodate their elderly parents, as well as their now adult children, to assist with costs of living.
- 2) A near neighbour has built a small container-sized extension to their house. The approval costs have so far amounted to \$18,000 separate to the building costs. Our neighbours were advised they could not gain final approval until they built an asphalt driveway entrance off the main road – at a further cost of \$6,000. There was no indication throughout the process that this would be a condition of final approval – indicating a lack of transparency and a failure of due process and natural justice.
- 3) A friend who is also a builder has advised us his family home in a suburban setting cost \$140,000 in approvals for a \$160,000 build.
- 4) A friend has already spent \$60,000 in approval processes, with development approval yet to be achieved, for a small three-bedroom house.
- 5) A farmer nearby has been advised he cannot build a new hayshed on his family farm because the local council has zoned his property with a 'scenic overlay' that he was unaware of.
- 6) Elderly people in the district have been unaware of 'zone creep' over their properties, only to find they are no longer able to sell off the 'bottom block' to fund their aged care.

These are a small sample of the issues we hear of on a regular basis. These are everyday families and family farmers in regional communities, where costs of living, mental and physical health issues are particularly impactful.

To combat these issues, the proposed amendments should include:

- Access to DAPs for Residential Developments: Allowing homeowners access to the independent DAPs if they believe their residential development proposals have been subjected to unreasonable costs, conditions, or timeframes by local councils.
- Support for Agricultural Developments: Ensuring that family-owned farms can access DAPs to challenge local government processes, decisions or conditions, that impose excessive red tape or financial burdens, or impractical outcomes on agricultural projects; thereby supporting our local agricultural sector and safeguarding food security.

Enhancing Accountability and Reducing Red Tape

By enabling access to DAPs, or an equivalent independent pathway, for residential and agricultural developments, where local governments have acted unreasonably, the Tasmanian Government can enhance accountability within local councils and reduce unnecessary bureaucratic obstacles. This approach will:

- **Reduce Costs of Living:** Reducing costs to families and farmers will assist our regional communities to prosper and improve community and regional health and wellbeing outcomes.
- **Encourage Fair Practices:** Local councils will be held to higher standards of good governance and natural justice in their decision-making processes, promoting more efficient and equitable treatment of development proposals.
- **Support Economic Growth:** Reducing red tape and financial burdens will encourage sustainable development activities, fostering economic growth and stability in Tasmania.
- **Address Red Tape before it occurs:** Providing an alternative independent pathway when good governance is failing, will save families from the daunting and expensive path of appealing a poor decision after the fact.

Conclusion

In conclusion, the proposed bill to introduce Development Assessment Panels is a progressive move towards creating a more efficient and equitable planning system in Tasmania. However, by adding amendments that allow family residential and agricultural developments to access an independent pathway in circumstances of unreasonable local government regulation, the Tasmanian Government can further enhance the effectiveness of this initiative, assisting regional communities in Tasmania benefit from lower costs of living and enhanced health and wellbeing.

From: [Brian](#)
To: [State Planning Office Your Say](#)
Cc:

Please don't introduce Development Assessment Panels.
Thursday, 24 April 2025 2:30:32 PM

Subject:
Date:

Please don't introduce Development Assessment Panels.

Hi to those of you who lead this beautiful Tasmania of ours.

My message is simple.

Please work on a state planning scheme which includes meaningful local council and community input. Locals, intelligent and otherwise ought to be involved in what happens within their own local area and must not be dictated to by those who are not local. After-all we live in a democracy and not a dictatorship.

The proposed Development Assessment Panels idea does not allow for local input, proposes another layer of bureaucracy, will increase Ministerial powers and remove planning appeals... that's not democratic at all.

Please do not introduce Development Assessment Panels but rather work on streamlining processes involving local councils which encourage meaningful community input.

Sincerely,

Brian Chapman

From: [Deirdre Macdonald](#)
To: [State Planning Office Your Say](#)
Cc:

Subject: Please reject the DAP
Date: Wednesday, 23 April 2025 11:07:55 PM

You don't often get email from [\[redacted\]](#). [Learn why this is important](#)

Dear State Planning Office

I have worked within the Resource Management Planning System (RMPS) of Tasmania for over 17 years and I am filled with dismay at the thought of the proposed DAP Framework.

My opposition to the proposed DAP is based on several key factors, which I list below. However, in summary I have a firm belief that following due process in the planning system, which has evolved over many decades to represent a fair and equitable process for developers and community alike, leads to good balanced outcomes. In my experience, well-conceived, well-planned and appropriately documented proposals have a straightforward passage through the approvals process. However, conversely it is ill-conceived and poorly planned proposals that hit stumbling blocks. It is often the case that these sub-standard proposals provide insufficient detail for proper assessment and also face strong community backlash. The RMPS is designed to allow negotiations between parties through the appeals process, with appeals most commonly resolved through mediation between parties. I have witnessed the timely resolution of many such appeals, which often involve major concessions from developers to improve the proposal. I believe that circumventing this efficient, effective and well-established RMPS process with the DAP will result in less successful and more contentious approvals, contrary to the very aims of the RMPS.

Key reasons to reject the DAP:

- **The DAPs represent an alternate planning approval pathway allowing property developers to bypass local councils and communities.**

- The Tasmanian Planning Commission and the proposed DAP Framework will be vulnerable to political interference.
- Research demonstrates DAPs are pro-development and pro-government.
- DAPs will make it easier for large scale and/or contentious developments to be approved.
- Removes merit-based planning appeal rights via the planning tribunal.
- Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.
- Developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus. Appeals through this system will be prohibitively expensive.
- Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy.
- Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions, with the Planning Minister to decide if a development application meets the DAP criteria.
- Eligibility criteria are so broad and undefined that it will give the Planning Minister extraordinary power that is arbitrary and unchecked.

Yours sincerely, Deirdre Macdonald

From: [J.Alexander](#)
To: [State Planning Office Your Say](#)
Subject: Protect our rights & our voice - #SCRAPTHEDAP
Date: Thursday, 24 April 2025 2:30:01 PM

Dear Sir / Madam

We oppose the proposed Development Assessment Panel Bill (DAP).

It concerns us that if the DAP goes ahead the Tasmanian Planning Commission will be given extra powers. We believe this could lead to extremely undesirable outcomes because the current processes adopted by the Planning Commission already fall far short of public expectations.

From our experience the Planning Commission has insufficient checks and balances in place. Currently the Planning Commission has the power to railroad their pre-determined decisions even when genuine concerns regarding procedural unfairness and conflict of interest are raised.

From our experience the Planning Commission's objectives of "independence, fairness and good governance" (as stated in their Code of Conduct) are not adhered to.

If the proposed DAP goes ahead we believe the current shortfalls in the system will only be exacerbated due to the Planning Commission being given extra powers.

Yours sincerely

Julie Alexander
Convenor
Howrah Hills Landcare Group Inc.

cc: Elected Members of Tasmania
Planning Matters Alliance Tasmania

From: [jennychester](#)
To: [State Planning Office Your Say](#)
Subject: Submission against proposed Development Assessment Panels (DAPs)
Date: Thursday, 24 April 2025 2:26:27 PM

I oppose the revised Development Assessment Panels (DAPs) Legislation. It has the same flaws rejected by Parliament in November 2024 and fails to provide safeguards for the rights of the Tasmanian Community. My concerns are:

- * Skyscrapers could easily be approved in Hobart with virtually no community input.
- * The proposed DAPs would allow property developers to bypass local councils and communities.
- * They would not make decisions faster than Councils, and there is no concrete evidence to prove that the current system needs reform. In fact, the current system, in place for many years, works well.
- * Community input, at the beginning of the process, is not allowed.
- * Developments could only be appealed to the Supreme Court; a really expensive process.
- * Merit-based planning appeal rights are not maintained. They should be: on all the issues the community cares about - height, bulk, scale, appearance, impacts on streetscapes and adjoining properties (including privacy and overlooking), biodiversity, traffic, noise, smell, and light.
- * The Tasmanian Civil and Administrative Tribunal (TASCAT) review of decisions is essential for a democratic system protected by 'checks and balances'.
- * Under the legislation, Panel appointments do not have to satisfy detailed selection criteria or objective processes.
- * The proposed DAPs have the potential to increase corruption, reduce good planning outcomes, favour developers, and undermine democracy. The NSW Independent Commission Against Corruption has recommended the expansion of merit-based planning appeals as a deterrent to corruption.

I request that this Legislation be rejected.

My name: Jenny Chester

My email: [_____](#)

My additional comments:: We live in a democracy so it is important that the community has a voice in any proposals for high rise developments. If the community loses that right to voice their concerns where is our society heading?

From: [Nikol Matsamploukou](#)
To: [State Planning Office Your Say](#)
Cc: Protect our rights & our voice – #SCRAPTHEDAP
Thursday, 24 April 2025 2:20:19 PM

Subject:
Date:

To whom it may concern.

My name is Filareti Sahla and I'm saddened to see that the Development Assessment Panels bill is still in consideration. The 2025 revised DAPs legislation is not significantly changed from the 2024 version that was refused by the parliament and retains all the key flaws. I oppose the creation of Development Assessment Panels (DAPs) and increasing ministerial power over the planning system, for the following reasons:

The DAPs represent an alternate planning approval pathway allowing property developers to bypass local councils and communities. This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities. Handpicked state appointed planning panels, conducted by the Tasmanian Planning Commission, will decide on development applications not our elected local councillors. Local concerns will be ignored in favour of developers who may not be from Tasmania.

The Tasmanian Planning Commission is not independent – DAPs are hand-picked, without detailed selection criteria and objective processes. DAPs are inconsistent with the principles of open justice as they do not hold hearings that are open to any member of the public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review). DAPs do not have to provide written reasons for their decision (making it difficult to seek judicial review). Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision.

Research demonstrates DAPs are pro-development and pro-government, they rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions.

DAPs will make it easier to approve large scale contentious developments like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density

subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus re-development.

Removes merit-based planning appeal rights via the planning tribunal on all the issues the community cares about like impacts on biodiversity; height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more. The Tasmanian Civil and Administrative Tribunal (TASCAT) review of government decisions is an essential part of the rule of law and a democratic system of government based on 'checks and balances'.

Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.

Developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus and are prohibitively expensive.

Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy. The NSW Independent Commission Against Corruption recommended the expansion of merit-based planning appeals as a deterrent to corruption. Mainland experience demonstrates planning panels favour developers and undermine democratic accountability. Local planning panels, which are often dominated by members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum say they favour developers and undermine democratic accountability. Mainland research demonstrates removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social.

Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions. The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.

Eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked. The Minister can declare a development to be assessed by a DAP based on a 'perceived conflict of interest', 'a real or perceived bias', 'the application relates to a development that may be considered significant'. The Planning Minister has political bias and can use this subjective criteria to intervene on virtually any development in favour of developers.

NOTE: The scope of the DAPs includes a range of other subjective factors that are not guided by any clear criteria:

- Valuations of \$10 million in cities and \$5 million in other areas.
- A determination by Homes Tasmania that an application includes social or affordable housing. There is no requirement for a proportion of the development to be for social or affordable housing. For example, it could be one house out of 200 that is affordable.

Poor justification – there is no problem to fix. Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in Australia. In some years as many as 80% of appeals are resolved via mediation. The Government wants to falsely blame the planning system for stopping housing developments to cover its lack of performance in addressing the affordable housing shortage.

Increases complexity in an already complex planning system. Why would we further

increase an already complex planning system which is already making decisions quicker than any other jurisdiction in Australia?
2025 legislation not significantly changed

The changes made to the DAPs legislation that was refused by the Parliament in November 2024 are not significant and all the key flaws remain. The changes made do not have any significant practical impact.

One eligibility criterion has been removed, that a project is likely to be 'controversial', but the other equally broad and undefined criteria are retained (as listed above). There is no impact from this change because virtually any development can fit the remaining criteria. Removal of the option for the minister to transfer a development partway through a council assessment is not significant because a proponent can remove their development from council assessment before requesting the minister have it assessed by a DAP.

The dollar value thresholds have been increased to \$10 million and above in metro areas and \$5 million and above in non-metro areas which is claimed will restrict the number of DAP applications. Projects under these values are still eligible under the other broad and undefined criteria.

The Tasmanian Planning Commission will be able to issue guidelines to assist with applying the eligibility criteria, but this makes no difference as the Commission is not required to make the guidelines and the Minister only needs to 'consider' them.

There has been an amendment to allow the DAPs to undertake mediation, but the Tasmanian Planning Commission is inexperienced in mediation and no clear process or rights have been established for objectors, unlike the Tasmanian Civil and Administrative Tribunal (TASCAT). The amendment does not allow the DAP approval to be decided by mediation just minor disputes in the process.

Say yes to a healthy democracy

I call on you to ensure transparency, independence, accountability and public participation in decision-making within the planning system, as they are critical for a healthy democracy. Keep decision making local, rather than bypassing it, with opportunities for appeal. Abandon DAPs and instead invest in expertise to improve the local government system and existing planning processes by providing more resources to councils and enhancing community participation and planning outcomes. This will also help protect local jobs and keeping the cost of development applications down.

I also call on you to prohibit property developers from making donations to political parties, enhance transparency and efficiency in the administration of the Right to Information Act 2009, and create a strong anti-corruption watchdog.

Yours sincerely,
Filareti Sahla

Andrew Charles Ricketts

24th April 2025

State Planning Office.
Department of Premier and Cabinet.
GPO Box 123
HOBART TAS 7001
By email to: haveyoursay@stateplanning.tas.gov.au

CC: Members of the House of Assembly and Legislative Council

Comment and Objection to LAND USE PLANNING AND APPROVALS
AMENDMENT (DEVELOPMENT ASSESSMENT
PANELS) BILL 2025

About The Author

The writer has been working on local government and land use planning issues, legislation, environmental issues and forestry issues and land use policy since 1990, a period of over 35 years.

In 1990 land use planning occurred far more simply within the local government act 1962. In 1993 the suite of legislation known as the Resource Management Planning System of Tasmania was enacted. This too was far more simple than today's bloated, weaselled out set of laws.

Since 2013 the Liberal Tasmanian State Government has been attempting to demolish the land use planning system, as it was originally envisaged in 1993. For example, before 2013 Section 40 C did not exist. It was a part of the deliberate repeated serial demolition of LUPAA, that is, the LUPAA envisaged by its founding architects.

The writer has been opposing of the destruction of land use planning which occurred from the period when Mary Massina was installed in the Planning Reform Task Force and the former head of what became the State Planning Office, became her sycophant.

The writer is not a member of any political party and is not a member of any community organisation working on any of these issues. Any similarity with any other submission would be entirely coincidental, but perhaps in the circumstances might be entirely unsurprising.

The Land Use Planning and Approvals Act.

The Land Use Planning and Approvals Act has been in operation since 1993, as a part of the Resource Management and Planning System (RMPS) of Tasmania.

The State Liberal Government actually hates proper ecologically sustainable land use planning, (termed ESD) they favour open slather, I wish to assert. Thus high quality legislation such as the State Policies and Projects Act and The Land Use Planning and Approvals Act, represents an obstacle. It is clear that the government has been systematically ransacking the planning legislation of Tasmania.

The Land Use Planning and Approvals Act of 2013 was perfectly satisfactory legislation and it was far more elegant, more concise, and indeed more erudite than the crazed philosophically garbled version we have today. How sad.

Genuinely good legislation has been smashed by incompetence and this trend is worsening.

The current amendment Bill to The Land Use Planning and Approvals Act, seeking to create Development Assessment Panels (DAPS) does not improve the capacity of The Land Use Planning and Approvals Act to meet the Schedule 1 objectives of the act and the resource Management planning system.

This is a crucial issue which should not be overlooked by the Parliament and is one of the reasons this amendment Bill should be discarded.

Within the review of the DAP consultation made several statements which I wish to draw to your attention: The document is titled: Development Assessment Panel (DAP) Framework Position Paper. Author: State Planning Officer, Publisher: Department of Premier and Cabinet, Date: October 2023. © Crown in Right of the State of Tasmania December 2019

On page 3 in Section 3.1 it says:

“Despite the statistical evidence, there remains a perception that some Councils are less supportive of new development than others and that on occasion the personal views of elected councillors in relation to a proposed development, ...”

My comment: This suggestion underlies all the State Government attempts to neuter the 29 Tasmanian Local Governments. But yes it is just a perception.

“Currently, only a small proportion of all development applications actually come before the elected members for decision with between 85 and 90 percent being routinely determined under delegation by council officers.”

My comment:

“As identified in the Interim Report, where a development is controversial, there can be a tension between councillors’ role as community advocates and as members of a statutory planning authority.”

My comment: Councillors as the representatives of the community are there to consider the wellbeing of the community, which is a public interest matter. Thank God they are there to stop the fascists and vested interests seeking to undertake unsustainable development.

“Many planning authorities delegate the determination of development applications to senior officers, and to sub committees. While only a small percentage of applications are determined by the full elected council, these applications typically involve a significant number of representations and are therefore subject to higher levels of local political interest. In some circumstances the full elected council will determine any application that has been recommended by council planners for refusal or where the application is actually proposed by council.”

My comment: I have seen very, very, very, few developments proposed for refusal. How about giving the people of Tasmania the full statistics on the massive pro development juggernaut which the Tasmanian Planning Scheme has foisted on the poor people of Tasmania.

“Because the evidence is that the inappropriate political determination of applications is limited to isolated, but well publicised, cases, the response should be proportional, so it does not undermine the integrity and success of the existing reforms, or the planning system itself.”

My comment: I am not aware of any such political determinations. In any case there is acknowledgement that the system is not broken and that the legislation does not need amending.

What does LUPAA Section 40C of the Act state? What did it say prior to 2013? Well it did not exist.

State Planning Office and Related Matters

Land use planning in Tasmania could be viewed as a slightly demented lapdog. Reminds me of a border terrier. Not quite all there.

There have been a number of high profile planning decisions which have not gone the way either the government or the Minister would prefer. In Tasmania it seems the Minister and the government are unable to establish an arm's length arrangement.

It is the government that wishes to engage in covert influence in the land use planning process. That sort of influence was never envisaged when the RMPS and LUPAA and the State Policies and Projects Act were created in 1993. Indeed State Policies appear to be universally hated by Government. Such a policy vacuum makes it extremely hard to support Development Assessment Panels.

Since the Liberals came to power circa 2013 the state's planning office has been created within the Department of Justice then shunted from its original home in the Department of Justice to the Department of Premier and Cabinet and now in 2024 on to the Department of State Growth.

On Friday 1 November 2024, the State Planning Office joined the Department of State Growth, within a new division called Strategy, Housing, Infrastructure and Planning (SHIP).

The State Planning Office, presumably under the direction of the government has been attempting for some years to introduce the obnoxious notion of Development Assessment Panels.

For the record I am opposed to the concept and the draft Bill aiming to create and relating to Development Assessment Panels.

The notion of a State Planning Office within the Department of State Growth is ridiculous and should be abandoned. A fully fledged State Planning Department should be created.

That State Planning Department should learn how to properly describe the Planning System of Tasmania, which requires considerable simplification and which currently is not adequately described.

Tasmania needs a fully-fledged and professionally staffed State Land Use Planning Department.

The overhaul of the planning system in Tasmania needs to get rid of all the little sectoral planning entities and the plethora of different systems, enabled by various Acts, including ones established before the RMPS.

To have one planning system rather than one planning scheme would make a lot of sense and would save a lot of money and would remove a lot of irrational conflict and unfairness. Those sorts of suggestions of course are beyond the submission process for this draft bill.

Additionally the Tasmanian Planning Commission (TPC) needs to be reformed and its decisions and processes need to become far more transparent. In essence this organisation is a significant part of the problem.

When one attends a hearing of the TPC one never gets a copy of the records of the hearing. Ridiculous!

Instead of trying to get rid of public involvement in land use planning, which actually represents a massive gift towards sustainable development by the public of Tasmania, the system should encourage more public involvement.

The current Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2025 is very little changed to the 2024 version. It embodies many of the same faults.

The Parade of Ministers Responsible For Land Use Planning

Keeping track of the various ministers responsible for land use planning has been very difficult to achieve.

This draft bill, Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2025, increases the power of ministers and it increases the power of the Tasmanian planning commission.

It is difficult to understand the reasons for increasing the political power whilst decreasing the democratic power of Tasmanian citizens and of the 29 local governments across Tasmania.

I understand that currently the plumber Mr Felix Ellis, is the Minister for land use planning. It seems he is also the Minister for Minister for Police, Fire and Emergency Management, the Minister for Housing, Planning and Consumer Affairs and the Minister for Skills and Training.

If I may make the respectful observation, it's hard to see how a plumber is going to manage to make good land use planning decisions whilst dealing with the rest of these obligations, over a portfolio with which he has no meaningful experience. I would call this sort of ridiculous gormless legislation to be basically irresponsible.

Mr Ellis as Planning Minister already has a substantial number of responsibilities and I argue does not need to be given more power.

Mr Ellis currently as Planning Minister has the following roles:

"The Minister for Planning sets the main direction for the planning system, in line with the Tasmanian Government's development and land use priorities.

The Minister is responsible for the main planning legislation, the Land Use Planning and Approvals Act 1993. This Act gives them powers and responsibilities to approve or amend:

the State Planning Provisions (SPPs)

the Tasmanian Planning Policies (TPPs)

the three regional land use strategies (RLUSs).

The Minister also has two additional powers:

to make housing land supply orders (HLSOs), and

declare that a project be assessed under the major projects process.

The Minister does not have a role in:

zoning changes (other than through HLSOs)

approving and amending Local Provisions Schedules (LPSs)

making decisions on development applications or reviewing decisions made by councils

approving major projects.

Decisions on development applications and LPSs are made by councils and the Commission. Appeals on development applications are determined by the Tasmanian Civil and Administrative Tribunal."

It is extremely clear that this draft bill, Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2025, would be a mechanism which installs and increases ministerial power. I wish to strongly suggest this should not occur. The reasons given for it to occur are insufficient.

At no stage does the legislative amendment test the competence of the Minister. In a state where ministers have multiple portfolios, drafting legislation, which increases the power of incompetence is vastly undesirable.

I am strongly suggesting that the Minister should not have involvement in the DAP process such as is proposed.

The Liberals Repeated Attempts to Diminish or Destroy Local Government

It is incredible that the current State Liberal government simply adopted the Property Council's mantra. I suppose it saved them thinking deeply about the issue.

The Property Council's operative, Mary Massina, was installed by the Hodgeman Liberal government, almost before all the votes were counted. She expressed a hatred for local government across Tasmania and everything for which it stood.

There was limited planning expertise as can be seen by the Macquarie Point debacle. Planning reform proceeded in a piecemeal fashion completely devoid of any strategic integrity. It remains a shambles and now enabling legislation is proposed.

Only in Tasmania would such corruption be allowed to fester.

Ever since that time the State Liberals have been attempting to do a hatchet job on our 29 local governments. This disgusting antisocial behaviour is a complete and utter waste of public funds.

It is my staunch opinion that the concept and/or reality of Development Assessment Panels would not improve decision making over land use planning decisions, whilst expanding substantially the potential for the government to rely on a small coterie of limited expertise, destined to say yes yes again, oh yes and yes and yes. It is abundantly clear that the potential for a special form of corruption allowed to fester in Tasmania because Tasmania has a weak and pathetic integrity commission rather than a proper anticorruption body.

The State of Tasmania and its planning scheme will be far, far better served by the 29 local governments and their planning departments and their elected representatives when it comes to land use planning decisions.

The latest effort at destroying local government was extremely comprehensive and yet the people of Tasmania and the 29 local governments themselves strongly objected. Get the message!

Tasmania urgently needs a completely reformed integrity commission with much greater powers to investigate corruption at all levels. This would be a far more useful reform to pursue.

The reason I mention this matter of local government being attacked, seemingly unrelated yet 'The draft Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2025', simply represents another way of reducing the power of local government.

Yet the material which has been published by the State Planning Office over DAPs strongly suggests that the Tasmanian planning system is working well, that there are very few problem matters and that councils do represent an alternate view to the heavy-handed corruption that comes out of the Tasmanian Planning Commission.

What is needed is a solid independent review of the Tasmanian Planning Commission. I am happy to express the view that I have no confidence in it whatsoever.

For that reason alone this second attempt of an imprudent draft amendment bill should be consigned to the Parliamentary garbage bin.

Local Governments are either sufficiently competent to operate a land use planning Department or they are not. For very small councils there may be a need to improve planning resources. I have repeatedly suggested ways to address this issue. The resources which may be required by small councils is not a reason for supporting development assessment panels.

Tasmania's planning system operates extremely quickly and with very few appeals. It is unlikely that the development assessment panels proposed would result in faster decisions or better decisions.

One of the main obnoxious aspects would be to lessen the appeal rights of the citizens of Tasmania. This is directly against the objectives of the legislation underpinning the planning laws of Tasmania, the Resource Management Planning System.

That is not a reason for shifting the decision-making power from local government and creating an entirely new and separate decision-making process, one which is minus a critical right of appeal for the people of Tasmania. This is a public interest issue.

I reiterate: This removal of the right of appeal is directly against the schedule 1 objectives of the RMPS. Here are the objectives:

SCHEDULE 1 - Objectives of the resource management and planning system of Tasmania

Sections 4 and 6

1. The objectives of the resource management and planning system of Tasmania are –

(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and

(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and

(c) to encourage public involvement in resource management and planning; and

(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and

(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.

2. In clause 1(a) –

"sustainable development" means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while –

(a) sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil and ecosystems; and

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

The Objectives of LUPAA are:

PART 2 - Objectives of the Planning Process Established by this Act

The objectives of the planning process established by this Act are, in support of the objectives set out in Part 1 of this Schedule –

(a) to require sound strategic planning and co-ordinated action by State and local government; and

(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and

(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and

(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and

(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and

(f) to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania; and

(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and

(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and

(i) to provide a planning framework which fully considers land capability.

Now I ask, does the objective: “(c) to encourage public involvement in resource management and planning;” deserve some respect?

Ever since the Liberal State Government came to power it has been feverishly trying to get rid of the public's right to object, reducing the amount of Discretionary Developments, reducing the time allowed in which to appeal, increasing the costs of an appeal and on and on and on and on and on. It is not possible to consider the actions of the Liberal State government in any other way than having a pathological hatred of the rights of citizens to object to and appeal land use planning decisions. That of course is directly against the RMPS.

It can only be assumed that the Liberal State Government hate and have no respect for the people of Tasmania and that it completely fails to understand that they are there to represent the people of this state for the common good. We are not convicts any more. This draft DAP amendment bill is not serving the common good or the public interest.

I really wish our State Government would start managing the State in a competent manner. Now it is in a minority and deservedly so and hopefully the crossbench will realise that this is poor quality hopeless legislation born out of some rhetorical mantra, the origins of which have been lost in time.

Competent would mean scrapping this crap amendment bill, this draft bill, Land Use Planning And Approvals Amendment (Development Assessment Panels) Bill 2025.

Objection to the Draft Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2024

It would seem that this draft bill, seeking to install the opportunity to create a separate development approval process via the Tasmanian Planning Commission which would create Development Assessment Panels as required, needs a complex amendment of 51 pages in length.

My submission is that the notion and indeed the reality of Development Assessment Panels would be to simply be another means where the single State Liberal Government is pathologically attempting to diminish the power of the 29 local governments in Tasmania.

I consider this to be nothing more than a power play and wish to register my strong opposition to this second proposed Draft Amendment Bill.

Hopefully Labor and the crossbench will combine and have sufficient intelligence to vote this Bill down.

The Draft Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2025 significantly complicates an already overcomplicated 'Land Use Planning and Approvals Act'. I claim that this is unnecessary and indeed undesirable.

Discretionary Permits and Rights of Objection and Appeal

I can only conclude that the notion of Development Assessment Panels is born out of a fundamental hatred for the fact that Discretionary Permits allow objections and appeals and the decision-making process within the local government, which indeed if truth be known, already substantially, massively favours the proponent.

One can only conclude that Tasmania is desperate for development, almost any development will do.

However, local government and importantly contains elected representatives, some of whom have the intelligence and considerable integrity to make genuine independent decisions.

Conclusion

In writing this brief objection to this noxious draft bill, Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2025, I have formed an even stronger disdain and vehemence against it, than at the time of starting my drafting process.

It is an ugly, horrible little piece of proposed amending Bill, which should be firmly quashed.

This draft amendment land use planning bill is not good legislation, rather it is bad legislation. This second attempt at a draft bill increases the complexity of the land use planning system, increases its politicisation, increases the power of a single person being the Minister, and diminishes the power of the 29 local governments and their large number of elected council representatives.

Perhaps more importantly this draft amendment bill diminishes the rights of the people who may wish to object to and appeal a development.

Hence it diminishes the already weakened rights of the people of Tasmania to participate in land use decisions and for that reason and all the others rased above, DRAFT Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2025 should be quashed.

END

From: [Bonnie Tilley](#)
To: [State Planning Office Your Say](#)
Subject: Proposed changes to Development Assessment
Date: Thursday, 24 April 2025 2:12:35 PM

Development Assessment should not be in the sole hands of a government minister .
Individual people and groups should have their right to appeal and have their appeal heard and responded to.
Yours Faithfully
Bonnie Tilley
Sent from my iPhone

From: [Lorna Boxall](#)
To: [State Planning Office Your Say](#)
Subject: Scrap the DAP
Date: Thursday, 24 April 2025 1:58:21 PM

I strongly disagree with the proposed DAP! It is in democratic & I am sick and tired of Liberal & Labor pushing for their pet projects to bypass common sense. If the government is unhappy with the existing planning process

then.... fix it! The public shouldn't have to continually object to this.

Lorna Boxall



#PlanningMatters
www.planningmatterstas.org.au

24 April 2025

State Planning Office
Department of State Growth
GPO Box 536 Hobart TAS 7001

By email: haveyoursay@stateplanning.tas.gov.au

Dear State Planning Office,

RE: PMAT Submission: *Draft LUPA Amendment (Development Assessment Panels) Bill 2025*

The [Planning Matters Alliance Tasmania](http://www.planningmatterstas.org.au) (PMAT) thanks the State Planning Office for the opportunity to comment on the [Draft LUPA Amendment \(Development Assessment Panels\) Bill 2025](#).

Public comment was invited between the 26 February and 24 April 2025.

The 2025 revised *Draft LUPA Amendment (Development Assessment Panels) Bill 2025* (2025 DAP Bill) is not significantly changed from the *Land Use Planning and Approvals (Development Assessment Panels) Bill 2024* (2024 DAP Bill) that was refused by the Tasmanian Parliament in November 2024.

The 2025 DAP Bill retains all the key flaws, which are outlined below.

In November 2024, PMAT welcomed the Legislative Council decision to vote down the 2024 DAP Bill. This was especially welcome given the huge community opposition to the Bill. **Of the 482 submissions received on the 2024 DAP Bill, 444 were opposed or 92% against.**

Unfortunately, despite the overwhelming community opposition, the Development Assessment Panel legislation has been re-introduced.

The 2025 DAP Bill continues to propose anti-democratic changes to undermine Councils and communities right of say across all urban/private land and reserved/public land including our National Parks and World Heritage Areas by **proposing to introduce Development Assessment Panels which removes planning appeal rights.**

PMAT recommends the 2025 DAP Bill be scrapped in its entirety.

Fundamentally, the Bill is inconsistent with Schedule 1 of the *Land Use Planning and Approvals Act 1993* where the objectives of the resource management and planning system of Tasmania state to encourage public involvement in resource management and planning. **The 2025 DAP Bill reduces public participation and oversight.**



#PlanningMatters

www.planningmatterstas.org.au

The 2025 DAP Bill will provide a new fast tracked DAP process to provide a permit for developments **on both private and public land including World Heritage Areas, National Parks and Reserves.** The State Government also intends to introduce two other pieces of new legislation. 1) to provide fast tracked approvals under the *National Parks and Reserves Management Act 2002* for developments in reserved land (see PMAT's submission [here](#)), and 2) Another Bill that will remove/limit appeal rights as [announced](#) by the Minister for Planning on the 7 February 2025. **Thus, we are expecting three Bill, all of which will either completely remove or weaken planning appeal rights. Only the DAP Bill has been released for public comment.**

PMAT does not support the proposed 2025 DAP Bill and instead wants councils to continue their important role of representing the interests of their local communities.

Transparency, independence and public participation in decision-making are critical for a healthy democracy and to help ensure good social and environmental planning outcomes.

We should be investing in expertise to improve the local government system and existing planning processes by providing more resources to councils and enhancing community participation and planning outcomes. This will also help protect local jobs and keep the cost of development applications down.

The Tasmanian Government should instead prohibit property developers from making donations to political parties, enhance transparency and efficiency in the administration of the *Right to Information Act 2009*, and create a strong anti-corruption watchdog.

Please also see PMAT's website [here](#) which has further key information relating to DAPs regarding:

- What's happened to date on DAPs in Tasmania (including an easy to view timeline)
- PMAT's key concerns and recommendations
- PMAT's previous submissions on DAPs
- Watch/listen in to PMAT's #ScrapTheDAP 400+ strong Town Hall 2024 public meeting [here](#).

Yours sincerely,

Sophie

Sophie Underwood

State Director – Planning Matters Alliance Tasmania

E:

M:

www.planningmatterstas.org.au



#PlanningMatters
www.planningmatterstas.org.au

KEY CONCERNS

The *Draft LUPA Amendment (Development Assessment Panels) Bill 2025* empowers the Planning Minister to remove assessment and approval of developments from the normal local council process and have it done by Development Assessment Panels (DAPs).

This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities. There will be no right for the community to appeal the final decision to the planning tribunal (i.e. The Tasmanian Civil and Administrative Tribunal).

The criteria being considered would enable virtually any development, except for industrial and mining developments regulated by the EPA, to be taken out of the normal local council assessment process and instead be assessed by DAPs, including developments already refused such as the kunanyi/Mt Wellington cable car, high-rise buildings in Hobart and new developments such as large-scale subdivisions like Skylands development at Droughty Point and the UTAS proposed re-development.

The Planning Minister would also have new powers to instruct councils to commence planning scheme changes (e.g. land rezones such as rural to residential zones, Specific Area Plans (SAPs) etc), but perversely, only when a local council has rejected such an application.

The 2025 revised DAPs legislation is not significantly changed from the 2024 version that was refused by the Tasmanian Parliament and retains all the key flaws, as outlined below.

PMAT opposes the 2025 DAP Bill and creation of Development Assessment Panels (DAPs) and increasing ministerial power over the planning system, for the following reasons:

- **The DAPs represent an alternate planning approval pathway allowing property developers to bypass local councils and communities. This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities.** Handpicked state appointed planning panels, conducted by the Tasmanian Planning Commission, will decide on development applications not our elected local councillors. Local concerns will be ignored in favour of developers who may not be from Tasmania.
- **The Tasmanian Planning Commission is not independent** – DAPs are hand-picked, without detailed selection criteria and objective processes. DAPs are inconsistent with the principles of open justice as they do not hold public hearings that are open to any member of the public and lack capacity to manage conflicts of interest (as per the 2020 Independent



#PlanningMatters

www.planningmatterstas.org.au

Review). DAPs do not have to provide written reasons for their decision (making it difficult to seek judicial review in the Tasmanian Supreme Court). Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision first.

- **Research demonstrates DAPs are pro-development and pro-government**, they rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions.
- **DAPs will make it easier to approve large scale contentious developments** like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus re-development.
- **Removes merit-based planning appeal rights** via the planning tribunal (i.e. TASCAT - The Tasmanian Civil and Administrative Tribunal) on all the issues the community cares about like impacts on biodiversity; height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more. The Tasmanian Civil and Administrative Tribunal review of government decisions is an essential part of the rule of law and a democratic system of government based on '*checks and balances*'.
- **Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.**
- **Developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus and are prohibitively expensive. Appealing developments to the Supreme Court (also called Judicial Review) is not an alternative to appeals to the TASCAT planning tribunal.**
- **Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy.** The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption. Mainland experience demonstrates planning panels favour developers and undermine democratic accountability. Local planning panels, which are often dominated by members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum [say](#) they favour developers and undermine democratic accountability. Mainland [research](#) demonstrates



#PlanningMatters

www.planningmatterstas.org.au

removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social.

- **Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.
- **Eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked.** The Minister can declare a development to be assessed by a DAP based on a '*perceived conflict of interest*', '*a real or perceived bias*', '*the application relates to a development that may be considered significant*'. The Planning Minister has political bias and can use this subjective criteria to intervene on virtually any development in favour of developers.

NOTE: The scope of the DAPs includes a range of other subjective factors that are not guided by any clear criteria:

- Valuations of \$10 million in cities and \$5 million in other areas.
- A determination by Homes Tasmania that an application includes social or affordable housing. There is no requirement for a proportion of the development to be for social or affordable housing. For example, it could be one house out of 200 that is affordable.

- **Poor justification – there is no problem to fix.** Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in Australia. In some years as many as 80% of appeals are resolved via mediation by The Tasmanian Civil and Administrative Tribunal TASCAT. The Government wants to falsely blame the planning system for stopping housing developments to cover its lack of performance in addressing the affordable housing shortage.
- **Increases complexity in an already complex planning system.** Why would we further increase an already complex planning system which is already making decisions quicker than any other jurisdiction in Australia?

2025 legislation not significantly changed

- The changes made to the DAPs legislation that was refused by the Parliament in November 2024 are not significant and all the key flaws remain. The changes made do not have any significant practical impact.



#PlanningMatters

www.planningmatterstas.org.au

- One eligibility criterion has been removed, that a project is likely to be '*controversial*', but the other equally broad and undefined criteria are retained (as listed above). There is no impact from this change because virtually any development can fit the remaining criteria.
- Removal of the option for the minister to transfer a development partway through a council assessment is not significant because a proponent can remove their development from council assessment before requesting the minister have it assessed by a DAP.
- The dollar value thresholds have been increased to \$10 million and above in metro areas and \$5 million and above in non-metro areas which is claimed will restrict the number of DAP applications. Projects under these values are still eligible under the other broad and undefined criteria.
- The Tasmanian Planning Commission will be able to issue guidelines to assist with applying the eligibility criteria, but this makes no difference as the Commission is not required to make the guidelines and the Minister only needs to 'consider' them.
- There has been an amendment to allow the DAPs to undertake mediation, but the Tasmanian Planning Commission is inexperienced in mediation and no clear process or rights have been established for objectors, unlike the Tasmanian Civil and Administrative Tribunal (TASCAT). The amendment does not allow the DAP approval to be decided by mediation just minor disputes in the process.

Say yes to a healthy democracy

- We call on you to ensure transparency, independence, accountability and public participation in decision-making within the planning system, as they are critical for a healthy democracy. Keep decision making local, rather than bypassing it, with opportunities for appeal. Abandon DAPs and instead invest in expertise to improve the local government system and existing planning processes by providing more resources to councils and enhancing community participation and planning outcomes. This will also help protect local jobs and keeping the cost of development applications down.

24 April 2025

State Planning Office
Department of Premier and Cabinet
Hobart TAS 7001

Via email: haveyoursay@stateplanning.tas.gov.au

Dear Sir/Madam

Re: Draft Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2025

TasNetworks welcomes the opportunity to provide a submission to the draft Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2025 (the **draft DAP Bill**).

TasNetworks is the Transmission Network Service Provider and Distribution Network Service Provider in Tasmania. TasNetworks' focus in these roles is to deliver safe, secure and reliable electricity network services to Tasmanian customers at the lowest sustainable prices. We are supporting the legislated Tasmanian Renewable Energy Target (**TRET**) and Australia's energy transition by upgrading our network to cater for forecasted growth in renewable energy generation in Tasmania. This includes major transmission projects such as:

- the North-West Transmission Development to support Marinus Link;
- the upgrade of the transmission corridor between Waddamana to Palmerston to connect new renewable energy in the central highlands; and
- upgrades to support new load in George Town.

Major transmission projects undergo extensive economic and energy market analysis to determine optimal delivery timing that will maximise value for Tasmanian and Australian electricity customers. To be able to deliver projects such as Waddamana to Palmerston by its optimal timing of 2029, an efficient assessment and approval process is critical.

The proposed DAP process has the potential to deliver more timely assessments of major transmission projects that are essential to achieving TRET and enabling Australia's transition to renewable energy. The new pathway offers a less administratively complex process without compromising on the level of scrutiny and transparency that is necessary for major development applications.

Section 60AF(4) of the draft DAP Bill requires any DAP to seek advice from TasNetworks if a proposed development may compromise our ability to deliver safe and reliable electricity. Under the current approval process, TasNetworks is able to make a request for more information before providing advice. In this case, any deadlines on the advice are paused until the information request is satisfied. It is unclear if TasNetworks would be allowed to make a similar request for more information and therefore pause deadlines in the case that a DAP was established for an application. We consider these provisions should be included in the draft DAP Bill to ensure that TasNetworks has enough time to consider the impacts of proposed developments.

Section 60AC(3) of the draft DAP Bill states that an application is excluded from the DAP process if section 25 of the Environmental Management and Pollution Control Act 1994 (**EMPCA**) applies. Section 25 of the EMPCA relates to permissible level 2 activities. However, it is unclear how the feedback loop in section 24 of the EMPCA, which relates to permissible level 1 activities, aligns with the draft DAP Bill.

In section 24 of the EMPCA, the Director of the Environmental Protection Authority (**EPA**) may call an application before the EPA Board and assess the application as though it were a permissible level 2 activity. TasNetworks seeks clarity as to whether an application being called before the EPA Board and being assessed in this way would exclude it from the DAP process.

In the case that an application would be excluded from the DAP process when called before the EPA Board, we consider the draft DAP Bill should account for the fact that some applications may be called before the EPA Board and not be deemed to be a permissible level 2 activity. Without accounting for this, it is likely that many applications will be excluded from the DAP process, therefore undermining the intention of the draft DAP Bill.

Thank you again for the opportunity to have our say on the draft DAP Bill. If you would like to discuss any of the points raised in this submission, please contact Calvin Godwin, Regulatory Analyst, at calvin.godwin@tasnetworks.com.au.

Yours sincerely

Sandra Thaow
Head of Regulation



HOBART NOT HIGHRISE

State Planning Office
Department of State Growth
GPO Box 536
Hobart TAS 7001

Hobart not Highrise has been involved in planning issues concerning Hobart since 2018. Our major concerns have been with building height and preservation of Hobart's heritage. We are keen to see residential standards for Medium Density Housing on the planning agenda. However we do not support the Revised Land Use Planning and Approvals Amendment (D.A.P.) Bill 2025. The superficial changes allow the government to present it as a new Bill but the core issues raised in submissions from Local Councils, Legal experts and the Community in 2024 have not been rectified.

We oppose the revised Development Assessment Panels (DAPs) Legislation because it has the same flaws rejected by Parliament in November 2024 and fails to provide safeguards for the rights of the Tasmanian Community. No concrete evidence has been produced to prove that the current system needs reform by the addition of another panel which would be duplicating procedures that are already in place. There is no evidence for concerns over bias or conflict of interest within the Planning Authority. Bias and conflict of interest could equally be a problem with the Minister and the Commission or future panels so DAPs are no answer to such concerns.

Refusing an application for development on proper planning grounds is not a sign of bias but rather shows good governance and sufficient rigour in the discretion of the system.

Changes proposed in the Revised Land Use Planning and Approvals Amendment (D.A.P.) Bill 2025 do not satisfy previous issues raised regarding Development Assessment Panels:

1. Merit-based planning appeal rights should be maintained on all the issues the community cares about like height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; impacts on biodiversity; as well as traffic, noise, smell, and light. These are the matters which have created Hobart as a liveable city. The Tasmanian Civil and Administrative Tribunal (TASCAT) ability to review Planning Authority decisions is essential to the rule of law and a democratic system of government protected by *'checks and balances'*.
2. Hobart not Highrise maintains that key aspects and criteria of the legislation should not be provided through regulation or non-statutory guidelines especially when there is no information provided on those regulations. Panel appointments ought to require detailed selection criteria and objective processes which are missing from this legislation. This is evidence of poor governance and should be sufficient reason to reject the Bill.
3. The proposal for non-statutory guidelines to be developed to assist in determining compliance with the definition of "social or affordable housing" is not acceptable. Non-statutory guidelines can be changed at any time without reference to any parties and do not provide the strict precision to satisfy an objective test. It undermines the authority of the legislation. Homes Tasmania's practise is appropriately to provide for a mix of social housing, home equity options and release to the general market. Accordingly, an application relates to land which may not be solely for social housing or associated options. Hobart not Highrise contends that this makes the Local Planning Authority better placed to assess such developments.



HOBART NOT HIGHRISE

4. Whilst an application can be made by one of the identified social housing groups, there is nothing that ties the development to ownership once the permit has been granted. The legislation needs to make clear that use and development are separate issues within an application. There is no indication as to how or why DAPs would ensure more social and affordable housing. Private developers operate with business interests and have not been the providers of social or affordable housing in Australia's history.
5. Principles of justice, in a democracy, demand hearings that are open to any member of the public from the beginning of the process. Community input, at the beginning of the process, is not allowed under the DAPs proposal. Skyscrapers or other unsuitable developments could be approved in Hobart with virtually no community input.
6. If the DAPS are to be established then the Bill should include the requirement for written reasons for the decision to show sound decision-making, consistency and transparency in the process. Written reasons are particularly important in relation to decisions that involve the application of complex statutory rules such as those found in planning laws.
7. Mainland experience demonstrates DAPs rarely engage with local communities and do not make decisions faster than Councils which leads us to conclude that the only beneficiaries of DAPs would be developers who want to avoid Local Planning Authority scrutiny. Property developers should not be able to bypass local councils and communities. If developers used the Acceptable Solutions instead of seeking discretionary decisions the developments would proceed with little objection.
8. Under the DAPs developments will only be appealable to the Supreme Court. This means no merits-based assessment of the issues most of the public consider basic to liveability. An appeal to the Court could only be based on a point of law around process or correct decision; would be prohibitively expensive in time and cost for most of the public; and denied to most because they would not be considered to have legal standing [they are not directly connected to or affected by the decision in way that would justify access to the courts]. This denies the public justice, fairness and equity so is a denial of democratic rights.
9. Evidence from other states suggests removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy. The NSW Independent Commission Against Corruption recommended the expansion of merit-based planning appeals as a deterrent to corruption.¹
10. We are concerned at the Tasmanian Heritage Council being relegated to a referral role in the considering of an application under the DAP process. Heritage approval should be required for heritage works. Currently Part 6 of Historic Cultural Heritage Act 1995 (HCHA) overrides the provisions of LUPAA or a planning scheme that requires a discretionary permit for any heritage works, as defined. The draft DAP Bill seeks to exempt a DAP application from the requirements of that Act.

¹ <https://www.icac.nsw.gov.au/media-centre/media-releases/2012-media-releases/icac-recommends-changes-to-the-nsw-planning-system-to-minimise-corruption-risks>



HOBART NOT HIGHRISE

This reduction of status, along with no appeal rights, will reduce the likelihood of the quality heritage outcomes provided by the imposition of conditions by the Tasmanian Heritage Council. It will also remove the offence of undertaking works contravening the conditions of a permit for heritage works. Perversely, it will also remove the ability for the Heritage Council to issue a minor works approval in relation to a DAP application of minor heritage impacts. We are pleased to note the modification in this Bill to clarify that, at least, the Heritage Council retains its enforcement function regarding any heritage conditions it may have recommended be imposed on the permit consistent with post approval functions under other assessment pathways.

11. The Local Council as Planning Authority, the Tasmanian Heritage Council and other service agencies are expected to act as a reviewing entity to a DAP permit and provide advice only. The Bill provides insufficient time periods for such advice and no reference to payment for services so ratepayers could be left to 'foot the Council' costs.
12. Hobart not Highrise contends that the Bill should be amended to require Panels to elicit and consider the advice of all agencies whose portfolio may be affected by the development application.

The draft DAP Bill 2025 is further evidence of the move to give more freedom to developers by removing planning from Local Government and reduce local community representation. It is not based on good, sound planning or good governance principles. The proposed Draft Bill shows little respect for the professionalism of the Planning Authority and staff [without evidence] and, devalues the professionalism and impartiality of TASCAT.

Hobart not Highrise asserts that reform needs to concentrate on

- accepting and adopting the Tasmanian Planning Policies and the planning documents from Local Councils that are passing through the Tasmanian Planning Commission.
- Preventing land banking by not allowing extensions to time limits on substantial development of a project
- As part of medium density residential development legislation reform the strata title system
- The provision of expertise to adequately assess an application should be available through the Office of Local Government should smaller Councils not have the expertise at hand.

Yours sincerely,

Margaret Taylor
Chairperson

Rosemary Scott
Secretary

On behalf of
Hobart not Highrise
hobartnothighrise8@gmail.com



climateactionhobart@gmail.com

State Planning Office
Department of State Growth
GPO Box 536
Hobart TAS 7001

Climate Action Hobart [C.A.H.] is a volunteer, grassroots climate group formed to promote community involvement in achieving strong climate policy and action in Tasmania. Climate factors will be the predominant influence on living conditions in Tasmania in coming years and it is essential that this is recognised in the State's Planning System.

Climate Action Hobart does not support the Revised Land Use Planning and Approvals Amendment (DAP) Bill 2025. It is an unnecessary addition to an already complex system. The core issues raised in submissions in 2024 have not been addressed. It has no significant changes to the already rejected 2024 Bill..

It is an unnecessary addition because it offers nothing that is not available in the current planning system. The Position Paper acknowledged that Tasmania's existing development assessment process is working well with statistics demonstrating this efficiency.¹

The current system provides checks and balances. Local Council performs its development assessment and determination functions as a planning authority under the Act. Section 48 of the Act is very specific in its intent that 'where a planning scheme is in force, the planning authority must, within the ambit of its power, observe, and enforce the observance of, that planning scheme in respect of all use and development undertaken within the areas to which the planning scheme relates. Evidence from the large number of approvals by Councils would suggest Councils are performing the role appropriately. There is no reason to expect that the State Government or its appointees would provide a better, less political, less biased authority.

If there are doubts as to the legitimacy of a Council Planning Authority decision an appeal can be taken to The Tasmanian Civil and Administrative Tribunal [TASCAT] which provides democratic merits-based appeal rights and independent review rights with established mechanisms and processes. TASCAT are required to consider the application from the beginning but are bound in their determination as if they were the Planning Authority. This democratic right of Appeal is denied under the proposed DAPs system. Also DAPs can ignore previous decisions which TASCAT uses to establish precedent.

Merit-based planning appeal rights should be maintained on all the issues the community cares about including height, bulk, scale, appearance, impacts on streetscapes and adjoining properties (including privacy and overlooking), biodiversity, environment, traffic, noise, smell, and light.

Many aspects of the Draft Bill lack specificity and do not provide clarity for the new system so cannot be supported. A Panel cannot be the original decision-maker and then conduct merits review of its own decision. Any merits review should be conducted by members of an independent body that is well separated from the original decision maker. The different roles of decision maker, mediator, merits reviewer and court, must be kept separate to maintain checks and balances in a democratic

¹ P 6 4.1 **Report on Consultation** Development Assessment Panel (DAP) Framework Position Paper Oct 2024



climateactionhobart@gmail.com

system and thus provide oversight and prevent abuse of power. Appointments must be 'secure against interference by the Executive or other appointing authority.

Climate Action Hobart contends that the planning scheme must be read as a whole and cannot be selectively applied. Under LUPAA, a council (as 'planning authority') must apply: the objectives of the LUPAA Act; the environmental or natural hazard management plan certified by an accredited person or state service agency; and the provisions of the relevant planning scheme. We are particularly concerned that unlike for the Planning Authority [local council] the draft bill does not specifically state that the DAPs. will be required to operate within the framework of LUPAA and associated legislation.

C.A.H. supports the Tasmanian Planning Policies which have been through the proposal, consultation and rewrite process and await only government approval. We acknowledge the Draft Local Provisions Schedule for Hobart City and the precinct plans being developed by the H.C.C. We are aware that other Councils are working on equivalent documents. These documents are providing sound planning for the future and include understanding and modelling of climate risks. We strongly support the intensive work around climate risk which is so vital for future liveability. However, there is nothing in this legislation to guarantee that these documents based on expert advice and community consultation will form the basis of DAPs decision making or that there will be a natural hazard management plan. The Draft Bill does not provide sufficient constraints on discretion to ensure that a development is suitable to the location.

A major flaw in the proposed DAPs system is that appeals would have to go to the Supreme Court. Judicial review is limited to technical legal issues as to correct decision and process, not the merits-based system of TASCAT. This is likely to deny members of the public access to justice:

1. because community members do not have the time, money or expertise to pursue review through the courts;
2. because a technical legal ground of review is not available (which is not to say that the decision is 'correct or preferable' in accordance with the standard of merits review); or,
3. because a community member may not be able to meet the threshold for 'standing' (that is, they are not directly connected to or affected by the decision in way that would justify access to the courts).

Climate Action Hobart contends that, in practice, there will be no independent review of a Panel decision and this is a denial of fairness and equity

*The Australian High Court has recognised that property developers will try to influence decisions in their self interest. It is essential that merits review exists as a second opportunity to ensure that "primary decision makers have appropriately balanced common values like clean water and healthy environments against development interests"*²

The draft bill also provides for discounting of representations based on a perception of their content – using terms of "frivolous and vexatious". We consider our very real concerns about climate and environmental impact may be dismissed under this provision by the DAPs. The Bill risks removing opportunities to have the concerns of affected communities acknowledged and interrogated in a transparent, accountable, and democratic way.

² The Mercury Thursday 7th November 2024 Anja Hilkemeijer, Jan McDonald, Phillipa McCormack, Cleo Hansen-Lohrey and Emille Boulot



climateactionhobart@gmail.com

The DAPs will undertake the preliminary assessment and exhibit the draft report, including any proposed permit if recommended for approval. But public representation comes after the assessment. This denies the public the opportunity to comment at the beginning of the process. Principles of justice demand hearings that are open to any member of the public with Community input at the beginning of the process.

There is a lack of transparency in the proposed DAPs process because reasons for a decision do not have to be published. A requirement for written reasons for the decision would provide evidence of sound decision-making and consistency and should be part of the legislation.

Details of implementation are not part of the legislation. Under the legislation, Panel appointments do not have to satisfy detailed selection criteria or objective processes. That will be revealed later through regulations which will be imposed by Government without consultation of the Community and Parliament. Such a vague, open-ended piece of legislation is not acceptable because it is open to corruption. That identifying application types and criteria will be contained in regulations, which are not yet developed, makes the current referral criteria redundant. They can be altered in the regulations. The lack of detail in this Bill does not reflect good governance.

The Draft bill allows property developers to bypass local councils and communities and can only be seen as a way to avoid close scrutiny. The most effective way to speed up approvals is for developers to work to the Acceptable solutions rather than continually seeking discretionary approvals.

Councils as the Planning Authority will be relegated to a referral role in the considering of an application under the DAP process with no guarantee of payment for services and very limited timeframes to provide information. This will undermine the capacity of reviewing entities to provide high quality advice to Panels.

Climate Action Hobart considers other statutory bodies or agencies should have a formal advisory role in the decision-making process. In particular the EPA or the Director of National Parks and Wildlife should be consulted where relevant on projects referred to Panels.

Mainland experience from the NSW Independent Commission against Corruption outlines the requirements for good legislation in this field.

The Independent Commission Against Corruption (ICAC) recommends that the NSW Government adopts safeguards to ensure greater transparency, accountability and openness to minimise corruption risks in the NSW planning system.

In its report, Anti-corruption safeguards and the NSW planning system, the Commission recommends that the NSW Government takes steps to reduce the complexity of the planning system, makes it mandatory for major strategic policy documents to be considered during the making of planning instruments, and ensures that its system for assessing and approving developments of state significance provides adequate opportunities for competing public interests to be considered.

The Commission also recommends that the government should ensure that planning authorities are required to provide regular information and updates to the public about development applications under assessment, including any significant changes made to an application.³

³ <https://www.icac.nsw.gov.au/media-centre/media-releases/2012-media-releases/icac-recommends-changes-to-the-nsw-planning-system-to-minimise-corruption-risks>



climateactionhobart@gmail.com

This draft bill is not based on desired, sound planning or good governance principles. It undermines the integrity of the current planning system. It reduces public involvement in decision-making. This draft bill in its present form is not a positive addition to the planning scheme. Planning decisions should be just, local, transparent and fair.

Your sincerely
Margaret Taylor

On behalf of Climate Action Hobart
climateactionhobart@gmail.com

Submission regarding the DAP Bill

24th April 2025

I write concerning the 2025 revised Development Assessment Panels (DAPs) legislation. My understanding is that this legislation is not significantly changed from the 2024 version that was refused by the parliament and retains all the key flaws.

I oppose the creation of Development Assessment Panels (DAPs) and increasing ministerial power over the planning system. My concerns are as follows:

I am very concerned that this is an erosion of the rights of the community and that it will remove the ability of councils to decide what developments are the best fit for their local authority area. Additionally, rights of affected or interested residents will be taken away. The DAPs will bypass local councils and communities. This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities. It is very worrying that local concerns will be ignored in favour of developers who may not be from Tasmania.

I am concerned that appeal rights will be very limited and not represent a truly democratic society and that large-scale developments will be easier to approve despite being more contentious and having effects wider than simply the local area. For instance, the Mount Wellington Cable Car development's effects certainly would not only be of concern to 'directly affected people' but would be something many Hobartians, Tasmanians even, would be concerned about. It's imperative that community - in whatever form that takes, whether it be (but not limited to) first nations Tasmanians, recreational land users, scientific and conservation groups, not only a small proportion of people - have a voice about critical development proposals of our island.

Despite its claim to the contrary, I don't believe that the Tasmanian Planning Commission is independent; it's a government department, meaning that it will likely be making decisions that are in line with the philosophies of the government of the day and not considering the best interests of communities affected by developments. DAPs are inconsistent with the principles of open justice as they would not hold hearings that are open to any member of the public and would lack capacity to manage conflicts of interest (as per the 2020 Independent Review), also it seems they are without detailed selection criteria and objective processes. It would be difficult to seek judicial review and would allow a lack of accountability. Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision. This is unacceptable due to the lack of transparency.

Tasmania, unlike some other states, still allows political donations from property developers; it's hard to imagine that this won't affect DAPs. Development assessment MUST be done by those who are truly independent. Evidence suggests that merit-based planning appeals are a way to reduce corruption (EDO NSW Report Merits Review in Planning in NSW). Removing the opportunity for mediation through the planning tribunal is not acceptable. To only be able to appeal through a Judicial Review, and only on a small amount of points will be difficult and prohibitively expensive. For a minister to be able to override a council is not acceptable. Councillors are elected to represent the residents of a local authority and to assess what best fits their local authority.

There is currently no problem with councils assessing developments. The Dept of Premier and Cabinet in 2024 stated 'latest appeal data is similar to that from 2018-19, with only around 1% of applications being appealed and with a significant proportion resolved through mediation'. Clearly, developments approved by councils are not subject to a high level of appeal so it seems unnecessary to change the way developments are assessed. I also understand that Tasmania's development assessment system is the fastest in the country (Source: Local Government Association of Tasmania), and that introduction of DAPs would actually add to the complexity of the planning system, so one would wonder why the system needs to change when it seems to be working very effectively.

These are not the only concerns relating to the implementation of DAPs as shown by the overwhelming percentage of submissions opposing the legislation last year, the almost comprehensive No vote from non-ALP/LNP parliamentarians, the opposition from every Tasmanian council and the voting down of the bill in the Legislative Council.

I call on you to ensure transparency, independence, accountability and public participation in decision-making within the planning system, as they are critical for a healthy democracy. Keep decision making local, rather than bypassing it, with opportunities for appeal. Abandon DAPs and instead invest in expertise to improve the local government system and existing planning processes by providing more resources to councils and enhancing community participation and planning outcomes. This will also help protect local jobs and keeping the cost of development applications down.

I also call on you to prohibit property developers from making donations to political parties, enhance transparency and efficiency in the administration of the Right to Information Act 2009, and create a strong anti-corruption watchdog.

Yours Sincerely

Sarah Lewis



State Planning Office
Department of State Growth
GPO Box 536 Hobart TAS 7001
haveyoursay@stateplanning.tas.gov.au 24 April 2025

Submission to LUPA DAP BILL 2025 Version 2

- LHNH does not support the proposed LUPA (DAP) Bill 2025 Version 2.
- LHNH supports the analysis and submission made by Planning Matters Alliance Tasmania (PMAT).
- LHNH supports the position of Local Government Association of Tasmania (LGAT)
- media release 11 April 2025

SOCIAL LICENCE - MISSING IN ACTION

The erosion of trust stemming from the Government's response to the Draft Assessment Report, Project of State Significance (Hobart stadium), prepared by a panel of the independent Tasmanian Planning Commission (TPC) raises serious concerns. It casts doubts on whether the development assessment panel process proposed in this bill will remain free from similar political interference should a future decision prove politically inconvenient.

If statutory planning processes are not respected in this case, how can the public have confidence that future TPC or DAP decisions won't be overridden by 'special' legislation?

One-off legislative interventions to serve political interests fundamentally undermine both the integrity of Tasmania's planning system and the trust of the community.

CONCLUSION

Properly resource and update the planning system and Scrap the DAP before you make a bigger mess.

Regards, V. Wilkinson on behalf of LHNH

24 April 2025

TO: <https://planningmatterstas.org.au/take-action-daps/>

SUBMISSION TO TASMANIAN GOVERNMENT ON PROPOSED BILL TO CHANGE
PLANNING LAWS.

TO WHOM IT MAY CONCERN.

INTRODUCTION:

I write with respect to a proposed Bill to change planning laws which will result in local councils, in essence, being removed from planning decisions for their own communities. I am against the proposed changes for reasons which follow in this paper. The list of reasons is not exhaustive; there will be other reasons, but they will not be published here.

CREATION OF DEVELOPMENT ASSESSMENT PANELS:

The proposed Bill will allow for the creation of Development Assessment Panels (DAPs) whose members will be based in Hobart and Launceston. The DAPs will take powers away from local councils and the community when it comes to certain planning matters.

REASONS AGAINST THE PROPOSED CHANGES:

Timing of deadline for submissions:

The deadline for submissions was set on the last working day of the week between the Easter holiday break and Anzac Day. While the consultation period for this revised Bill was probably long enough the fact that the deadline set is between holiday periods in April makes one wonder whether there were some sinister reasonings by the government in setting this date. I can assure any readers that the timing of the deadline has made it difficult to assist other members of the community with responses.

Speed of process:

A similar Bill was defeated in the Parliament last year. It seems to me that there has been an inordinate haste by the government to re-introduce a mechanism to change planning laws. I wonder why. The government does not seem to approach other legislation with such speed.

Interpretation of submissions:

In its paper, Report on Consultation, whose author is the State Planning Officer, on the second page of the report it is written "Of the 542 submissions received approximately 80 percent of them were generated from 2 pro-forma submission templates that were then forwarded to the SPO (State Planning Office) by individual submitters" in reference to submissions for the 2024 Bill. I note this sort of comment is often made in reports on submissions presented to the government. It is almost as if the authors of the reports are saying that because many submissions have been based on templates

setting out a particular point of view promulgated by an interested party then the value or strength of the submissions should be discounted. I am sure readers of these submissions would not form that opinion, but the frequency of the comments does lead one to wonder. I prefer to interpret the reason for submitters using templates as a basis is that for many submitters the issues are complex and numerous and it is easier to prepare submissions in that manner. Their opinion on the issue at hand does not diminish because they have based their submission on a template.

Unpublished proposed Bills:

It is my understanding that the government has two unpublished draft Bills relating to planning changes; these Bills have not yet been released to the public. One Bill will remove the community's right to be involved in planning appeals. It looks as if appeals will only be able to be made by people who are directly and adversely affected by a planning decision. The other Bill will relate to developments on Reserved and Crown Land including Parks and World Heritage Areas.

One of criticisms of governments (local, state and federal) is that there is too much kept away from the public. It seems to me that the unpublished Bills is a case in point. The government is proceeding at a fast rate to re-introduce a Bill dismissed by Parliament while not telling the community its full plans while it has other Bills in the pipe-line.

Local knowledge:

It is my contention that the current situation where locally elected councillors make local planning decisions should remain. I appreciate that Planning is a difficult matter for councillors to come to grips with, but the individual councillors know more about their community than bodies housed in Hobart or Launceston and should be the ones to make decisions. Local councillors know what is right for their communities as regards culture, environment and other matters. They have been elected by the community to represent their views. It is accepted that councillors must act in accordance with the planning laws, but they also have to take into account the views of the community when it comes to interpreting planning matters. Members of the proposed DAPs will not have the local knowledge and will not be able to consider communities' points of view when dealing with planning matters.

Local circumstances:

The Furneaux Group, where I was born seventy-five years ago and continue to live, has special characteristics, especially among the over 80 outlying islands. It would be easier for developers, under the regime proposed to introduce DAPs, to secure consents to construct inappropriate structures on these islands. Might I add that most residents of local councils can identify points of interest in their own council area. All councils have different points of interest and their residents vigorously protect those places. That will not happen with Development Assessment Panels staffed by external individuals.

Previous objection:

The Local Government Association of Tasmania (LGAT) and the 29 local councils of Tasmania unanimously opposed the Bill which was put to the Parliament in 2024. While there have been some changes in this current proposed Bill, it is hard to see that there have been enough changes to make a significantly large difference that LGAT and the councils will change their minds to support the current Bill.

Appointment of members to DAPs:

The appointment of members to DAPs is a concern. While it is proposed to set parameters for appointing members, the interpretation of those parameters means that there is leeway in appointing members. There will be the ability of the government of the day to appoint substitute members to DAPs to replace members who are unable to act. That ability does not seem to have any controls.

Appeals by community members:

Community members will only be able to appeal developments to the Supreme Court on a limited range of matters and which is a costly process. That is, only matters of law. Community members are being cut out of the planning process as they will be unable to appeal developments to the Planning Tribunal (Tasmanian Civil and Administrative Tribunal) on planning grounds. This means that all issues the community cares about like impacts on biodiversity, height, bulk, scale or appearance of buildings, impacts to streetscapes, and adjoining properties including privacy and overlooking traffic, noise, smell, light and so much more will be unable to be raised.

Conclusion:

That concludes my submission on the proposed Planning Bill to create Development Assessment Panels. As written above, I am against the Bill. I would be willing to discuss this matter with anyone who is interested.

Yours faithfully

Gerald Willis

Telephone;



tasmanian conservation trust inc

23 April 2025

State Planning Office
Department of State Growth
GPO Box 536
Hobart TAS 7001

haveyoursay@stateplanning.tas.gov.au

***Consultation Draft Land Use Planning and Approvals Amendment
(Development Assessment Panels) Bill 2025***

In November 2024, the Legislative Council voted down the *Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2024 (DAP Bill 2024)*.

On 26 February 2025, the Planning Minister re-released a slightly revised draft *Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2025 (DAP Bill 2025)* for public consultation closing 24 April 2025.

The DAP Bill 2025 is not significantly changed from the 2024 version and retains all the key flaws. The TCT opposes the DAP Bill 2025.

The purpose of the DAP legislation is to empower the Planning Minister to the remove assessment and approval/refusal of development applications from the normal local council process and have it done by Development Assessment Panels (DAPs). This fast-track process will remove elected councillors from having a say in developments, including the most controversial and destructive developments affecting local communities. There will be no right for the community to appeal the final decision to the planning tribunal.

The criteria being considered would enable the Minister for Planning to take virtually any development, except for industrial and mining developments regulated by the EPA, out of the normal local council assessment process and instead be assessed by DAPs.

These could include developments already refused such as the kunanyi/Mt Wellington cable car, high-rise buildings in Hobart and new developments such as large-scale subdivisions like Skylands development at Droughty Point and the UTAS proposed re-development.

The Planning Minister would also have new powers to instruct councils to commence planning scheme changes, but perversely, only when a local council has rejected such an application.

2025 legislation not significantly changed

The changes made to the DAP Bill 2024, that was refused by the Parliament in November 2024, are not significant and all the key flaws remain. The changes made do not have any significant practical impact.

Amendments omit any response to the major concerns: The amendments made to the DAPs Bill 2024 are minor and are a continuation of the government's 'salami tactics' approach to winning approval of the parliament. The government previously made minor changes to the draft DAPs Bill 2024 that was released for public comment in October 2024 before it was tabled in parliament in November 2024. On both occasions the most important concerns raised in submissions were ignored.

Lack of consultation on drafting of the DAPs Bill 2025: While the state government has made a number of amendments, there seems to have been no attempt to consult with the community or local government sectors in drafting the DAP Bill 2025. It is notable that several councils, HCC for one, have noted the lack of response by the state government to concerns raised in their previous submission and have resubmitted their earlier submission to this current consultation round.

No strategy or analysis behind the government's amendments: With the changes made between November 2024 and February 2025, the government did not release or refer to any analysis to show that the changes it made were in any way significant to the community, local government, academic or other sectors or responded to concerns raised in public submissions made in October-November 2024. There seems to have been no consultation by the state government with key sectors between November 2024 and February 2025.

The Revised LUPA DAP 'Background Report for Consultation', February 2025, provides a list of modifications and reasons for them but it makes no reference to these responding to stakeholder concerns or submissions. The reasons make only one reference to a 'response to concerns' but it is not stated whose concern this is, it could be the state government's. The 'Background Report for Consultation' omits any reference to the most serious concerns of opponents or why these are not addressed.

Hence it seems that the changes are designed to shift support in the Parliament with the least possible change to the legislation – hence the reference to 'salami tactics'. It remains to be seen, if this bill is unsuccessful, will the government come back with another slightly amended bill, taking another slice of salami?

Minister's media release raises baseless claims of DAP benefits: The Minister for Planning Felix Ellis issued a media release on 26 February 2025, announcing the release of the DAP Bill 2025 for public consultation. While the Minister chose to avoid any direct attack on Councils or the community, as he had previously done, he makes a spurious claim that DAPs will provide the community a greater say in the development assessment process. The minister seems to be asserting that the

community should support DAPs as they are superior to the existing assessment process. The Minister's exact words are:

"Under these streamlined laws, we are ensuring Tasmanians can have a greater say in the development assessment process, with public hearings for each and every application allowing community members to have their voices heard.

"This far exceeds what is available under the existing planning laws.

The Minister is clearly incorrect as the DAP has the power to cancel hearings and can declare a particular submission vexatious, without any recourse, and this results in that person being ineligible to attend a DAP hearing. Perhaps more importantly the minister fails to mention that the community will not have the right to appeal the DAP's decision, and our elected councillors will not have a say over the approval of a development assessed by a DAP.

It is notable that the minister chooses to avoid referring to the modifications that were made to the legislation but instead raises an incorrect reason for supporting DAPs.

Eligibility criterion changed: A major concern with the previous bill and a concern we maintain, is that the eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked (see below for more comments).

One eligibility criterion has been removed, regarding a project that is or is likely to be 'controversial', but the other equally broad and undefined criteria are retained i.e.: a project may be:

- 'significant' 'to the area in which the development is to be located' or 'the state';
- parties may believe the 'relevant planning authority does not have the technical expertise to assess the application';
- The planning authority may have: 'a conflict of interest or a perceived conflict of interest' or 'a real or perceived bias, whether for or against the proponent or development';
- 'the application falls within a class of applications prescribed for the purpose of this section'.

There is no impact from removing one criterion because virtually any type of development could fit one or more of the remaining criteria. The 'controversial' criterion was always the most absurd and received the strongest public criticism but it was no more impactful than any of the others. Removing it is perhaps more likely to attract attention.

Removal of an assessment pathway for a project already with a council:

Removal of the option for the minister to transfer a development partway through a council assessment is not significant because a proponent can remove their development from council assessment before requesting the minister have it assessed by a DAP. Alternatively, the developer may wait until they receive a refusal from the council and then make a request to the Minister for a DAP assessment.

Dollar values: The dollar value thresholds have been increased to \$10 million and above in metro areas and \$5 million and above in non-metro areas which is claimed (in the 'DAP Bill 2025 Background Report for Consultation') will restrict the number of DAP applications. The criteria are alternatives and only one need to be met. If an application fails to meet the dollar criterion then the applicant can seek to meet another criterion. Projects under the dollar values may still be eligible under the other broad and undefined criteria, including that 'the application falls within a class of applications prescribed for the purpose of this section'.

Guidelines have no force: With amendments included in the DAP Bill 2025 the Tasmanian Planning Commission will be able to issue guidelines to assist the Minister for Planning in determining whether to refer a development to a DAP. This makes no difference as the Commission is not required to make the guidelines ('the Commission may issue guidelines') and the Minister only needs to 'consider' them and is not bound by them. The DAP Bill 2025 provides no prescriptions regarding the content of the guidelines such as to provide definitions of the undefined and subjective eligibility criteria.

Dispute resolution measures: There has been an amendment to allow the DAPs to use dispute resolution measures such as mediation, but the Tasmanian Planning Commission is inexperienced in mediation and no clear process or rights have been established for objectors, unlike the Tasmanian Civil and Administrative Tribunal. The amendment allows the DAP to use dispute resolution measures such as mediation 'as a part of a hearing' but it does not make it clear that the DAP approval can be decided by mediation. The amended provision does not make it clear if it is only the parties to a DAP, i.e. the applicant and planning authority, that may participate in dispute resolution or whether the community and other referral entities may be included.

Reasons for opposing DAPs

This fast-track DAP process will remove elected councillors from having a say, on the approval or refusal, of the most controversial and destructive developments affecting local communities. The DAPs, operating within the Tasmanian Planning Commission, will decide on development applications not the elected local councillors. Local concerns will be ignored in favour of developers who may not be from Tasmania.

Limitations of a Tasmanian Planning Commission appointed DAP: DAPs are inconsistent with the principles of open justice as they do not hold hearings that are open to any member of the public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review of the TPC). DAPs do not have to provide written reasons for their decision which makes it difficult to seek judicial review. Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision.

DAP member appointment and qualifications: The way that members are appointed to DAPs and what qualifications if any are required is not made clear in the DAP Bill 2025. This aspect of the legislation was similarly vague in the previous versions but we (and perhaps many others) failed to identify these flaws. The provisions governing appointment and qualifications of DAP members, contained

in the DAP Bill 2025, differ markedly to the provisions for major projects panels, already in the Land Use Planning and Approvals Act.

DAPs will make it easier to approve large scale contentious developments that have been refused, such as the kunanyi/Mount Wellington cable car, high-rise in Hobart and Cambria Green and other proposals such as massive subdivisions like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus re-development.

Removes merit-based appeal rights via the Tasmanian Civil and Administrative Tribunal on all the issues the community cares about like impacts on biodiversity; height, bulk, scale or appearance of buildings; impacts to streetscapes and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more. The TASCAT review of government decisions is an essential part of the rule of law and a democratic system of government based on '*checks and balances*'. Under the proposed DAP legislation developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus and are prohibitively expensive. The merits of a development proposal will be unreviewable.

Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy. The NSW Independent Commission Against Corruption recommended the expansion of merit-based planning appeals as a deterrent to corruption. Mainland experience demonstrates planning panels favour developers and undermine democratic accountability. Local planning panels, which are often dominated by members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum say they favour developers and undermine democratic accountability. Mainland research demonstrates removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social outcomes.

Research demonstrates DAPs are pro-development and pro-government, they rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions.

Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions. The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.

Eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked. The Minister can declare a development to be assessed by a DAP based on a '*perceived conflict of interest*', '*a real or perceived bias*', or '*the application relates to a development that may be considered significant*'. The Minister for Planning could use these subjective criteria to intervene on virtually any development in favour of developers for any reason. The minister's opinion regarding claims of council bias and conflict of interest or the projects significance is all that is important. The minister does not have to substantiate these claims and the real reason may be unstated. The real reason may be to achieve political gain or assist a personal friend or family

member. The system being proposed provides no way to prevent corrupt decisions and/or the appearance of corrupt decisions.

Housing and dollar value criterion are also subjective:

- **Valuations of \$10 million in cities and \$5 million in other areas.** There is no prescribed process for determining the value of a proposed development and it would probably be left to the DAP to trust the proponents' claims. The DAP could require an expert assessment by a quantity surveyor or similar person but this is not prescribed in the DAP Bill 2025.
- **A determination by Homes Tasmania that an application includes social or affordable housing.** There is no requirement for a proportion of the development to be for social or affordable housing. For example, it could be one house out of 200 that is affordable. As noted above, the TPC guidelines may assist with the process of identifying if a proposal contains 'social or affordable housing' but the minister is not bound by them and the guidelines are optional.

Local government projects: It is proposed in the DAP Bill 2025 that where a local government is both the planning authority and the proponent of a project (valued at \$1 million or more) that it may be assessed by a DAP. The state government has raised this as a key reason for having DAPs, including to remove the possibility of councils having a conflict of interest. The LUPA Act currently provides for a local government to have the assessment and approval of a development application dealt with by another council, therefore removing the possibility of a conflict of interest. It has been pointed out by some councils that where the project is clearly in the community interest, e.g. community park or public toilet, and the council is the proponent, that the council may be better able to assess and determine the application.

Compliance with the Statewide Planning Scheme: The DAP Bill 2024 was amended in one significant way to the draft version released for public consultation, in an attempt to address complaints that the draft bill did not require compliance with the Statewide Planning Scheme. The amended provisions remain in the current DAP Bill 2025. The way the provisions are worded is different from the provisions that apply to a development submitted to a Local Government for assessment, through the 'normal process'. It is arguable that a DAP is not required to ensure approved projects comply with the Statewide Planning Scheme and could lead to legal challenges to its determination.

Poor justification – there is no problem to fix. Only about 1% of the approximately 12,000 council planning decisions made annually are refused and go to appeal and Tasmania's planning system is the fastest in Australia. In some years as many as 80% of planning appeals are resolved via mediation. The Government wants to falsely blame the planning system for stopping housing developments to cover its lack of performance in addressing the affordable housing shortage.

DAPs increase complexity in an already complex planning system. Why would we further increase an already complex planning system which is already making decisions quicker than any other jurisdiction in Australia?

Need to defend democracy

The DAPs would weaken transparency, independence, accountability and public participation in decision-making within the planning system, and as such would be a threat to Tasmania's democracy. It is vital to keep decision making local, rather than bypassing it, with opportunities for appeal. The state government should abandon DAPs and instead invest in expertise to improve the local government system and other existing planning processes by providing more resources to councils and enhancing community participation and planning outcomes.

The TCT also calls on the State Government to prohibit property developers from making donations to political parties, enhance transparency and efficiency in the administration of the *Right to Information Act 2009*, and create a strong anti-corruption watchdog.

Yours sincerely

Peter McGlone

CEO

Tasmanian Conservation Trust

Hobart 7000

From: [Leslie Frost](#)
To: [State Planning Office Your Say](#)
Subject: DAP legislation
Date: Friday, 25 April 2025 9:34:52 AM

You don't often get email from

[Learn why this is important](#)

Do not pass this undemocratic legislation which will disempower elected councillors, local council planners, communities and the Tasmanian public in general.

We have spent decades and a small fortune instituting a new statewide planning scheme, which this legislation will bypass in favour of developers and the politicians they support.

Local communities should have the right to contribute to appropriate planning and development and to appeal when needed.

Regards, Leslie Frost

From: [Hannah Brosow](#)
To: [State Planning Office Your Say](#)
Cc:

Subject: Protect our rights & our voice – #SCRAPTHEDAP
Date: Friday, 25 April 2025 3:30:55 PM

You don't often get email from

[Learn why this is important](#)

The [2025 revised DAPs legislation](#) is not significantly changed from the 2024 version that was refused by the parliament and retains all the key flaws. I oppose the creation of Development Assessment Panels (DAPs) and increasing ministerial power over the planning system, for the following reasons:

- **The DAPs represent an alternate planning approval pathway allowing property developers to bypass local councils and communities. This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities.** Handpicked state appointed planning panels, conducted by the Tasmanian Planning Commission, will decide on development applications not our elected local councillors. Local concerns will be ignored in favour of developers who may not be from Tasmania.
- **The Tasmanian Planning Commission is not independent** – DAPs are hand-picked, without detailed selection criteria and objective processes. DAPs are inconsistent with the principles of open justice as they do not hold hearings that are open to any member of the public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review). DAPs do not have to provide written reasons for their decision (making it difficult to seek judicial review). Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision.
- **Research demonstrates DAPs are pro-development and pro-government,** they

rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions.

- **DAPs will make it easier to approve large scale contentious developments** like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus re-development.
- **Removes merit-based planning appeal rights** via the planning tribunal on all the issues the community cares about like impacts on biodiversity; height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more. The Tasmanian Civil and Administrative Tribunal (TASCAT) review of government decisions is an essential part of the rule of law and a democratic system of government based on '*checks and balances*'.
- **Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.**
- **Developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus and are prohibitively expensive.**
- **Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy.** The NSW Independent Commission Against Corruption recommended the expansion of merit-based planning appeals as a deterrent to corruption. Mainland experience demonstrates planning panels favour developers and undermine democratic accountability. Local planning panels, which are often dominated by members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum say they favour developers and undermine democratic accountability. Mainland research demonstrates removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social.
- **Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application,

threatening transparency and strategic planning.

- **Eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked.** The Minister can declare a development to be assessed by a DAP based on a '*perceived conflict of interest*', '*a real or perceived bias*', '*the application relates to a development that may be considered significant*'. The Planning Minister has political bias and can use this subjective criteria to intervene on virtually any development in favour of developers.

NOTE: The scope of the DAPs includes a range of other subjective factors that are not guided by any clear criteria:

- Valuations of \$10 million in cities and \$5 million in other areas.
- A determination by Homes Tasmania that an application includes social or affordable housing. There is no requirement for a proportion of the development to be for social or affordable housing. For example, it could be one house out of 200 that is affordable.

- **Poor justification – there is no problem to fix.** Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in Australia. In some years as many as 80% of appeals are resolved via mediation. The Government wants to falsely blame the planning system for stopping housing developments to cover its lack of performance in addressing the affordable housing shortage.
- **Increases complexity in an already complex planning system.** Why would we further increase an already complex planning system which is already making decisions quicker than any other jurisdiction in Australia?

2025 legislation not significantly changed

- The changes made to the DAPs legislation that was refused by the Parliament in November 2024 are not significant and all the key flaws remain. The changes made do not have any significant practical impact.
- One eligibility criterion has been removed, that a project is likely to be 'controversial', but the other equally broad and undefined criteria are retained (as listed above). There is no impact from this change because virtually any development can fit the remaining criteria.
- Removal of the option for the minister to transfer a development partway through a council assessment is not significant because a proponent can remove their development from council assessment before requesting the minister have it assessed by a DAP.
- The dollar value thresholds have been increased to \$10 million and above in metro areas and \$5 million and above in non-metro areas which is claimed will restrict the

number of DAP applications. Projects under these values are still eligible under the other broad and undefined criteria.

- The Tasmanian Planning Commission will be able to issue guidelines to assist with applying the eligibility criteria, but this makes no difference as the Commission is not required to make the guidelines and the Minister only needs to 'consider' them.
- There has been an amendment to allow the DAPs to undertake mediation, but the Tasmanian Planning Commission is inexperienced in mediation and no clear process or rights have been established for objectors, unlike the Tasmanian Civil and Administrative Tribunal (TASCAT). The amendment does not allow the DAP approval to be decided by mediation just minor disputes in the process.

Say yes to a healthy democracy

- I call on you to ensure transparency, independence, accountability and public participation in decision-making within the planning system, as they are critical for a healthy democracy. Keep decision making local, rather than bypassing it, with opportunities for appeal. Abandon DAPs and instead invest in expertise to improve the local government system and existing planning processes by providing more resources to councils and enhancing community participation and planning outcomes. This will also help protect local jobs and keeping the cost of development applications down.
- I also call on you to prohibit property developers from making donations to political parties, enhance transparency and efficiency in the administration of the *Right to Information Act 2009*, and create a strong anti-corruption watchdog.

Yours sincerely,

Hannah Brosow

From:
To: [State Planning Office Your Say](#)
Subject: Submission against proposed Development Assessment Panels (DAPs)
Date: Saturday, 26 April 2025 11:25:01 AM

You don't often get email from [redacted] . [Learn why this is important](#)

I oppose the revised Development Assessment Panels (DAPs) Legislation. It has the same flaws rejected by Parliament in November 2024 and fails to provide safeguards for the rights of the Tasmanian Community. My concerns are:

- * Skyscrapers could easily be approved in Hobart with virtually no community input.
- * The proposed DAPs would allow property developers to bypass local councils and communities.
- * They would not make decisions faster than Councils, and there is no concrete evidence to prove that the current system needs reform. In fact, the current system, in place for many years, works well.
- * Community input, at the beginning of the process, is not allowed.
- * Developments could only be appealed to the Supreme Court; a really expensive process.
- * Merit-based planning appeal rights are not maintained. They should be: on all the issues the community cares about - height, bulk, scale, appearance, impacts on streetscapes and adjoining properties (including privacy and overlooking), biodiversity, traffic, noise, smell, and light.
- * The Tasmanian Civil and Administrative Tribunal (TASCAT) review of decisions is essential for a democratic system protected by 'checks and balances'.
- * Under the legislation, Panel appointments do not have to satisfy detailed selection criteria or objective processes.
- * The proposed DAPs have the potential to increase corruption, reduce good planning outcomes, favour developers, and undermine democracy. The NSW Independent Commission Against Corruption has recommended the expansion of merit-based planning appeals as a deterrent to corruption.

I request that this Legislation be rejected.

My name: Lynden Howells

My email:

**My additional
comments::**

From: [Sean Manners](#)
To: [State Planning Office Your Say](#)
Subject: Protect our rights & our voice – #SCRAPTHEDAP
Date: Sunday, 27 April 2025 4:58:18 PM

You don't often get email from [redacted]

[Learn why this is important](#)

To Whom it may concern:

I live in the Meander Valley Council area. The Council is very good at making planning decisions. The DAP will make it too easy to increase corruption, favour developers and undermine democracy!!

The [2025 revised DAPs legislation](#) is not significantly changed from the 2024 version that was refused by the parliament and retains all the key flaws. I oppose the creation of Development Assessment Panels (DAPs) and increasing ministerial power over the planning system, for the following reasons:

- **Poor justification – there is no problem to fix.** Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in Australia. In some years as many as 80% of appeals are resolved via mediation. The Government wants to falsely blame the planning system for stopping housing developments to cover its lack of performance in addressing the affordable housing shortage.
- **Increases complexity in an already complex planning system.** Why would we further increase an already complex planning system which is already making decisions quicker than any other jurisdiction in Australia?
- **Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy.** The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption. Mainland experience demonstrates planning panels favour developers and undermine democratic accountability. Local planning panels, which are often dominated by members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum [say](#) they favour developers and undermine democratic accountability. Mainland [research](#) demonstrates removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social.
- **Removes merit-based planning appeal rights** via the planning tribunal on all the issues the community cares about like impacts on biodiversity; height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more. The Tasmanian Civil and Administrative Tribunal (TASCAT) review of government decisions is an essential part of the rule of law and a democratic system of government based on '*checks and balances*'.

The above is only a few reasons as to why DAP needs to be NOT CREATED!!

Sean Manners

Tasmania

From: [Liz Sharman](#)
To: [State Planning Office Your Say](#)
Cc:

Subject: Scrap the DAP -again
Date: Wednesday, 23 April 2025 11:04:41 PM

You don't often get email from [Learn why this is important](#)

I follow up on my 2024 submission opposing the creation of Development Assessment Panels (DAPs) and increasing ministerial power over the planning system.

As background, I live half the time in Melbourne and half the time in Hobart supporting my elderly mother stay in the family home. I have considered planning schemes and put submissions into the Victorian Government and into my local council in Melbourne and Kingborough and am quite struck by the generally welcoming and unquestioning faith in developers in the Tasmanian case - a kind of gratitude that they would bother. To give big city developers even more latitude in what is a very special landscape and community would be a mistake.

The 2025 DAP proposal has the same lack of real justification and the same flaws as the last attempt so I oppose it again, for the following reasons:

- **The DAPs allow property developers to bypass local councils and communities and are not independent.** it is hard to see how handpicked state appointed planning panels selected by the Tasmanian Planning Commission (without detailed selection criteria and clear processes or transparent reporting) can be independent particularly since they will meet developers behind closed doors and aren't open to the Public until after the draft decision. Nor will they have a deep understanding of specific localities and community needs that the best elected local councillors bring to planning decisions.
- **Research demonstrates DAPs are overly pro-development and pro-government,** they rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions.

- **DAPs will make it easier to approve large scale contentious developments** like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus re-development.
- **Removes merit-based planning appeal rights** via the planning tribunal on all the issues the community cares about like impacts on biodiversity; height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more. The Tasmanian Civil and Administrative Tribunal (TASCAT) review of government decisions is an essential part of the rule of law and a democratic system of government based on '*checks and balances*'.
- **Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.**
- **Developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus and are prohibitively expensive.**
- **Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy.** The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption. Mainland experience demonstrates planning panels favour developers and undermine democratic accountability. Local planning panels, which are often dominated by members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum [say](#) they favour developers and undermine democratic accountability. Mainland [research](#) demonstrates removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social.
- **Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.

- **Eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked.** The Minister can declare a development to be assessed by a DAP based on a '*perceived conflict of interest*', '*a real or perceived bias*', '*the application relates to a development that may be considered significant*'. The Planning Minister has political bias and can use this subjective criteria to intervene on virtually any development in favour of developers.
- **Poor justification** – there is no problem to fix. Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in Australia. In some years as many as 80% of appeals are resolved via mediation. The Government wants to falsely blame the planning system for stopping housing developments to cover its lack of performance in addressing the affordable housing shortage.
- **Increases complexity in an already complex planning system.** Why would we further increase an already complex planning system which is already making decisions quicker than any other jurisdiction in Australia?

2025 legislation not significantly changed

- The changes made to the DAPs legislation that was refused by the Parliament in November 2024 are not significant and all the key flaws remain. The changes made do not have any significant practical impact.
- One eligibility criterion has been removed, that a project is likely to be 'controversial', but the other equally broad and undefined criteria are retained (as listed above). There is no impact from this change because virtually any development can fit the remaining criteria.
- Removal of the option for the minister to transfer a development partway through a council assessment is not significant because a proponent can remove their development from council assessment before requesting the minister have it assessed by a DAP.
- The dollar value thresholds have been increased to \$10 million and above in metro areas and \$5 million and above in non-metro areas which is claimed will restrict the number of DAP applications. Projects under these values are still eligible under the other broad and undefined criteria.

- The Tasmanian Planning Commission will be able to issue guidelines to assist with applying the eligibility criteria, but this makes no difference as the Commission is not required to make the guidelines and the Minister only needs to 'consider' them.
- There has been an amendment to allow the DAPs to undertake mediation, but the Tasmanian Planning Commission is inexperienced in mediation and no clear process or rights have been established for objectors, unlike the Tasmanian Civil and Administrative Tribunal (TASCAT). The amendment does not allow the DAP approval to be decided by mediation just minor disputes in the process.

Say yes to a healthy democracy

- I call on you to ensure transparency, independence, accountability and public participation in decision-making within the planning system, as they are critical for a healthy democracy. Keep decision making local, rather than bypassing it, with opportunities for appeal. Abandon DAPs and instead invest in expertise to improve the local government system and existing planning processes by providing more resources to councils and enhancing community participation and planning outcomes. This will also help protect local jobs and keeping the cost of development applications down.
- I also call on you to prohibit property developers from making donations to political parties, enhance transparency and efficiency in the administration of the *Right to Information Act 2009*, and create a strong anti-corruption watchdog.

Yours sincerely,
Liz Sharman

I have experience of this from living in Victoria half the year. Big money, developer use off Kings Councils and direct access to political or politicised decision makers has led to community members and elected council reps being denied a say on the most controversial developments affecting local communities. In the Tasmanian case,

From: [Lynette Taylor](#)
To: [State Planning Office Your Say](#)
Cc:

Subject: STOP THE D.A.P. legislation - AGAIN!
Date: Wednesday, 23 April 2025 10:25:42 PM

You don't often get email from

[Learn why this is important](#)

Hello all,

Well, I find myself in the position of having to again write to confirm the view I put in November 2024 and previously, opposing this legislation. Why is this stupidity continuing, all Tasmanian Councils and the Legislative Council opposed and rejected the legislation in November 2024. The majority, around 90%. of public submissions opposed the D.A.P. legislation.

From my understanding the legislation has not significantly been changed and remains horribly anti-democratic, increases the potential for Ministerial intervention and powers, provides avenues for corrupt and non-transparent systems and reduces planning appeals. Merit based appeal rights for individuals and communities must be retained and be affordable.

I truly find it unbelievable that people, including myself, are required to make yet another submission opposing this legislation. What a complete waste of time and energy, surely the message should have been received that this legislation is not necessary. Recognition of the previous submissions and the outcomes are not being accepted, are we to operate in a system whereby if at first you don't succeed then try, try again.

Local Councils and communities should not be bypassed by property developers, the Minister or appointed Development Assessment Panels.

Local knowledge and concerns must be at the forefront in making planning decisions, this is best represented by the level of Government closest to the community, Local Government. Elected councillors must have the say over all developments, be those developments straight forward or controversial.

There is no need for this DAP process, less than 1% of discretionary planning decisions currently go to appeal, 80% of those are resolved by mediation..

There should be no developments of any kind on Public lands such as Reserves, National Parks or World Heritage areas. Developments adjacent to those areas should go through the current planning process.

Await the outcomes of the reform projects currently underway, such as Regional Land Use Strategies, or, make use of other already existing legislation, such as Projects of Regional Significance, to enhance the provision of social and affordable housing, that is, if that is the problem to be solved.

Provide Local government with sufficient resourcing and up to date guidelines to enhance the functionality of the planning system.

Yours sincerely, Lyn
L. Taylo

From: [Roger Harlow](#)
To: [State Planning Office Your Say](#)
Cc:

Subject: DAPs Proposed Legislation
Date: Wednesday, 23 April 2025 10:09:34 PM

You don't often get email from [Learn why this is important](#)

The 2025 revised DAPs legislation is not significantly changed from the 2024 version that was refused by the parliament and retains all the key flaws. I oppose the creation of Development Assessment Panels (DAPs) and increasing ministerial power over the planning system, for the following reasons:

Experience from other jurisdictions identifies significant difficulties with the proposed structures and processes around DAPs, making them anti-democratic and dangerous.

- **DAPs represent a mechanism allowing property developers to bypass local Councils and communities.** This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities. Handpicked State-appointed planning panels, conducted by the Tasmanian Planning Commission, will decide on development applications rather than our elected local Councillors. Local concerns will be ignored in favour of developers who may not even be incorporated in Tasmania.
- **The Tasmanian Planning Commission is not independent** – DAPs are hand-picked, without detailed selection criteria and objective processes. DAPs are inconsistent with the principles of open justice as they do not hold hearings that are open to any member of the public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review). DAPs do not have to provide written reasons for their decision (making it difficult to seek judicial review). Community input will be less effective because it will be delayed until after the

DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision.

- **Research demonstrates DAPs are pro-development and pro-government**, they rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions.
- **DAPs will make it easier to approve large scale contentious developments** like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus re-development.
- **The use of DAPs removes merit-based planning appeal rights** via the planning tribunal on all the issues the community cares about like impacts on species biodiversity; height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more. The process by which the Tasmanian Civil and Administrative Tribunal (TASCAT) reviews government decisions is an essential part of the rule of law and a democratic system of government.
- **Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.** The presence of mediation in the draft legislation is an ineffective token which bypasses the kernel issue in a given Project.
- **Developments will only be appealable to the Supreme Court based on a point of law or process which will by definition have a narrow focus and be prohibitively expensive.**
- **Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, and undermine democracy.** The NSW Independent Commission Against Corruption recommended the expansion of merit-based planning appeals as a deterrent to corruption. Mainland experience demonstrates that the use of planning panels undermines democratic accountability. Local planning panels, which are often dominated by members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum say they favour developers and undermine democratic accountability. Mainland research demonstrates removing merits-based planning appeals has

the potential to reduce good planning outcomes – including both environmental and social.

- **Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.
- **Eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked.** The Minister can declare a development to be assessed by a DAP based on a '*perceived conflict of interest*', '*a real or perceived bias*', '*the application relates to a development that may be considered significant*'. The Planning Minister has political bias and can use this subjective criteria to intervene on virtually any development in favour of developers.

NOTE: The scope of the DAPs includes a range of other subjective factors that are not guided by any clear criteria:

- Valuations of \$10 million in cities and \$5 million in other areas.
- A determination by Homes Tasmania that an application includes social or affordable housing. There is no requirement for a proportion of the development to be for social or affordable housing. For example, it could be one house out of 200 that is affordable.

- **Poor justification** – there is no problem to fix. Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in Australia. In some years as many as 80% of appeals are resolved via mediation. The Government wants to falsely blame the planning system for stopping housing developments to cover its lack of performance in addressing the affordable housing shortage.
- **Increases complexity in an already complex planning system.** Why would we further increase an already complex planning system which is already making decisions quicker than any other jurisdiction in Australia?

2025 legislation not significantly changed

- The changes made to the DAPs legislation that was refused by the Parliament in November 2024 are not significant and all the key flaws remain. The changes

made do not have any significant practical impact.

- One eligibility criterion has been removed, that a project is likely to be 'controversial', but the other equally broad and undefined criteria are retained (as listed above). There is no impact from this change because virtually any development can fit the remaining criteria.
- Removal of the option for the minister to transfer a development partway through a council assessment is not significant, because a proponent can remove their development from Council assessment before requesting the minister have it assessed by a DAP.
- The dollar value thresholds have been increased to \$10 million and above in metro areas and \$5 million and above in non-metro areas which is claimed to restrict the number of DAP applications. However, Projects under these values are still eligible under the other broad and undefined criteria.
- The Tasmanian Planning Commission will be able to issue guidelines to assist with applying the eligibility criteria, but this makes no difference as the Commission is not required to make the guidelines and the Minister only needs to 'consider' them.
- There has been an amendment to allow the DAPs to undertake mediation, but the Tasmanian Planning Commission is inexperienced in mediation and no clear process or rights have been established for objectors, unlike the Tasmanian Civil and Administrative Tribunal (TASCAT). The amendment does not allow the DAP approval itself to be decided by mediation, just minor disputes in the process.

Say yes to a healthy democracy

- I call on you to ensure transparency, independence, accountability and public participation in decision-making within the planning system, as they are critical for a healthy democracy. Keep decision making local, rather than bypassing it, with opportunities for appeal. Abandon DAPs and instead invest in expertise to improve the local government system and existing planning processes by providing more resources to Councils and enhancing community participation and planning outcomes. This will also help protect local jobs and keep the cost of development applications down.

In addition I call on you to prohibit property developers from making donations to political parties, to enhance transparency and efficiency in the administration of the *Right to Information Act 2009*, and to create a strong anti-corruption watchdog.

Yours sincerely,

Roger Harlow

PhD (Adel), Gr Dip App Computing.

From: [Mark Lawrence](#)
To: [State Planning Office Your Say](#)
Cc:

Subject: RE: Protect our rights & our voice - #SCRAPTHEDAP
Date: Wednesday, 23 April 2025 9:45:48 PM

[You don't often get email from
<https://aka.ms/LearnAboutSenderIdentification>]

Learn why this is important at

To anyone who cares to listen,

We have seen the disdain this Liberal government have for any planning they don't like, strange they think their policies should override everyone else. Bad , shortsighted , inappropriate and stupid that sums up Tasmanian Liberals and their decision making ability . Nowhere else would disregard the advice of their appointed stadium planning experts and push ahead at the expense of Health , Education , Law Enforcement , Environment , Housing and nearly every other government dependant organisation , burying us in more debt and letting business activities get more desperate and destructive !!

You want a stadium earn it resolve our debt problems by generating jobs in public housing , improving Education Facilities , promoting and protecting our clean green credentials , supporting business here not Bass Linking to electrical oblivion !!!

Stop pretending your decisions make sense and spending tasmanias future , stop kicking debt and chaos down the road , stop blaming everybody else on poor planning or redtape , how about a vision that's bigger than a stadium , how about hope !!!

Think outside the box and utilise our strengths , be proud of our differences and stop pandering to the mainland

.

While your fulfilling your football dream , Tasmanians are drifting in droves because they feel unsupported and disregarded , trying to do more with less at every budget .

Put a lid on this stadium stupidity and put a lid on an existing stadium , get a team up and going in the VFA and build from there .

Rome wasn't built in a day but it was ruined by a short sighted distraction called a colosseum , Rockliff is fiddling while Tasmania is being ruined .

Who said history doesn't repeat itself .

Good Planning IS good Governance

Planning Matters

Regards Mark Lawrence , Bewildered East Coast Tasmanian

23rd April 2025

Tasmanian Government

haveyoursay@stateplanning.tas.gov.au

Reintroduction of Development Assessment Panels (DAPs) Legislation 2025

This submission does not support the Development Assessment Panels (DAPs) Legislation being reintroduced into the Parliament of Tasmania. It has been rejected by the legitimate vote of the Upper House of Parliament. Parliamentarians have no right to question the decision of the Parliament and have no right to try to influence or incentivise a member of the Legislative Council to change their vote on this unjustified and clearly undemocratic legislation.

Everything about this seriously undermines our democracy and prevents the functioning of our government in the best interests of Tasmanians. DAPs will deny Tasmanians from having a say about important decisions that will affect our quality of life and prevent the critical protection of our National Parks and Environment both now and into the future. This Bill eliminates all transparent and established controls over planning assessment, decision-making and approvals.

- 1. This is a plea to Parliamentarians to act and govern in the best interests of Tasmania and all Tasmanians. The Liberal Government's actions of ignoring the previous vote and will of the Parliament and immediately stating they would reintroduce the failed DAPs Legislation must be resoundingly condemned by all. Who are they intending to influence or incentivise into changing their vote?**
- 2. For the welfare of our State, dictatorial, autocratic and secretive governance must not be allowed to replace our democracy.**
- 3. The statistics for approvals show that Tasmania has one of the fastest planning approval systems of all states.**
- 4. The DAPs Bill is about circumventing local government planning approvals and overriding assessments by using the specifically designed and weakened State Planning Laws in conjunction with the installation of a biased, anti-democratic, Ministerial controlled Development Approval Panels. Add to this is the influence of Political Donations and without oversight and appeal rights we would have the perfect environment for corruption to flourish. There is no legitimate reason given as to why this legislation that enables secrecy and coverup is being introduced into our Parliament.**
- 5. Most concerningly the government also intends to introduce a new legislation that will provide fast-tracked approvals under the *National Parks and Reserves Management Act* for developments in reserved land such as National Parks.**

6. **“Development panels are costly and ineffective” states experienced planner Catherine Nicholson. “It will be more expensive to source specific planners and slower than the existing system.”**
7. **The people of Tasmania are having their rights stripped away and they do not even know.**
8. This anti-democratic legislation gives the Minister massive and unchecked power to decide if developments are taken out of the normal council planning system. The draft legislation allows the minister to intervene for a range of subjective and undefined reasons. This appears to be a process set up to facilitate corruption. It appears Local Planning Provisions applying to Local Government Areas will therefore be overridden by the specifically amended State Planning Provisions that will facilitate these approvals.
9. What would the consequences be if certain **sales of public land** in subscribing municipalities are not recorded on the Land Information System Tasmania (LIST) or through the Recorder of Land Titles Office? What would the consequences be if they are still included on a Council’s public land lists and maps? Therefore, what are the consequences when a development assessment is approved for this public land? Would it be possible for the DAPs process to obfuscate these potentially serious consequences and how does the DAPs process audit, monitor and avoid this situation? As the DAPs process does not provide transparency how can the public be provided with any transparency around this issue if it was to occur? What reassurance and protections can the public be provided with regarding the management of planning compliance, public assets and spending of public monies associated with approvals? What was the motivation for and what are the consequences of removing public access to public land lists from the Local Government Act 1993? This provision promoted and provided transparency with public access to public land lists held by Local Government Councils. In this scenario, without public land transfer transparency, how does the DAPs system provide good governance or accountability and who would sort this out? Will Tasmanians need an Independent Commission that can obtain independent legal advice like other States and operates separately from government to confidently address such possible DAP consequences?
10. Development Applications will be approved by a non-independent authority which is not accountable to voters or the ratepayers and will not be subject to the normal checks and balances including appeal rights. It will turbo charge planning decisions made behind closed doors, increasing the risk of corruption. This is the completely opposite to what is required in an open and transparent democracy.
11. The Tasmanian Conservation Trust says the process is deceptive as power will be centralised in one person, the minister, who cannot be challenged in the planning appeals tribunal.
12. Every Australian State has housing supply issues and constantly blaming this on planning system is far too simplistic with other forces causing it.
13. The Anti-Community Infill Apartment complexes planned by the Government on CBD public car parks for example in Glenorchy could be approved without the requirement to provide off-street parking for residents or provide alternative car parking plans for the Glenorchy community. The DAPs process will prevent ratepayers and those

detrimentally impacted from having their say about their loss of access to services and businesses. Our streets are already littered with parked cars making access on narrow streets difficult and dangerous. Streets have not been designed for this change in planning laws as safety has been ignored and property developers and their profits have been clearly favoured over community needs. This is not how a government should treat members of Tasmanian communities.

14. This anti-democratic legislation appears to just want to give property developers preference with everyone else being denied any voice or right of appeal.
15. Whilst the planning system has encouraged public participation, the introduction of anti-democratic DAPs does the complete opposite creating serious division between Government and Tasmanian communities.
16. Input at the Local Government level for residents is an important part of the democratic process and important to the future well-being of residents. They have a right to contribute their ideas about planning decisions affecting their liveability and especially if they adversely impact the quality of their surrounds and day-to-day life.
17. The DAP process would remove elected councillors from decision making as well as Tasmanians from having a proper democratic say on controversial developments affecting local communities and removing their appeal rights.

To maintain the critical imperative of a functioning democratic Tasmanian Government and a trusted, transparent, inclusive and compliant Development Assessment Planning System, that is necessary for the absolute benefit of all Tasmanians, this DAPs legislation must be rejected by all thinking and caring parliamentarians when it is so unbelievably against public interests and destroys democratic rights. The reintroduction of this legislation is totally disrespectful of the previous democratic decision voted against in the Tasmanian Parliament.

Yours sincerely

Janiece Bryan

From: [wendy wilkinson](#)
To: [State Planning Office Your Say](#)
Subject: SCRAP THE DAP! An ANTI-DEMOCRATIC Assessment Panel - Not here, not now and NEVER!!
Date: Wednesday, 23 April 2025 9:21:48 PM

You don't often get email from

[Learn why this is important](#)

The [2025 revised DAPs legislation](#) is not significantly changed from the 2024 version that was refused by the parliament and retains all the key flaws. I oppose the creation of Development Assessment Panels (DAPs) and increasing ministerial power over the planning system, for the following reasons:

- **The DAPs represent an alternate planning approval pathway allowing property developers to bypass local councils and communities.** This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities. Handpicked state appointed planning panels, conducted by the Tasmanian Planning Commission, will decide on development applications not our elected local councillors. Local concerns will be ignored in favour of developers who may not be from Tasmania.
- **The Tasmanian Planning Commission is not independent – DAPs are hand-picked,** without detailed selection criteria and objective processes. DAPs are inconsistent with the principles of open justice as they do not hold hearings that are open to any member of the public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review). DAPs do not have to provide written reasons for their decision (making it difficult to seek judicial review). Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision.
- **Research demonstrates DAPs are pro-development and pro-government,** they rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions.
- **DAPs will make it easier to approve large scale contentious developments** like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus re-development.
- **Removes merit-based planning appeal rights** via the planning tribunal on all the issues the community cares about like impacts on biodiversity; height, bulk, scale

or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more. The Tasmanian Civil and Administrative Tribunal (TASCAT) review of government decisions is an essential part of the rule of law and a democratic system of government based on '*checks and balances*'.

- **Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.**
- **Developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus and are prohibitively expensive.**
- **Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy.** The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption. Mainland experience demonstrates planning panels favour developers and undermine democratic accountability. Local planning panels, which are often dominated by members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum [say](#) they favour developers and undermine democratic accountability. Mainland [research](#) demonstrates removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social.
- **Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.
- **Eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked.** The Minister can declare a development to be assessed by a DAP based on a '*perceived conflict of interest*', '*a real or perceived bias*', '*the application relates to a development that may be considered significant*'. The Planning Minister has political bias and can use this subjective criteria to intervene on virtually any development in favour of developers.

NOTE: The scope of the DAPs includes a range of other subjective factors that are not guided by any clear criteria:

- Valuations of \$10 million in cities and \$5 million in other areas.
- A determination by Homes Tasmania that an application includes social or affordable housing. There is no requirement for a proportion of the development to be for social or affordable housing. For example, it could be one house out of 200 that is affordable.

- **Poor justification** – there is no problem to fix. Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in Australia. In some years as many as 80% of appeals are resolved via mediation. The Government wants to falsely blame the planning system for stopping housing developments to cover its lack of performance in addressing the affordable housing shortage.
- **Increases complexity in an already complex planning system.** Why would we further increase an already complex planning system which is already making decisions quicker than any other jurisdiction in Australia?

2025 legislation not significantly changed

- The changes made to the DAPs legislation that was refused by the Parliament in November 2024 are not significant and all the key flaws remain. The changes made do not have any significant practical impact.
- One eligibility criterion has been removed, that a project is likely to be 'controversial', but the other equally broad and undefined criteria are retained (as listed above). There is no impact from this change because virtually any development can fit the remaining criteria.
- Removal of the option for the minister to transfer a development pathway through a council assessment is not significant because a proponent can remove their development from council assessment before requesting the minister have it assessed by a DAP.
- The dollar value thresholds have been increased to \$10 million and above in metro areas and \$5 million and above in non-metro areas which is claimed will restrict the number of DAP applications. Projects under these values are still eligible under the other broad and undefined criteria.

- The Tasmanian Planning Commission will be able to issue guidelines to assist with applying the eligibility criteria, but this makes no difference as the Commission is not required to make the guidelines and the Minister only needs to 'consider' them.
- There has been an amendment to allow the DAPs to undertake mediation, but the Tasmanian Planning Commission is inexperienced in mediation and no clear process or rights have been established for objectors, unlike the Tasmanian Civil and Administrative Tribunal (TASCAT). The amendment does not allow the DAP approval to be decided by mediation just minor disputes in the process.

Say yes to a healthy democracy

- I call on you to ensure transparency, independence, accountability and public participation in decision-making within the planning system, as they are critical for a healthy democracy. Keep decision making local, rather than bypassing it, with opportunities for appeal. Abandon DAPs and instead invest in expertise to improve the local government system and existing planning processes by providing more resources to councils and enhancing community participation and planning outcomes. This will also help protect local jobs and keeping the cost of development applications down.
- I also call on you to prohibit property developers from making donations to political parties, enhance transparency and efficiency in the administration of the *Right to Information Act 2009*, and create a strong anti-corruption watchdog.

Yours sincerely
W.Wilkinson

From: [Aditya Munshi](#)
To: [State Planning Office Your Say](#)
Cc:

Subject: Protect our rights & our voice - #SCRAPTHEDAP
Date: Wednesday, 23 April 2025 9:06:08 PM

You don't often get email from

[Learn why this is important](#)

Good evening,

I refer to all the recent proposals on the DAP and the Premier Jeremy Rockliff and the Liberal party's really poor approach to the stadium trying to circumvent well established democratic processes.

The 2025 revised DAPs legislation is not significantly changed from the 2024 version that was refused by the parliament and retains all the key flaws. I oppose the creation of Development Assessment Panels (DAPs) and increasing ministerial power over the planning system, for the following reasons:

The DAPs represent an alternate planning approval pathway allowing property developers to bypass local councils and communities. This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities. Handpicked state appointed planning panels, conducted by the Tasmanian Planning Commission, will decide on development applications not our elected local councillors. Local concerns will be ignored in favour of developers who may not be from Tasmania.

The Tasmanian Planning Commission is not independent – DAPs are hand-picked, without detailed selection criteria and objective processes. DAPs are inconsistent with the principles of open justice as they do not hold hearings that are open to any member of the public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review). DAPs do not have to provide written reasons for their decision (making it difficult to seek judicial review). Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision.

Research demonstrates DAPs are pro-development and pro-government, they rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions.

DAPs will make it easier to approve large scale contentious developments like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus re-development.

Removes merit-based planning appeal rights via the planning tribunal on all the issues the community cares about like impacts on biodiversity; height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more. The Tasmanian Civil and Administrative Tribunal (TASCAT) review of government decisions is an essential part of the rule of law and a democratic system of government based on 'checks and balances'.

Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.

Developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus and are prohibitively expensive.

Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy. The NSW Independent Commission Against Corruption recommended the expansion of merit-based planning appeals as a deterrent to corruption. Mainland experience demonstrates planning panels favour developers and undermine democratic accountability. Local planning panels, which are often dominated by members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum say they favour developers and undermine democratic accountability. Mainland research demonstrates removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social.

Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions. The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.

Eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked. The Minister can declare a development to be assessed by a DAP based on a 'perceived conflict of interest', 'a real or perceived bias', 'the application relates to a development that may be considered significant'. The Planning Minister has political bias and can use this subjective criteria to intervene on virtually any development in favour of developers.

NOTE: The scope of the DAPs includes a range of other subjective factors that are not guided by any clear criteria:

- Valuations of \$10 million in cities and \$5 million in other areas.
- A determination by Homes Tasmania that an application includes social or affordable housing. There is no requirement for a proportion of the development to be for social or affordable housing. For example, it could be one house out of 200 that is affordable. Poor justification – there is no problem to fix. Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in Australia. In some years as many as 80% of appeals are resolved via mediation. The Government wants to falsely blame the planning system for stopping housing developments to cover its lack of performance in addressing the affordable housing shortage.

Increases complexity in an already complex planning system. Why would we further increase an already complex planning system which is already making decisions quicker than any other jurisdiction in Australia?

2025 legislation not significantly changed

The changes made to the DAPs legislation that was refused by the Parliament in November 2024 are not significant and all the key flaws remain. The changes made do not have any significant practical impact.

One eligibility criterion has been removed, that a project is likely to be 'controversial', but the other equally broad and undefined criteria are retained (as listed above). There is no impact from this change because virtually any development can fit the remaining criteria.

Removal of the option for the minister to transfer a development partway through a council assessment is not significant because a proponent can remove their development from council assessment before requesting the minister have it assessed by a DAP.

The dollar value thresholds have been increased to \$10 million and above in metro areas and \$5 million and above in non-metro areas which is claimed will restrict the number of DAP applications. Projects under these values are still eligible under the other broad and undefined criteria.

The Tasmanian Planning Commission will be able to issue guidelines to assist with applying the eligibility criteria, but this makes no difference as the Commission is not required to make the guidelines and the Minister only needs to 'consider' them.

There has been an amendment to allow the DAPs to undertake mediation, but the Tasmanian Planning Commission is inexperienced in mediation and no clear process or rights have been established for objectors, unlike the Tasmanian Civil and Administrative Tribunal (TASCAT). The amendment does not allow the DAP approval to be decided by mediation just minor disputes in the process.

Say yes to a healthy democracy

I call on you to ensure transparency, independence, accountability and public participation in decision-making within the planning system, as they are critical for a healthy democracy. Keep decision making local, rather than bypassing it, with opportunities for appeal. Abandon DAPs and instead invest in expertise to improve the local government system and existing planning processes by providing more resources to councils and enhancing community participation and planning outcomes. This will also help protect local jobs and keeping the cost of development applications down.

I also call on you to prohibit property developers from making donations to political parties, enhance transparency and efficiency in the administration of the Right to Information Act 2009, and create a strong anti-corruption watchdog.

Yours sincerely,

Adi Munshi
Kingston

From: [Susan Friend](#)
To: [State Planning Office Your Say](#)
Cc:

Subject: Protect our rights & our voice - #SCRAPTHEDAP
Date: Wednesday, 23 April 2025 9:04:52 PM

You don't often get email from

[Learn why this is important](#)

To Whom It May Concern,

I am very concerned and disappointed by the promotion of the State Government's anti-democratic Development Assessment Panel (DAP) Bill. The Tasmanian State Government is moving inexorably to the Right with little regard to the rights of the Tasmanian People. This is reflected in the decision by the Premier alone to agree that Tasmania should have an AFL determined stadium without even discussing the proposal with his cabinet, by supporting and promoting of the Internationally owned Salmon industry despite there being overwhelming evidence of poor governance with loss of our "Clean and Green" reputation. And then there is the Bass Strait Ferry debacle.

The wheels of the State are falling off!

The DAP's allow property developers to bypass local councils and communities. Ordinary Tasmanians will not get a say about important decisions affecting their communities.

The TPC is not independent and will not have open hearings.

It will mean that it will be easier for the State to approve large scale developments.

And it will mean increased Ministerial Power.

I want Tassie to remain Beautiful, Clean, Green and unspoiled by greed and poor planning, possibly by developers who do not even live here. We need to protect our democracy. Please do not support this flawed legislation.

Yours faithfully,
Susan Friend.

--

Susan Friend

From: [nicola.cox](#)
To: [State Planning Office Your Say](#)
Subject: Scrap the DAP
Date: Wednesday, 23 April 2025 8:58:31 PM

You don't often get email from [Learn why this is important](#)

I am opposed to the Development assessment panel.

It appears to be bypassing good governance in favour of fast tracking projects.

I'm all for progress...but we need to establish if it's a good idea ..and benefits the state in general.

The existing process allows for discussion

The [2025 revised DAPs legislation](#) is not significantly changed from the 2024 version that was refused by the parliament and retains all the key flaws. I oppose the creation of Development Assessment Panels (DAPs) and increasing ministerial power over the planning system, for the following reasons:

- **The DAPs represent an alternate planning approval pathway allowing property developers to bypass local councils and communities. This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities.** Handpicked state appointed planning panels, conducted by the Tasmanian Planning Commission, will decide on development applications not our elected local councillors. Local concerns will be ignored in favour of developers who may not be from Tasmania.

Cheers
Nix

From: [ruth.pye](#)
To: [State Planning Office Your Say](#)
Cc:

Subject: #SCRAPTHEDAP!!!
Date: Wednesday, 23 April 2025 8:45:34 PM

You don't often get email from

[Learn why this is important](#)

To Whom It May Concern,

I appreciate the opportunity to have a say about the revised 2025 DAP legislation.

I am concerned that it hasn't changed significantly from the 2024 version that was refused by the parliament.

I am particularly concerned that the DAP will make it easier to approve large scale, controversial developments (e.g. kunanyi/Mount Wellington cable car, high-rise in Hobart), and that it removes merit-based planning appeal rights.

Tasmanians expect transparency, independence, accountability and public participation in decision-making within the planning system. These are critical for a healthy democracy, as are opportunities for appeal.

Yours sincerely,
Ruth Pye

From: [Rosemary Sharman](#)
To: [State Planning Office Your Say](#)
Cc:

Subject: I am against the draft Development Assessment Panels Bill (2025) (DAPs)
Date: Wednesday, 23 April 2025 8:37:53 PM

You don't often get email from

[Learn why this is important](#)

Dear Parliamentarians

I urge you to oppose the proposed 2025 DAPs Bill because:

Communities and elected councillors will not be able to have a say

To me, the normal process for planning matters works - councils and the people in their communities can comment on plans and appeal planning decisions if they feel the need. The people are the heart and soul of a place and their community groups, their energy and locally run activities are what makes towns and suburbs good to live in. They should remain part of the planning process. *I care about where I live and what's good about it, so why would the Tasmanian Government be so dismissive of the views of ordinary people like me?*

The proposed bill doesn't pass the pub test - it smells of potential for corruption

As far as I can tell, DAPs are made up of different people appointed for each proposed plan and these DAPs can be asked to decide on applications for developments on private and public land, reserves, national parks and national heritage areas - where are the controls to ensure that the DAP members are impartial and have no conflicts of interest? As it appears from this legislation, *the proposed process for fast tracking approvals is not transparent which is why I think it doesn't pass the pub test for honest, fair planning decisions.*

Proposed new powers for Planning Minister are undemocratic, disrespectful of councils and communities

It appears from the DAPs Bill that the Planning Minister can tell councils to make planning scheme changes when a council has rejected an application. How is this a fair process? *It is another red flag for potential corruption that this bill does not address.*

Please do not pass this bill - it is not needed, not wanted and not democratic.

Regards
Rosemary Sharman

From: [Mark](#)
To: [State Planning Office Your Say](#)
Subject: Protect our rights & our voice - #SCRAPTHEDAP
Date: Wednesday, 23 April 2025 8:32:30 PM

[You don't often get email from
<https://aka.ms/LearnAboutSenderIdentification>]

Learn why this is important at

We have seen the disdain this Liberal government have for any planning they don't like, strange they think their policies should override everyone else, bad shortsighted , inappropriate and stupid that sums up Tasmanian Liberals
Sent from my iPhone

From: [Jane Catchpole](#)
To: [State Planning Office Your Say](#)
Cc: Craio.farrell@parliament.tas.gov.au; bec.thomas@parliament.tas.gov.au;

Subject: Protect our rights and our voice - #SCRAPTHEDAP
Date: Wednesday, 23 April 2025 8:28:45 PM

You don't often get email from

[Learn why this is important](#)

Hello,
Please find below our submission on the draft DAP Bill.

We opposed the bill that was presented to parliament in 2024 and subsequently rejected by the Legislative Council. Well done Councillors! I cannot see that anything substantial has changed with the 2025 revised DAPs legislation.

We put forward AGAIN reasons for my opposition to the creation of Development Assessment Panels (DAPs) and the proposed increase of ministerial power over the planning system:

- We value our community and the beautiful environment in which we live. We value being part of a democratic society where decisions are made according to the best possible advice and with transparency and where we are able to have a voice. Quality planning laws and quality housing help to foster a healthy and happier community.
- The proposed DAPs will be take away this agency and erode our sense of community. Inappropriate planning approvals will be able to be fast tracked without local input or merit based appeals. Controversial and destructive developments could be foisted on communities to the detriment of social cohesion.
- The DAPs will be handpicked without objective processes and are likely to be pro-development and pro-government which would make it easier to approve large scale contentious developments. Unchecked increased ministerial power over the planning process runs the risk of corrupt decision making as political donations are allowed from property developers in Tasmania - which sets up a conflict of interest.

- Tasmania's planning system is currently the fastest in Australia and only about 1% of council planning decisions go to appeal. Perhaps this process is actually valuable as it highlights issues with proposals that need to be addressed. Why is there need to change it?

In summary

- We call on you to ensure transparency, independence, accountability and public participation in decision-making within the planning system, as they are critical for a healthy democracy. Keep decision making local, rather than bypassing it, with opportunities for appeal. Abandon DAPs and instead invest in expertise to improve the local government system and existing planning processes by providing more resources to councils and enhancing community participation and planning outcomes. This will also help protect local jobs and keeping the cost of development applications down.
- We also call on you to prohibit property developers from making donations to political parties, enhance transparency and efficiency in the administration of the ***Right to Information Act 2009***, and create a strong anti-corruption watchdog.

Yours sincerely,

Jane Catchpole
Peter Crofts

From: [Damian Devlin](#)
To: [State Planning Office Your Say](#)
Cc: ;

Subject: Feedback on proposed Development Assessment Panels Bill
Date: Wednesday, 23 April 2025 8:26:09 PM

You don't often get email from

[Learn why this is important](#)

State Planning Office
Department of Premier and Cabinet
HOBART, TAS. 7000
22 April 2025

Dear Sir /Madam

I am writing to detail why ***I do not approve of the Tasmanian Government's proposed Development Assessment Panels Bill*** that will shortly go before the lower House of Parliament.

IF IT AIN'T BROKE, DONT FIX IT

I have read the Government's Development Assessment Panel (DAP) Framework Position Paper and I note with great interest where and how the Tasmanian Government sources its definition of "*the development assessment problem*" that it is attempting to solve with the proposed bill.

The stated source of benchmarked data on the performance of Development Assessment in Tasmania is an Australian Government Treasury study of 2023 of June 2023 titled "Improving the performance of land zoning planning and land release system"

The State Government's DAP position paper correctly points out that Tasmania's Development Assessment performance is currently a benchmarked leader in Australia (**in other words, Development Assessment PROCESS is NOT BROKEN**)

The position paper then states :

...However, the broad rights of appeal provided under Tasmanian legislation mean that these very timely outcomes are sometimes extended by an appeal process by many months resulting in an overall approval timeframe of perhaps 9-12 months.

From a problem definition point of view, suggesting that Tasmania's Development Community is being crippled by red tape is ***entirely inconsistent with the benchmarked data*** quoted by both State Government and Treasury.

The removal of our current democratic right of appeal against a development decision appears to be the true focus of the Tasmanian Government's DAP legislation; in other words, ***our democratically elected government wishes to remove a current democratic right to lodge a merit based appeal against a development decision.***

I do not suggest that Tasmania's Planning Landscape is beyond improvement, but I direct the reader to the very detailed analysis provided by the Local Government Association of Tasmania's submission of the first round of feedback on the first Bill.

WHAT IS BROKEN

This (LGAT) submission clearly identifies the flawed foundations of Tasmanian Planning that ***remain the responsibility of the State Government Itself to improve:*** Outdated Legislation, Missing Planning Policies, Outdated Regional Land Use Strategies and Missing Infrastructure Headworks charging Policies and frameworks.

I remain concerned that the proposed bill will cripple Development Assessment while the true sources of uncertainty for the development community remain unaddressed.

I suggest that the proposed bill is abandoned and that the State Government appropriately funds its state planning functions to go back to the drawing board with LGAT and Local Government Planning expertise to address the shortcomings of the State's foundation planning architecture.

Thank you for your consideration

Damian Devlin

Retired engineer with 42 years experience in Local Government, Water Utility Infrastructure Asset Management, Quality and Process Improvement

From: [Astrid Miller](#)
To: [State Planning Office Your Say](#)
Cc: planningmatterstas@gmail.com;

Subject: Scrap the DAP
Date: Wednesday, 23 April 2025 8:22:13 PM

You don't often get email from

[Learn why this is important](#)

This issue speaks to the heart of democracy.

The [2025 revised DAPs legislation](#) is not significantly changed from the 2024 version that was refused by the parliament and retains all the key flaws.

I oppose the creation of Development Assessment Panels (DAPs) and increasing ministerial power over the planning system, for the following reasons:

- The DAPs represent an alternate planning approval pathway allowing property developers to bypass local councils and communities. This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities. Handpicked state appointed planning panels, conducted by the Tasmanian Planning Commission, will decide on development applications not our elected local councillors. Local concerns will be ignored in favour of developers who may not be from Tasmania.
- The Tasmanian Planning Commission is not independent – DAPs are hand-picked, without detailed selection criteria and objective processes. DAPs are inconsistent with the principles of open justice as they do not hold hearings that are open to any member of the public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review). DAPs do not have to provide written reasons for their decision (making it difficult to seek judicial review). Community input will be less effective because it will be delayed until after the

DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision.

- **Research demonstrates DAPs are pro-development and pro-government**, they rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions.
- **DAPs will make it easier to approve large scale contentious developments** like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus re-development.
- **Removes merit-based planning appeal rights** via the planning tribunal on all the issues the community cares about like impacts on biodiversity; height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more. The Tasmanian Civil and Administrative Tribunal (TASCAT) review of government decisions is an essential part of the rule of law and a democratic system of government based on '*checks and balances*'.
- **Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.**
- **Developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus and are prohibitively expensive.**
- **Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy.** The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption. Mainland experience demonstrates planning panels favour developers and undermine democratic accountability. Local planning panels, which are often dominated by members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum [say](#) they favour developers and undermine democratic accountability. Mainland [research](#) demonstrates removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social.

- **Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.
- **Eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked.** The Minister can declare a development to be assessed by a DAP based on a '*perceived conflict of interest*', '*a real or perceived bias*', '*the application relates to a development that may be considered significant*'. The Planning Minister has political bias and can use this subjective criteria to intervene on virtually any development in favour of developers.

NOTE: The scope of the DAPs includes a range of other subjective factors that are not guided by any clear criteria:

- Valuations of \$10 million in cities and \$5 million in other areas.
 - A determination by Homes Tasmania that an application includes social or affordable housing. There is no requirement for a proportion of the development to be for social or affordable housing. For example, it could be one house out of 200 that is affordable.

- **Poor justification** – there is no problem to fix. Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in Australia. In some years as many as 80% of appeals are resolved via mediation. The Government wants to falsely blame the planning system for stopping housing developments to cover its lack of performance in addressing the affordable housing shortage.
- **Increases complexity in an already complex planning system.** Why would we further increase an already complex planning system which is already making decisions quicker than any other jurisdiction in Australia?

2025 legislation not significantly changed

- The changes made to the DAPs legislation that was refused by the Parliament in November 2024 are not significant and all the key flaws remain. The changes made do not have any significant practical impact.
- One eligibility criterion has been removed, that a project is likely to be

'controversial', but the other equally broad and undefined criteria are retained (as listed above). There is no impact from this change because virtually any development can fit the remaining criteria.

- Removal of the option for the minister to transfer a development partway through a council assessment is not significant because a proponent can remove their development from council assessment before requesting the minister have it assessed by a DAP.
- The dollar value thresholds have been increased to \$10 million and above in metro areas and \$5 million and above in non-metro areas which is claimed will restrict the number of DAP applications. Projects under these values are still eligible under the other broad and undefined criteria.
- The Tasmanian Planning Commission will be able to issue guidelines to assist with applying the eligibility criteria, but this makes no difference as the Commission is not required to make the guidelines and the Minister only needs to 'consider' them.
- There has been an amendment to allow the DAPs to undertake mediation, but the Tasmanian Planning Commission is inexperienced in mediation and no clear process or rights have been established for objectors, unlike the Tasmanian Civil and Administrative Tribunal (TASCAT). The amendment does not allow the DAP approval to be decided by mediation just minor disputes in the process.

Say yes to a healthy democracy

- I call on you to ensure transparency, independence, accountability and public participation in decision-making within the planning system, as they are critical for a healthy democracy. Keep decision making local, rather than bypassing it, with opportunities for appeal. Abandon DAPs and instead invest in expertise to improve the local government system and existing planning processes by providing more resources to councils and enhancing community participation and planning outcomes. This will also help protect local jobs and keeping the cost of development applications down.
- I also call on you to prohibit property developers from making donations to political parties, enhance transparency and efficiency in the administration of the *Right to Information Act 2009*, and create a strong anti-corruption watchdog.

Yours Sincerely, Astrid Miller

From: [Chris](#)
To: [State Planning Office Your Say](#)
Subject: Protect our rights & our voice – #SCRAPTHEDAP
Date: Wednesday, 23 April 2025 8:21:40 PM

You don't often get email from

[Learn why this is important](#)

Greetings,

In the interest of ensuring a healthy democracy and more representative and participatory government I submit the following and agree with all that has been written here by minds far more knowledgeable than mine.

The [2025 revised DAPs legislation](#) is not significantly changed from the 2024 version that was refused by the parliament and retains all the key flaws. I oppose the creation of Development Assessment Panels (DAPs) and increasing ministerial power over the planning system, for the following reasons:

- **The DAPs represent an alternate planning approval pathway allowing property developers to bypass local councils and communities. This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities.** Handpicked state appointed planning panels, conducted by the Tasmanian Planning Commission, will decide on development applications not our elected local councillors. Local concerns will be ignored in favour of developers who may not be from Tasmania.
- **The Tasmanian Planning Commission is not independent** – DAPs are hand-picked, without detailed selection criteria and objective processes. DAPs are inconsistent with the principles of open justice as they do not hold hearings that are open to any member of the public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review). DAPs do not have to provide written reasons for their decision (making it difficult to seek judicial review). Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision.
- **Research demonstrates DAPs are pro-development and pro-government**, they rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions.
- **DAPs will make it easier to approve large scale contentious developments** like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus re-development.
- **Removes merit-based planning appeal rights** via the planning tribunal on all the issues the community cares about like impacts on biodiversity; height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more. The Tasmanian Civil and Administrative Tribunal (TASCAT) review of government decisions is an essential part of the rule of law and a democratic system of government based on '*checks and balances*'.
- **Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.**

Developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus and are prohibitively expensive.

- **Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy.** The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption. Mainland experience demonstrates planning panels favour developers and undermine democratic accountability. Local planning panels, which are often dominated by members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum [say](#) they favour developers and undermine democratic accountability. Mainland [research](#) demonstrates removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social.
- **Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.
- **Eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked.** The Minister can declare a development to be assessed by a DAP based on a '*perceived conflict of interest*', '*a real or perceived bias*', '*the application relates to a development that may be considered significant*'. The Planning Minister has political bias and can use this subjective criteria to intervene on virtually any development in favour of developers.

NOTE: The scope of the DAPs includes a range of other subjective factors that are not guided by any clear criteria:

- Valuations of \$10 million in cities and \$5 million in other areas.
- A determination by Homes Tasmania that an application includes social or affordable housing. There is no requirement for a proportion of the development to be for social or affordable housing. For example, it could be one house out of 200 that is affordable.

- **Poor justification – there is no problem to fix.** Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in Australia. In some years as many as 80% of appeals are resolved via mediation. The Government wants to falsely blame the planning system for stopping housing developments to cover its lack of performance in addressing the affordable housing shortage.
- **Increases complexity in an already complex planning system.** Why would we further increase an already complex planning system which is already making decisions quicker than any other jurisdiction in Australia?

2025 legislation not significantly changed

- The changes made to the DAPs legislation that was refused by the Parliament in November 2024 are not significant and all the key flaws remain. The changes made do not have any significant practical impact.
- One eligibility criterion has been removed, that a project is likely to be 'controversial', but the other equally broad and undefined criteria are retained (as listed above). There is no

impact from this change because virtually any development can fit the remaining criteria.

- Removal of the option for the minister to transfer a development partway through a council assessment is not significant because a proponent can remove their development from council assessment before requesting the minister have it assessed by a DAP.
- The dollar value thresholds have been increased to \$10 million and above in metro areas and \$5 million and above in non-metro areas which is claimed will restrict the number of DAP applications. Projects under these values are still eligible under the other broad and undefined criteria.
- The Tasmanian Planning Commission will be able to issue guidelines to assist with applying the eligibility criteria, but this makes no difference as the Commission is not required to make the guidelines and the Minister only needs to 'consider' them.
- There has been an amendment to allow the DAPs to undertake mediation, but the Tasmanian Planning Commission is inexperienced in mediation and no clear process or rights have been established for objectors, unlike the Tasmanian Civil and Administrative Tribunal (TASCAT). The amendment does not allow the DAP approval to be decided by mediation just minor disputes in the process.

Say yes to a healthy democracy

- I call on you to ensure transparency, independence, accountability and public participation in decision-making within the planning system, as they are critical for a healthy democracy. Keep decision making local, rather than bypassing it, with opportunities for appeal. Abandon DAPs and instead invest in expertise to improve the local government system and existing planning processes by providing more resources to councils and enhancing community participation and planning outcomes. This will also help protect local jobs and keeping the cost of development applications down.
- I also call on you to prohibit property developers from making donations to political parties, enhance transparency and efficiency in the administration of the *Right to Information Act 2009*, and create a strong anti-corruption watchdog.

Yours sincerely,

Chris Wilson,

Sent from my iPad

From:

[State Planning Office Your Say](#)

Subject:

Submission against proposed Development Assessment Panels (DAPs)

Date:

Wednesday, 23 April 2025 8:13:01 PM

You don't often get email from [redacted]

[Learn why this is important](#)

I oppose the revised Development Assessment Panels (DAPs) Legislation. It has the same flaws rejected by Parliament in November 2024 and fails to provide safeguards for the rights of the Tasmanian Community. My concerns are:

- * Skyscrapers could easily be approved in Hobart with virtually no community input.
- * The proposed DAPs would allow property developers to bypass local councils and communities.
- * They would not make decisions faster than Councils, and there is no concrete evidence to prove that the current system needs reform. In fact, the current system, in place for many years, works well.
- * Community input, at the beginning of the process, is not allowed.
- * Developments could only be appealed to the Supreme Court; a really expensive process.
- * Merit-based planning appeal rights are not maintained. They should be: on all the issues the community cares about - height, bulk, scale, appearance, impacts on streetscapes and adjoining properties (including privacy and overlooking), biodiversity, traffic, noise, smell, and light.
- * The Tasmanian Civil and Administrative Tribunal (TASCAT) review of decisions is essential for a democratic system protected by 'checks and balances'.
- * Under the legislation, Panel appointments do not have to satisfy detailed selection criteria or objective processes.
- * The proposed DAPs have the potential to increase corruption, reduce good planning outcomes, favour developers, and undermine democracy. The NSW Independent Commission Against Corruption has recommended the expansion of merit-based planning appeals as a deterrent to corruption.

I request that this Legislation be rejected.

My name: Debra Dragonheart

My email:

**My additional
comments::**

From: [Kerry Dunleavy](#)
To: [State Planning Office Your Say](#)
Subject: Protect our rights & our voice - #SCRAPTHEDAP
Date: Wednesday, 23 April 2025 8:05:01 PM

You don't often get email from

[Learn why this is important](#)

The [2025 revised DAPs legislation](#) is not significantly changed from the 2024 version that was refused by the parliament and retains all the key flaws. I oppose the creation of Development Assessment Panels (DAPs) and increasing ministerial power over the planning system, for the following reasons:

- **The DAPs represent an alternate planning approval pathway allowing property developers to bypass local councils and communities.** This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities. Handpicked state appointed planning panels, conducted by the Tasmanian Planning Commission, will decide on development applications not our elected local councillors. Local concerns will be ignored in favour of developers who may not be from Tasmania.
- **The Tasmanian Planning Commission is not independent** – DAPs are hand-picked, without detailed selection criteria and objective processes. DAPs are inconsistent with the principles of open justice as they do not hold hearings that are open to any member of the public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review). DAPs do not have to provide written reasons for their decision (making it difficult to seek judicial review). Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision.
- **Research demonstrates DAPs are pro-development and pro-government,** they rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions.
- **DAPs will make it easier to approve large scale contentious developments** like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus re-development.
- **Removes merit-based planning appeal rights** via the planning tribunal on all the issues the community cares about like impacts on biodiversity; height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties

including privacy and overlooking; traffic, noise, smell, light and so much more. The Tasmanian Civil and Administrative Tribunal (TASCAT) review of government decisions is an essential part of the rule of law and a democratic system of government based on '*checks and balances*'.

- **Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.**
- **Developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus and are prohibitively expensive.**
- **Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy.** The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption. Mainland experience demonstrates planning panels favour developers and undermine democratic accountability. Local planning panels, which are often dominated by members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum [say](#) they favour developers and undermine democratic accountability. Mainland [research](#) demonstrates removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social.
- **Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.
- **Eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked.** The Minister can declare a development to be assessed by a DAP based on a '*perceived conflict of interest*', '*a real or perceived bias*', '*the application relates to a development that may be considered significant*'. The Planning Minister has political bias and can use this subjective criteria to intervene on virtually any development in favour of developers.

NOTE: The scope of the DAPs includes a range of other subjective factors that are not guided by any clear criteria:

- Valuations of \$10 million in cities and \$5 million in other areas.
- A determination by Homes Tasmania that an application includes social or affordable housing. There is no requirement for a proportion of the development to be for social or affordable housing. For example, it could be one house out of 200 that is affordable.

- **Poor justification** – there is no problem to fix. Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in Australia. In some years as many as 80% of appeals are resolved via mediation. The Government wants to falsely blame the planning system for stopping housing developments to cover its lack of performance in addressing the affordable housing shortage.
- **Increases complexity in an already complex planning system.** Why would we further increase an already complex planning system which is already making decisions quicker than any other jurisdiction in Australia?

2025 legislation not significantly changed

- The changes made to the DAPs legislation that was refused by the Parliament in November 2024 are not significant and all the key flaws remain. The changes made do not have any significant practical impact.
- One eligibility criterion has been removed, that a project is likely to be 'controversial', but the other equally broad and undefined criteria are retained (as listed above). There is no impact from this change because virtually any development can fit the remaining criteria.
- Removal of the option for the minister to transfer a development partway through a council assessment is not significant because a proponent can remove their development from council assessment before requesting the minister have it assessed by a DAP.
- The dollar value thresholds have been increased to \$10 million and above in metro areas and \$5 million and above in non-metro areas which is claimed will restrict the number of DAP applications. Projects under these values are still eligible under the other broad and undefined criteria.
- The Tasmanian Planning Commission will be able to issue guidelines to assist with

applying the eligibility criteria, but this makes no difference as the Commission is not required to make the guidelines and the Minister only needs to 'consider' them.

- There has been an amendment to allow the DAPs to undertake mediation, but the Tasmanian Planning Commission is inexperienced in mediation and no clear process or rights have been established for objectors, unlike the Tasmanian Civil and Administrative Tribunal (TASCAT). The amendment does not allow the DAP approval to be decided by mediation just minor disputes in the process.

Say yes to a healthy democracy

- I call on you to ensure transparency, independence, accountability and public participation in decision-making within the planning system, as they are critical for a healthy democracy. Keep decision making local, rather than bypassing it, with opportunities for appeal. Abandon DAPs and instead invest in expertise to improve the local government system and existing planning processes by providing more resources to councils and enhancing community participation and planning outcomes. This will also help protect local jobs and keeping the cost of development applications down.
- I also call on you to prohibit property developers from making donations to political parties, enhance transparency and efficiency in the administration of the *Right to Information Act 2009*, and create a strong anti-corruption watchdog.

Yours sincerely,
Kerry Dunleavy

From: [Georgie](#)
To: [State Planning Office Your Say](#)
Cc:

Subject: Protect our rights & our voice - #SCRAPTHEDAP
Date: Wednesday, 23 April 2025 8:02:19 PM

You don't often get email from

[Learn why this is important](#)

To all Tasmanian Politicians,

The 2025 revised DAPs legislation is not significantly changed from the 2024 version that was refused by the parliament and retains all the key flaws. I oppose the creation of Development Assessment Panels (DAPs) and increasing ministerial power over the planning system, for the following reasons:

The DAPs represent an alternate planning approval pathway allowing property developers to bypass local councils and communities. This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities. Handpicked state appointed planning panels, conducted by the Tasmanian Planning Commission, will decide on development applications not our elected local councillors. Local concerns will be ignored in favour of developers who may not be from Tasmania.

The Tasmanian Planning Commission is not independent – DAPs are hand-picked, without detailed selection criteria and objective processes. DAPs are inconsistent with the principles of open justice as they do not hold hearings that are open to any member of the public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review). DAPs do not have to provide written reasons for their decision (making it difficult to seek judicial review). Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision.

Research demonstrates DAPs are pro-development and pro-government, they rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions.

DAPs will make it easier to approve large scale contentious developments like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus re-development.

Removes merit-based planning appeal rights via the planning tribunal on all the issues the community cares about like impacts on biodiversity; height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more. The Tasmanian Civil and Administrative Tribunal (TASCAT) review of government decisions is an essential part of the rule of law and a democratic system of government based on 'checks and balances'.

Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.

Developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus and are prohibitively expensive.

Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy. The NSW Independent Commission Against Corruption recommended the expansion of merit-based planning appeals as a deterrent to corruption. Mainland experience demonstrates planning panels favour developers and undermine democratic accountability. Local planning panels, which are often dominated by members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum say they favour developers and undermine democratic accountability. Mainland research demonstrates removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social.

Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions. The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.

Eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked. The Minister can declare a development to be assessed by a DAP based on a 'perceived conflict of interest', 'a real or perceived bias', 'the application relates to a development that may be considered significant'. The Planning Minister has political bias and can use this subjective criteria to intervene on virtually any development in favour of developers.

NOTE: The scope of the DAPs includes a range of other subjective factors that are not guided by any clear criteria:

- Valuations of \$10 million in cities and \$5 million in other areas.
- A determination by Homes Tasmania that an application includes social or affordable housing. There is no requirement for a proportion of the development to be for social or affordable housing. For example, it could be one house out of 200 that is affordable.

Poor justification – there is no problem to fix. Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in Australia. In some years as many as 80% of appeals are resolved via mediation. The Government wants to falsely blame the planning system for stopping housing developments to cover its lack of performance in addressing the affordable housing shortage.

Increases complexity in an already complex planning system. Why would we further

increase an already complex planning system which is already making decisions quicker than any other jurisdiction in Australia?

2025 legislation not significantly changed

The changes made to the DAPs legislation that was refused by the Parliament in November 2024 are not significant and all the key flaws remain. The changes made do not have any significant practical impact.

One eligibility criterion has been removed, that a project is likely to be 'controversial', but the other equally broad and undefined criteria are retained (as listed above). There is no impact from this change because virtually any development can fit the remaining criteria.

Removal of the option for the minister to transfer a development partway through a council assessment is not significant because a proponent can remove their development from council assessment before requesting the minister have it assessed by a DAP.

The dollar value thresholds have been increased to \$10 million and above in metro areas and \$5 million and above in non-metro areas which is claimed will restrict the number of DAP applications. Projects under these values are still eligible under the other broad and undefined criteria.

The Tasmanian Planning Commission will be able to issue guidelines to assist with applying the eligibility criteria, but this makes no difference as the Commission is not required to make the guidelines and the Minister only needs to 'consider' them.

There has been an amendment to allow the DAPs to undertake mediation, but the Tasmanian Planning Commission is inexperienced in mediation and no clear process or rights have been established for objectors, unlike the Tasmanian Civil and Administrative Tribunal (TASCAT). The amendment does not allow the DAP approval to be decided by mediation just minor disputes in the process.

Say yes to a healthy democracy

I call on you to ensure transparency, independence, accountability and public participation in decision-making within the planning system, as they are critical for a healthy democracy. Keep decision making local, rather than bypassing it, with opportunities for appeal. Abandon DAPs and instead invest in expertise to improve the local government system and existing planning processes by providing more resources to councils and enhancing community participation and planning outcomes. This will also help protect local jobs and keeping the cost of development applications down.

I also call on you to prohibit property developers from making donations to political parties, enhance transparency and efficiency in the administration of the Right to Information Act 2009, and create a strong anti-corruption watchdog.

Regards,
Georgina Ferguson

To: State Planning

Regarding: The Draft Land Use Planning Approvals Amendment (LUPAA)

Public submission: From the Howden Progress Association on the Development Assessment Panels (DAP) Bill 2025

To whom it may concern,

The Howden Progress Association again wishes to convey the opposition of Howden residents to the proposed introduction of Development Assessment Panels (DAPs) 2025. This accords with our opposition to the Bill in 2024 and reflects that the current version has barely changed.

This Bill still suffers the fundamental flaw that it takes development approvals out of the hands of elected Council representatives and residents and gives them to State-appointed assessment panels (DAPs), effectively suppressing community involvement in decisions that affect them.

The progressive erosion of planning independence by the State Government has led to friction in recent years between local residents/Kingborough Council and State Government over state-imposed planning decisions. Political intervention has led to approval of projects that the local community widely deemed unwise and/or inappropriate (e.g. upgrades to Villa Howden and the high-density housing amongst the Huntingfield subdivision).

It is particularly worrying that under the proposed legislation the community will be unable to appeal the decision of DAPs, except on a point of law in the Supreme Court. This renders it a very expensive process founded on extremely narrow legal grounds. DAPs would see the community lose the opportunity to contest a development on the grounds that it is inappropriate or destructive (visual impact, height, bulk, plot density etc); will impact cultural heritage, environmental values or amenity; or even that it is unsafe (e.g. traffic or pedestrians). Removing the opportunity for such merits-based appeals can only lead to poorer planning decisions; increased opportunity for corruption, cronyism/nepotism; growing community dissatisfaction with planning outcomes; and degradation of the civic and environmental attributes that Tasmanians hold dear.

The State Government claims the DAP legislation will “take the politics out of planning”¹. Yet the introduction of DAPs would allow State Government to appoint assessment panels sympathetic to the approval of any contentious developments it supports. The Bill allows planning approvals to be made against the wishes of the community and in contravention of Council regulations. Furthermore, the Planning Minister will be able to compel local councils to initiate changes to their planning scheme if he disagrees with their rejection of a planning application.

The Government also claims the legislation would speed approval of housing developments that are desperately needed amidst a housing crisis. But only approximately 1% of council planning decisions are referred to planning appeals. Tasmania’s planning system is the fastest in the nation.

Thus, neither of the reasons offered by Government for the passage of this Bill are justified. It would increase rather than remove the influence of politics on planning approvals and would only complicate a planning approval process that is currently operating efficiently.

Tasmania has a poor record of transparency, independence and the supporting the democratic rights of its communities. Research has shown that the Tasmania Government is:

- the most secretive in Australia²
- has one of the weakest anti-corruption watchdogs in the nation³
- has failed to ban political donations from property developers to political parties⁴,

These are not the attributes of political governance that inspire confidence in the process where planning decision are made by DAPs, with panel members selected by Government.

Legal advice suggests that the lack of structural independence of the DAPs is sufficient reason to scrap their introduction⁶. Together with Tasmania's poor governance structure (above), it is entirely plausible that their introduction will jeopardise the quality, transparency, and independence of the planning approval process in Tasmania, and that this will enable politically expedient and/or preferred developments, both on private property and in national parks and reserves that were established and protected under the Nature Conservation Act 1992.

The Howden community asks that you not introduce DAPs. The introduction of similar planning arrangements on mainland Australia have has reportedly led to a decline in good planning outcomes, decreased transparency, increased opportunity for corruption and less capacity to hold developers accountable via merits-based appeal of their proposals.

Howden residents are attracted to the area because of its civic and environmental characteristics, and we are actively involved in maintaining and improving its amenity. We welcome opportunities for sensible, sensitive and appropriate developments in the area. To achieve this we ask that, instead of DAPs, there be greater investment in expertise to improve the local government system and existing planning processes by providing more resources to councils and enhancing community participation in planning outcomes.

Yours sincerely,

Dr Andrew Davidson

HPA Secretary (On behalf of the Howden Progress Association)

References

1. Press release, Felix Ellis 7th Oct 2024
2. [Transparent failure — Tasmanian Government is the most secretive in Australia - Environmental Defenders Office](#)
3. [Tassie Corruption Body a Toothless Tiger: Research - The Australia Institute](#)
4. [Analysis: What happens next with Tasmania's political donations disclosure law? | Tasmanian Inquirer](#)
5. [Explainer: Will Tasmania finally get a political donations disclosure law? | Tasmanian Inquirer](#)
6. <https://www.pressreader.com/australia/mercury-hobart/20240327/281921663047634>

From: [Maggie Mars](#)
To: [State Planning Office Your Say](#)
Cc:

Subject: Local councils are a vital element of democracy
Date: Wednesday, 23 April 2025 7:44:45 PM

You don't often get email from

[Learn why this is important](#)

Dear State Planning,

Local government is a means whereby residents can have some control over their environment and the elements that attract them to where they live.

Councillors listen to their residents and should therefore make the decisions on local planning matters. In Tasmania we are increasingly bending to bland state planning objectives which seek to make Tasmania compete with other states by making us similar, and thus destroy what locals love and which creates the strengths of community and diversity. So for these reasons and those below please oppose the creation and use of Development Assessment Panels.

The [2025 revised DAPs legislation](#) is not significantly changed from the 2024 version that was refused by the parliament and retains all the key flaws. I oppose the creation of Development Assessment Panels (DAPs) and increasing ministerial power over the planning system, for the following reasons:

- **The DAPs represent an alternate planning approval pathway allowing property developers to bypass local councils and communities. This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities.** Handpicked state appointed planning panels, conducted by the Tasmanian Planning Commission, will decide on development applications not our elected local councillors. Local concerns will be ignored in favour of developers who may not be from Tasmania.
- **The Tasmanian Planning Commission is not independent** – DAPs are hand-picked, without detailed selection criteria and objective processes. DAPs are inconsistent with the principles of open justice as they do not hold hearings that are open to any member of the public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review). DAPs do not have

to provide written reasons for their decision (making it difficult to seek judicial review). Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision.

- **Research demonstrates DAPs are pro-development and pro-government**, they rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions.
- **DAPs will make it easier to approve large scale contentious developments** like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus re-development.
- **Removes merit-based planning appeal rights** via the planning tribunal on all the issues the community cares about like impacts on biodiversity; height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more. The Tasmanian Civil and Administrative Tribunal (TASCAT) review of government decisions is an essential part of the rule of law and a democratic system of government based on '*checks and balances*'.
- **Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.**
- **Developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus and are prohibitively expensive.**
- **Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy.** The NSW Independent Commission Against Corruption recommended the expansion of merit-based planning appeals as a deterrent to corruption. Mainland experience demonstrates planning panels favour developers and undermine democratic accountability. Local planning panels, which are often dominated by members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum say they favour developers and undermine democratic accountability. Mainland research demonstrates removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social.
- **Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.

- **Eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked.** The Minister can declare a development to be assessed by a DAP based on a '*perceived conflict of interest*', '*a real or perceived bias*', '*the application relates to a development that may be considered significant*'. The Planning Minister has political bias and can use this subjective criteria to intervene on virtually any development in favour of developers.

NOTE: The scope of the DAPs includes a range of other subjective factors that are not guided by any clear criteria:

- Valuations of \$10 million in cities and \$5 million in other areas.
- A determination by Homes Tasmania that an application includes social or affordable housing. There is no requirement for a proportion of the development to be for social or affordable housing. For example, it could be one house out of 200 that is affordable.

- **Poor justification – there is no problem to fix.** Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in Australia. In some years as many as 80% of appeals are resolved via mediation. The Government wants to falsely blame the planning system for stopping housing developments to cover its lack of performance in addressing the affordable housing shortage.
- **Increases complexity in an already complex planning system.** Why would we further increase an already complex planning system which is already making decisions quicker than any other jurisdiction in Australia?

2025 legislation not significantly changed

- The changes made to the DAPs legislation that was refused by the Parliament in November 2024 are not significant and all the key flaws remain. The changes made do not have any significant practical impact.
- One eligibility criterion has been removed, that a project is likely to be 'controversial', but the other equally broad and undefined criteria are retained (as listed above). There is no impact from this change because virtually any development can fit the remaining criteria.
- Removal of the option for the minister to transfer a development partway through a council assessment is not significant because a proponent can remove their development from council assessment before requesting the minister have it assessed by a DAP.
- The dollar value thresholds have been increased to \$10 million and above in metro areas and \$5 million and above in non-metro areas which is claimed will restrict the number of DAP applications. Projects under these values are still eligible under the other broad and undefined criteria.
- The Tasmanian Planning Commission will be able to issue guidelines to assist with applying the eligibility criteria, but this makes no difference as the Commission is not required to make the guidelines and the Minister only needs to 'consider' them.
- There has been an amendment to allow the DAPs to undertake mediation, but the Tasmanian Planning Commission is inexperienced in mediation and no

clear process or rights have been established for objectors, unlike the Tasmanian Civil and Administrative Tribunal (TASCAT). The amendment does not allow the DAP approval to be decided by mediation just minor disputes in the process.

Say yes to a healthy democracy

- I call on you to ensure transparency, independence, accountability and public participation in decision-making within the planning system, as they are critical for a healthy democracy. Keep decision making local, rather than bypassing it, with opportunities for appeal. Abandon DAPs and instead invest in expertise to improve the local government system and existing planning processes by providing more resources to councils and enhancing community participation and planning outcomes. This will also help protect local jobs and keeping the cost of development applications down.
- I also call on you to prohibit property developers from making donations to political parties, enhance transparency and efficiency in the administration of the *Right to Information Act 2009*, and create a strong anti-corruption watchdog.

Yours sincerely,

Maggie Mars

From: [Robin Badcock](#)
To: [State Planning Office Your Say](#)
Subject: Protect our rights & our voice - #SCRAPTHEDAP
Date: Wednesday, 23 April 2025 6:40:53 PM

You don't often get email from

[Learn why this is important](#)

To whom it may concern,

I submit the following to register my disgust at the proposal to provide a legislative change that is nothing more than heavy handed tactics to remove the voice of communities. These communities have investment in where they live and should not have their representation diminished in any way. This is the very (real) reason for the democratic processes to be in place so the community's people can have a voice based on local representation.

DEVELOPMENT ASSESSMENT PANEL -- the proposed DAP legislation that will remove the local representation by our local Councils while giving power to faceless individuals whom will likely not be part of the community with whom they are making decisions. Further, if DAP get is wrong as to decisions, they will not suffer the consequences as they are likely not part of the effected community that has to wear their decision. Where is the democracy with this and what of our local representation by Council and the Councillors who are voted in by the local people for the community to be represented? I find this a tactic of bullying in the extreme and with little or no respect by our so called leaders for the locals that live in the communities.

I sincerely hope there is some common sense that will come into play by the politicians and they send this proposal for DAP back to where it belongs -- in the round filing cabinet, with the hope it never rises again.

I am happy to take comment on this matter.

Regards,

From: Susan >
Sent: Thursday, 24 April 2025 6:43 AM
To: State Planning Office Your Say; planningmatterstas@gmail.com
Subject: Protect our rights & our voice - #SCRAPTHEDAP

You don't often get email from [redacted] . [Learn why this is important](#)

The [2025 revised DAPs legislation](#) is not significantly changed from the 2024 version that was refused by the parliament and retains all the key flaws. I oppose the creation of Development Assessment Panels (DAPs) and increasing ministerial power over the planning system, for the following reasons:

- **The DAPs represent an alternate planning approval pathway allowing property developers to bypass local councils and communities.** This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities. Handpicked state appointed planning panels, conducted by the Tasmanian Planning Commission, will decide on development applications not our elected local councillors. Local concerns will be ignored in favour of developers who may not be from Tasmania.
- **The Tasmanian Planning Commission is not independent** – DAPs are hand-picked, without detailed selection criteria and objective processes. DAPs are inconsistent with the principles of open justice as they do not hold hearings that are open to any member of the public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review). DAPs do not have to provide written reasons for their decision (making it difficult to seek judicial review). Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision.
- **Research demonstrates DAPs are pro-development and pro-government,** they rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions.
- **DAPs will make it easier to approve large scale contentious developments** like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus re-development.
- **Removes merit-based planning appeal rights** via the planning tribunal on all the issues the community cares about like impacts on biodiversity; height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more. The Tasmanian Civil and Administrative Tribunal (TASCAT) review of government decisions is an essential part of the rule of law and a democratic system of government based on '*checks and balances*'.
- **Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.**
- **Developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus and are prohibitively expensive.**

- **Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy.** The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption. Mainland experience demonstrates planning panels favour developers and undermine democratic accountability. Local planning panels, which are often dominated by members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum [say](#) they favour developers and undermine democratic accountability. Mainland [research](#) demonstrates removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social.
- **Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.
- **Eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked.** The Minister can declare a development to be assessed by a DAP based on a '*perceived conflict of interest*', '*a real or perceived bias*', '*the application relates to a development that may be considered significant*'. The Planning Minister has political bias and can use this subjective criteria to intervene on virtually any development in favour of developers.

NOTE: The scope of the DAPs includes a range of other subjective factors that are not guided by any clear criteria:

- Valuations of \$10 million in cities and \$5 million in other areas.
- A determination by Homes Tasmania that an application includes social or affordable housing. There is no requirement for a proportion of the development to be for social or affordable housing. For example, it could be one house out of 200 that is affordable.
- **Poor justification** – there is no problem to fix. Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in Australia. In some years as many as 80% of appeals are resolved via mediation. The Government wants to falsely blame the planning system for stopping housing developments to cover its lack of performance in addressing the affordable housing shortage.
- **Increases complexity in an already complex planning system.** Why would we further increase an already complex planning system which is already making decisions quicker than any other jurisdiction in Australia?

2025 legislation not significantly changed

- The changes made to the DAPs legislation that was refused by the Parliament in November 2024 are not significant and all the key flaws remain. The changes made do not have any significant practical impact.
- One eligibility criterion has been removed, that a project is likely to be 'controversial', but the other equally broad and undefined criteria are retained (as listed above). There is no impact from this change because virtually any development can fit the remaining criteria.
- Removal of the option for the minister to transfer a development partway through a council assessment is not significant because a proponent can remove their development from council

assessment before requesting the minister have it assessed by a DAP.

- The dollar value thresholds have been increased to \$10 million and above in metro areas and \$5 million and above in non-metro areas which is claimed will restrict the number of DAP applications. Projects under these values are still eligible under the other broad and undefined criteria.
- The Tasmanian Planning Commission will be able to issue guidelines to assist with applying the eligibility criteria, but this makes no difference as the Commission is not required to make the guidelines and the Minister only needs to 'consider' them.
- There has been an amendment to allow the DAPs to undertake mediation, but the Tasmanian Planning Commission is inexperienced in mediation and no clear process or rights have been established for objectors, unlike the Tasmanian Civil and Administrative Tribunal (TASCAT). The amendment does not allow the DAP approval to be decided by mediation just minor disputes in the process.

Say yes to a healthy democracy

- I call on you to ensure transparency, independence, accountability and public participation in decision-making within the planning system, as they are critical for a healthy democracy. Keep decision making local, rather than bypassing it, with opportunities for appeal. Abandon DAPs and instead invest in expertise to improve the local government system and existing planning processes by providing more resources to councils and enhancing community participation and planning outcomes. This will also help protect local jobs and keeping the cost of development applications down.
- I also call on you to prohibit property developers from making donations to political parties, enhance transparency and efficiency in the administration of the *Right to Information Act 2009*, and create a strong anti-corruption watchdog.

Yours sincerely,
Susan West

From: [Dr Annetta Mallon](#)
To: [State Planning Office Your Say](#)
Cc:

Subject: Writing to protect our rights & our voice - #SCRAPTHEDAP
Date: Thursday, 24 April 2025 1:36:06 PM

You don't often get email from

[Learn why this is important](#)

Good afternoon,

As we have seen recently in the USA, democracy can be challenged, distorted and overthrown breathtakingly fast when appropriate processes, respect for the law and a broad range of voices and options are removed from the processes of government. I am deeply concerned at the swathe of options this proposed legislation for DAP would remove from the public sphere, permitting untrammelled development with impunity by the Tasmanian state government. This is clearly only benefiting corporations and developers, leaving the majority of the state population to live with the fallout of deeply opaque and unsustainable planning decisions. Studies have shown that our planning process in Tasmania currently performs better than many mainland frameworks, and while improvements could be made the unilateral removal of council and voter input is not the path forward. Removing planning independence in tandem with the possibility of planning appeals - except for the crushingly expensive supreme court option - while increasing Ministerial powers is a recipe for disaster.

The [2025 revised DAPs legislation](#) is not significantly changed from the 2024 version that was refused by the parliament and retains all the key flaws. I oppose the creation of Development Assessment Panels (DAPs) and increasing ministerial power over the planning system, for the

following reasons:

- **The DAPs represent an alternate planning approval pathway allowing property developers to bypass local councils and communities.** This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities. Handpicked state appointed planning panels, conducted by the Tasmanian Planning Commission, will decide on development applications not our elected local councillors. Local concerns will be ignored in favour of developers who may not be from Tasmania, and may well only have an eye to profits rather than the best interests of residents, the environment and best sustainable practice.
- **The Tasmanian Planning Commission is not independent** – DAPs are hand-picked, without detailed selection criteria and objective processes. DAPs are inconsistent with the principles of open justice as they do not hold hearings that are open to any member of the public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review). DAPs do not have to provide written reasons for their decision (making it difficult to seek judicial review). Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision. Our only hope in this case may well be that behind closed doors Signal groups are being formed, a la Pete Hegseth so we would have some chance of following planning moves and developments in real time.
- **Research demonstrates DAPs are pro-development and pro-government,** they rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions. Please see my opening discussion of the current efficacy of our system as is.
- **DAPs will make it easier to approve large scale contentious developments** like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay

campus re-development.

- **Removes merit-based planning appeal rights** via the planning tribunal on all the issues the community cares about like impacts on biodiversity; height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more. The Tasmanian Civil and Administrative Tribunal (TASCAT) review of government decisions is an essential part of the rule of law and a democratic system of government based on '*checks and balances*'.
- **Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.**
- **Developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus and are prohibitively expensive.** As per my opening discussion above.
- **Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy.** The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption. Mainland experience demonstrates planning panels favour developers and undermine democratic accountability. Local planning panels, which are often dominated by members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum [say](#) they favour developers and undermine democratic accountability. Mainland [research](#) demonstrates removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social. When I lived on the mainland I experienced first hand the chaos of opaque and corrupt development decisions and have no wish to see this replicated in other parts of the country. Tasmania will lose far more than it gains if merits-based planning appeals are removed.
- **Increased ministerial power over the planning system increases**

the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions. The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning. Far from the advertised "taking the politics out of planning", this move firmly centres politico-corporate interests, which again, is not in the state's best interests.

- **Eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked.** The Minister can declare a development to be assessed by a DAP based on a '*perceived conflict of interest*', '*a real or perceived bias*', '*the application relates to a development that may be considered significant*'. The Planning Minister has political bias and can use this subjective criteria to intervene on virtually any development in favour of developers.

NOTE: The scope of the DAPs includes a range of other subjective factors that are not guided by any clear criteria, as follows:

- Valuations of \$10 million in cities and \$5 million in other areas.
- A determination by Homes Tasmania that an application includes social or affordable housing. There is no requirement for a proportion of the development to be for social or affordable housing. For example, it could be one house out of 200 that is affordable. We are living through unprecedented housing shortages and already live with the outcome of a lack of social housing - this is not the time to double down on housing inequity.

- **Poor justification** – there is no problem to fix. Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in Australia. In some years as many as 80% of appeals are resolved via mediation. The Government wants to falsely blame the planning system for stopping housing developments to cover its lack of performance in addressing the affordable housing shortage.

Increases complexity in an already complex planning system. Why would we further increase an already complex planning system which is already making decisions quicker than any other jurisdiction in Australia?

2025 legislation not significantly changed, as noted above.

- The changes made to the DAPs legislation that was refused by the Parliament in November 2024 are not significant and all the key flaws remain. The changes made do not have any significant practical impact.
- One eligibility criterion has been removed, that a project is likely to be 'controversial', but the other equally broad and undefined criteria are retained (as listed above). There is no impact from this change because virtually any development can fit the remaining criteria.
- Removal of the option for the minister to transfer a development partway through a council assessment is not significant because a proponent can remove their development from council assessment before requesting the minister have it assessed by a DAP.
- The dollar value thresholds have been increased to \$10 million and above in metro areas and \$5 million and above in non-metro areas which is claimed will restrict the number of DAP applications. Projects under these values are still eligible under the other broad and undefined criteria.
- The Tasmanian Planning Commission will be able to issue guidelines to assist with applying the eligibility criteria, but this makes no difference as the Commission is not required to make the guidelines and the Minister only needs to '*consider*' them.
- There has been an amendment to allow the DAPs to undertake mediation, but the Tasmanian Planning Commission is inexperienced in mediation and no clear process or rights have been established for objectors, unlike the Tasmanian Civil and Administrative Tribunal (TASCAT). The amendment does not allow the DAP approval to be decided by mediation, just minor disputes in the process.

Say yes to a healthy democracy

- I call on you to ensure transparency, independence, accountability

and public participation in decision-making within the planning system, as they are critical for a healthy democracy. Keep decision making local, rather than bypassing it, with opportunities for appeal. Abandon DAPs and instead invest in expertise to improve the local government system and existing planning processes by providing more resources to councils and enhancing community participation and planning outcomes. This will also help protect local jobs and keeping the cost of development applications down.

- I also call on you to prohibit property developers from making donations to political parties, enhance transparency and efficiency in the administration of the *Right to Information Act 2009*, and create a strong anti-corruption watchdog. This will do far more to combat opacity and developer bias in planning and keep Tasmanian residents and councils in a position of choice and voice.

Yours sincerely,
Annetta Mallon

Dr Annetta Mallon (she/her/hers)

Researcher | End of life consultant and educator | academic | Plan your end of life and live better

Everyone deserves dignity and respect at end of life - gdep.com.au

Pallitorre land kooparooni niara lutruwita / Tasmania

I acknowledge the Traditional Owners of country throughout Australia and recognise their continuing connection to land, waters and culture, and that sovereignty was never ceded. I pay my respects to their Elders past, present and emerging, and also to those who were not able to attain elder status.