

Development Assessment Panel Framework Position Paper

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348 Julius Roberts
349 Michelle Delany
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From:

Sent:

To:

Subject:

Sunday, 26 November 2023 1:13 PM

State Planning Office Your Say

Submission against Development Assessment Panels

I oppose the introduction of Development Assessment Panels because:

- * they will add further complication to the existing system
- * they reduce the democratic rights of the community.

Issue 1 Types of Development applications

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- * Councils can share skills and resources in the planning area to ensure access to deal with complex issues.

Issue 2 An enhanced role for the Minister

- * The Minister should not be given an enhanced role. Sufficient authority exists in current legislation.

Issue 3 Retaining local input

- * Council should be the primary contact for applicants and its role should not be diminished.
- * Consultation on any proposal should occur at the beginning of the process. The current system of Council being the Planning Authority provides for this.
- * This proposal reduces democratic rights for no perceived public good.

Issue 4 Resolving issues associated with requests for, and responses to, further information

- * Requests for further information will occur where the developer does not submit the relevant supporting documents with their application. The cable car proposals for Mt Wellington was a perfect example of failure to provide satisfaction of the requirements of the planning scheme in the original proposal. This led to continual requests and responses.
- * Anecdotal evidence is never reliable data. Mention of it in this document is an example of bias being allowed to intrude on the planning scheme. Collect reliable evidence-based data before you implement DAPs and get community approval

Issue 5 Appeal rights and assessment time frames.

- * Special pathways are not faster, cheaper, simpler or FAIRER.
- * Applications that require approval under discretionary provisions rather than acceptable solutions and performance criteria will always take longer to assess
- * Public right of consultation and comment must be guaranteed.
- * All structures are permanent features on the landscape and within the community so should be assessed under existing systems with local input at all stages.

Issue 6 Roles of the planning authority after DAP determination

- * The expectation that the DAP will 'engage extensively with the planning authority' provides no

simplification to the process or reduction of Council work loads but simply adds more red tape and cost.

It is not the planning system which is stopping development currently it is a lack of qualified workers and shortage of materials. Within Hobart there are a number of developments approved and awaiting construction.

Your name: Jane Elizabeth Richardson

Your email:

**My additional
comments::**

From:

Sent:

To:

Subject:

Sunday, 26 November 2023 1:05 PM

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Your name: Linda Oliver

Your email:

**My additional
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From:

Sent:

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Your name: Larry Smith

Your email:

**My additional
comments::**

From:

Sent:

To:

Subject:

Sunday, 26 November 2023 12:50 PM

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Your name: David Gardiner

Your email:

**My additional
comments::**

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Sunday, 26 November 2023 12:40 PM

To:

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Your name: Helen Walne

Your email:

My additional comments:: We already have long delays and complex difficulties with DA's at Council level - why further complicate the process with more (less-than qualified) bureaucratic processes. Improve the ones already in existence rather than creating another level of difficulty.

From: Marton Hidas <>
Sent: Sunday, 26 November 2023 12:34 PM
To: State Planning Office Your Say
Cc:
Subject: Protect our local democracy - say NO to Liberal's new planning panels

Say no to the Liberals new planning panels

I oppose the creation of planning panels and increasing ministerial power over the planning system, for the following reasons:

- **It will create an alternate planning approval pathway allowing property developers to bypass local councils and communities.** Handpicked state appointed planning panels will decide on development applications, not our elected local council representatives. Local concerns will be ignored in favour of the developers who may not be from Tasmania. Also, if an assessment isn't going their way the developer can abandon the standard local council process at any time and have a development assessed by a planning panel. This could intimidate councils into conceding to developers' demands.
- **Makes 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.
- **Removes merit-based planning appeal rights** via the planning tribunal on issues like height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and other potential amenity impacts and so much more. Developments will only be appealable to the Supreme Court based on a point of law or process.
- **Removing merits-based planning appeals has the potential to increase corruption and reduce good planning outcomes.** The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption.
- **Increased ministerial power over the planning system increases the politicisation of planning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the planning panel 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.

- **Flawed planning panel criteria.** Changing an approval process where one of the criteria is on the basis of 'perceived conflict of interest' is fraught. The Planning Minister has political bias and can use this subjective criteria to intervene on any development in favour of developers.
- **Undermines local democracy and removes local decision making.** State appointed hand-picked planning panels are not democratically accountable, they remove local decision making and reduce transparency and robust decision making.
- **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.
- **Poor justification – there is no problem to fix.** Only about 1% of council planning decisions go to appeal and Tasmania's planning system is already among the fastest, if not the fastest, in Australia when it comes to determining development applications.
- **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?

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 with opportunities for appeal. Abandon the planning panels and instead take action to improve governance and the existing Council planning process by providing more resources to councils and enhancing community participation and planning outcomes.
- 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.**

Please consider the points above as a submission regarding the [Position Paper on a proposed Development Assessment Panel \(DAP\) Framework](#) , which is currently open for public comment.

Thank you.

Yours sincerely,

Marton Hidas

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Sent:

Sunday, 26 November 2023 12:32 PM

To:

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Your name: Jeanette Lewis

Your email:

My additional comments:: Hobart is a beautiful city because is mostly low and medium rise with high rise business premises in the CBD

From:

Sent:

Sunday, 26 November 2023 12:07 PM

To:

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Your name: diane.smith

Your email:

**My additional
comments::**

From:

Sent:

To:

Subject:

Sunday, 26 November 2023 12:00 PM

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Your name: Peter Franklin

Your email:

**My additional
comments::**

From:

Sent:

Sunday, 26 November 2023 11:37 AM

To:

State Planning Office Your Say

Subject:

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Your name: Anna Read

Your email:

My additional comments:: Really!!!! Could this government try any harder to remove the wishes of the people it claims to represent. Liberals governments are meant to support democracy at the grassroots level. All I see is any opportunity to create policies to remove the will of the people . If you want another term Mr Rockcliffe you and your team should focus on the will of the people. Stop trying to remove our democratic right to have a voice in what directly affects us!

From:

Sent:

To:

Subject:

Sunday, 26 November 2023 11:35 AM

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Your name: Bill Brooks

Your email:

My additional comments:: Another example of the government lessening public comment in order pursue it's own biased agenda.

From:

Sent:

To:

Subject:

Sunday, 26 November 2023 11:29 AM

State Planning Office Your Say

Submission against Development Assessment Panels

I oppose the introduction of Development Assessment Panels because:

- * they will add further complication to the existing system
- * they reduce the democratic rights of the community.

Issue 1 Types of Development applications

- * Critical infrastructure does not need a new panel because Major Projects Legislation or Projects of State Significance already provide an avenue for approval.
- * Perceived bias exists at all levels of the planning system. DAPs will only increase community perceptions of bias favouring developers in the planning scheme.
- * State Governments through the planning scheme limit or encourage certain types of development and the public perception is that a DAP is only to provide another mechanism to remove the local authority.
- * Councils can share skills and resources in the planning area to ensure access to deal with complex issues.

Issue 2 An enhanced role for the Minister

- * The Minister should not be given an enhanced role. Sufficient authority exists in current legislation.

Issue 3 Retaining local input

- * Council should be the primary contact for applicants and its role should not be diminished.
- * Consultation on any proposal should occur at the beginning of the process. The current system of Council being the Planning Authority provides for this.
- * This proposal reduces democratic rights for no perceived public good.

Issue 4 Resolving issues associated with requests for, and responses to, further information

- * Requests for further information will occur where the developer does not submit the relevant supporting documents with their application. The cable car proposals for Mt Wellington was a perfect example of failure to provide satisfaction of the requirements of the planning scheme in the original proposal. This led to continual requests and responses.
- * Anecdotal evidence is never reliable data. Mention of it in this document is an example of bias being allowed to intrude on the planning scheme. Collect reliable evidence-based data before you implement DAPs and get community approval

Issue 5 Appeal rights and assessment time frames.

- * Special pathways are not faster, cheaper, simpler or FAIRER.
- * Applications that require approval under discretionary provisions rather than acceptable solutions and performance criteria will always take longer to assess
- * Public right of consultation and comment must be guaranteed.
- * All structures are permanent features on the landscape and within the community so should be assessed under existing systems with local input at all stages.

Issue 6 Roles of the planning authority after DAP determination

- * The expectation that the DAP will 'engage extensively with the planning authority' provides no

simplification to the process or reduction of Council work loads but simply adds more red tape and cost.

It is not the planning system which is stopping development currently it is a lack of qualified workers and shortage of materials. Within Hobart there are a number of developments approved and awaiting construction.

Your name: Andrew Baird

Your email:

My additional comments:: Once implemented DAPs are unlikely to be removed meaning future governments of any persuasion or ideology could use them to their own purposes.

From:

Sent:

To:

Subject:

Sunday, 26 November 2023 11:11 AM

State Planning Office Your Say

Submission against Development Assessment Panels

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- * they will add further complication to the existing system
- * they reduce the democratic rights of the community.

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- * Councils can share skills and resources in the planning area to ensure access to deal with complex issues.

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- * The expectation that the DAP will 'engage extensively with the planning authority' provides no

simplification to the process or reduction of Council work loads but simply adds more red tape and cost.

It is not the planning system which is stopping development currently it is a lack of qualified workers and shortage of materials. Within Hobart there are a number of developments approved and awaiting construction.

Your name: Josephine Jaworsky

Your email:

My additional comments:: I wholeheartedly 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. NSW is an example of the corruption and misdirection that ensues with politicised planning streams. Keep decision-making local with opportunities for appeal. Abandon the planning panels and instead take action to improve governance and the existing Council planning process by providing more resources to councils and enhancing community participation and planning outcomes. [L SEP] I call on you to immediately prohibit property developers from making donations to political parties. I also call on you to create a strong anti-corruption watchdog.

From:

Sent:

Sunday, 26 November 2023 9:51 AM

To:

State Planning Office Your Say

Subject:

Submission against Development Assessment Panels

I oppose the introduction of Development Assessment Panels because:

- * they will add further complication to the existing system
- * they reduce the democratic rights of the community.

Issue 1 Types of Development applications

- * Critical infrastructure does not need a new panel because Major Projects Legislation or Projects of State Significance already provide an avenue for approval.
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- * Councils can share skills and resources in the planning area to ensure access to deal with complex issues.

Issue 2 An enhanced role for the Minister

- * The Minister should not be given an enhanced role. Sufficient authority exists in current legislation.

Issue 3 Retaining local input

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Issue 5 Appeal rights and assessment time frames.

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- * All structures are permanent features on the landscape and within the community so should be assessed under existing systems with local input at all stages.

Issue 6 Roles of the planning authority after DAP determination

- * The expectation that the DAP will 'engage extensively with the planning authority' provides no

simplification to the process or reduction of Council work loads but simply adds more red tape and cost.

It is not the planning system which is stopping development currently it is a lack of qualified workers and shortage of materials. Within Hobart there are a number of developments approved and awaiting construction.

Your name: Julia Bestwick

Your email:

**My additional
comments::**

From:

Sent:

Sunday, 26 November 2023 9:44 AM

To:

State Planning Office Your Say

Subject:

Submission against Development Assessment Panels

I oppose the introduction of Development Assessment Panels because:

- * they will add further complication to the existing system
- * they reduce the democratic rights of the community.

Issue 1 Types of Development applications

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- * Councils can share skills and resources in the planning area to ensure access to deal with complex issues.

Issue 2 An enhanced role for the Minister

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Issue 3 Retaining local input

- * Council should be the primary contact for applicants and its role should not be diminished.
- * Consultation on any proposal should occur at the beginning of the process. The current system of Council being the Planning Authority provides for this.
- * This proposal reduces democratic rights for no perceived public good.

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- * Requests for further information will occur where the developer does not submit the relevant supporting documents with their application. The cable car proposals for Mt Wellington was a perfect example of failure to provide satisfaction of the requirements of the planning scheme in the original proposal. This led to continual requests and responses.
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- * All structures are permanent features on the landscape and within the community so should be assessed under existing systems with local input at all stages.

Issue 6 Roles of the planning authority after DAP determination

- * The expectation that the DAP will 'engage extensively with the planning authority' provides no

simplification to the process or reduction of Council work loads but simply adds more red tape and cost.

It is not the planning system which is stopping development currently it is a lack of qualified workers and shortage of materials. Within Hobart there are a number of developments approved and awaiting construction.

Your name: JANE Paterson

Your email:

My additional comments:: I fully agree with ALL of the above points. We already drown in red/green tape at ALL levels of our excessive government structure in Australia. DO YOUR JOBS!

From:
Sent: Sunday, 26 November 2023 9:44 AM
To: State Planning Office Your Say
Subject: No to the Liberals new planning panels - Protect our local democracy

I oppose the creation of planning panels and increasing ministerial power (which is clearly politically motivated) over the planning system, for the following reasons:

- **It will provide an alternate planning approval pathway allowing property developers to bypass local councils and communities.** Handpicked state appointed planning panels (with likely no credentials or expertise) will be able to decide on large scale development applications not local council appointed expert Planners. Essentially the state political party in power (which has been the Liberals for the past decade) will be in control of approving large scale planning developments with no community or local council consultation. Local concerns will be ignored in favour of developers many of which have no consideration towards Tasmania's unique cultural and historical heritage. Also, if a developer is unhappy with the outcome of a local council planning assessment at anytime, they can elect to switch processes and have their development application assessed by a planning panel instead. Local Councils should manage developments within their own jurisdiction.
- **Will enable the fast-tracked approval of large-scale inappropriate developments** like the Kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point.
- **Remove merit-based planning appeal rights** via the planning tribunal on issues like height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and other potential amenity impacts and so much more. **Developments will only be appealable to the Supreme Court based on a point of law or process.**
- **Removing merits-based planning appeals has the potential to increase corruption and reduce good planning outcomes.** The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption.
- **Increased ministerial power over the planning system increases the politicisation of planning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the planning panel 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.
- **Flawed planning panel criteria.** Changing an approval process where one of the criteria is on the basis of 'perceived conflict of interest' is fraught. The Planning Minister has

political bias and can use this subjective criteria to intervene on any development in favour of developers.

- **Undermines local democracy and removes local decision making.** State appointed hand-picked planning panels are not democratically accountable, they remove local decision making and reduce transparency and robust decision making.
- **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.
- **Poor justification – there is no problem to fix.** Only about 1% of council planning decisions go to appeal and Tasmania's planning system is already among the fastest, if not the fastest, in Australia when it comes to determining development applications.
- **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?

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 with opportunities for appeal. Abandon the planning panels and instead take action to improve governance and the existing Council planning process by providing more resources to councils and enhancing community participation and planning outcomes.
- 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,

Jennifer Sheridan

From:

Sent:

Sunday, 26 November 2023 9:39 AM

To:

State Planning Office Your Say

Subject:

Submission against Development Assessment Panels

I oppose the introduction of Development Assessment Panels because:

- * they will add further complication to the existing system
- * they reduce the democratic rights of the community.

Issue 1 Types of Development applications

- * Critical infrastructure does not need a new panel because Major Projects Legislation or Projects of State Significance already provide an avenue for approval.
- * Perceived bias exists at all levels of the planning system. DAPs will only increase community perceptions of bias favouring developers in the planning scheme.
- * State Governments through the planning scheme limit or encourage certain types of development and the public perception is that a DAP is only to provide another mechanism to remove the local authority.
- * Councils can share skills and resources in the planning area to ensure access to deal with complex issues.

Issue 2 An enhanced role for the Minister

- * The Minister should not be given an enhanced role. Sufficient authority exists in current legislation.

Issue 3 Retaining local input

- * Council should be the primary contact for applicants and its role should not be diminished.
- * Consultation on any proposal should occur at the beginning of the process. The current system of Council being the Planning Authority provides for this.
- * This proposal reduces democratic rights for no perceived public good.

Issue 4 Resolving issues associated with requests for, and responses to, further information

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- * Anecdotal evidence is never reliable data. Mention of it in this document is an example of bias being allowed to intrude on the planning scheme. Collect reliable evidence-based data before you implement DAPs and get community approval

Issue 5 Appeal rights and assessment time frames.

- * Special pathways are not faster, cheaper, simpler or FAIRER.
- * Applications that require approval under discretionary provisions rather than acceptable solutions and performance criteria will always take longer to assess
- * Public right of consultation and comment must be guaranteed.
- * All structures are permanent features on the landscape and within the community so should be assessed under existing systems with local input at all stages.

Issue 6 Roles of the planning authority after DAP determination

- * The expectation that the DAP will 'engage extensively with the planning authority' provides no

simplification to the process or reduction of Council work loads but simply adds more red tape and cost.

It is not the planning system which is stopping development currently it is a lack of qualified workers and shortage of materials. Within Hobart there are a number of developments approved and awaiting construction.

Your name: Gail Ludeke

Your email:

**My additional
comments::**

From:

Sent:

To:

Subject:

Sunday, 26 November 2023 9:25 AM

State Planning Office Your Say

Submission against Development Assessment Panels

I oppose the introduction of Development Assessment Panels because:

- * they will add further complication to the existing system
- * they reduce the democratic rights of the community.

Issue 1 Types of Development applications

- * Critical infrastructure does not need a new panel because Major Projects Legislation or Projects of State Significance already provide an avenue for approval.
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Issue 6 Roles of the planning authority after DAP determination

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simplification to the process or reduction of Council work loads but simply adds more red tape and cost.

It is not the planning system which is stopping development currently it is a lack of qualified workers and shortage of materials. Within Hobart there are a number of developments approved and awaiting construction.

Your name: Annie Boxhall

Your email:

My additional comments:: State appointed hand-picked planning panels are not democratically accountable, they remove local decision making and reduce transparency and robust decision making. There is no problem to fix. Only about 1% of council planning decisions go to appeal and Tasmania's planning system is already among the fastest, if not the fastest, in Australia when it comes to determining development applications.

From: Matthew Willson <
Sent: Monday, 27 November 2023 9:14 PM
To: State Planning Office Your Say
Cc:
Subject: Protect our local democracy - say no to the Liberals new planning panels

I oppose the creation of planning panels and increasing ministerial power over the planning system, for the following reasons:

- **It will create an alternate planning approval pathway allowing property developers to bypass local councils and communities.** Handpicked state appointed planning panels will decide on development applications not your elected local council representatives. Local concerns will be ignored in favour of the developers who may not be from Tasmania. Also, if an assessment isn't going their way the developer can abandon the standard local council process at anytime and have a development assessed by a planning panel. This could intimidate councils into conceding to developers demands.
- **Makes 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.
- **Remove merit-based planning appeal rights** via the planning tribunal on issues like height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and other potential amenity impacts and so much more.
Developments will only be appealable to the Supreme Court based on a point of law or process.
- **Removing merits-based planning appeals has the potential to increase corruption and reduce good planning outcomes.** The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption.
- **Increased ministerial power over the planning system increases the politicisation of planning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the planning panel 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.
- **Flawed planning panel criteria.** Changing an approval process where one of the criteria is on the basis of 'perceived conflict of interest' is fraught. The Planning Minister has political bias and can use this subjective criteria to intervene on any development in favour of developers.

- **Undermines local democracy and removes and local decision making.** State appointed hand-picked planning panels are not democratically accountable, they remove local decision making and reduce transparency and robust decision making.
- **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.
- **Poor justification – there is no problem to fix.** Only about 1% of council planning decisions go to appeal and Tasmania’s planning system is already among the fastest, if not the fastest, in Australia when it comes to determining development applications.
- **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?

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 with opportunities for appeal. Abandon the planning panels and instead take action to improve governance and the existing Council planning process by providing more resources to councils and enhancing community participation and planning outcomes.

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**.

The [Position Paper on a proposed Development Assessment Panel \(DAP\) Framework](#) public comment has been invited between the 19 October and 30 November 2023. The submissions received on the Position Paper will inform a draft Bill which will be released for public comment most likely in January 2024, for a minimum of five weeks, before being tabled in Parliament in early 2024. The proposed Bill name is *Draft Land Use Planning and Approvals (Development Assessment Panel) Amendment Bill 2024*.

Yours sincerely,

Matt Willson

From:
Sent: Monday, 27 November 2023 8:31 PM
To: State Planning Office Your Say
Cc:
Subject: Protect our local democracy - say no to the Liberals new planning panels

Say no to the Liberals new planning panels

I oppose the creation of planning panels and increasing ministerial power over the planning system, for the following reasons:

- **It will create an alternate planning approval pathway allowing property developers to bypass local councils and communities.** Handpicked state appointed planning panels will decide on development applications not your elected local council representatives. Local concerns will be ignored in favour of the developers who may not be from Tasmania. Also, if an assessment isn't going their way the developer can abandon the standard local council process at anytime and have a development assessed by a planning panel. This could intimidate councils into conceding to developers demands.
- **Makes 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.
- **Remove merit-based planning appeal rights** via the planning tribunal on issues like height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and other potential amenity impacts and so much more. **Developments will only be appealable to the Supreme Court based on a point of law or process.**
- **Removing merits-based planning appeals has the potential to increase corruption and reduce good planning outcomes.** The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption.
- **Increased ministerial power over the planning system increases the politicisation of planning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the planning panel

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.

- **Flawed planning panel criteria.** Changing an approval process where one of the criteria is on the basis of 'perceived conflict of interest' is fraught. The Planning Minister has political bias and can use this subjective criteria to intervene on any development in favour of developers.
- **Undermines local democracy and removes local decision making.** State appointed hand-picked planning panels are not democratically accountable, they remove local decision making and reduce transparency and robust decision making.
- **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](#).
- **Poor justification – there is no problem to fix.** Only about 1% of council planning decisions go to appeal and Tasmania's planning system is already among the fastest, if not the fastest, in Australia when it comes to determining development applications.
- **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?

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 with opportunities for appeal. Abandon the planning panels and instead take action to improve governance and the existing Council planning process by providing more resources to councils and enhancing community participation and planning outcomes.

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.**

Thank you.

Yours sincerely,

Tana McMullen

From: Kerin Booth <>
Sent: Monday, 27 November 2023 7:58 PM
To: State Planning Office Your Say
Cc:
Subject: Concern for our local democracy

From:
Mrs Kerin Booth

I am very concerned about losing our local democracy if the Liberals proposed planning panels proceed.

Our local democracy will be lost if planning panels and increasing ministerial power over the planning system replace elected local government planning decisions.

I am opposed to the changes for the following reasons:

More choice for developers, with decisions by a government appointed planning panel and the Minister. This would bypass communities and their democratically elected local councils. valid concerns of local stakeholders will be ignored in favour of the developers who may not even be from Tasmania. Also, if an assessment isn't going their way the developer can abandon the standard local council process at any time and have a development assessed by a planning panel. This could intimidate councils into conceding to developers' demands.

Easier approval of large scale contentious developments, like the proposed Northern Correctional Facility, a.k.a The Deloraine Prison at Ashley, kunanyi/Mount Wellington cable car, inappropriate high-rise in Launceston and Hobart, Cambria Green on the East Coast and high-density subdivisions like Skylands at Droughty Point on Hobart's eastern shore.

It would remove merit-based planning appeal rights via the planning tribunal on issues like height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and other potential amenity impacts and so much more. An example of this was the CH Smith site in Launceston, for which there was a proposal back in 2005 for an inappropriate 10-storey hotel with a 75m high sky bridge across to Royal Park. Launceston City Council approved the development but a number of community members joined together at that time to appeal to RMPAT to have the decision overturned on many valid grounds with expert witnesses called to appear. Various conditions were placed by RMPAT on the development proposal and the developer did not proceed. Now, there is a much more appropriate development on that site because community members had the right to appeal the Council's decision, Just imagine the impact on Launceston's landscape, if that development had proceeded due to the community not having the right to appeal!

Developments will only be appealable to the Supreme Court based on a point of law or process. The community must have the right to appeal to the planning tribunal and not to the Supreme Court which would be beyond affordability by most in the community.

Removing merits-based planning appeals has the potential to increase corruption and reduce good planning outcomes. The NSW Independent Commission Against Corruption recommended the expansion of merit-based planning appeals as a deterrent to corruption.

Too much power in the hands of one Minister will surely lead to corruption and certainly to perceptions of corruption. The Planning Minister will decide if a development application meets the planning panel 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.

Flawed planning panel criteria. Changing an approval process where one of the criteria is on the basis of 'perceived conflict of interest' is fraught. The Planning Minister has political bias and can use this subjective criteria to intervene on any development in favour of developers.

Undermines local democracy and removes local decision making. State appointed hand-picked planning panels would remove local decision making and reduce transparency and robust decision making. Local Government democratically elected representatives are more likely to know their communities and be accountable to them. Communities can currently communicate their concerns about developments with Local Government, such as when there was a controversial proposal to have a Drug Rehab development in the centre of the small village of Meander in the former Primary School. In 2019, a group of Ratepayers and Residents

successfully appealed to the Resource Management and Planning Appeals Tribunal against Meander Valley Council's decision to lease the school for the rehab development. They lobbied their Council to hold a more appropriate consultation process. The outcome of the community consultation process resulted in a Neighbourhood House which is a far more appropriate fit for Meander that the community, Council and State Government are very pleased with. Another example of this was when opponents to the proposal for a prison in a Nature Reserve near Westbury, a most inappropriate site, were able to petition the Council calling for a Public Meeting to discuss the proposal. The Council and Government had to listen to the community as they knew there would likely be planning appeals if they proceeded with the development proposal. This would not be likely to happen under the proposed planning changes.

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 that they favour developers and undermine democratic accountability.

Poor justification – there is no problem to fix. Only about 1% of council planning decisions go to appeal and Tasmania's planning system is already among the fastest, if not the fastest, in Australia when it comes to determining development applications.

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?

Please 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 with opportunities for appeal.** Abandon the planning panels and instead take action to improve governance and the existing Council planning process by providing more resources to councils and enhancing community participation and planning outcomes.

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 make Tasmania a better place to live that communities will flourish in.

Sincerely,
Kerin Booth

From:

Sent:

Monday, 27 November 2023 6:47 PM

To:

State Planning Office Your Say

Subject:

Submission against Development Assessment Panels

I oppose the introduction of Development Assessment Panels because:

- * they will add further complication to the existing system
- * they reduce the democratic rights of the community.

Issue 1 Types of Development applications

- * Critical infrastructure does not need a new panel because Major Projects Legislation or Projects of State Significance already provide an avenue for approval.
- * Perceived bias exists at all levels of the planning system. DAPs will only increase community perceptions of bias favouring developers in the planning scheme.
- * State Governments through the planning scheme limit or encourage certain types of development and the public perception is that a DAP is only to provide another mechanism to remove the local authority.
- * Councils can share skills and resources in the planning area to ensure access to deal with complex issues.

Issue 2 An enhanced role for the Minister

- * The Minister should not be given an enhanced role. Sufficient authority exists in current legislation.

Issue 3 Retaining local input

- * Council should be the primary contact for applicants and its role should not be diminished.
- * Consultation on any proposal should occur at the beginning of the process. The current system of Council being the Planning Authority provides for this.
- * This proposal reduces democratic rights for no perceived public good.

Issue 4 Resolving issues associated with requests for, and responses to, further information

- * Requests for further information will occur where the developer does not submit the relevant supporting documents with their application. The cable car proposals for Mt Wellington was a perfect example of failure to provide satisfaction of the requirements of the planning scheme in the original proposal. This led to continual requests and responses.
- * Anecdotal evidence is never reliable data. Mention of it in this document is an example of bias being allowed to intrude on the planning scheme. Collect reliable evidence-based data before you implement DAPs and get community approval

Issue 5 Appeal rights and assessment time frames.

- * Special pathways are not faster, cheaper, simpler or FAIRER.
- * Applications that require approval under discretionary provisions rather than acceptable solutions and performance criteria will always take longer to assess
- * Public right of consultation and comment must be guaranteed.
- * All structures are permanent features on the landscape and within the community so should be assessed under existing systems with local input at all stages.

Issue 6 Roles of the planning authority after DAP determination

- * The expectation that the DAP will 'engage extensively with the planning authority' provides no

simplification to the process or reduction of Council work loads but simply adds more red tape and cost.

It is not the planning system which is stopping development currently it is a lack of qualified workers and shortage of materials. Within Hobart there are a number of developments approved and awaiting construction.

Your name: Arthur Burgess

Your email:

My additional comments:: The current local government planning system is not broken- Tasmania does not need an alternative planning scheme, especially for large controversial proposals.

From:

Sent:

Monday, 27 November 2023 5:30 PM

To:

State Planning Office Your Say

Subject:

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simplification to the process or reduction of Council work loads but simply adds more red tape and cost.

It is not the planning system which is stopping development currently it is a lack of qualified workers and shortage of materials. Within Hobart there are a number of developments approved and awaiting construction.

Your name: Robert Burgess

Your email:

My additional comments:: Anecdotally, DAP's in other States have not been successful from a community acceptability perspective, because they favour developer's interests.

From: mike c <
Sent: Monday, 27 November 2023 5:28 PM
To: State Planning Office Your Say
Cc:
Subject: Opposition to proposed new planning panels

I oppose the creation of planning panels and increasing ministerial power over the planning system, for the following reasons:

- **It will create an alternate planning approval pathway allowing property developers to bypass local councils and communities.** Handpicked state appointed planning panels will decide on development applications not elected local council representatives. Local concerns will be ignored in favour of the developers who may not be from Tasmania. Also, if an assessment isn't going their way the developer can abandon the standard local council process at anytime and have a development assessed by a planning panel. This could intimidate councils into conceding to developers demands.
- **Makes 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.
- **Remove merit-based planning appeal rights** via the planning tribunal on issues like height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and other potential amenity impacts and so much more. **Developments will only be appealable to the Supreme Court based on a point of law or process.**
- **Removing merits-based planning appeals has the potential to increase corruption and reduce good planning outcomes.** The NSW Independent Commission Against

Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption.

- **Increased ministerial power over the planning system increases the politicisation of planning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the planning panel 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.
- **Flawed planning panel criteria.** Changing an approval process where one of the criteria is on the basis of 'perceived conflict of interest' is fraught. The Planning Minister has political bias and can use this subjective criteria to intervene on any development in favour of developers.
- **Undermines local democracy and removes local decision making.** State appointed hand-picked planning panels are not democratically accountable, they remove local decision making and reduce transparency and robust decision making.
- **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.
- **Poor justification – there is no problem to fix.** Only about 1% of council planning decisions go to appeal and Tasmania's planning system is already among the fastest, if not the fastest, in Australia when it comes to determining development applications.
- **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?

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 with opportunities for appeal. Abandon the planning panels and instead take action to improve governance and the existing Council planning process by providing more resources to councils and enhancing community participation and planning outcomes.
- 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**.

Michael Comfort

From:

Sent:

Monday, 27 November 2023 5:02 PM

To:

State Planning Office Your Say

Subject:

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I oppose the introduction of Development Assessment Panels because:

- * they will add further complication to the existing system
- * they reduce the democratic rights of the community.

Issue 1 Types of Development applications

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Issue 2 An enhanced role for the Minister

- * The Minister should not be given an enhanced role. Sufficient authority exists in current legislation.

Issue 3 Retaining local input

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Issue 6 Roles of the planning authority after DAP determination

- * The expectation that the DAP will 'engage extensively with the planning authority' provides no

simplification to the process or reduction of Council work loads but simply adds more red tape and cost.

It is not the planning system which is stopping development currently it is a lack of qualified workers and shortage of materials. Within Hobart there are a number of developments approved and awaiting construction.

Your name: Barbara Enraght-Moony

Your email:

**My additional
comments::**

From:

Sent:

Monday, 27 November 2023 4:05 PM

To:

State Planning Office Your Say

Subject:

Submission against Development Assessment Panels

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- * they will add further complication to the existing system
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Your name: Merryn Obrien

Your email:

My additional comments:: We have a DEMOCRATIC process in place that gives the public the right to make decisions. It works fine and gives the public the right to object to nonsense. Take that away and we no longer have a democracy. Nobody has any right to take that away. The public has the right to object. SIMPLE!!! This proposal is an attempt by a very corrupt group of people who want to stop our rights to object to the proposed development. If this happens then this means the government can do anything they want. Wake up HOBART we are not 'that' stupid.

From:

Sent:

Monday, 27 November 2023 3:56 PM

To:

State Planning Office Your Say

Subject:

Submission against Development Assessment Panels

I oppose the introduction of Development Assessment Panels because:

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Your name: Kerry Anne Johnstone

Your email:

**My additional
comments::**

Department of Natural Resources and Environment Tasmania

OFFICE OF THE SECRETARY

Hobart GPO Box 44, Hobart, Tasmania, 7001

Launceston PO Box 46, Kings Meadows, Tasmania, 7249

Devonport PO Box 303, Devonport, Tasmania, 7310

Ph 1300 368 550

Web nre.tas.gov.au



Our ref: D23-345605; D23-345601; 23/8439.001

State Planning Office

Department of Premier and Cabinet

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

Draft Land Use Planning and Approvals (Development Assessment Panel) Amendment Bill 2024

I am writing in relation to the letter from the Minister for Planning, the Hon Michael Ferguson MP, dated 19 October 2023 providing the Department of Natural Resources and Environment Tasmania (NRE Tas) with the opportunity to provide feedback on the Position Paper - Development Assessment Panel Framework.

NRE Tas has no comment to make on the proposed Development Assessment Panel Framework.

Should the State Planning Office have any questions in relation to this matter the NRE Tas contact officer is Richard Cuskelly, Projects and Policy Officer, Strategic Projects and Policy. Mr Cuskelly can be contacted by phone on or by email at

for

Jason Jacobi

SECRETARY

27 November 2023

From: Amanda Sully <>
Sent: Monday, 27 November 2023 2:13 PM
To: State Planning Office Your Say
Cc: No to New Planning Panels Eroding our Democracy

Subject:

ATTN Tasmanian MP,

Many Tasmanians are alarmed at the Liberals new plan which erodes their say in developments and approvals.

I oppose the creation of planning panels and increasing ministerial power over the planning system, for the following reasons:

- **It will create an alternate planning approval pathway allowing property developers to bypass local councils and communities.** Handpicked state appointed planning panels will decide on development applications not your elected local council representatives. Local concerns will be ignored in favour of the developers who may not be from Tasmania. Also, if an assessment isn't going their way the developer can abandon the standard local council process at anytime and have a development assessed by a planning panel. This could intimidate councils into conceding to developers demands.
- **Makes 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.
- **Remove merit-based planning appeal rights** via the planning tribunal on issues like height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and other potential amenity impacts and so much more. **Developments will only be appealable to the Supreme Court based on a point of law or process.**

- **Removing merits-based planning appeals has the potential to increase corruption and reduce good planning outcomes.** The NSW Independent Commission Against Corruption **recommended** the expansion of merit-based planning appeals as a deterrent to corruption.
- **Increased ministerial power over the planning system increases the politicisation of planning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the planning panel 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.
- **Flawed planning panel criteria.** Changing an approval process where one of the criteria is on the basis of 'perceived conflict of interest' is fraught. The Planning Minister has political bias and can use this subjective criteria to intervene on any development in favour of developers.
- **Undermines local democracy and removes local decision making.** State appointed hand-picked planning panels are not democratically accountable, they remove local decision making and reduce transparency and robust decision making.
- **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.
- **Poor justification – there is no problem to fix.** Only about 1% of council planning decisions go to appeal and Tasmania's planning system is already among the fastest, if not the fastest, in Australia when it comes to determining development applications.
- **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?

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 with opportunities for appeal. Abandon the planning panels and instead take action to improve governance and the existing Council planning process by providing more resources to councils and enhancing community participation and planning outcomes.
- 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.**

I urge you to defend our right to have a say!
Yours sincerely Amanda Sully

From: trevor leonard <>
Sent: Monday, 27 November 2023 1:38 PM
To: State Planning Office Your Say
Cc:
Subject: Planning

Say no to the Liberals new planning panels

I oppose the creation of planning panels and increasing ministerial power over the planning system, for the following reasons:

- **It will create an alternate planning approval pathway allowing property developers to bypass local councils and communities.** Handpicked state appointed planning panels will decide on development applications not your elected local council representatives. Local concerns will be ignored in favour of the developers who may not be from Tasmania. Also, if an assessment isn't going their way the developer can abandon the standard local council process at anytime and have a development assessed by a planning panel. This could intimidate councils into conceding to developers demands.
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- 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.**

Kind regards Trevor Leonard

Ratepayer Launceston and Break o Day

From: Celia Boden <
Sent: Monday, 27 November 2023 1:36 PM
To: State Planning Office Your Say
Cc:
Subject: Protect our local democracy - say no to the Liberals new planning panels

Say no to the Liberals new planning panels

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The [Position Paper on a proposed Development Assessment Panel \(DAP\) Framework](#) public comment has been invited between the 19 October and 30 November 2023.

The submissions received on the Position Paper will inform a draft Bill which will be released for public comment most likely in January 2024, for a minimum of five weeks, before being tabled in Parliament in early 2024.

The proposed Bill name is *Draft Land Use Planning and Approvals (Development Assessment Panel) Amendment Bill 2024*.

Yours sincerely,

Celia Boden

From: BRADLEY HUDSON <
Sent: > Monday, 27 November 2023 12:31 PM
To: State Planning Office Your Say
Subject: State Planning Office / Development Assessment Panel

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- **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.
- **Poor justification – there is no problem to fix.** Only about 1% of council planning decisions go to appeal and Tasmania's planning system is already among the fastest, if not the fastest, in Australia when it comes to determining development applications.
- **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?

Regards,
Bradley

Bradley Hudson

From: Anna Brooks <
Sent: > Monday, 27 November 2023 12:24 PM
To: State Planning Office Your Say
Subject: Development Application Panel Position Paper

To the State Planning Office.

I write to submit my views on the Development Application Panel (DAP) Position Paper.

1. Under 'Consultation Issue 1', the table on page 8 lists several proposed reasons to send planning applications to a DAP and away from councils. I do not agree with most of these proposed reasons. I think that development decisions should stay with councils except when councillors themselves express lack of expertise for the decision, or when they view themselves to have conflict of interest or bias, or when they are shown objectively to have not followed planning matters in their decisions. For complex proposals, councils can already seek advice of independent experts when making planning decisions. So there is no automatic need to refer decisions to a DAP because a proposal is complex or expensive.
2. I am concerned at the suggestion to create new Development Assessment Panels to make planning decisions, and that these panels be appointed by government. Surely if the panels are appointed by government they are not independent.
3. I am concerned at suggestions that the planning be taken out of a Council decision-making process if councillors are 'perceived to be' conflicted or compromised. This suggests using a completely subjective reason for taking planning matters away and in my view is unacceptable. Taking planning decisions away from council should only be done for objective reasons, not 'perceptions'.
4. I am against the suggestion of increasing the Minister's powers to direct the initiation of planning scheme amendments. Involvement of the Minister in such situations is putting politics INTO the planning process, given that the Minister is a member of a political party.
5. The position paper refers to 'anecdotal' evidence that some councils use the request for further information to delay or frustrate applications unnecessarily. Yet the paper also states that Tasmania planning applications are, on average, dealt with more quickly than interstate counterparts. Therefore, the objective data indicate that delays are not actually a great issue in Tasmania. Anecdotes should not be used as a reason to change significant processes. Objective evidence should be examined.
6. I am concerned at any process that reduces the input of local knowledge and rights of appeal. The proposed changes in the position paper seem to reduce both these things.

Yours faithfully,

Anna Brooks

36 Darling Pde

Mount Stuart

TAS 7000

From: Paul Turner <>
Sent: Monday, 27 November 2023 12:21 PM
To: State Planning Office Your Say
Cc:
Subject: Response to Position Paper on a proposed Development Assessment Panel (DAP) Framework

Re: Position Paper on a proposed Development Assessment Panel (DAP) Framework

I am writing to express my opposition to the creation of planning panels and to an increase in ministerial power over the Tasmanian planning system. In this regard, I would like to draw your attention to my specific concerns with the proposed changes as follows:

DAP will create an alternate planning approval pathway allowing property developers to bypass local councils and communities. Handpicked state appointed planning panels will decide on development applications not elected local council representatives. Local concerns may be marginalised or ignored in favour of the development at all costs, to the detriment of Tasmania and the Tasmanian community. It also opens up the possibility that where conventional assessments are not progressing as a developer wishes, they will be able to abandon the standard local council process at any-time and opt to have a development assessed by a planning panel. This is likely to hamper existing processes and may be used as an instrument to intimidate councils into conceding to developers demands.

DAP is likely to make approval of large scale contentious developments easier. As examples consider the following: the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point.

DAP will remove merit-based planning appeal rights via the planning tribunal on issues like height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and other potential amenity impacts and so much more.

Developments will only be appealable to the Supreme Court based on a point of law or process. This is an extremely worrying lack of oversight of such major changes to the planning system

Removing merits-based planning appeals has the potential to open up the risk of an increase in corruption and a reduction in balanced planning outcomes. The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption.

Increased ministerial power over the planning system increases the politicisation of planning and risk of politically driven decisions. The Planning Minister will be able to decide if a development application meets the planning panel 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.

Flawed planning panel criteria. Changing an approval process where one of the criteria is on the basis of 'perceived conflict of interest' is fraught. The Planning Minister may face political pressure or display bias and may use this subjective criteria to intervene on any development in favour of developers and /or the interests of his/her political party.

Has the potential to **undermines local democracy and removes local decision making.** State appointed hand-picked planning panels are not democratically accountable, they remove local decision making and reduce transparency and robust decision making.

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](#).

There has been poor justification for DAP in the position paper. Only about 1% of council planning decisions go to appeal and Tasmania's planning system is already among the fastest, if not the fastest, in Australia when it comes to determining development applications. This raises concerns about the underlying motivation for the proposal to introduce DAP.

I am recommending:

- **Abandoning the planning panels** proposal and instead take action to improve governance and the existing Council planning process by providing more resources to councils and enhancing community participation and planning outcomes.
- **Ensuring transparency, independence, accountability and public participation in decision-making within the planning system**, as these are all critical for a healthy democracy. Keep decision making local with opportunities for appeal.
- 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.**

Thank you

Kindest Regards

Paul

Dr Paul Turner

From: Danielle Pacaud <>
Sent: Monday, 27 November 2023 11:27 AM
To: State Planning Office Your Say
Cc:
Subject: Please hear our community and protect local democracy in Planning Decisions

I write on behalf of the South Hobart Planning Group, a collaboration between South Hobart Sustainable Community and South Hobart Progress Association. We oppose the creation of planning panels and increasing ministerial power over the planning system, for the following reasons:

- **It will create an alternate planning approval pathway allowing property developers to bypass local councils and communities.** Handpicked state appointed planning panels will decide on development applications not your elected local council representatives. Local concerns will be ignored in favour of the developers who may not be from Tasmania. Also, if an assessment isn't going their way the developer can abandon the standard local council process at anytime and have a development assessed by a planning panel. This could intimidate councils into conceding to developers demands.
- **Makes 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.
- **Remove merit-based planning appeal rights** via the planning tribunal on issues like height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and other potential amenity impacts and so much more. **Developments will only be appealable to the Supreme Court based on a point of law or process.**

- **Removing merits-based planning appeals has the potential to increase corruption and reduce good planning outcomes.** The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption.
- **Increased ministerial power over the planning system increases the politicisation of planning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the planning panel 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.
- **Flawed planning panel criteria.** Changing an approval process where one of the criteria is on the basis of 'perceived conflict of interest' is fraught. The Planning Minister has political bias and can use this subjective criteria to intervene on any development in favour of developers.
- **Undermines local democracy and removes local decision making.** State appointed hand-picked planning panels are not democratically accountable, they remove local decision making and reduce transparency and robust decision making.
- **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.
- **Poor justification – there is no problem to fix.** Only about 1% of council planning decisions go to appeal and Tasmania's planning system is already among the fastest, if not the fastest, in Australia when it comes to determining development applications.
- **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?

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 with opportunities for appeal. Abandon the planning panels and instead take action to improve governance and the existing Council planning process by providing more resources to councils and enhancing community participation and planning outcomes.
- 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

Danielle Pacaud

From: sally edith <>
Sent: Monday, 27 November 2023 11:13 AM
To: State Planning Office Your Say
Cc:
Subject: Protect our local democracy - say no to the Liberals new planning panels

Say NO to the Liberals new planning panels

I oppose the creation of planning panels and increasing ministerial power over the planning system, for the following reasons:

- **It will create an alternate planning approval pathway allowing property developers to bypass local councils and communities.** Handpicked state appointed planning panels will decide on development applications not your elected local council representatives. Local concerns will be ignored in favour of the developers who may not be from Tasmania. Also, if an assessment isn't going their way the developer can abandon the standard local council process at anytime and have a development assessed by a planning panel. This could intimidate councils into conceding to developers demands.
- **Makes 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.
- **Remove merit-based planning appeal rights** via the planning tribunal on issues like height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and other potential amenity impacts and so much more. **Developments will only be appealable to the Supreme Court based on a point of law or process.**

Removing merits-based planning appeals has the potential to increase corruption and reduce good planning outcomes. The NSW Independent Commission Against Corruption **recommended** the expansion of merit-based planning appeals as a deterrent to corruption.

Increased ministerial power over the planning system increases the politicisation of planning and risk of corrupt decisions. The Planning Minister will decide if a development application meets the planning panel 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.

Flawed planning panel criteria. Changing an approval process where one of the criteria is on the basis of 'perceived conflict of interest' is fraught. The Planning Minister has political bias and can use this subjective criteria to intervene on any development in favour of developers.

Undermines local democracy and removes local decision making. State appointed hand-picked planning panels are not democratically accountable, they remove local decision making and reduce transparency and robust decision making.

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.

Poor justification – there is no problem to fix. Only about 1% of council planning decisions go to appeal and Tasmania's planning system is already among the fastest, if not the fastest, in Australia when it comes to determining development applications.

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?

We need to 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 with opportunities for appeal. Abandon the planning panels and instead take action to improve governance and the existing Council planning process by providing more resources to councils and enhancing community participation and planning outcomes.

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,
Sally Edith

From: Carrie Southern <> Monday, 27 November 2023
Sent: 11:11 AM
To: State Planning Office Your Say
Subject: No to the Liberals proposed planning panels

I oppose the creation of planning panels and increasing ministerial power over the planning system, for the following reasons:

- **It will create an alternate planning approval pathway allowing property developers to bypass local councils and communities.** Handpicked state appointed planning panels will decide on development applications not your elected local council representatives. Local concerns will be ignored in favour of the developers who may not be from Tasmania. Also, if an assessment isn't going their way the developer can abandon the standard local council process at anytime and have a development assessed by a planning panel. This could intimidate councils into conceding to developers demands.
- **Makes 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.
- **Remove merit-based planning appeal rights** via the planning tribunal on issues like height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and other potential amenity impacts and so much more. **Developments will only be appealable to the Supreme Court based on a point of law or process.**
- **Removing merits-based planning appeals has the potential to increase corruption and reduce good planning outcomes.** The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption.
- **Increased ministerial power over the planning system increases the politicisation of planning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the planning panel 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.
- **Flawed planning panel criteria.** Changing an approval process where one of the criteria is on the basis of 'perceived conflict of interest' is fraught. The Planning Minister has political bias and can use this subjective criteria to intervene on any development in favour of developers.

- **Undermines local democracy and removes local decision making.** State appointed hand-picked planning panels are not democratically accountable, they remove local decision making and reduce transparency and robust decision making.
- **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.
- **Poor justification – there is no problem to fix.** Only about 1% of council planning decisions go to appeal and Tasmania’s planning system is already among the fastest, if not the fastest, in Australia when it comes to determining development applications.
- **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?

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 with opportunities for appeal. Abandon the planning panels and instead take action to improve governance and the existing Council planning process by providing more resources to councils and enhancing community participation and planning outcomes.
- 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**.

The [Position Paper on a proposed Development Assessment Panel \(DAP\) Framework](#) public comment has been invited between the 19 October and 30 November 2023.

The submissions received on the Position Paper will inform a draft Bill which will be released for public comment most likely in January 2024, for a minimum of five weeks, before being tabled in Parliament in early 2024.

The proposed Bill name is *Draft Land Use Planning and Approvals (Development Assessment Panel) Amendment Bill 2024*.

Regards,

Carrie Southern

From: John Borojevic <>
Sent: Monday, 27 November 2023 11:06 AM
To: State Planning Office Your Say
Cc:
Subject: I am opposed to the Liberals new planning panels - Please ensure they are not enacted.

I write to oppose the creation of planning panels and increasing ministerial power over the planning system.

I and many others I know, strongly value the role of local councils in planning and development decision making. Local representation ensures that the values and unique features of the local community are taken into account in decision making, and that decision makers who do not adequately reflect this are held accountable at future elections. Unelected, unaccountable Planning Panels are anti-democratic and alienate the community, depriving them of a say in how their community should develop, what things could be improved, what things should remain unchanged or be protected due to their historic or cultural significance or the amenity they provide and what developments should be opposed or rejected. The proposed Planning panels are unnecessary and dangerous and must be opposed for a range of reasons including that:

- **The panels will create an alternate planning approval pathway allowing property developers to bypass local councils and communities.** Hand-picked state appointed planning panels will decide on development applications not elected local council representatives. Local concerns will be ignored in favour of the developers who may not be from Tasmania. Also, if an assessment isn't going their way the developer can abandon the standard local council process at anytime and have a development assessed by a planning panel. This could intimidate councils into conceding to developers demands.
- **The panels will make it easier to over-ride community wishes and approve large scale controversial developments** like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point no matter how inappropriate they are and no matter how much public opposition there may be.
- **They remove merit-based planning appeal rights** via the planning tribunal on issues like height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and

overlooking; traffic, noise, smell, light and other potential amenity impacts and so much more.
Developments will only be appellable to the Supreme Court based on a point of law or process.

- **Removing merits-based planning appeals has the potential to increase corruption and reduce good planning outcomes.** The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption.
- **Increased ministerial power over the planning system increases the politicisation of planning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the planning panel 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. this is too much power in one persons hands - and most probably someone with no planning expertise or connection to the local community affected by their decisions.
- **Flawed planning panel criteria.** Changing an approval process where one of the criteria is on the basis of 'perceived conflict of interest' is fraught. The Planning Minister has political bias and can use this subjective criteria to intervene on any development in favour of developers.
- **Undermines local democracy and removes local decision making.** State appointed hand-picked planning panels are not democratically accountable, they remove local decision making and reduce transparency and robust decision making.
- **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](#).
- **Poor justification – there is no problem to fix.** Only about 1% of council planning decisions go to appeal and Tasmania's planning system is already among the fastest, if not the fastest, in Australia when it comes to determining development applications. The panels are simply not needed.
- **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?

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 with opportunities for appeal. Abandon the planning panels and instead take action to improve governance and the existing Council planning process by providing more resources to councils and enhancing community participation and planning outcomes.
- 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

John Borojević

From:

Sent:

Monday, 27 November 2023 10:09 AM

To:

State Planning Office Your Say

Subject:

Submission against Development Assessment Panels

I oppose the introduction of Development Assessment Panels because:

- * they will add further complication to the existing system
- * they reduce the democratic rights of the community.

Issue 1 Types of Development applications

- * Critical infrastructure does not need a new panel because Major Projects Legislation or Projects of State Significance already provide an avenue for approval.
- * Perceived bias exists at all levels of the planning system. DAPs will only increase community perceptions of bias favouring developers in the planning scheme.
- * State Governments through the planning scheme limit or encourage certain types of development and the public perception is that a DAP is only to provide another mechanism to remove the local authority.
- * Councils can share skills and resources in the planning area to ensure access to deal with complex issues.

Issue 2 An enhanced role for the Minister

- * The Minister should not be given an enhanced role. Sufficient authority exists in current legislation.

Issue 3 Retaining local input

- * Council should be the primary contact for applicants and its role should not be diminished.
- * Consultation on any proposal should occur at the beginning of the process. The current system of Council being the Planning Authority provides for this.
- * This proposal reduces democratic rights for no perceived public good.

Issue 4 Resolving issues associated with requests for, and responses to, further information

- * Requests for further information will occur where the developer does not submit the relevant supporting documents with their application. The cable car proposals for Mt Wellington was a perfect example of failure to provide satisfaction of the requirements of the planning scheme in the original proposal. This led to continual requests and responses.
- * Anecdotal evidence is never reliable data. Mention of it in this document is an example of bias being allowed to intrude on the planning scheme. Collect reliable evidence-based data before you implement DAPs and get community approval

Issue 5 Appeal rights and assessment time frames.

- * Special pathways are not faster, cheaper, simpler or FAIRER.
- * Applications that require approval under discretionary provisions rather than acceptable solutions and performance criteria will always take longer to assess
- * Public right of consultation and comment must be guaranteed.
- * All structures are permanent features on the landscape and within the community so should be assessed under existing systems with local input at all stages.

Issue 6 Roles of the planning authority after DAP determination

- * The expectation that the DAP will 'engage extensively with the planning authority' provides no

simplification to the process or reduction of Council work loads but simply adds more red tape and cost.

It is not the planning system which is stopping development currently it is a lack of qualified workers and shortage of materials. Within Hobart there are a number of developments approved and awaiting construction.

Your name: Don Snodgrass

Your email:

My additional comments:: The concentration of development approval powers within State Government in NSW resulted in corruption of the responsible minister and will likely result in the same in Tasmania. The proposed changes only dodge the reasons for the long term under performance of the Tasmanian economy. Those reasons include the poorest health and education outcomes in the Commonwealth and the highest incidence of substance use and abuse. Addressing those issues will do far more to improve Tasmania's long term prospects than the proposed planning approval changes.

From:

Sent:

To:

Subject:

Monday, 27 November 2023 9:43 AM

State Planning Office Your Say

Submission against Development Assessment Panels

I oppose the introduction of Development Assessment Panels because:

- * they will add further complication to the existing system
- * they reduce the democratic rights of the community.

Issue 1 Types of Development applications

- * Critical infrastructure does not need a new panel because Major Projects Legislation or Projects of State Significance already provide an avenue for approval.
- * Perceived bias exists at all levels of the planning system. DAPs will only increase community perceptions of bias favouring developers in the planning scheme.
- * State Governments through the planning scheme limit or encourage certain types of development and the public perception is that a DAP is only to provide another mechanism to remove the local authority.
- * Councils can share skills and resources in the planning area to ensure access to deal with complex issues.

Issue 2 An enhanced role for the Minister

- * The Minister should not be given an enhanced role. Sufficient authority exists in current legislation.

Issue 3 Retaining local input

- * Council should be the primary contact for applicants and its role should not be diminished.
- * Consultation on any proposal should occur at the beginning of the process. The current system of Council being the Planning Authority provides for this.
- * This proposal reduces democratic rights for no perceived public good.

Issue 4 Resolving issues associated with requests for, and responses to, further information

- * Requests for further information will occur where the developer does not submit the relevant supporting documents with their application. The cable car proposals for Mt Wellington was a perfect example of failure to provide satisfaction of the requirements of the planning scheme in the original proposal. This led to continual requests and responses.
- * Anecdotal evidence is never reliable data. Mention of it in this document is an example of bias being allowed to intrude on the planning scheme. Collect reliable evidence-based data before you implement DAPs and get community approval

Issue 5 Appeal rights and assessment time frames.

- * Special pathways are not faster, cheaper, simpler or FAIRER.
- * Applications that require approval under discretionary provisions rather than acceptable solutions and performance criteria will always take longer to assess
- * Public right of consultation and comment must be guaranteed.
- * All structures are permanent features on the landscape and within the community so should be assessed under existing systems with local input at all stages.

Issue 6 Roles of the planning authority after DAP determination

- * The expectation that the DAP will 'engage extensively with the planning authority' provides no

simplification to the process or reduction of Council work loads but simply adds more red tape and cost.

It is not the planning system which is stopping development currently it is a lack of qualified workers and shortage of materials. Within Hobart there are a number of developments approved and awaiting construction.

Your name: Martin Buzza

Your email:

**My additional
comments::**

To: Department of Premier and Cabinet

***Re: proposed Draft Land Use Planning and Approvals (Development Assessment Panel)
Amendment Bill 2024.***

27th November 2023

Dear Sir/Madam,

The Howden Progress Association Incorporated wishes to register its grave concern regarding the suggested changes to Tasmania's planning legislation, proposed by the government.

We are particularly concerned about the proposal to enable the minister to remove the assessment and approval of developments from local councils and their elected councillors, and transfer the process to a government-appointed tribunal. This will severely restrict or prevent the ability of residents to have a say on the development of their local communities and neighbourhoods.

We also note that with concern the proposal to allow appeals on points of law only, and to abolish merit-based appeals on matters such as height or size of buildings, impacts on neighbouring properties, streetscapes and the environment.

We are also concerned about the proposal to allow the minister to instruct local councils to amend their planning schemes if they have rejected a development application.

We believe that the proposed changes will result in an opaque and unnecessarily complicated planning system, give far too much direct power to the minister, and may encourage corruption.

The challenge in Tasmania, perhaps particularly in semi-rural areas such as Howden, is to enable responsible development and new affordable housing without comprising the environment which we all value so highly. The proposed legislation does not meet this objective.

We urge that these unfair, undemocratic and unnecessary proposals be withdrawn.

Yours sincerely

J. L. Everard

(Acting) Secretary,

Howden Progress Association Inc.

From: steve barrett <
Sent: > Monday, 27 November 2023 8:49 AM
To: State Planning Office Your Say
Cc: jeremy.rockliff@parliament.tas.gov.au
Subject: New planning panels

I oppose the creation of planning panels and increasing ministerial power over the planning system, for the following reasons:

- **It will create an alternate planning approval pathway allowing property developers to bypass local councils and communities.** Handpicked state appointed planning panels will decide on development applications not your elected local council representatives. Local concerns will be ignored in favour of the developers who may not be from Tasmania. Also, if an assessment isn't going their way the developer can abandon the standard local council process at anytime and have a development assessed by a planning panel. This could intimidate councils into conceding to developers demands.
- **Makes 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.
- **Remove merit-based planning appeal rights** via the planning tribunal on issues like height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and other potential amenity impacts and so much more. **Developments will only be appealable to the Supreme Court based on a point of law or process.**
- **Removing merits-based planning appeals has the potential to increase corruption and reduce good planning outcomes.** The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption.
- **Increased ministerial power over the planning system increases the politicisation of planning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the planning panel 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.
- **Flawed planning panel criteria.** Changing an approval process where one of the criteria is on the basis of 'perceived conflict of interest' is fraught. The Planning Minister has political bias and can use this subjective criteria to intervene on any development in favour of developers.

- **Undermines local democracy and removes local decision making.** State appointed hand-picked planning panels are not democratically accountable, they remove local decision making and reduce transparency and robust decision making.
- **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.
- **Poor justification – there is no problem to fix.** Only about 1% of council planning decisions go to appeal and Tasmania's planning system is already among the fastest, if not the fastest, in Australia when it comes to determining development applications.
- **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?

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 with opportunities for appeal. Abandon the planning panels and instead take action to improve governance and the existing Council planning process by providing more resources to councils and enhancing community participation and planning outcomes.
- 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,

Sue and Steve Barrett

From:

Sent:

To:

Subject:

Monday, 27 November 2023 8:20 AM

State Planning Office Your Say

Submission against Development Assessment Panels

I oppose the introduction of Development Assessment Panels because:

- * they will add further complication to the existing system
- * they reduce the democratic rights of the community.

Issue 1 Types of Development applications

- * Critical infrastructure does not need a new panel because Major Projects Legislation or Projects of State Significance already provide an avenue for approval.
- * Perceived bias exists at all levels of the planning system. DAPs will only increase community perceptions of bias favouring developers in the planning scheme.
- * State Governments through the planning scheme limit or encourage certain types of development and the public perception is that a DAP is only to provide another mechanism to remove the local authority.
- * Councils can share skills and resources in the planning area to ensure access to deal with complex issues.

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It is not the planning system which is stopping development currently it is a lack of qualified workers and shortage of materials. Within Hobart there are a number of developments approved and awaiting construction.

Your name: Gavin Rigby

Your email:

**My additional
comments::**

From:

Sent:

Monday, 27 November 2023 8:03 AM

To:

State Planning Office Your Say

Subject:

Submission against Development Assessment Panels

I oppose the introduction of Development Assessment Panels because:

- * they will add further complication to the existing system
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Issue 1 Types of Development applications

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Your name: Stuart Godfrey

Your email:

My additional comments:: The Government has given the go-ahead to the Stadium on Macquarie Point clearly shows that our Government intends to ignore the wishes of the voters, with a plan that is clearly going to worsen the traffic stoppages we already have.

From:
Sent: Monday, 27 November 2023 7:41 AM
To: State Planning Office Your Say
Cc:
Subject: Protect our local democracy - say no to the Liberals new planning panels

To the state planning office,

I oppose the creation of planning panels and increasing ministerial power over the planning system, for the following reasons:

- **It will create an alternate planning approval pathway allowing property developers to bypass local councils and communities.** Handpicked state appointed planning panels will decide on development applications not your elected local council representatives. Local concerns will be ignored in favour of the developers who may not be from Tasmania. Also, if an assessment isn't going their way the developer can abandon the standard local council process at anytime and have a development assessed by a planning panel. This could intimidate councils into conceding to developers demands.
- **Makes 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.
- **Remove merit-based planning appeal rights** via the planning tribunal on issues like height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and other potential amenity impacts and so much more. **Developments will only be appealable to the Supreme Court based on a point of law or process.**

- **Removing merits-based planning appeals has the potential to increase corruption and reduce good planning outcomes.** The NSW Independent Commission Against Corruption recommended the expansion of merit-based planning appeals as a deterrent to corruption.
- **Increased ministerial power over the planning system increases the politicisation of planning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the planning panel 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.
- **Flawed planning panel criteria.** Changing an approval process where one of the criteria is on the basis of 'perceived conflict of interest' is fraught. The Planning Minister has political bias and can use this subjective criteria to intervene on any development in favour of developers.
- **Undermines local democracy and removes local decision making.** State appointed hand-picked planning panels are not democratically accountable, they remove local decision making and reduce transparency and robust decision making.
- **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.
- **Poor justification – there is no problem to fix.** Only about 1% of council planning decisions go to appeal and Tasmania's planning system is already among the fastest, if not the fastest, in Australia when it comes to determining development applications.
- **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?

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 with opportunities for appeal. Abandon the planning panels and instead take action to improve governance and the existing Council planning process by providing more resources to councils and enhancing community participation and planning outcomes.
- 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.**

Youse sincerely,

Herbert Staubmann

From:

Sent:

To:

Subject:

Monday, 27 November 2023 7:40 AM

State Planning Office Your Say

Submission against Development Assessment

Panels

I oppose the introduction of Development Assessment Panels because:

- * they will add further complication to the existing system
- * they reduce the democratic rights of the community.

Issue 1 Types of Development applications

- * Critical infrastructure does not need a new panel because Major Projects Legislation or Projects of State Significance already provide an avenue for approval.
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- * The Minister should not be given an enhanced role. Sufficient authority exists in current legislation.

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Issue 5 Appeal rights and assessment time frames.

- * Special pathways are not faster, cheaper, simpler or FAIRER.
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Issue 6 Roles of the planning authority after DAP determination

- * The expectation that the DAP will 'engage extensively with the planning authority' provides no

simplification to the process or reduction of Council work loads but simply adds more red tape and cost.

It is not the planning system which is stopping development currently it is a lack of qualified workers and shortage of materials. Within Hobart there are a number of developments approved and awaiting construction.

Your name: Michelle Balcombe

Your email:

**My additional
comments::**

From: Peter Lawrence <>
Sent: Monday, 27 November 2023 7:18 AM
To: State Planning Office Your Say
Cc:

Subject: submission on Development Assessment Panel Position Paper

I oppose the proposal to create development assessment panels (DAP) to review and decide on development applications, thus by-passing elected local councils.

This will NOT take the politics out of planning decisions, because planning is inherently political because it is about balancing competing public and private interests.

State appointed hand-picked planning panels undermines local democracy. The provision allows the Minister a significant degree of influence in appointing panels members given that the Minister can determine what qualifications and experience are required by panelists. This allows the Minister to by-pass merit base appointments and enable political-based appointments.

Community participation through local governments is essential for a functioning democracy. A better solution is to provide more resources to councils to enhance community participation in planning decisions.

Sincerely,
Peter Lawrence

From:

Sent:

Monday, 27 November 2023 6:46 AM

To:

State Planning Office Your Say

Subject:

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Your name: Julius Roberts

Your email:

**My additional
comments::**

From:

Sent:

To:

Subject:

Monday, 27 November 2023 6:39 AM

State Planning Office Your Say

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Your name: Michelle Delany

Your email:

**My additional
comments::**

From:

Sent:

Tuesday, 28 November 2023 1:16 AM

To:

State Planning Office Your Say

Subject:

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Your name: Bronwyn Tuck

Your email:

**My additional
comments::**